

Workshop: BUILDING INTEGRITY AND TRANSPARENCY IN THE EDUCATION SECTOR OF TAJKISTAN

(Dushanbe, Tajikistan: 1 and 5-6 June 2012)



An advanced training workshop on “Building integrity and transparency in the education sector of Tajikistan” was held on the 1st, 5th and 6th of June 2012 in Dushanbe, Tajikistan. It was organised by GIZ within the framework of cooperating arrangements between the Anti-Corruption Resource Centre (U4) and the International Institute for Educational Planning (IIEP-UNESCO).

The major aims of this workshop were: a shared understanding amongst education stakeholders of the areas of governance in education affecting transparency and accountability in the education sector in Tajikistan; enhanced knowledge on best practices in education governance from Tajikistan and other countries and their applicability to Tajikistan; agreement among education stakeholders on necessary next steps to initiate and maintain a meaningful dialogue to enhance transparency and accountability and strengthen education governance in Tajikistan.

This report includes the various materials that were prepared and used for the Workshop, in particular: the plenary presentation outlines, as well as group work exercises. The appendix contains the list of participants.

DCC / U4 Seminar on
Building integrity and transparency in the education sector of Tajikistan
Dushanbe, 1st, 5th and 6th of June 2012

AGENDA

Objectives of the Seminar:

- A shared understanding amongst education stakeholders of the areas of governance in education affecting transparency and accountability in the education sector in Tajikistan.
- Enhanced knowledge on best practices in education governance from Tajikistan and other countries and their applicability to Tajikistan.
- Agreement among education stakeholders on necessary next steps to initiate and maintain a meaningful dialogue to enhance transparency and accountability and strengthen education governance in Tajikistan.

Friday 1st June

- 08.30-09.00 Participants registration
- 09.00-09.30 Opening by Mr. Ovidiu Mic, European Union and Mr. Farkhod Rakhimov, First Deputy Minister of Education, RT
- 09.30-10.30 Introduction to the workshop
Purpose of the session: To present the programme of the workshop and introduce the topic of corruption
Speaker: Alessandra Fontana (U4)
Q&A
- 10.30-11.00 Mapping distorted practices in the education sector: An introduction
Purpose of the session: To review opportunities for distorted practices in various domains of educational planning and management
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A
- 11.00-11.30 *Coffee break*
- 11.30-12.30 Corruption Risk Assessment
Purpose of the session: Introduction to Corruption Risk Assessment. Review of experience of Tajikistan in relation to education sector.

Speaker: Mr. Suhrob Kohiri, Agency on State Financial Control and Anti-corruption under RT President
Q&A
- 12.30-13.30 *Lunch*
- 13.30-14.30 Auditing financial flows: The use of Public Expenditure Tracking Surveys (PETS)
Purpose of the session: To introduce the need for tracking educational expenditures to assess leakage of funds, to present the various methodological steps in carrying out the tracking and to provide examples from international experience in the area of PETS
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A

- 14.30-15.30 **Working group** on objectives and issues to be documented under a PETS in Tajikistan
- 15.30-16.00 *Coffee break*
- 16.00-17.00 Improving transparency in formula funding
 Purpose of the session: To review approaches followed in providing grants on the basis of different criteria, to highlight some rights attached in the use of such formulas and to provide guidelines on strategies to reduce these risks
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A

Tuesday 5 June

- 09.00-10.00 How per capita funding is performing and recent trends in the use of audits in education in Tajikistan
 Purpose of the session: To discuss the Tajik experience with per capita funding vs input-based funding and how inter audits are conducted in the education sector, and to review the impact in terms of transparency and accountability of both issues)
Speaker: Mr. Ismonov F. Deputy Minister of Education RT
Q&A
- 10.00-11.00 Promoting integrity in teacher management: Recruitment, private tutoring and code of conduct
 Purpose of the session: To examine various approaches to improve teacher management and reduce the risks of distorted practices and highlight successful stories drawn from international experience both in staff management and teacher codes of conduct
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A
- 11.00-11.30 *Coffee break*
- 11.30-12.30 **Working group** on how to optimize the use of the Tajikistan code of ethics
Facilitators: Jacques Hallak and Muriel Poisson (IIEP)
- 12.30-13.30 *Lunch*
- 13.30-14.30 Reviewing the implementation of right to information laws: Focus on report cards in the area of informal payments
 Purpose of the session: To review the experiences of a few countries regarding the enforcement of the right to information and to describe a simple methodology for collecting data on the operation of the school system at grassroots level
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A
- 14.30-15.30 Citizen's right on access to information: de jure and de facto
 Purpose of the session: To discuss the law on access to information and its impact in terms of how it applies to the education sector
Speaker: Mrs. Tatiyana Bozrikova, NGO "Panorama"
Q&A
- 15.30-16.00 *Coffee break*
- 16.00-17.00 **Working group** on the scope and coverage of an education report card in Tajikistan
Facilitators: Jacques Hallak and Muriel Poisson (IIEP)

Wednesday 6 June

- 09.00-10.00 Scope and magnitude of academic fraud in higher education in Tajikistan
Purpose of the session: To discuss vulnerabilities in the higher education sector, providing evidence of the current situation
Speaker: Mr. Kholmurodov Firuz, Deputy Head of Investigation Department, Agency on State Financial Control and Anti-Corruption
Q&A
- 10.00-11.00 Addressing academic fraud: Admission to universities, managing exams and accreditation of institutions
Purpose of the session: To map out the diverse forms of academic and accreditation fraud and to highlight the worldwide trend of growing academic fraud and strategies to address it
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A
- 11.00-11.30 *Coffee break*
- 11.30-12.30 **Working group** on measures to reduce corrupt practices in the management of exams in Tajikistan
Facilitators: Jacques Hallak and Muriel Poisson (IIEP)
- 12.30-13.30 *Lunch*
- 13.30-14.30 Action against corruption through the mobilization of public opinion and the training of education officials in Tajikistan
Purpose of the session: To introduce the strategy against corruption adopted by Tajikistan highlighting the components of this strategy of direct relevance to the education sector
Speaker: Mr. Ismonov F, Deputy Minister of Education RT
Q&A
- 14.30-15.30 Education and training against corruption: Some illustrative examples from the international experience
Purpose of the session: To look at promising experiences aimed at introducing education against corruption at secondary and higher education in selected countries and to sensitize participants to the critical role the education sector can play in anti-corruption strategies
Speakers: Jacques Hallak and Muriel Poisson (IIEP)
Q&A
- 15.30-16.00 **Concluding remarks and distribution of certificates of participation**
Speaker: Mr. Stefan Erber, GIZ and Mr. Nurridin Saidov, MoE

Building integrity and transparency in the education sector of Tajikistan

U4 Workshop
Dushanbe, Tajikistan
Alessandra Fontana

1st June 2012

U4 Anti-Corruption Resource Centre



How do we work at U4?



Promoting an informed approach on issues of transparency and accountability to bilateral development agencies



Research
Theme pages



Training
Online and in country



Helpdesk

Exclusive upon request of partner agencies

Building integrity and transparency in the education sector of Tajikistan



- **Agenda**
- **Short introduction of participants**

Introduction: corruption in the public sector

U4 Workshop
Dushanbe, Tajikistan

1st June 2012

Objectives of this session

- 1. Why should we care: the consequences
- 2. Understanding the nuances
- 3. Accountability vs corruption
- 4. Typology
- 5. Measuring the risks

**Aim to develop a shared
understanding of the issues**

1. Consequences



What was paid for



What the children got!

Photos: World Bank and BBC



School after earthquake in Sichuan, China, 2008

2. Consequences

- Economic
- Social
- Political
- Institutional
- Environmental
- For national security



A large obstacle to development

2. Understanding the nuances between integrity and corruption



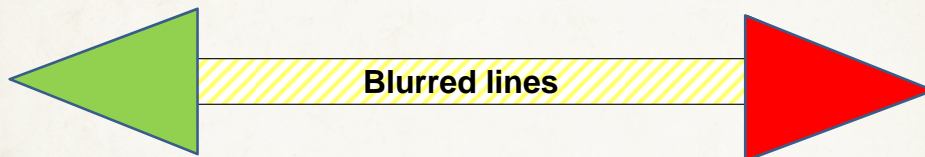
Does it always involve money?

What if the salary is low/the person is unemployed?

Don't I owe a responsibility to my community to give them preference in public jobs?

What is corruption?

2. Understanding the nuances between integrity and corruption



Integrity

Mistakes

**Unethical
behaviour**

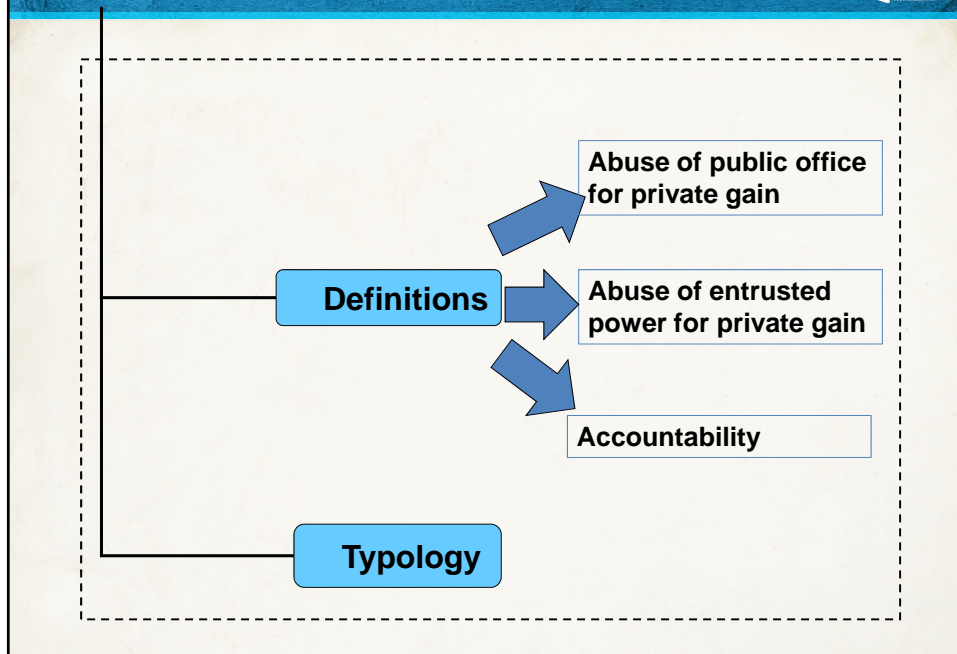
**Admin.
Demeanour**

**Criminal
practice**

Not always clear lines:

- between abuse, unethical behaviours and mistakes
- between gifts, socially accepted favours and small-scale bribe

2. Understanding the nuances between integrity and corruption

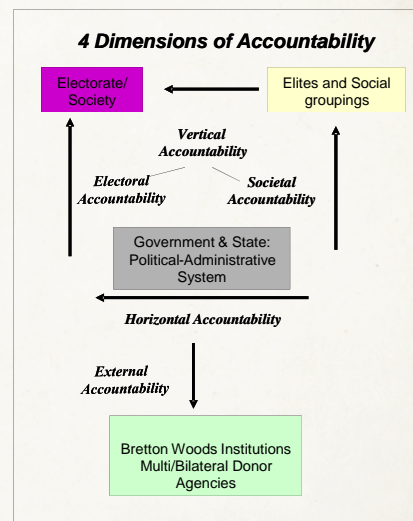


3. Accountability vs corruption

"relationship between the bearer of a right and the agent responsible for fulfilling/respecting that right"

1. Transparency
2. Answerability
3. Controlability

Goetz and Jenkins (2005), *Reinventing Accountability*;
Lawson and Rakner, (2005), *Understanding Patterns of Accountability in Tanzania*



4. Typology

Types

- **Bribery**
- **Extortion**
- **Embezzlement/fraud**
- **Collusion**
- **Favouritism/patronage/nepotism**

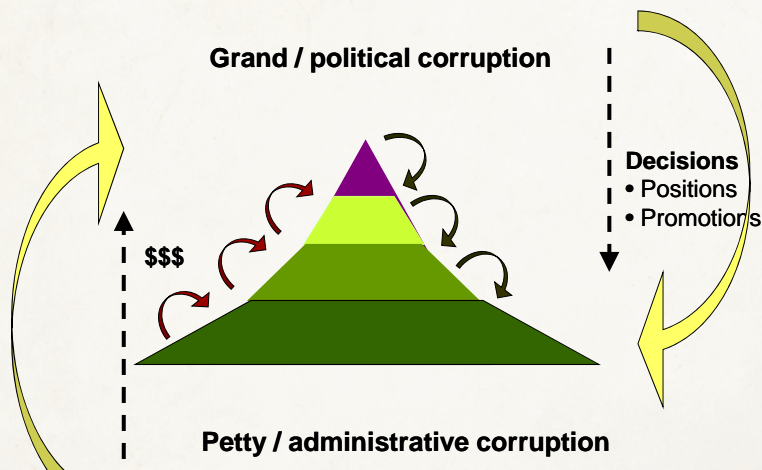
Levels

- **Administrative (“petty”) corruption**
Lower ranking public officers
Small amounts of money
More frequently
Severe social impact
- **Grand corruption**
High level officials and politicians
Large amounts of money
High economic impact
- **State capture**
Political and economic elites
Big money & influence of power
Manipulation of policies & institutions

4. Typology

Systemic corruption:

Grand and “petty” corruption co-exist, depend and feed on each other



Can risks of corruption be measured?



5. Measuring risks

ANALYTICAL TOOLS AVAILABLE

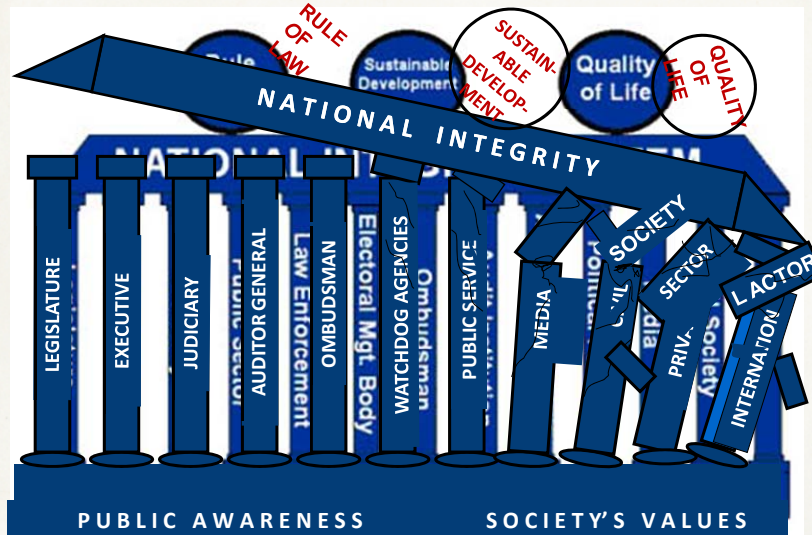
- National Integrity System analysis
- Sector governance analysis (political economy, actor mapping, stakeholder analysis, etc.)
- Area or process mapping (vulnerability to corruption assessments)
- Value chain analysis
- Audits (systems, financial, procurement)
- PETS
- Corruption perception / experience surveys
- Report cards



Different focus allows complementary use
→ crucial to combine technical and power analysis

5. Measuring risks

Integrity-corruption nexus



Source: Transparency International

In short...

