



## **OFFICE OF THE OMBUDSMAN**

# **PUBLIC REPORT**

**ON THE  
ALLEGED BREACHES  
OF CHAPTER 3 PARAGRAPH 2 OF THE TEACHING SERVICE STAFF RULES  
BY  
SANMA REGIONAL EDUCATION OFFICERS  
INCLUDING ANY OTHER PERSONS AS DELEGATED  
BY P.E.O PRIMARY EDUCATION  
AND  
THE SANMA PROVINCIAL EDUCATION OFFICER(S)  
TO COMPLETE THE ANNUAL CONFIDENTIAL REPORTS  
FOR MR LORESS NINISA OVER A PERIOD OF 20 YEARS**

Date: 09 September 2019



### **REPUBLIC OF VANUATU**

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## **PREAMBLE**

**So whatever you wish that others would do to you, do also to them, for this is the Law and the Prophets. Matthew 7:12**

## **SUMMARY**

The Ministry of Education and The Teaching Service Commission through their relevant officials are obliged to ensure all entitlements and performance appraisals for every staff, both temporary and permanent are compensated for or fulfilled under chapter 3 paragraph 2 of the Teaching Service Staff Rules. This report outlines the failure of the responsible officers within the Ministry of Education and the Teaching Service Commission to ensure that the annual confidential report for Mr Ninisa is being completed over a period of 20 years.

### **Outline of events (see further page 6)**

Mr Loress Ninisa complained to this Office on the failure of the relevant officials to ensure his annual confidential report is being completed in order for a determination to be made on any chances of him getting an increment in 2004 when he was permanently employed by the Teaching Service Commission in 1996.

### **Findings (see further page 10)**

- The Regional Education Officers and or Zone Curriculum Advisors responsible for compiling Mr. Ninisa's teaching performance report from 1996 up to 2016 have breached Chapter 3 paragraph 2 of the Teaching Service Staff Rules, Annex 1, for dereliction of duty.
- Sanma Provincial Education Officers (PEOs) namely Messrs Pakoa Noel, Mark Imbert and Thomson Paul have also breached Chapter 3 paragraph 2 of the Teaching Service Staff Rules, Annex 1, for not delegating to any other persons the task of compiling the annual confidential report on Mr. Ninisa's teaching performance.

### **Recommendations (see further page 12)**

The Ombudsman recommends that:

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- Mr. Socopoe Mele, as Zone Curriculum Advisor in zone 8 in Sanma Province, is to immediately start compiling a confidential report on Mr. Ninisa's teaching performance – that which is to be sent to the Teaching Service Commission at the end of the year (2018) via the Director of Primary Education for consideration and approval for salaral increment if it is satisfactory.
  - The Teaching Service Commission sends an apology to Mr. Lorres Ninisa for neglecting to instruct the respective educational authorities (Director of Primary Education, Provincial Education Officers and Regional Education Officers or Zone Curriculum Advisors having power or authority to, along the line of communication, deal with a teacher's report) to ensure that Chapter 3 paragraph 2 of the Teaching Service Staff Rules, Annex 1, is at all times complied with.
  - Educational authorities should make sure that a report on each primary school teacher in Sanma Province is completed by the respective Zone Curriculum Advisor every year end for submission to the Teaching Service Commission, thus a strict compliance to Chapter 3 paragraph 2 of Teaching Service Staff Rules, Annex 1.
  - The Provincial Education Officers, Regional Education Officers or Zone Curriculum Advisors should at all material times be familiar with their respective roles and functions, and should understand the laws and regulations that affect the area or role of their functions.
  - The Teaching Service Organizational Structure should be reviewed and amended to make sure that the positions of Regional Education Officers and Zone Curriculum Advisors become Public Service Commission posts – that which would require a formal negotiation to that effect to be signed between the Teaching Service Commission and the Public Service Commission. This is simply to avoid the breakdown of inter-communication and instructions between the Provincial Education Officer as a public servant at the Provincial Headquarter and either the Regional Education Officer or Zone Curriculum Advisor as non-public servants responsible to execute the teaching service appraisal of teachers in schools.

**TABLE OF CONTENTS**

<b>1. JURISDICTION</b>	<b>5</b