- No clear cut definition and different forms of manifestation
- Affects different aspects of public /private life in different manners
- Requires several methodologies to be understood in its different manifestations
- Attention! Different measurement tools serve different purposes
- **Unpack the concept in order to know what you are trying to address**



In a far away country...

1. A teacher working at a rural school volunteers at the local community council, which organizes activities for poor children. The teacher is also responsible for managing voluntary contributions given by parents to the school. Every now and then, the teacher diverts some contributions to pay for photocopies necessary for the activities of the council. The community council is underfunded. The teacher never uses parents' contributions for her own benefit, only for council purposes. The school where she teaches, however, lacks teaching materials.
2. A civil servant working for the procurement department at the Ministry of Health is involved in the tender process for renovation works of ten hospitals in the next 5 years. One of the bidders offers him a certain amount of money to have access to the list of companies participating in the tender process.
3. An employee of the local warehouse of the Ministry of Education regularly takes a notebook and some pencils home for his niece. His niece is a primary school pupil and her parents are unemployed so they cannot afford school material. A couple of years later, the employee gets sacked and he starts a small business selling school textbooks (which the government should distribute for free at schools) at the city market.
4. A pupil brings a cake to school as a thank you gift for his teacher in the last day of classes. The pupil has had a school year with bad marks. The teacher accepts the cake. A few weeks later, the pupil's family is informed he failed and needs to repeat the school year.
5. The administrator of an aid project funding the local hospital is working on the budget for the next phase of the project when his mother falls ill. Realizing informal payments are usual, he offers a payment to the doctor who will operate his mother. The doctor refuses the payment. The mother is operated and recovers. A few months later, the doctor appears in the project office and asks if a vehicle for him can be included in the budget. There is no real need for a car for the doctor in the context of the project. But the administrator adjusts the budget and he gets his car.

MAPPING DISTORTED PRACTICES IN THE EDUCATION SECTOR

An introduction

Jacques Hallak & Muriel Poisson



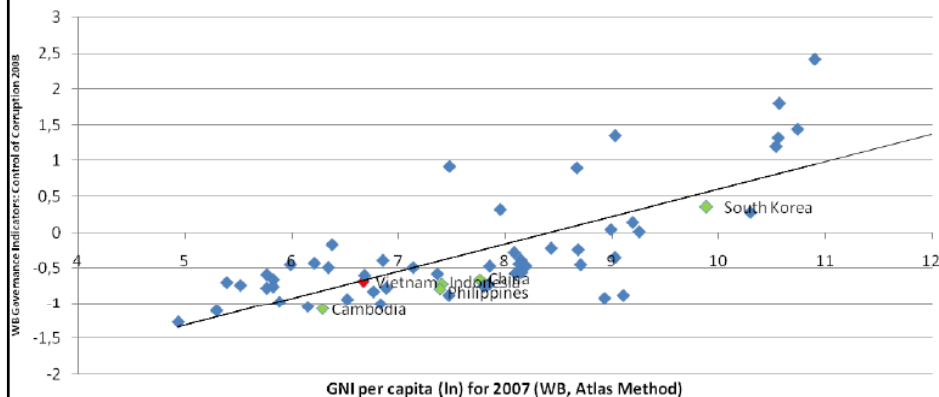
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Introduction

Integrity and GDP per capita

2



Source: Davidsen et al.

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1. General definition of corruption in education

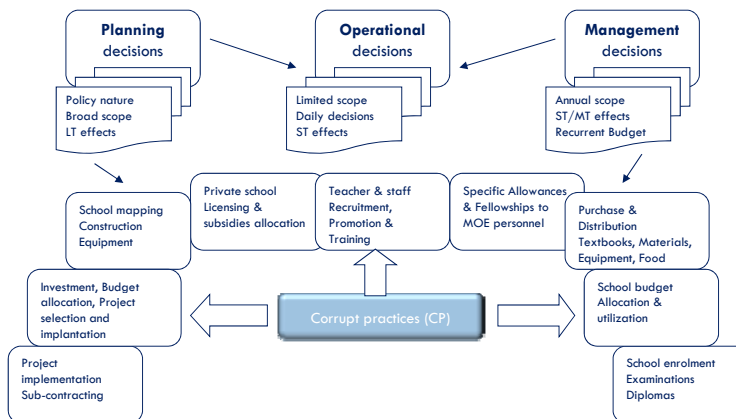
3

“The systematic use of public office for private benefit whose impact is significant on access, quality or equity in education”

- ❖ Diversion of funds from govt accounts
- ❖ Favouritism in personnel appointments

2. Mapping decisions and related activities

4



Source: Saidi, 2000.

3. Levels of occurrence and stakeholders

5

Level of occurrence	Level of education	Actors involved	Nature of exchange
<ul style="list-style-type: none"> • Ministry of Education • Region-district level • School level • Classroom level 	<ul style="list-style-type: none"> • Primary education • Secondary education • Higher education <ul style="list-style-type: none"> ▶ Distinction public/private education ▶ Distinction formal/non-formal education 	<ul style="list-style-type: none"> • Private supplier-administrator exchange • School staff-administrator exchange • Student-administrator exchange • Student-faculty exchange • Student-non-teaching staff exchange 	<ul style="list-style-type: none"> • Administrator-driven • Faculty-driven • Non-teaching staff-driven • Student-driven <ul style="list-style-type: none"> ▶ Locating agents with monopolistic powers ▶ Identifying 'win-win'/'win-lose' situation

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4. Scope: need for a systemic approach

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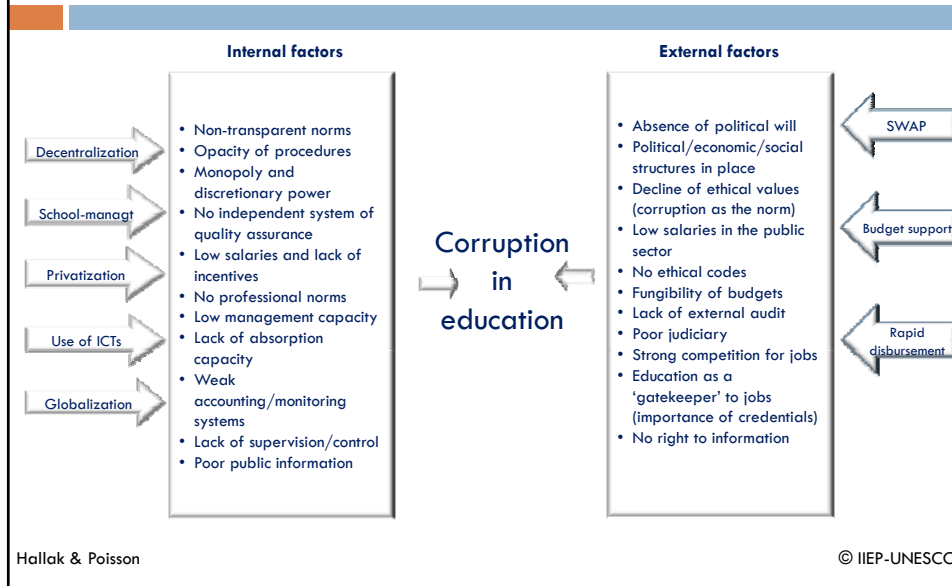
Focus on institutions, procedures, mechanisms and not on individuals

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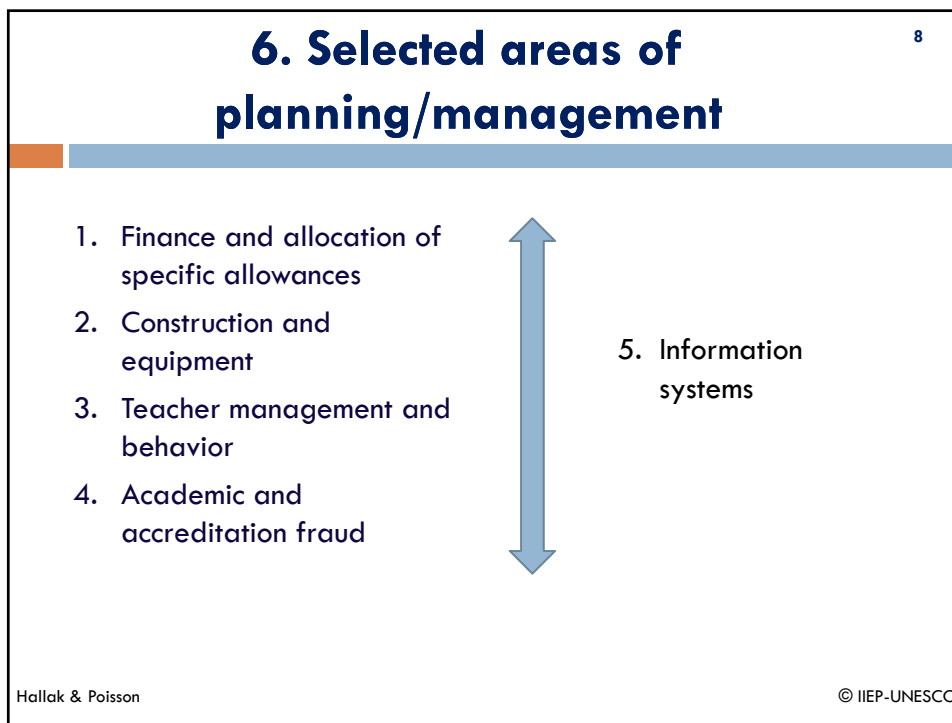
5. Internal/external factors contributing to corruption

7



6. Selected areas of planning/management

8



i. Finance

Areas	Corrupt practices
Finance	<ul style="list-style-type: none"> • Opacity of flows • Transgressing rules and procedures, bypass of criteria • Inflation of costs and activities • Embezzlement
Allocation of specific allowances (fellowships, subsidies, etc.)	<ul style="list-style-type: none"> • Favoritism/nepotism • Bribes • Bypass of criteria • Discrimination (political, social, ethnic, etc.) • Illegal fees

United Kingdom: embezzlement of school budget by a head teacher amounting to £ 500 000 in one LEA in 2003

ii. Construction and equipment

Areas	Corrupt practices
Construction, maintenance and school repair	<ul style="list-style-type: none"> • Fraud in public tendering (payoffs, gifts, favoritism) • Collusion among suppliers • Siphoning of school supplies
Distribution of equipment, furniture and materials (transport, boarding, textbooks, canteens and school meals)	<ul style="list-style-type: none"> • Purchase of unnecessary equipment • Manipulating data • Bypass of allocation criteria • Ghost deliveries

Payoffs eat up 20 to 65% of textbook funds in the Philippines

iii. Teacher management and behaviour

Areas	Corrupt practices
Teacher appointment, transfer, promotion, payment and training	<ul style="list-style-type: none"> • Fraud in the appointment and deployment of teachers • Bypass of criteria • Discrimination (political, social, ethnic) • Falsification of credentials/use of fake diplomas
Teacher behavior (professional misconduct)	<ul style="list-style-type: none"> • Ghost teachers • Absenteeism • Illegal fees • Favoritism, nepotism, gifts • Private tutoring • Sexual harassment or exploitation

In Brazil, teachers pay bribes to be recruited

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iv. Academic and accreditation fraud

Areas	Corrupt practices
Academic fraud, examinations and diplomas, access to universities	<ul style="list-style-type: none"> • Examination fraud (impersonation, cheating, favoritism, gifts) • Bribes (for high marks, grades, selection to specialized programs, diplomas, admission to universities) • Diploma mills and false credentials
Institution and program accreditation	<ul style="list-style-type: none"> • Fraudulent research, plagiarism • Bypassing quality assurance criteria

Selling exam questions in advance in Italy

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v. Information systems

Areas	Corrupt practices
Information systems (enrolment statistics, staff list, school list, flows of funds, etc.)	<ul style="list-style-type: none"> • Manipulating data (inflating or deflating figures) • Selecting/suppressing information • Irregularity in producing and publishing information • Payment for information that should be provided free

In Indonesia, 30% of allocation for school rehabilitation lost due to distorted application of criteria

In summary...

Areas of planning/management	Major opportunities for corrupt practices	Impact on education
Finance	<ul style="list-style-type: none"> • Transgressing rules and procedures • Inflation of costs and activities • Embezzlement 	<ul style="list-style-type: none"> • Access • Quality • Equity • Ethics • Policy priorities
Allocation of specific allowances (fellowships, subsidies, etc.)	<ul style="list-style-type: none"> • Favoritism / nepotism • Bribes • Bypass of criteria • Discrimination 	
Construction, maintenance and school repairs	<ul style="list-style-type: none"> • Fraud in public tendering • Embezzlement • Manipulating data • Bypass of school mapping 	
Distribution of equipment, furniture and materials (transport, boarding, textbooks, school meals)	<ul style="list-style-type: none"> • Fraud in public tendering • Manipulating data • Bypass of allocation criteria 	
Teacher management	<ul style="list-style-type: none"> • Fraud in the appointment and deployment of teachers • Falsification of credentials/use of fake diplomas 	
Personnel behavior (professional misconduct)	<ul style="list-style-type: none"> • Ghost teachers • Absenteeism • Illegal fees • Favoritism/nepotism/acceptance of gifts • Private tutoring 	
Examinations and diplomas Access to universities	<ul style="list-style-type: none"> • Selling of information • Examination fraud • Diploma mills and false credentials 	
Institution accreditation	<ul style="list-style-type: none"> • Fraud in the accreditation process 	
Information systems	<ul style="list-style-type: none"> • Manipulating data • Selecting/suppressing information • Irregularity in producing and publishing information 	

AUDITING FINANCIAL FLOWS

The use of Public Expenditure Tracking Surveys (PETS)



Jacques Hallak and Muriel Poisson

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Introduction: why carry out PETS? ²

- ❖ Increased public spending on education: no improvement in pupil enrolment/quality education
- ❖ **Assumption:** leakage of funds between central/school levels
- ❖ Setting up of a methodology to track the evolution of resources from the central education budget to the users at classroom level

PETS initiated in Uganda in 1996; since then, several dozens of PETS implemented worldwide

Objective: To locate and measure leakages and identify causes to propose remedies

1. Sector analysis

3

To determine the structure of the government's resource flow, rule for resource allocation and accountability system

Non-wage funds

Teachers' salaries

Ministry of Local Govt

Ministry of Education



Districts

Bank accounts



Schools

Teachers

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2. Key research questions and objectives

4

- ❖ Agree on purpose and objectives through consultation of stakeholders:
 - Ministries: education, finance, planning, etc.
 - Donors
 - Civil society: PTA, teachers' unions, etc.
- ❖ Identify:
 - Key questions and tentative answers
 - Resource flow and rules for allocation
 - Roles of public and private schools
- ❖ Take into account:
 - Data availability
 - Local capacity to carry out the survey

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Question and tentative answers: Zambia

- ❖ **Question:** Why do school enrolments decrease, especially in poor communities, despite increased government funding?
- ❖ **Tentative answers:**
 - *Discretionary funds (major part of government allocations) do not reach all schools*
 - *Rule-based funds reach all schools*
 - *Due to bargaining power, schools with wealthy parents get more discretionary funds per pupil*

3. Steps in PETS

- ❖ *Assumptions* : Leakages linked to types of flows, size or location of schools
- ❖ *Questionnaires by level*: Ministries, local authorities, school directors
- ❖ *Stratified sampling*: Budgetary constraints and precision
- ❖ *Data collection*: Training of enumerators and data management
- ❖ *Data analysis*: Back to the assumptions

School survey questionnaire

7

Central government

Did the school receive any funding (money or in-kind) from Central Government over the last 4 years?

1=Yes; 2=No

Does the staff receive salaries, allowances or any other kind of funding for staff (money or in-kind) from Central Government?

1=Yes; 2=No

Are salaries from Central Government received with delays?

1=Yes; 2=No

If yes, how long (in months) is the typical delay?

Does the staff receive allowances from Central Government?

1=Yes; 2=No

If yes, for what type of allowances were moneys received?

Allowance type	Unit value of allowance
Lunch	
Transport	
Housing	
Top-up	
Other (Specify)	

Does the staff receive in-kind support from Central Government?

1=Yes; 2=No

If yes, what type of in-kind support does the staff receive?

Questionnaires
always field tested
before survey

4. Analysis

8

- ❖ Renew contacts as soon as analysis begins, with Government and other stakeholders to:
 - Help to build govt ownership of the study
 - Increase chances that recommendations following the analysis will suit govt's goals
- ❖ For managers and policy makers: two complementary tasks:
 - Analysis of leakage: locating and measuring
 - Analysis of causes to propose remedies
- ❖ For researchers: other tasks
 - Equity analysis
 - Econometric studies, etc.

Vaso de Leche: leakage

9

Central Government



Municipality



Municipality-VdL team



Committee VdL

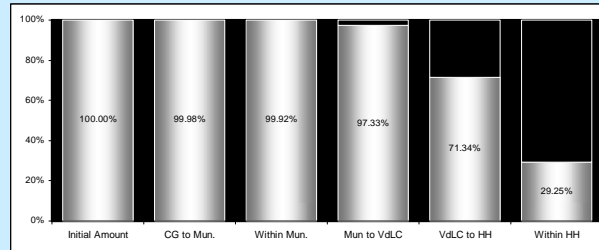


Household



Beneficiaries

Leak 1



Leak 5

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PETS results: country data

10

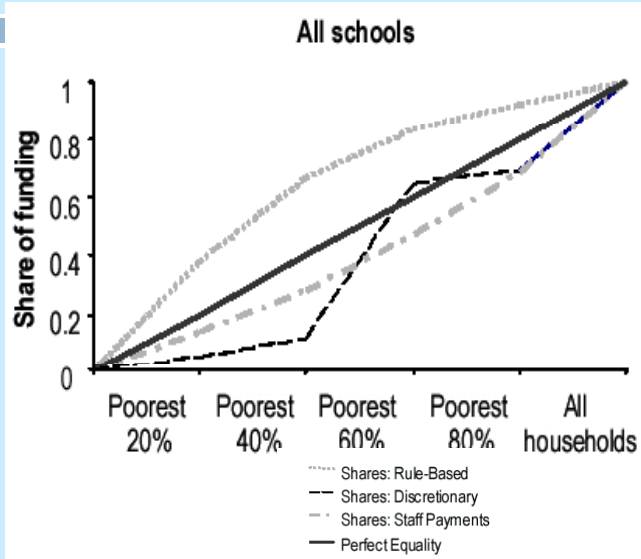
Country	Year	Fund	Sample	Leakage
Ghana	1998	Non-wage	126	49 %
Peru	2001	Utilities	100	30 %
Tanzania	1998	Non-wage	45	57 %
Uganda	1995	Capit grt	250	87 %
Vietnam	2005/6	Unspecified exp.	4 prov.	13-19%
Zambia	2001	Fixed grt	182	10 %
Zambia	2001	Discr. grt	182	76 %

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Zambia: inequalities in public funding

11



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Uganda: leakage and enrolment

12



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5. Key issues: Who can do it?

- ❖ Roles of MOE officials and of entities in charge of data collection
- ❖ Local or international consultants?
- ❖ Capacity building objectives?
- ❖ Who does the analysis?
- ❖ Help build local ownership of the study

6. Use of results for policy reform

- ❖ Transfers to primary education displayed on public notice boards in each school and district centre (monitored by the MOE)
- ❖ Central supply of construction and other materials replaced by the school-based procurement
- ❖ Effort made to institute basic public accounting systems that include districts
- ❖ Detailed data on spending on teacher salaries available at central level

Newspaper campaign in Uganda

- ❖ Main national newspapers and their local language editions
- ❖ Monthly transfers of capitation grants to districts published in newspapers since 1996
 - *Parents will know what their entitlements are*
- ❖ Posters required at district HQs announcing the date and amount funds received
- ❖ Schools required to maintain public notice boards/posters displaying receipts
 - *Parents will know what the actual receipts are*
- ❖ Subsequently expanded to other sectors

Conclusion: towards sustainability in the practice of tracking funds

- ❖ Usefulness of PETS to provide an accurate picture of the supply
- ❖ Information dissemination as a powerful tool of change
- ❖ Need to integrate PETS:
 - in the overall administrative process
 - in the public communication policy

IMPROVING TRANSPARENCY IN FORMULA FUNDING

Jacques Hallak & Muriel Poisson



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2

Improving governance !

- ❖ **Getting closer to the users:** improving efficiency, relevance, transparency and accountability
 - Deconcentration
 - Decentralization
 - Devolution to schools and universities
- ❖ **No simple model:** combination of centralization, deconcentration, decentralization and institutional management

Local financial autonomy

The basic purpose of Formula Funding is to provide all schools with an equitable sum of money which *they* can decide to spend on the particular needs and priorities of *their* school

This is 'Local Financial Autonomy'.

- ❖ At every stage in the process of transferring resources from central government to the pupil in the classroom, there is transparency and accountability
- ❖ A system of checks and balances throughout the process should ensure that precious resources are used wisely, effectively and with integrity

Outline of the presentation

- I. Formula funding: an introduction
- II. Opportunities for corrupt practices in educational financing
- III. Multi-dimension strategy for improving transparency and accountability

I. Formula funding: an introduction



1. Definition of formula funding

“An agreed set of criteria for allocating resources to schools, impartially applied to each school”

Use of formula funding:

- ❖ *Rather simple*: deployment of teachers linked to class size
- ❖ *Rather sophisticated* (e.g. UK): number of pupils (75%), students' additional needs (5%), physical conditions (20%), extra allowances/learning difficulties, using as a proxy Free School Meal (% FSM)

In Tajikistan,
two formula:
input-based
and per
capita

2. Main components of the formula

7

- ❖ Rule-based grant
- ❖ Equalization grant addressing the needs of under-privileged groups
 - *Equity concerns*
- ❖ Discretionary grant to promote government priorities
 - *Relevance and quality concerns*

Formula funding in Victoria, Australia

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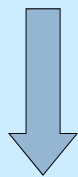
- ❖ **Core:** 80% of the budget
 - Salaries of personnel, didactic materials, operation and maintenance
 - Different coefficients for primary and secondary
- ❖ **Needs based:** disadvantaged and special learning needs
 - Handicapped children, rural/remote schools
- ❖ **Priority programs:** 16 special needs

3. “Money follows the student”

- ❖ Mechanisms to distribute funds among spending units
 - Traditionally, norms for inputs (until 2003 in Tajikistan)
 - Now “money follows the student” (based on capitation, unit cost or average cost)
- ❖ The money should go to a jurisdiction small enough to be politically accountable and large enough to create possibilities for shifting resources among schools
- ❖ Assigning competences regarding different educational levels to different administrative levels (e.g. Poland) reduces flexibility

Formula funding in Romania

SUPPLY



DEMAND

- ❖ Prior to 1990, supply-side system: funds allocated on the basis of the number of teaching positions, square feet of building space and other planning norms
- ❖ After 1990, demand-side financing: funds allocated on the basis of unit cost per student in various fields of study (higher education)
- ❖ Studies of unit costs conducted by the National Higher Education Financing Council (NHEFC), to provide the empirical basis for the FF
- ❖ Complementary funding allocated on a competitive basis (peer-reviewed competition)

Source: World Bank, 2005

4. Formula funding and transparency

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- ❖ Consistently applied formula determines what each school is allocated: this is known by the school and can be made publicly available
 - ❖ More transparency and accountability
 - ❖ At the same time, more school autonomy can increase the possibility of fraud as many more people have direct access to funds
- ➔ This depends obviously on 'how FF operates in practice'

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II. Opportunities for corrupt practices

1. Allocation of funds

- ❖ Non-transparent criteria used for selecting eligible schools or pupils (favoritism, nepotism, politicization of the process, etc.)
- ❖ Overstatement of eligible schools or students by head teachers or local education officers in order to attract more resources
- ❖ Non-eligible schools or pupils manipulating data in order to be entitled to receive the funds
- ❖ Non-eligible schools or pupils 'convincing' education officers that they are eligible (bribes)

Distortion of the formula

Type of formula	Pervasive effects
<ul style="list-style-type: none"> ▪ Allocations according to size of schools 	<ul style="list-style-type: none"> ▪ Inflation of enrolment figures
<ul style="list-style-type: none"> ▪ Utility costs funded according to past expenditures 	<ul style="list-style-type: none"> ▪ No incentive for more efficient use of energy, water and telephones
<ul style="list-style-type: none"> ▪ Indicators of students' learning needs 	<ul style="list-style-type: none"> ▪ Incentive for principals to encourage low scores
<ul style="list-style-type: none"> ▪ Data for calculating extra funding collected from the school (socioeconomic background, poverty, ethnicity, language) 	<ul style="list-style-type: none"> ▪ Principals tempted to falsify statistical returns

2. Distribution of funds

- ❖ Payment of 'facilitation fees' by schools to obtain approval for withdrawing funds from school bank accounts
- ❖ Payment of 'taxes' to local officials in order to obtain the allowance or the scholarships granted
- ❖ Reduction of disbursements by local officials or procurement of fewer non-wage items for schools
- ❖ Embezzlement of funds by educational officers at different levels of the administrative hierarchy

3. Use of funds

- ❖ Use of educational funds for purposes other than education (public or private)
- ❖ Use of part of operational funds to cover administrative costs
- ❖ Irregular book-keeping practices and falsified orders and receipts to cover up irregular payments
- ❖ Irregular payments made to officials, members of school committees, etc.
- ❖ Grant funds used for inappropriate goods
- ❖ Use of educational funds to finance political parties or electoral campaigns

III. Multi-dimension strategy for improving transparency and accountability

1. Checking data accuracy

Type of formula	Pervasive effects	Recommendations
<ul style="list-style-type: none"> Allocations according to size of schools 	<ul style="list-style-type: none"> Inflation of enrolment figures 	<ul style="list-style-type: none"> To collect data on enrolment externally To check for accuracy externally
<ul style="list-style-type: none"> Utility costs funded according to past expenditures 	<ul style="list-style-type: none"> No incentive for more efficient use of energy, water and telephones 	<ul style="list-style-type: none"> To include variables that predict the amount that the school must spend but cannot itself affect (e.g. size and condition of buildings and climatic variations)
<ul style="list-style-type: none"> Indicators of students' learning needs 	<ul style="list-style-type: none"> Incentive to principals to encourage low scores 	<ul style="list-style-type: none"> Not to use tests administered by the school itself
<ul style="list-style-type: none"> Data for calculating extra funding collected from the school 	<ul style="list-style-type: none"> Principals tempted to falsify statistical returns 	<ul style="list-style-type: none"> To check for accuracy externally

Data checking in Victoria and England

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In Australia:

- ❖ Data collected at state level from schools four times a year; it has the most rigorous external check

In England:

- ❖ Data collected from schools by the annual census; forms completed by IT management systems and submitted electronically to the ministry (limited misreporting)
- ❖ *Example of misreporting:* Free School Meals (visit of LEA auditors and inspectors)
- ❖ If FF is not to be corrupted, strong data verification procedures and sanctions for deliberate misreporting must be in place

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2. Enforcing financial regulations

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- ❖ Opening bank accounts
- ❖ Ensuring compliance of timely transfer of funds by the Ministry of Financing
- ❖ Routine follow-up of flows of funds (PETS)
- ❖ Adoption of financial regulations
- ❖ Common financial management systems and capacity-building at school level

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Financial regulations in the UK

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- ❖ A clear manual of financial regulations at school level e.g.
 - the tendering process for ordering goods
 - separation of ordering and receiving goods
 - more than one signature on cheques or credit notes
 - inventories of equipment including write-offs
 - handling of cash within school to be minimized and checked
- ❖ Training in financial management for Heads and governors
- ❖ With 150 LEAs, this is not the case: each school must buy its training and support
- ❖ Consistent Financial Reporting i.e. all schools should use the same coding for items of income and expenditure

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3. Monitoring, control and audits

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- ❖ Budget scrutiny insufficient to prevent fraud/incompetence
- ❖ Independent reviews conducted by registered private accounting firms
- ❖ Are financial reports or financial regulations fully complied with?
- ❖ Reports submitted to the various stakeholders at various levels with sanctions for misconducts and irregularities
 - *Intervention of relevant public authorities (removal from school positions)*
 - *Intervention of the police (embezzlement of funds)*

Tajikistan:
- Dept of internal audit and control
- Supreme external audit institutions

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The challenge for conducting audits in Poland

23

- ❖ Budget scrutiny by the school board
- ❖ Audit by the *gmina* on a routine basis, with special audit programs planned for schools with decentralized accounting
- ❖ External Audit by Regional Accounting Offices – audit of local jurisdictions which file budgetary reports

Main obstacles:

- ❖ Existence and role of *gmina* depend on the good will of local governments
- ❖ Advisory role of *gmina*, which have no statutory access to school data
- ❖ Incapacity of the board to hold the school director accountable for the budget

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4. Promoting control at local and school level

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- ❖ Advantages of financial local autonomy:
 - Gives heads, teachers, parents and pupils a greater say in how the school is organized and how learning happens
 - Encourages better use of money because the school community has the 'ownership' of its resources
 - Makes everybody more accountable for their performance and for the use of precious resources
- ❖ This requires:
 - a fair representation of stakeholders at local and school level
 - tools to exert public accountability, such as social audits
 - Capacity to manage funds including to maintain school accounts
 - Need for adequate staffing at school and local level

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The merit of social audits, the case of India

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- ❖ Monitoring mechanisms include:
 - joint review missions
 - district monitoring committees
 - school management committees
 - social audits
- ❖ Social audits, process through which citizens (facilitated by NGOs) scrutinize government reported expenditures and other records and cross-check them against actual expenditures
 - In Rajasthan, grassroots groups access government records
- ❖ Almost all major government programmes have a provision for the conduction of social audits

Tajikistan:

- Law on 'Parent's responsibility for education and children upbringing', 2011
- Govt recognizes the need for support and promoting public councils, PTAs and trustees boards

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Focus on Tajikistan: enforcing the role of PTAs

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In Kulob, PTAs could be a real instrument of community involvement in the process of increasing the transparency and accountability of school resources. Key issues in which PTAs need to be supported:

- (i) help in juridical registration;*
- (ii) ensuring that all PTAs are informed about their rights and duties;*
- (iii) working with school directors to ensure that PTAs are involved in the school budget formation process.*

QLP will continue to review the role and involvement of PTAs in accountability and governance and assess how this can be applied in other rayons with per capita financing.

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Conclusion

- ❖ Timely information about actual spending should be provided by public accounting systems
- ❖ Public access to the formula used as well as information dissemination about fund allocation and disbursement is a powerful tool of change
- ❖ Crucial role to be played by the “social control” exerted by communities and citizens

PROMOTING INTEGRITY IN TEACHER MANAGEMENT

Jacques Hallak & Muriel Poisson



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U4 training workshop: 'Building integrity and transparency in the education sector of Tajikistan' Dushanbe, 1st, 5-6 June 2012

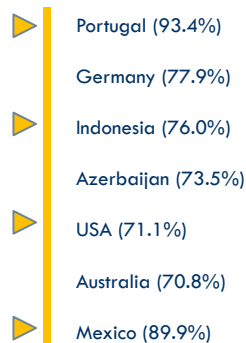
Introduction

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Tajikistan: « Teachers have to take bribes because it is very difficult to manage with 30 to 40 \$ a month »

- ❖ Chief component of education
- ❖ Largest group of public servants and their salary is the largest component of education costs (50-90%)
- ➡ Impact of distorted behavior is proportionately high
- ❖ Highest incidence on education quality as they have an **ethical responsibility**: Corrupt teacher behavior gives negative signals to students

Pre-university education



Source: UIS-UNESCO, 2011

Outline of the presentation

- I. Opportunities for corrupt practices
- II. Improving teacher management
- III. Improving teacher behavior

I. Opportunities for corrupt practices

1. Corruption in teacher management

- ❖ *Manipulation of information:* lack of comprehensive accurate base line data on teachers, use of fake documents, inflation of posts, etc.
- ❖ *Favoritism and nepotism in management:*
 - unfair selection processes in appointment, promotion, deployment, as well as access to in-service training
 - the teacher is a friend or a family-member to someone in the administration or due to his/her socio-political background
- ❖ *Bribes:* money for recruitment, promotion, deployment and remuneration
- ❖ *Ghost teachers*

The case of 'ghost teachers'

- ❖ Teachers listed on the payroll but who are now **dead or retired**, or **no longer** or **never did exist**
- ❖ Teachers who resigned, absconded, on leave without pay or on study leave without permission
- ❖ Others are deliberately **created at the school or at higher level** to increase the funding to a school or district

Country	Ghost teachers (%)
Honduras 2000	5
Papua NG 2002	15
Sierra Leone	12 (est.)
Uganda 1993	20

Sources: World Bank 2001, 2004; Reinikka 2001
Sierra Leone: PRSP Review, 2004

2. Corruption in teacher remuneration

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- ❖ Incorrect or double salary payments
- ❖ Teachers having to pay back part of their salaries to the person in charge of giving it to them (Brazil, Cambodia)
- ❖ Forging of documents and bribing of officials to secure larger retirement cheques and/or earlier retirement
- ❖ Embezzlement of pension funds by administrative staff

3. Corruption in teacher behaviour

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- ❖ *Unjustified absence*: no explication, false sick leave justification
- ❖ *Fake diplomas*: diploma from a fake university, non existing degree, notes illegally changed
- ❖ *Illegal fees*: school admission, promotion, etc.
- ❖ *Bribes*: for correcting papers, organizing exams or sport activities/excursions
- ❖ *Private tutoring*: pressure on students to take extra payable hours in order to succeed the school-year

Teacher absenteeism

-9

Determination of absence based on physical verification against names on teacher roster (entire number of posts approved, both occupied and vacant)

- **Teacher absence** has a significant impact on students
- A 10 % increase in teacher absence is associated with a 1.8 % decrease in student attendance
- A 20 % decrease in teacher attendance is associated with a 2 % **decrease in test scores**

Country	Absence rates (1ary)
Peru	11
Ecuador	14
Indonesia	19
Sierra Leone	22
India	25

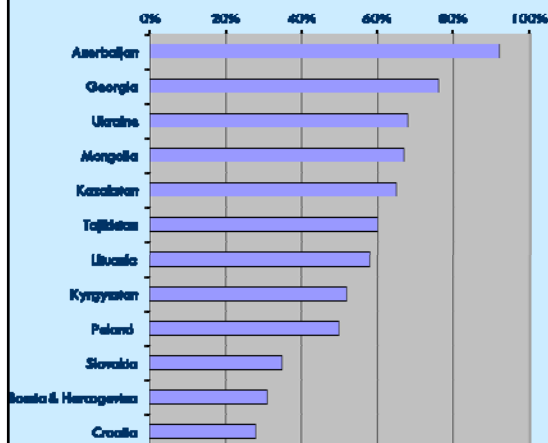
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Private tutoring: results from a comparative study

10

Percentage of students taking PT lessons



- ❖ Compulsory” private tutoring explicitly offered by school teachers to their own students
- ❖ Tajikistan (51%) Mongolia (40 %) Kazakhstan and Kyrgyzstan (39%) Azerbaijan (25%) Georgia (20%) Ukraine (17%) Less than 10% in Croatia and Poland

Source: OSI & NEPC Monitoring Studies

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Adverse effects of private tutoring

- ❖ Teachers neglecting their mainstream duties
- ❖ Students less interested in mainstream classes/absent
- ❖ PT examination-oriented
- ❖ Public facilities used for private interests
- ❖ Non-transparent criteria used for teacher deployment
- ❖ Pressure exerted on parents to pay for private tuition
- ❖ Curriculum taught in a distorted way
- ❖ Penalisation of pupils who do not attend private tutoring penalised



4. Use of awareness indicators (*red flags*)

Area	'Red flags'
Diploma	<ul style="list-style-type: none"> ❖ Degree from an unknown university ❖ Abnormal number of degrees/high level
Exams	<ul style="list-style-type: none"> ❖ Teachers do not get paid for conducting exams ❖ Very high % of students pass the exams/ very good score levels
Salaries	<ul style="list-style-type: none"> ❖ Low salaries, extravagant lifestyle of teachers
Teacher appointment/transfer	<ul style="list-style-type: none"> ❖ Appointment of family/close friends ❖ Teachers close to the administration are getting the most attractive posts
'Ghost teachers'	<ul style="list-style-type: none"> ❖ Gap between payroll & the actual number of working teachers

II. Improving teacher management

1. Cleaning the list of staff

- ❖ To organize a *nation-wide 'headcount'* exercise, during which teams physically verify that teachers listed on payroll sheets exist
- ❖ To check credentials and avoid the use of fake degrees
- ❖ To use a *formal administrative act* to validate the final list of teachers eligible to receive salaries
- ❖ To conduct '*spot audits*' throughout the year by a professionally reliable group from the central auditors or Ministry inspectorate (*Sierra Leone: audit of staff in 2003*)
- ❖ To identify cases of *double salaries, undeclared sick leave* (longer than the norm of three days)

2. Setting clear criteria

- ❖ Hiring of teachers:
 - Adoption of one intake per year
 - Selection of common parameters (*MEST, communities*)
 - Vacant posts publicised
 - Outsourcing the selection process
- ❖ Transfer of teachers:
 - Decided **by central office** but reconciled with LEAs
 - Transfer requests considered *only at end of the school year* except proved illnesses, court orders
- ❖ Absenteeism:
 - Monthly records of school employee's daily attendance created by each school > LEA, MOE

3. Creating a computerized management system

- ❖ Detailed information on each teacher (teacher code, work history, changes affecting pay...)
- ❖ Update data bases:
 - Teachers receiving double salaries
 - Undeclared sick leave (more than 3 days)
 - Unjustified payment of salaries or in excess
- ❖ **Result:** reduction in the time needed for teachers' requests (Bogota, Colombia)

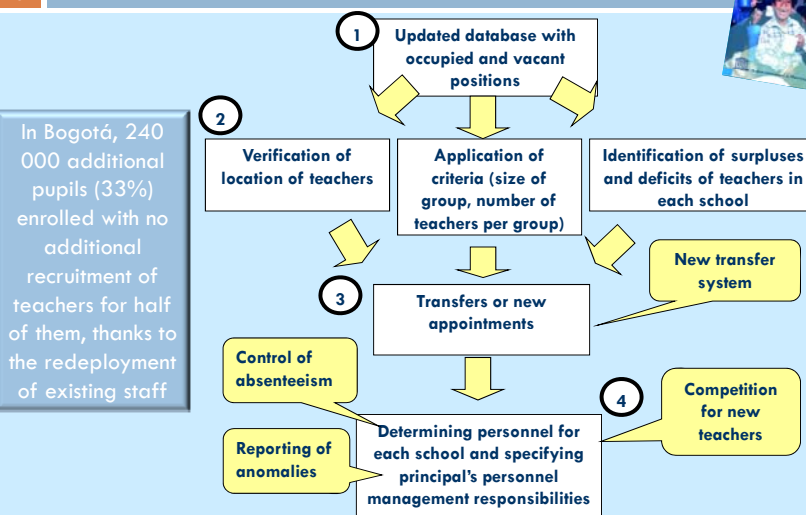
PROCEDURE	1998	2003
Leaves	15 days	5 days
Retirement	20 days	3 days
Filling vacant posts	25 days	6 days
Assignments	20 days	6 days
Technical bonuses	45 days	15 days
Vacations	20 days	5 days
Disabilities	25 days	8 days

4. Setting-up control mechanisms

- ❖ Once an anomaly is detected (e.g. teacher absenteeism), the institutions in question (MOE, school, etc.) should :
- ❖ Determine the status of each teacher (status of qualification, contract etc.)
- ❖ Inform the entities responsible for carrying out disciplinary action (*Which entities in Tajikistan?*)
- ❖ Review any potential need for revising the procedure

How to improve teacher management?

-18



III. Improving teacher behaviour

1. How to reduce teacher absenteeism?²⁰

- ❖ Specification of the area's features in *publication of vacant posts*
- ❖ *Inform staff* about the *rules and procedures* to follow in case of sick leave as well as the sanctions
- ❖ Make clear that *the rules are the same for everybody* (rules stated in contract and 'awareness' meetings)
- ❖ Organize *internal and external controls* to make sure that the teacher is in the classroom
- ❖ Improve the *infrastructure* (covered classrooms, non-mud floors, teacher toilet, electricity, library)
- ❖ Build *ownership*: unions and PTAs

2. Regulating private tutoring

- ❖ Rationalize the teaching wage bill:
 - Better use of teachers (remedial courses)
 - Adjustment of wages (decline in enrolment)
- ❖ Inform parents and beneficiaries:
 - Government campaign to educate parents on the choice of a tutorial school
 - Publicity to warn operators and inform clients on their rights (*Hong Kong*)
- ❖ Recognize and regulate private tutoring:
 - Publication of government laws and regulations
 - Obligation of registration (safety, tax, monitoring)
 - Self-regulatory processes; e.g. tutoring associations (*Taiwan*)

3. Designing teacher codes

- ❖ Applicable to different sectors, various professions, and at each level of the education sector
- ❖ At higher education, it can relate to:
 - *Quality assurance*: crucial dimension
 - *Academic fraud*: integrity of stakeholders
 - *Other corrupt practices*: resource management, private tutoring, etc.
 - *Accreditation*: criteria and scoring
- ❖ Prerequisites: participatory processes



In Tajikistan, code of ethics of the civil servants but no proper mechanisms of dissemination and improvement, nor adequate training

Ontario college of teachers (1)

23

- ❖ Standards of *Practice* and *Ethical Standards* used to accredit teacher education programs (16 requirements) in Ontario universities
- ❖ A self-governing mechanism and an integral process that provides an approach for monitoring professional misconduct (quality assurance)
- ❖ Viewed as true system of accountability (road to integrity)

Ontario college of teachers (2)

24

Prerequisite and conditions satisfied:

- ❖ Participatory process of consultation and design (6 months, 600 people)
- ❖ Formal approval (College's Governing Council)
- ❖ Gradual implementation: capacity building and information

Conditions and pre requisites partly complied with:

- ❖ Discipline committee determines allegation of incompetence or professional misconduct
- ❖ Investigation committee investigates complaints (150 in 2003)
- ❖ But only some disciplinary actions controlled by the profession (certification under the MOE)

Conclusion

- ❖ Due to teachers' considerable salary expenditures and their influential role on the education system, it is crucial to handle corrupt actions in teacher management and teacher behaviour
- ❖ Implement multiple strategies to prevent corruption:
 - Use QSDS to detect problems
 - Implement codes of conduct
 - Computerized teacher management system
 - Raise awareness on various aspects of corruption
 - Be aware of 'red flags' to look for corrupt practices

RIGHT TO INFORMATION

Focus on report card

Jacques Hallak & Muriel Poisson



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U4 training workshop: 'Building integrity and transparency in the education sector of Tajikistan' Dushanbe, 1st, 5-6 June 2012

2

Introduction

- ❖ To help poor communities take care of themselves and exercise social control
- ❖ Facilitate their access to information
 - *Right to information*
- ❖ Involve them in monitoring public service delivery
 - *Report cards*

Outline of the presentation

- I. Right to information
- II. Report cards: methodology
- III. Application to informal payments

I. Right to information

1. Regional concerns in Asia

- ❖ **Lack of information:** management, costs, and output of schools
- ❖ **Few accountability mechanisms:** goals set and hold students, parents, teachers, administration responsible for results
- ❖ Low awareness of problems and weak demand for information
- ❖ Lack of shared vision among stakeholders

2. Law on the right to information

- ❖ Freedom of press and access to information key to transparency and accountability
- ❖ International experiences suggest:
 - a need for a legal basis for the right to information

Circular No. 09/2009/TT-BGDĐT (Vietnam), May 2009

Article 2 (...). The publicity implementation of educational institutions to improve transparency, promote democracy, strengthen the autonomy and accountability in resources management and education quality assurance for themselves (...). Should be fully assured in contents, forms and time (...).

3. Accompanying measures

- ❖ Accurate and timely information system
- ❖ Public information translated into local languages
- ❖ Campaign of information dissemination to citizens
- ❖ Budget and resources needed to support law implementation
- ❖ Staff training in information management and interaction with citizens and groups
- ❖ Incentive/penalty mechanisms to encourage administrators to provide accurate information on time

Tajikistan, Law on the Right for Access to Information adopted in June 2008. But: scope of information not clearly defined; Article 8 leaves it at the discretion of the heads of each agency to define the rules for satisfying of the access to information requests

India: right to information

1996: 40-day agitation in Rajasthan: "right to know, right to live"

Several difficulties:

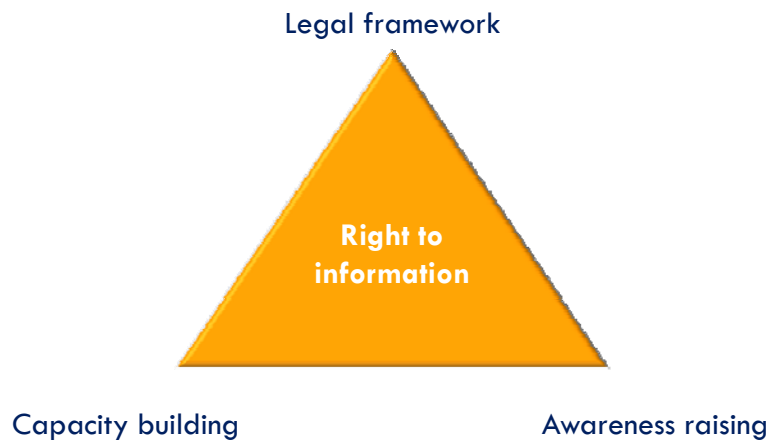
- ❖ Lack of awareness among educators/citizens
- ❖ Government officials do not follow rules
- ❖ Lack of freedom to introduce changes
- ❖ Vested interests of politicians
- ❖ Administrators do not make changes
- ❖ Prevalence of a culture of secrecy (education)
- ❖ Lack of ethics
- ❖ Low levels of literacy of population

Recommendations for improvements:

- ❖ Educating the citizens in using RTI
- ❖ Train all government personnel on RTI Act
- ❖ Time-bound disclosure of all information of use to the public, including its regular update
- ❖ Strengthen information systems (low fees for providing information, including postage cost)
- ❖ Incentives to officials providing information (a monetary fine)

Promoting social control: integrated approach

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10

II. Report cards: methodology

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1. Definition of report cards

- ❖ Simple but powerful tool to provide public agencies with systematic feedback from users of public services
- ❖ Elicit feedback through sample surveys on aspects of service quality that users know best
- ❖ Enable public agencies to identify strengths and weaknesses of their work
- ❖ Implemented in countries worldwide (*Latin America, USA, Bangladesh, etc.*)

2. Objectives of score cards

- ❖ To provide quantitative feedback on user perceptions and knowledge on the quality, adequacy and efficiency of public services
- ❖ To demand public accountability through extensive media coverage and civil society advocacy that accompanies the process

3. Main domains covered

- ❖ Awareness
- ❖ Access and inclusion
- ❖ Attitude and behavior
- ❖ Quality, timeliness and efficiency
- ❖ Infrastructure
- ❖ Responsiveness
- ❖ Cost (including hidden cost)
- ❖ Sustainability
- ❖ Suggestions for improvement

Regularly monitor results and policies, allows to see which efforts are bearing fruit, what needs to be done and how

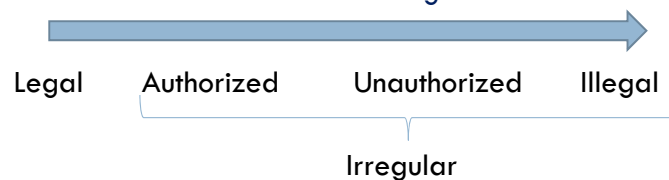
4. Methodological steps

Preparatory stage	<ul style="list-style-type: none"> ❖ Objectives: shortcomings and defects in education service delivery ❖ Identification of respondents: e.g. MEST, teachers, parents ❖ Preparation of questionnaires ❖ Size and characteristics of the sample
Implementation stage	<ul style="list-style-type: none"> ❖ Collection of data ❖ Analyzing collected information: e.g. types of fees
Reporting and advocacy	<ul style="list-style-type: none"> ❖ Releasing report, initiate advocacy: e.g. valid account for collecting extra-payment ❖ Follow-up: diffusion of the report

III. Application to informal payments

1. Legal and irregular fees: definitions

- ❖ **Direct fees:** fees paid directly to the school or school system (tuition, examination fees, activity or sport fees, building maintenance fees, school development fees, boarding fees)
- ❖ **Other fees:** fees that involve payments to commercial entities for books, supplies, uniforms, transportation, and meals/snacks and voluntary contributions made to PTAs or similar organizations



2. Typology of fees

% of households reporting expenditures on different categories of fees in primary education in selected countries. (Source: SFAU, 2009)

Expenditure	Country (year of survey)			
	Malawi (2002)	Nigeria (2004)	Uganda (2001)	Zambia (2002)
Tuition	1	14	22	73
Books, supplies	83	99	97	98
Uniforms, clothing	69	88	78	81
PTA	—	70	18	—
Development fund	57	29	56	—
Exam fees	3	39	24	—
Transport	1	5	6	—
Food	34	62	24	—
Boarding fees	0.3	0.2	2	—
Private tutoring	4	23	6	—
School reports	15	—	—	—
Sports fund	—	—	—	24
Maintenance fees	—	18	—	10
Other	2	14	24	4

In Tajikistan, contributions requested from parents without even justifying the need for it

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3. Report Card, Bangladesh: sample



- ❖ Survey conducted on 171 head teachers, 966 students and 966 guardians + 105 government, 40 non-government, 14 satellite & 12 community primary schools
- ❖ Primary schools selected by random sampling:
 - Students of the 4th & 5th grades
 - Minimum 20 schools selected from each sub-district
 - 10 of those covered by the Government 'Food for Education Programme'

Source: Karim, 2004

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3. Report card in Bangladesh: results

Amount of illegal fees collected in 8 Upazillas:

Admission into primary schools	73 876 BDT
Entertaining government officers	435 049 BDT
First-term examination fees	6 102 893 BDT
Second-term examination	6 069 765 BDT
Annual examination	6 086 059 BDT
Total (including other fees)	19 849 000 BDT*

* US\$ 350 000

Source: Karim, 2004

Conclusion

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“Empowerment is the expansion of assets and capabilities of stakeholders (users, beneficiaries) to participate in, negotiate with, influence, control, and hold accountable institutions that affect their lives”



Citizen's right on access to information: de jure and de facto

Bozrikova Tatiana
PF "Panorama"
June 5, 2012
Dushanbe

Presentation is based on the key findings of the survey conducted under DFID support

- Analyses of the regulatory and legal framework on population's access to the governmental information.
- Content-analyses of 12 governmental and independent newspapers for the last 12 months – from July 2009 till July 2010.
- Interview method, by households. Total number of questioned is 1200 households.
- Focus group discussion (FGD) for studying opinion and informative level of journalists and civil society representatives. Total number FGD is 30.
- In-depth interviews for questioning deputies of republican and local levels parliaments, employers of khukumats, ministries and agencies. Total number of interviews is 35.
- Case study on access of public organizations representatives to information on republican and local budget issues. – inquires to ministries and khukumats.



What has shown the research?

- The research topic "Access to and use of information about State Budget" itself caused controversy both of the population and state authority's employers.
- Many household members were puzzled: state budget and we? What for to know about it? Can we impact anything?
- State authority's employers: Budget and public? How could housewives and nonprofessionals participate at budget processes? Only professionals have to be involved in it!



What else has shown the research?

- Country has the Law "On Right of Access to Information".
- Sites of Ministry of Finance and other agencies locate materials on state budget and main execution reports.
- Newspapers publish the Law on accepted state budget for the next year, articles on problems of financing branches, etc.
- Deputies raise budget issues at the meetings with electorate.
- But the main is absent! What's it?



The main problem is the absence of understanding that:

- State budget money is, first of all, the money of tax-payers!
- State has to report population on budget funds use.
- Population has the right to know and request the report on state budget execution.
- Civil society has the right to participate at budgetary processes: from budget formation to its execution.
- Civil society, mass media, and state authorities are partners and not contradictors.

This problem is specific both for population and state authority's employers.



Results of regulatory and legal framework analyses

- Law of RT "On Right of Access to Information" enables population to get access to state information on budget issues.
- However, aiming to remove possible barriers on the way of public access to the information and more effective law-enforcement practice it's necessary to revise and bring additions in legislative and regulatory acts, to provide transparency of the governmental information.



Strengths of the Law "On the Right of Access to Information"

- A definition of the concept of "right of access to information" and the types of information to which access shall not be restricted.
Article 6 of the Act highlighted the principles of the right of access to information:
 - a) availability and transparency of information;
 - b) accuracy and completeness of the information;
 - c) timely provision of information;
 - d) protection of the right of access to information, including courts and others.




Continuation...

- Provisions of the Law reveals how the right of a citizen to access information is implemented, review the order and satisfy the request, etc.
- Art. 10 and 11 describe the rights and obligations of the requesting party and responsibilities of officials to provide information
Article 13, para 1 stipulates that "Answer to a request for information is issued within the shortest period but no later than after thirty calendar days after receipt of the request."
Article 17 shall define responsibility for violation of this Law



Weaknesses of the legislation in in the field of finances

- Transparency and access to information about state budget during budget formulation and discussion are not provided under specific legislation and regulatory framework
- Such activities as draft state budget and local budget publication, public hearings and discussion of draft budgets etc are not considered.




De facto – answers to inquiries of public organizations according to survey's results

Only 4 out of the 14 inquiries on budget issues, send in the frame of the given project, were positively answered, which is about 28,6%.



De facto: Level of public information awareness on budget issues

- Only less above 8% of respondents is familiar with any materials and documents on budget issues. Even less is public awareness on documents and materials on local budget.
- Above 76% of respondents assume that it's complex for population to get information on state budget and 82% - to get information on local budget.
- Main information sources on state budget are republican mass media, friends, relatives and meetings at khukumats and jamoats.
- Majority of population do not see direct connection between households problems and budgetary processes and, as a consequences underestimate importance of owing information on state revenues and expenditures.
- расходам



Level of information awareness and participation of POs, makhally committees, PTA in budgetary processes.

- POs representatives have rather general perception of state budget. None of FGD participants could name even approximately the sum of state revenues for 2010.
- Civil society organizations are not ready to impact actively the budget processes. Small number of POs, makhally committees are interested in state and local budgets issues. They have no practice on initiating public hearings. Extremely rare POs send inquiries to state bodies on state revenues and expenditures.
- Majority of APT members could not name sum allocated for one pupil from their school. And one of the main functions of APT is the strengthening of the control over school financial expenditures.



Barriers on the way of common ground between civil society and authorities: the views of POs representatives:

- Weak knowledge of the legislature in human rights on public access to budget information
- Incomprehension of how civil society representatives without any professional knowledge could participate in budgetary processes
- Undeveloped forms of social partnership and others.



Potential and needs

- Representatives of POs, makhally committees, APT were very critical in estimating own potential on work with population and participation in budget processes.
- With one voice they expressed that presence of only wish to work with population, parents is not enough – they need knowledge and experience .
- Due to gaining knowledge they could both work with population and actively participate in the development of own rayons plans, discuss state budget issues, etc.



Main factors hindering the expansion of public access to budget information:

- Inadequate legal and regulatory framework for budget processes and access to information
- Absence of task-specific activity of state authorities, NGOs and other civil society structures to disseminate knowledge and information on budget related issues.
- Lack of information materials in accessible formats for public understanding of budgetary issues.




Continuation

- Low level of awareness of key government agencies on legislation and regulatory framework on the right of people to have access to budget information. Bureaucratic procedures and red tape in public access to information. Opposition to public participation in budgetary processes by a number of government officials.
- Poor coverage of budget information not only by government but also the independent media, informational dominance of published articles and the insufficient number of publications that promote the interests of ordinary citizens to budgetary issues.



Continuation

- Inadequate attention of public associations and the low capacity of civil society organizations on implementing outreach activity with the public and its participation in budget processes.
- Deficit of competent experts from NGOs and other civil society structures in the area of financial issues.
- Low activity and consolidated efforts of the third sector and as a consequence, the inability of non-governmental associations to become a powerful force for public policy in budgetary processes.
- Underdeveloped ongoing dialogue with NGOs and the executive and other branches of government.



What needs to be done to enhance the access to budget and other information in education sector?

- Targeted programs using social technology "Transparent Budget" should be implemented. In these programs, it is expedient to pay special attention to two main directions: raising public awareness, parents awareness and involvement of parents, civil society, mass media in the budgetary processes in education sector.
- To use widely the public and parliamentary hearings aiming to activate civil society in budgetary processes.
- Strengthen role of PTA in school budget formulation and execution process control

Needs of PTA representatives –participants of the survey

- Thematic seminars and training sessions on budgeting, allocation of funds among the budget lines, public control over implementation of the budgets of schools, etc.
Development and dissemination of materials for PTA, parents on per capita funding, participation in monitoring of the school budget, etc.
Development of cooperation between PTA and Makhalla councils
- Organization of joint training sessions to enhance social interaction between members of the education system and civil society

Thank you for attention!



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Specifics of Fraud in Higher Educational Institution



Approaches to Definition

Corruption (from the Latin word “corruptio” - erosion, graft, falsification) – is a crime, when the official abuses entrusted to him by his position rights, for his personal gain

Corruption – is abuse of position for personal gain.



The specific feature of corruption is a conflict between actions of the official and interests of his employer, or a conflict between actions of official and interests of society.

Many types of corruption are like **fraud**, committed by the official, and refer to the crimes against the state power.

Any person can be subject to corruption, if he has **discretionary power** — the power over discretionary distribution of resources which do not belong to him (any official, MP, judge, law enforcement official, administrator, teacher, who takes exams, doctor)



Fraud

Fraud, falsification, forgery, manipulation with cash resources and securities by gaining trust of the property owner

In 2011 out of 85 registered corruption crimes, 22 crimes was fraud by abusing official position. In the I-Q of 2012, such crimes were 4 out of 15 registered.

Article 247 of CC, Republic of Tajikistan

1) Fraud as embezzlement of another's property or acquisition of right to another's property by fraud or abuse of trust

- is punished by penalty in the size from 250 to 365 specified rate or limitation of freedom for the term up to 3 years, and imprisonment for the term of 2 years (Law of RT of 21.07.2010, №617).

2) The fraud, committed:

a) repeatedly;

б) by group of people in preliminary collusion;

в) with significant damage to the citizen;

г) by person, who abused his official position,

- is punished by penalty in the size from 365 to 912 specified rate or by imprisonment for the term from 2 to 5 years, and this person can not hold certain positions or conduct certain activity for the term of 5 years or without it. (Law of RT of 17.05.2004, N35, and of 21.07.2010, №617).

Article 247 of CC, Republic of Tajikistan

3) Fraud:

a) in large size;

б) by organizational group;

в) as dangerous repeated commission of fraud,

- is punished by penalty in the size from 912 to 1460 specified rate or by imprisonment for the term from 5 to 8 years with confiscation of assets or without it. Such person is not allowed to hold certain positions or conduct certain activities for the term of 5 years or without it (Law of PT of 17.05.2004, N35, of 21.07.2010 №617).

4) Fraud:

a) particularly dangerous and repeated;

б) in highly large size,

- is punished by penalty in the size from 1460 to 2190 specified rate or by imprisonment for the term from 8 to 12 years with confiscation of assets. Such person is not allowed to hold certain positions or conduct certain activity for the term of 5 years, or without it (Law of RT of 17.05.2004.N35, of 21.07.2010.№617).

Comments to item «B» part 2 Article 247 of CC, Republic of Tajikistan.

Fraud is a form of embezzlement. The specific fraud is abuse of position, when the official does not have required authorities, but he pretends as if he has them, and looks “attractive” to clients, he persuades them that he can by pass the law for the benefit of the client. The client perceives this official as a “right” person. The official offers them such corrupted services, as (high mark for test or exam, help to privileged enrolment to University, restoration after exclusion by falsification of the documents). The offender takes money, documents for property right from the deceived client, in exchange for making illegal agreements on behalf of University, and promises the client will receive interest benefit. He falsifies all documents as if under “patronage” of Rector or Dean).

Comments to item «В» part 2 Article 247 of CC, Republic of Tajikistan.

The deceived people later realize, that this was fraud, and they complain to law enforcement agencies, but with delay. The offender extorted money or valuables, or property rights, documents for house, car, etc, for exchange of promise to provide service. But he failed to provide such service, as he had no authority, and he would not return money, assets, property rights, documents for house, car, etc, to the client, telling that he spent all money. The object of fraud can be not only money, but assets, property right, documents, falsified by notary office to his name, etc. Such falsified right for property is the object of crime. For example, by getting letter of trustee for the use of property, the offender falsifies it and registers the property on the name of other persons, through giving bribe to notary officer.

Comments to item «В» part 2 Article 247 of CC, Republic of Tajikistan.

In the activities of higher educational institutions, corruption is caused by property- money “commercial “ exchange between students and teachers. The teachers misuse their positions in the situations, when some students do not want to study subjects, or can not cope with curriculum because of the family circumstances, go for earnings, and they are afraid to be excluded. Student behave so, as the exam procedures are strict, students may be excluded for failing one test or exam, for not participating in social life of the university, or other violations of discipline. Sometimes teachers have prejudiced attitude. The student know of opportunities to by pass rules and get higher education. The university staff take advantage from this situation for personal gain and illegal profits.

Comments to item «В» part 2 Article 247 of CC, Republic of Tajikistan

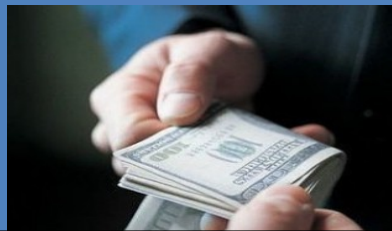
The objective side of the fraud (active or passive), is that the students lack information (on legal consequences), or other stakeholder, and teachers misuses of trust, given them by their positions as university staff.

Subjective side of fraud is abuse of position deliberately, it is intended crime, i.e. the offender understands that by fraud or misuse of trust he gets the property of the client or money, and he realizes that he inflicts the client property (financial) damage, though it is expressed implicitly.

Sometimes, the offender does not know his authorities, and he thinks, that he acts legally.

Comments to item «В» part 2 Article 247 of CC, Republic of Tajikistan

The subject of this crime is a person, who has official position in university. The aggravating circumstances, provided in parts 3 and 4 articles 247 of CC, RT, covering the misuse of official position, depends on degree of inflicted damage to the victim, large size or particularly large size, it depends from actual property conditions of the victim, taken into account the size of his property and his income.



Example of fraud by misusing official position in University

The district city court in Dushanbe made a verdict to the accountant K., she was in charge for salaries in University. She was convicted guilty in crime, according to item a Part 3 article 247, article 323 CC, RT (fraud, committed by a person, abusing his official position, in forgery).

In the course of preliminary investigation of criminal case, it was established from January to November 2010, in her position, committed embezzlement on the total amount of 448.939 s



Example of fraud by misusing official position in University

K. according to her official duties, made payroll salary accounting to administrative–logistic department, administration, technical personnel, part-time teachers and free-lance staff. Besides, she signed fictitious loan agreement on behalf of university with individual businessman P, with interest rate as if for payment salaries to university staff. She also included into payroll the salary for ghost teachers by providing the list to the bank, and then received money by cashing plastic cards on the name of ghost teachers.

The fraud was detected in spring 2011 after auditing, which was conducted when Chief Accountant reported, that data for salary are not reconciled, and there is assumption that a part of salaries was accrued and paid wrongly. After detecting this crime by operational investigation officers of State Finance Control and Anticorruption Agency RT, the criminal case was instituted, investigated, according to part 3 article 247 of CC, Republic Tajikistan. K. fully admitted her fault, and compensated the material damage, explaining, that the reason of her illegal actions was her difficult financial situation.

The court established the punishment for K. in the form of 2 years of imprisonment conditionally with a trial period for 2 years. The sentence of court regarding this punishment has completely coincided with a position of the state prosecutor.

The main feature of corruption is opportunity to get economic **gain**, by **abuse of official position**, and the main suppressing factor – is **risk of being detected and punished**.



Thank you for your

ADDRESSING ACADEMIC FRAUD

Jacques Hallak & Muriel Poisson



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U4 training workshop: 'Building integrity and transparency in the education sector of Tajikistan' Dushanbe, 1st, 5-6 June 2012

What is academic fraud?

Extent to which procedures to standardise the conditions under which examinations are prepared, administered and scored are observed or violated"

- ❖ Academic fraud is increasing everywhere:
 - *In the USA, 30% primary, 70% secondary students cheat; 40-70 confirmed frauds in bio-medical research/year*
- ❖ In some countries, examination corruption has become a business
- ❖ Academic fraud is a threat to societies, both developing and developed, because it throws a doubt on the quality of diploma and degree holders

In Tajikistan, in 2010, 17.5% of respondents to a survey: « We have resorted to reward academics for exam facilitation »

Outline of the presentation

3

- I. Varieties of academic fraud
- II. The case for introducing standardised tests
- III. Strategies to improve assessment methods

4

I. Varieties of academic fraud

1. Forms of academic fraud

Steps	Malpractices (examples)	Actors involved
Examination development	<ul style="list-style-type: none"> Leakage or selling of exam questions Test preparation (private tutoring) Impersonation, external assistance Substitution of scripts Ghost examination centers 	<ul style="list-style-type: none"> Subject specialists Testing experts Clerks Printers
Marking of examinations	<ul style="list-style-type: none"> Favoritism, nepotism, bribes 	<ul style="list-style-type: none"> Professors Graders Supervisors
Recording results and issuing diplomas	<ul style="list-style-type: none"> Manipulation of exam results Issuance of fake degrees and credentials 	<ul style="list-style-type: none"> Administrators
Use of results	<ul style="list-style-type: none"> Bribes to obtain admission to university 	
Accreditation fraud	<ul style="list-style-type: none"> Use of non-transparent criteria Bogus accreditation agencies 	

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“How I bought a good grade”

- ❖ *Sweden’s National Agency for HE: From about 200 fake universities worldwide in 2000 to more than 800*
- ❖ *US General Accounting Office: “Obtaining counterfeit diplomas is fast, easy and potentially effective” (600 fake, unauthorized or substandard institutions in the State of Michigan)*

2. Forms of fraud in accreditation

Steps	Malpractices
Definition of accreditation and quality assurance (QA) criteria	<ul style="list-style-type: none"> • Use on non-transparent criteria • Fraudulent or bogus accreditation agencies (accreditation mills)
Accrediting process	<ul style="list-style-type: none"> • Bribes to obtain successful certification/accreditation • Non-accredited institutions issuing accredited degrees
Accreditation implementation and supervision	<ul style="list-style-type: none"> • Distortion in the application of the accreditation criteria • Circumvention of accreditation (franchising schemes) • Profit-making schools lying about their accreditation status

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Accreditation fraud in Ukraine

- ❖ Interviews conducted with 43 rectors, vice rectors, and administrators at 5 private universities showed that:
- ❖ Successful licensing or accreditation applications, with few exceptions, require some form of bribery
- ❖ Licensing, required only of private institutions, may involve a bribe of US\$ 200 (about two months' salary for a typical academic)
- ❖ Accreditation may call for a 10 or 20 times greater "gratuity"

Source: Stetar et al., 2005

3. Unintended consequences of reforms

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- ❖ Policies to promote equity in faculty or to raise teacher qualifications may result in recruitment of people using fake credentials
- ❖ Efforts to improve faculty work may lead to poor quality publications, plagiarism
- ❖ Distance education is difficult to supervise, increases opportunities for fraud

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II. The case for introducing standardised tests



1. Transparent testing/admission processes

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- ❖ Clear admission criteria and procedures
- ❖ Outsourcing the management of exams (*State Student Admission Commission, Azerbaijan*)
- ❖ Reliable and transparent mechanisms for administering tests
- ❖ Strengthened links between eligibility and opportunities for access

Universities in Tajikistan have started applying tests as one objective assessment instrument

Ukraine: new testing procedures launched

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- ❖ Experiment on external assessment of educational achievements of graduating students
- ❖ Creation of a Testing Technology Centre and regional testing centers
- ❖ Unified program requirements, unified format, unified examinational procedures
- ❖ Testing using paper answer sheets, tasks of open and closed type
- ❖ Tests from closed/secret database
- ❖ Double-check of open tasks

Source: Hvvrynech, 2005

2. Emphasis on the security of tests

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- ❖ Key principles of the new systems of tests introduced:
 - *Confidentiality*
 - *Security*
 - *Anonymity*
- ❖ Computerization of the higher education admission process

Computerized tests in Azerbaijan

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- ❖ To fight inefficiencies and bribery
- ❖ Azerbaijan's higher education admission process is entirely run by computer:
 - *Construction of tests*
 - *Administration of exams*
 - *Grading tests and processing admission to universities*
 - *Candidates directly informed of their results*
- ❖ No outside interference is possible

III. Strategies to improve assessment methods



1. Neutrality of exam and accreditation mechanisms

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- ❖ Establishment of autonomous professional bodies, with fair representation of stakeholders
- ❖ Creation of independent organizations or private consulting companies for accreditation (Australia Quality Assurance Association)
- ❖ Transparent standards for quality assurance (UNESCO-OECD guidelines)

Yet difficulties:

- ❖ Selection and training of peer reviewers
- ❖ Maintaining real autonomy from government

Australian Quality Assurance (AUQA)

- ❖ Established under the Australian Corporations Law as a not-for-profit company
- ❖ Manage a system of periodic audits of quality assurance arrangements relating to the activities of Australian universities
- ❖ Monitor, review, analyze and provide public reports on quality assurance arrangements in SAs, on the processes and procedures of accreditation authorities, and on the impact of those processes on the quality of programs
- ❖ Report on the criteria for the accreditation of new universities and non-university higher education courses

Tajikistan introduced the practice of licensing of educational activities as well as certification and accreditation of educational institutions

2. Preference to hybrid approaches

Campbell Law:

« The more any quantitative social indicator is used for social decision-making, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor »

- ❖ Avoid exams/test that focus on the capacity to memorize
- ❖ Design exams/tests posing questions that outside sources would not help answer
- ❖ Use writing essays not only testing facts
- ❖ Combine exams with standardised tests, building on the strength of each

3. Selected tools to detect and sanction fraud

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- ❖ Use of statistical techniques to detect fraud in multiple choice testing
- ❖ Use of software to detect and prevent plagiarism
- ❖ Analysing, comparing and recorrecting scripts (identical mistakes, peculiarities in scripts, coexistence of good/poor answers)
- ❖ Increasing the cost of misbehaviours
 - *Non-payment provision in case of leakage*
 - *Cancellation of results*
 - *Repetition or exclusion from exam*
 - *Fines*
 - *Sacking of professors*

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Use of software to detect fraud

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- ❖ **Philippines:** Identification of « *statistically improbable results* », especially in schools where marks appear to have risen sharply
 - In one case, five of the six highest scoring schools on a national examination had previously recorded poor results
- ❖ **Europe and North America:** use of software to detect plagiarism (www.turnitin.com)

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4. Ownership and access to information

- ❖ Social control of service delivery by end-users : powerful mechanism for detecting distorted practices
- ❖ To exact public accountability through:
 - Better access to information of users (norms and regulations, directories, university accounts, etc.)
 - Increased student mobilization (participatory surveys on academic fraud)
 - Establishment of whistleblowers or complaint mechanisms

5. Promotion of ethics

- ❖ Raise public awareness on the negative effects of fraud
- ❖ Teach integrity, publicize infractions
- ❖ Adoption or adaptation of codes of conduct of all stakeholders to address academic fraud

Conclusion: towards more integrity in assessment

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Creation and maintenance of
regulatory systems

Combine test and exams



Strengthening
management capacities

Include use of ITCs

Encouragement of
enhanced ownership

Develop access to
information and codes of
practice



EDUCATION AND TRAINING AGAINST CORRUPTION

Jacques Hallak & Muriel Poisson



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U4 training workshop: 'Building integrity and transparency in the education sector of Tajikistan' Dushanbe, 1st, 5-6 June 2012

Introduction

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Anti-corruption education aims at strengthening knowledge, skills and attitudes to resist corruption and to act against it

❖ *Knowledge:* Information about rights and duties, laws, and complaint mechanisms;

❖ *Skills:* Ability to confront ethical dilemmas, to identify conflicts of interest and to report corruption and maladministration

❖ *Attitudes:* To value integrity and fair play, to take interest in public affairs, and to assume responsibility for the public good

Outline of the presentation

3

- I. Basic principles
- II. Primary school education
- III. Secondary school education
- IV. University classes

4

I. Basic principles

1. Why teach integrity?

- ❖ Public demand for accountability from government is important for a more responsive and transparent public service
- ❖ People who ignore citizens rights and complaint mechanisms are more prone to bribe-giving
- ❖ Social tolerance of corruption is a major obstacle to fighting corruption
- ❖ Attitudes and values that reject corruption are built from an early age

2. Aims of anti-corruption education

- ❖ To build knowledge and intolerance regarding corruption
 - Not to teach people to be good, but to follow standards of conduct
- ❖ To instil a sense of concepts and values:
 - *Integrity*
 - *Public good*
 - *Social justice*
 - *Fairness and impartiality, etc*
- ❖ To help young people identify conflicts of interest and ethical dilemmas

Warning!

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“Morale”, “ethics” or “civics education” does not address corruption as a topic directly and specifically

NEED FOR SPECIFIC ATTENTION TO THIS ISSUE!

3. Types of anti-corruption education

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- ❖ Different categories of stakeholders:
 - Civil servants, teachers, primary and secondary pupils, university students and/or whole society (information campaigns)
 - Public and/or the business sector
- ❖ Prescriptive or based on practical situations and exchanges
- ❖ Delivered either by public bodies or civil society institutions

In Tajikistan, conferences and workshops for the national and local governments to make them meet together and discuss corruption matters

4. Approaches to anti-corruption education

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- ❖ Democracy education to increase participation in public life, voter education
- ❖ **Formal school education (civics, history, life skills, ethics, values etc)**
- ❖ Informal youth education (through clubs, youth camps, etc)
- ❖ Human rights education
- ❖ Public sector ethics training
- ❖ Business and professional ethics education
- ❖ Media training for young journalists

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II. Teaching integrity to youth at primary school education



1. Messages for primary children

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- ❖ **Integrity** and **honesty** are important social values that should be treasured
- ❖ **Corruption** should not be tolerated and is harmful to everyone in society
- ❖ Everyone, including children, is capable of contributing to the establishment of a **corruption-free society** by being a responsible and honest individual

2. Teaching materials

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- ❖ Teaching materials for 3rd grade: news stories, games, videos
- ❖ Goals:
 - To identify civic values e.g. integrity, honesty, respect for the law, etc.
 - To stimulate awareness of ethical choices in day to day situations



3. 'Joyful learning'

- ❖ Interactive playground, puppet show and story-telling
- ❖ **Macao:** Corrupt businessman Mr Pig, corrupt hygiene inspector Big Tooth, anti-graft Superman William, school girl Clarina



4. Holistic approach at school level

- ❖ Holistic approach to transparency at schools, involving parents, teachers and administrators
- ❖ **Chile:** In 2006, teaching material was piloted in 6 schools with 450 pupils and 18 teachers



III. Teaching integrity to youth at secondary school education



1. Secondary schools education

- ❖ **Goal:** to build age-specific knowledge and to lay the foundation for acquiring sound civic competence by high school students
- ❖ Anti-corruption classes included in the curriculum as optional or compulsory subject for students grade 9 to 12
- ❖ Mixture of theory and practices
- ❖ Syllabus developed by NGOs, or the Ministry of Education, the Anti-corruption Commission, or a number of partners

2. Keys for success

- ❖ Teaching environment must value integrity and ethical behavior: teachers are role models
- ❖ Teaching should relate to daily life, enabling students to identify with ethical dilemmas (good example: ethics in sports)
- ❖ Must be part of broader effort to improve governance and reduce corruption

Sao Paulo: fiscal education

- ❖ Programme jointly organised by the MOE and the Treasury Secretariat
- ❖ Major aims:
 - *To instill a sense of responsibility for the public good and public money*
 - *To create an understanding of the rights and duties related to tax collection and public expenditures*
- ❖ Teacher training, visiting programme “open treasury”, teaching material (video, role play)



IV. Teaching integrity to youth at university level



1. University: challenges to address

- ❖ Tertiary education allows for a much more targeted approach when designing and delivering training
- ❖ Possible to adapt the messages – the skills, and the knowledge delivered to the beneficiary:
 - *a future manager*
 - *a future lawyer*
 - *a student in public administration/sector management*
- ❖ Lack of University professors that are available knowledgeable in the topics and lack of will of universities

2. Integration into university programs

- ❖ *Economic analysis*: impact of corruption on the functioning of markets, economic development, etc.
- ❖ *Management*: construction, extractive industries, public procurement procedures
- ❖ *Group dynamics and psychology*: incentives and disincentives for behaviour of individuals within groups and organizations
- ❖ *Corporate governance and responsibility*: risk management, external audit, etc.
- ❖ *Political and legal aspects*: anticorruption provisions in criminal, civil and administrative law

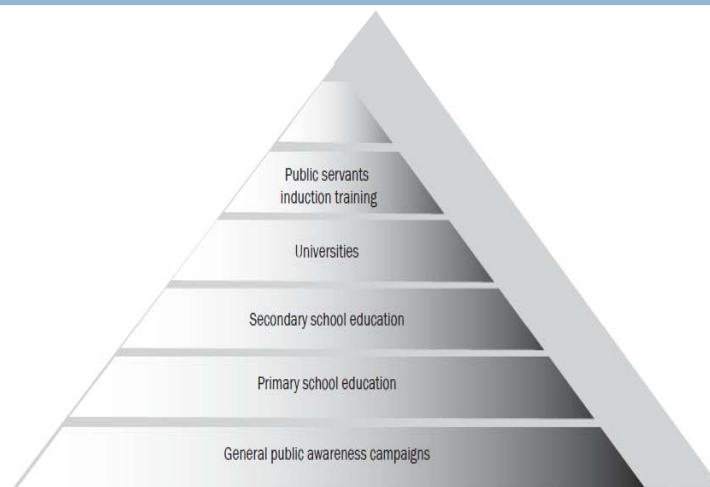
3. How to teach anticorruption at university level

- ❖ *Participation and interaction*: active participation of students through case studies, strategic games, team work in research projects
- ❖ *Multidisciplinary programs*: bringing together law, economy, human resource management, accounting and audit, business management, business ethics and social science
- ❖ *Partnerships*: Cooperation between university, research institutions and professionals (multidisciplinary networks of expertise)

Experience of French universities

- ❖ A multidisciplinary pilot project conducted by the University of Paris XII
- ❖ Advisory committee with high level experts
- ❖ Network of researchers and teachers on CSR
- ❖ Partnership programmes with 6 French universities
- ❖ Follow-up programme for students with a research project about corruption (award for best work)

Conclusion: the need for a cumulative approach



Source: Palicarsky, 2009

IIEP/ITC – Exercises
Paris, 05 May 2012
Original: English



International Institute for Educational Planning
7-9, rue Eugène Delacroix, 75116 Paris, France

Workshop:
*Building integrity and transparency in the
education sector of Tajikistan*

Dushanbe, Tajikistan: 1st, 5th and 6th June 2012

Group work

IIEP Project on:
"Ethics and corruption in education"



Group work 1

What objectives and issues to be documented under a PETS in Tajikistan?

In preparation of this working group, please the following document, extracted from the Tajik Education Strategy up to 2020 (p.p. 26-27):

“Financing of the education system of the Republic of Tajikistan is executed from three main sources: budgets of all levels, international assistance and funds of families. Budget expenses for education, in relation to gross domestic product, make about 4,6%, which is a little lower than the average value of this indicator for developing countries. However, taking into account, primarily, low volume of GDP and specific demographic situation in the Republic, where close to 30% of population make children, teenagers and youth at the most active for getting education age (7-18 years), the level of financing is very low.

Two financial instruments are applied in the education system: input-based and per capita financing. The first is not focused on the result and induce inefficient use of funds. Today input-based financing continues to be major instrument for all levels of education, except for comprehensive schools which moved to normative financing in calculation per 1 student. Although all comprehensive schools gained financial independence, main assets are still on the balance of jamoats and it is not possible to transfer funds not used in the current year to the next financial year. The objective of the coming years must become the transition of all level of education to per capita financing.

The condition of Material and Technical Base of the education system is characterized by the shortage of student seats and unsatisfactory state of premises. More than third of school buildings are in emergency condition or require capital repairs. Less than 10% of students go to schools, which have electricity, water supply system and sewage, organized meals and medical service.

According to medium-term priorities of MDG Needs Assessment for the period of up to 2015, the construction of approximately 850 new schools was planned in the sector of general secondary education. Latest data show that, during the period of 2006 to 2009, 562 schools (3751 classrooms for 108794 seats) were built in the Republic. The average number of newly built schools is 194 students. Based on the fact that, in 2003-2004 academic years there was a shortage of 600 thousand students, construction plans for new schools for more than 500 thousand students need to be finalized before 2016.

Despite considerable support of international organizations, there is a constant shortage of schoolbooks. Annually, books are published in bulk issue and are supplied to schools. On average, a primary school pupil has less than three books on hand, while there are 5 subjects studied in the first grade and 8 subjects in the fourth grade. The situation with the schoolbooks supply in basic and secondary schools require changes”.

Suppose your group is preparing a PETS concerning primary education in Tajikistan and has been asked to write a *preliminary paper* justifying and briefly describing the survey. As a first contribution to this paper, your group will define the objectives and main issues of the PETS by answering the questions below.

1. Identify one or two flows of funds for the PETS and discuss among your group discuss the opportunities for distorted practices created by this pattern of resource flow.
1. Formulate the objective(s) of the PETS (of course this formulation might be changed after in-country consultations). Your formulation should justify the PETS, i.e. explain why the survey is needed and why it would benefit the country and the people of Tajikistan.
2. Formulate two key questions that the PETS will have to explore concerning the funding and delivery of educational services in Tajikistan and formulate your tentative answers to the research questions.

Group work 2

How can the use of the Tajikistan code of ethics be optimized?

Please read the following two documents before answering the questions below:

- *the regulations on the code of ethics for civil servants in Tajikistan*
- *the table below, which summarizes the standards of professional conduct to be considered within a teacher code of conduct*

TOWARDS PUPILS	TOWARDS PARENTS AND THE COMMUNITY	TOWARDS COLLEAGUES	TOWARDS EMPLOYERS	TOWARDS THE PROFESSION
<p>Shall respect the learner's right and dignity without prejudice to gender, colour, age, race, place of origin, language, sexual orientation, socio-economic background, family status, religion, physical characteristics, disability, etc.</p> <p>—</p> <p>Shall not favour or disadvantage certain students, in particular when marking scripts or correcting exams (because of nepotism, payment of bribes, sexual or religious discrimination, etc.).</p> <p>—</p> <p>Shall not intentionally distort or suppress subject matter relevant to a pupil's academic programme.</p> <p>—</p> <p>Shall prohibit physical, verbal, psychological or sexual violence against a pupil in any form, coercive or consensual (in particular gender-based violence).</p> <p>—</p> <p>Shall not take advantage of his/her professional relationship with pupils for private gain.</p> <p>—</p> <p>Shall not harass a pupil in any way (including sexual harassment).</p> <p>—</p> <p>Shall not exert pressure on pupils to take additional paid courses.</p> <p>—</p> <p>Shall not collect illegal fees from pupils (for admission, organizing exams, etc.).</p> <p>—</p> <p>Shall not divulge confidential information about pupils, except in very specific cases, when in the best interest of the child.</p>	<p>Shall conduct himself/herself in a manner that does not show disrespect to the values, beliefs and customs of the parents, and to the broader community.</p> <p>—</p> <p>Shall not accept gifts, favours or hospitality that might impair his/her judgment.</p> <p>—</p> <p>Shall not misuse his/her professional position for private gain in the offering of goods or services to parents or to the community.</p> <p>—</p> <p>Shall respect parental rights of enquiry, consultation, and information in the best interests of their children.</p>	<p>Shall refrain from undermining the status and authority of his/her colleagues.</p> <p>—</p> <p>Shall not criticize the professional competence or professional reputation of a colleague, except in some duly specified cases (to prevent or lessen a serious threat to life, health, safety for welfare of a person, including the pupil).</p> <p>—</p> <p>Shall not undermine the confidence of pupils in other teachers.</p> <p>—</p> <p>Shall use appropriate language and conduct in his/her interactions with colleagues.</p> <p>—</p> <p>Shall avoid any form of humiliation, and refrain from any form of abuse (physical or otherwise) towards colleagues.</p> <p>—</p> <p>Shall not sexually harass a colleague.</p> <p>—</p> <p>Shall not take, because of animosity or of personal advantage, any steps to secure the dismissal of another teacher.</p>	<p>Shall be truthful when making statements about his/her qualifications and credentials.</p> <p>—</p> <p>Shall not take advantage of personal relations to secure recruitment, promotion or transfer.</p> <p>—</p> <p>Shall not offer a bribe or a gift to a civil servant to secure recruitment, promotion or transfer.</p> <p>—</p> <p>Shall honour teaching as their main occupation.</p> <p>—</p> <p>Shall not engage in any outside employment that might impair the nature and effectiveness of their teaching.</p> <p>—</p> <p>Shall not be absent without justification.</p> <p>—</p> <p>Shall not delegate their teaching duties to any person who is not a teacher.</p> <p>—</p> <p>Shall not go to work under the influence of alcohol or drugs.</p> <p>—</p> <p>Shall not divert school funds.</p> <p>—</p> <p>Shall not steal school equipment or supplies.</p> <p>—</p> <p>Shall refrain from discussing confidential and official matters with unauthorized persons.</p>	<p>Shall act in a manner that upholds the honour and dignity of the profession.</p> <p>—</p> <p>Shall constantly and consistently strive to achieve and maintain the highest degree of professional competence.</p> <p>—</p> <p>Shall ensure that his/her professional knowledge is regularly updated and improved.</p> <p>—</p> <p>Shall assist in the professional growth of colleagues through the sharing of ideas and information.</p>

Source : Poisson, 2009

1. To your knowledge, do teachers know about the existence of the Code for civil servants? To what extent has the code helped improve ethical behaviour in schools?
2. Compare the code of ethics for civil servants in Tajikistan with international standards of professional conduct for teachers. Please comment.
3. List three measures to be taken to enforce the implementation of the Code (information, training, incentives, etc.).

Group work 3

What scope and coverage of an education report card in Tajikistan?

A national NGO has decided to collect information on distorted practices in primary education through a report card survey. Your working group will:

1. Select three areas where there are opportunities for distorted practices (e.g. absenteeism of teachers, unauthorized fees, school maintenance, textbooks, etc.).
2. Identify the group of informants (e.g. questionnaires targeted at students, parents, head teachers, district education officers, etc.) for these areas.
3. Draft the outline of the questionnaire on one of the areas selected under 1, for parents as one group of informants.

Group work 4

What measures are taken to reduce corrupt practices in the management of exams in Tajikistan?

According to your experience:

1. What are the major types of examination fraud in Tajikistan for each of the following stages:
 - Design
 - Administration
 - Marking
 - Admission of successful candidates to the next education level
2. What would be the respective advantages and disadvantages of establishing an independent examination agency to fight examination fraud?
3. What would be the advantages and disadvantages of adopting standardized multiple-choice tests?
4. What would be the advantages and disadvantages of processing admissions to Universities automatically by computer?

1 THE TAJIKISTAN STATE SERVICE CODE OF ETHICS AND CONDUCT

1.1 CODE VALUES

The *values* and contents of the *Code* constitute exemplary specifications of the requirements of diligence, faithfulness and impartiality that characterise the performance of *Employees'* work duties, responsibilities and legal obligations to agreed standards. Public *Employees*, excluding military personnel, the police, magistrates and judges shall undertake to comply with these standards upon their engagement for service. Military personnel, the police, magistrates and judges must comply with specific *Codes* for their work. The *values* in all ways support the primary principles of good governance, which are:

- Participation;
- Rule of Law;
- Transparency;
- Responsiveness;
- Consensus Orientation;
- Equity;
- Effectiveness and Efficiency;
- Accountability; and,
- Strategic Vision;

1.1.1 Value 1 – Constitutional Duty

Employees shall conform in their conduct to the Constitutional duty to serve Tajikistan exclusively with discipline and honor, whilst respecting the *values* of high quality performance and impartiality. In performing their duties, responsibilities and legal obligations, the *Employees* shall obey the law and pursue exclusively the public interest. Their decisions and conduct shall be dictated by care for the public interest with which they have been entrusted.

1.1.2 Value 2 – Public Confidence

To maintain public confidence in the integrity of the Civil Service, *Employees* shall demonstrate, and be seen to demonstrate, the highest ethical standards in performing their duties, responsibilities and legal obligations. *Employees* shall pursue the best interests of the people of Tajikistan. They shall support and work for the proper operation of democratic government and governance within a market economy. *Employees* shall work to retain the trust, confidence and respect of their superiors, peer colleagues and subordinates in discharging their duties, responsibilities and legal obligations, whilst remaining accountable to the *Employer*.

1.1.3 Value 3 - Impartiality

Employees shall remain independent to avoid making decisions or engaging in activities inherent in their duties, responsibilities and legal obligations, in situations of conflict of interest, even if only apparent. They shall not engage in any activity that diverges from the correct performance of their official duties, responsibilities and legal obligations. They shall undertake to avoid situations and conduct that can harm the interests or the image of the *Employer*.

1.1.4 Value 5 - Efficiency And Effectiveness

Employees shall observe agreed work schedules and devote the proper amount of time and energy towards the performance of their duties, responsibilities and legal obligations. They shall perform these tasks in the simplest, most efficient and effective way in the interests of the public, and assume responsibility for their performances.

1.1.5 Value 6 - Care Of public Property

Employees shall take all care in the use and custody of the tools, equipment, plant, goods and other assets at their disposal for official purposes. They shall not use for private advantage those tools, equipment, plant, goods and other assets available to them for official purposes.

1.1.6 Value 7 - Honesty, Equity and Fairness

Employee conduct shall encourage and establish trust, collaboration and cooperation between the public and the *Employer*. In their dealings with the public, *Employees* shall demonstrate the greatest possible willingness to help and shall not impede the exercise of the public nor individual rights. *Employees* shall facilitate public access to information to which members are entitled, provided that Laws or Regulations do not prohibit it. *Employees* shall furnish all information necessary for evaluating civil service decisions and *Employee* conduct.

1.1.7 Value 8 - Procedural Simplicity

Employees shall limit the requirements placed on the public, firms and agencies to the minimum requirements for performance of work to agreed standards. They shall simplify administrative and management activities to assist members of the public in performing permitted activities that do not violate current Laws or Regulations.

1.1.8 Value 9 - Functional Specialisation

In performing their duties, responsibilities and legal obligations, *Employees* shall observe and respect the functional divisions and specialisations between central and decentralised Government. Within the limits of their powers, *Employees* shall facilitate the performance of functions, duties, responsibilities and legal obligations by the authority with the nearest jurisdiction and which is functionally closest to the members of the public concerned.

1.2 CODE OF CONDUCT AND ETHICS – ARTICLES

The following Articles define specific conduct and ethical expectations of *Employees* whilst in the employ of the *Employer*. The Articles apply to all *Employees* except military personnel, the police, magistrates and judges but some Articles apply specifically to Senior Executive Service personnel and are specified SES Specific.

1.2.1 Article 1 - Gifts And Other Benefits

- 1) *Employees* shall not request for themselves or others, nor shall they accept, even on festive occasions, gifts or other benefits value from persons who have derived or who could derive an advantage from an *Employee* decision or activity.
- 2) *Employees* shall not request, either for themselves or for others, nor shall they accept gifts or other benefits from subordinates, relatives of subordinates or cohabitants. *Employees* shall not offer gifts or other benefits to superiors, relatives of superiors or cohabitants.

1.2.2 Article 2 - Membership in Associations And Other Organisations

- 1) In compliance with current laws on freedom of association, *Employees* shall notify their superior of their memberships in associations and organisations. This shall include those organisations that are not confidential, and if the interests of those organisations are affected by *Employee* performance or their *Employer's* activities. This does not include political or trades union organisations.
- 2) *Employees* shall not oblige or coerce other *Employees* to join associations or organisations, nor shall they induce them to do so by promising career advantages.

1.2.3 Article 3 - Transparency In Financial Interests

- 1) *Employees* shall inform their superiors in writing of all relations or collaboration for which they have been or are remunerated in any form in the last five (5) years. They shall specify:
 - a) Whether they, relatives or cohabitants still have financial relations with the person with whom they have had the relation or collaboration; and,
 - b) Whether the relations or collaboration were or are with persons who have an interest in an *Employee's* activities, decisions or work tasks to which they are entrusted.
- 2) SES Specific - Before taking up a Position a Senior Executive Service Employee shall notify the State Service Department of their shareholdings and other financial interests that may cause a conflict of interest with the performance of their duties, responsibilities or legal obligations. They shall state whether they have blood relatives, relatives by marriage or cohabitants, who are engaged in political, professional or economic activities that cause frequent contacts with the State Service Department or *Employer* organisation in which they will work. They shall state also if the blood relatives, relatives by marriage or cohabitants are involved in the decisions or activities of the State Service Department or *Employer* organisation. Upon reasoned request from the Head of the State Service Department the Senior Executive *Employee* shall supply additional information on their assets and taxation situation.

1.2.4 Article 4 - Abstention Requirement

- 1) *Employees* shall not take part in decisions or activities involving their own interests or those of:
 - a) Their relatives or cohabitants, individuals or organisations with whom or with which they, their spouse or cohabitant has a legal action pending or a severe conflict or an outstanding credit or debt;
 - b) Individuals or organizations of whom or of which they are guardian, trustee, administrator, procurator or agent; and,
 - c) Entities or associations including those not officially recognised, committees, companies or establishments of which they are administrator, manager or director.
- 2) *Employees* shall abstain in all other cases in which there are serious grounds for affecting their interests. The *Employee's* superior shall decide on the abstention or seek higher-level advice.

1.2.5 Article 5 - Collateral Activities

- 1) *Employees* shall not accept remuneration or other benefits, from persons other than the *Employer*, for services that they are required to perform for their official duties, responsibilities and legal obligations.
- 2) *Employees* shall not accept relations or collaborate with individuals or organisations who have or that have had within the past two (2) years an economic interest in decisions or activities involving their official duties, responsibilities and legal obligations.
- 3) *Employees* shall not request that their superiors arrange for them additional remunerated positions.

1.2.6 Article 6 - Impartiality

- 1) *Employees* shall ensure equal treatment of members of the public with whom they contact. They shall neither refuse a service to one person that routinely is provided for others nor provide a service to one person that routinely is refused to others.

- 2) *Employees* shall comply with established procedures in performing official duties, responsibilities and legal obligations within their authority, and shall reject illegitimate pressure, even if exercised by their superiors, politicians or their representatives.

1.2.7 Article 7 - Conduct In Social Life

- 1) *Employees* shall not take advantage of their positions to obtain benefits that are not legitimately theirs. In private relations or those with other *Employees* in the performance of their duties, responsibilities and legal obligations they shall not at their own initiative mention or let their official positions be understood if this could harm the *Employer's* image.

1.2.8 Article 8 - Conduct In Service

- 1) *Employees*, except in justified circumstances, shall not postpone nor entrust to other *Employees* the performance of activities or making decisions that are their responsibility.
- 2) *Employees* shall limit their absences from their place of work to those that are strictly necessary. This does not prejudice nor impact on contractual provisions of employment, nor a supervisor's authority to allow absences to attend to family or other emergencies.
- 3) *Employees* shall not use for private purposes tools, equipment, plant, goods and other assets at their disposal for official reasons. Except in cases of urgency, they shall not use office telephones for personal needs. *Employees* who have vehicles at their disposal or provided as part of their work or contract of employment, shall use them for the performance of their official duties, responsibilities and legal obligations. They shall not routinely transport persons unrelated to their official duties, responsibilities and legal obligations unless explicitly allowed by their contract.
- 4) *Employees* shall not accept for personal use nor shall they personally retain or use goods that are purchased for official services or reasons.

1.2.9 Article 9 - Relations With The public

- 1) *Employees* in direct contact with the public shall pay attention to questions from members of the public and shall provide the explanations requested of them concerning their own conduct and that of other *Employees*.
- 2) In handling cases for the public, *Employees* shall observe chronological order and shall not refuse to perform actions that it is their duty, responsibility or legal obligation to perform. They shall not claim as reasons for non-performance that there is too much work to be done, not enough time available, or that their superior has not specifically directed them to act.
- 3) *Employees* shall honour appointments with members of the public and shall respond promptly to requests and complaints.
- 4) *Employees* shall not publicly criticise nor create a harmful image of the *Employer*. They shall inform their superior of their relations with the press. This does not prejudice *Employees'* rights to express opinions and disseminate information in the defense of trades unions or their rights as citizens of Tajikistan.
- 5) *Employees* shall not make commitments or promises concerning decisions or actions of their own or of other persons inherent in their work or office if this could create or confirm mistrust in the *Employer* or in its independence and impartiality.
- 6) In the drafting of written texts and in all other communications *Employees* shall use clear, simple and comprehensible language.
- 7) *Employees* who perform their work within an *Employer* organisation that provides a service to the public shall observe the quality and quantity standards set by the *Employer*. They shall undertake to guarantee continuity of service to allow the

public to choose between different suppliers. They shall provide the public with information on the how services are provided and on the standards and quality that the public may expect.

1.2.10 Article 10 - Contracts

- 1) In signing contracts on behalf of the *Employer*, *Employees* shall not use third parties as mediators or for other services, nor shall they give or promise any benefit for intermediation, for expedition or for having expedited the contract conclusion or execution.
- 2) *Employees* shall not conclude on behalf of the *Employer* contracts for public works, supplies, service, financing or insurance with firms with which they have signed contracts privately within the previous two (2) years. In the event that the *Employer* concludes contracts for public works, supplies, service, financing or insurance with firms with which an *Employee* has signed contracts privately within the previous two (2) years, the *Employee* shall not take part in the decisions and the activities related to the execution of the contract.
- 3) *Employees* who sign contracts privately with firms with which they have concluded contracts in the previous two (2) years for public works, supplies, service, financing or insurance shall inform their superior in writing before signing a contract on behalf of the *Employer* with any of those firms.
- 4) If an *Employee's* superior finds themselves in circumstances referred to in Article 10 paragraphs 2) and 3), they shall inform in writing the person responsible for personnel management within the *Employer* organisation.

1.2.11 Article 11 - Obligations For Evaluation Of Results

- 1) *Employees* shall provide the internal control and audit personnel with all information required for evaluation of the results achieved in work. The information shall be provided to facilitate evaluation of:
 - a) Performance conventions and protocols for the *Employer's* activities;
 - b) Service quality;
 - c) Equal treatment of different categories of citizens and clients;
 - d) Ease of access to public offices and premises especially for the disabled;
 - e) Procedure simplification and speed;
 - f) Compliance with deadlines and time standards for services; and,
 - g) Prompt response to requests, complaints, objections and reports.

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ATTACHMENT 1 - SWOT ANALYSIS

Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis is helpful for identifying problems and their relative priorities. Strengths and weaknesses often are perceived as those inherent characteristics like resources and capabilities that are internal and relevant to a programme. Opportunities and threats, similarly, can be perceived as external, like geography and environment. These are beyond the scope of control but must be accommodated in the future as part of strategy and design. It is useful to think of strengths in terms of capabilities.

Institutional capabilities and weaknesses may be considered in the IBTA-2 in following broad areas, amongst others:

- Management;
- Programmes;
- Functions; and
- Finance.

Examples of some institutional characteristics that may be examined are:

- Structure;
- Planning;
- Staffing;
- Co-ordination;
- Supervision;
- HRD; and
- Management information.

Two SWOT applications are of value. First, the standard application that is for determining institutional problems and needs and identifying potential solutions and obstacles. Secondly, the SWOT approach is modified slightly to assist in identifying the relative priorities for activities.

The first application uses the standard headings of:

- Strengths or capabilities - What can be done now?
- Weaknesses - What cannot be done now?
- Opportunities - What can be done to reduce the number of weaknesses and increase capabilities and build capacity?
- Threats - What are the obstacles to performance of intended functions and development of required capabilities and enhanced capacity?

The second application uses the headings:

- Advantages or benefits - What positive outcomes can be expected?
- Disadvantages - What negative outcomes are there likely to be?
- Opportunities - What can be done to reduce the number of disadvantages as a result of the intended action:
 - What additional positive actions may be taken?
 - What positive future and related results are likely to arise?
- Threats - What are the obstacles to the intended actions and performance of the intended functions.

This second approach follows both the principles of traditional SWOT analysis and qualitative cost-benefit analysis. It improves on the standard approach to cost-benefit analysis through the consideration of opportunities and threats as distinct categories. The informality SWOT analysis affords is useful for community level discussion and in-house brainstorming sessions.

DCC / U4 Seminar on
Building integrity and transparency in the education sector of Tajikistan
Dushanbe, 1st, 5th and 6th of June 2012

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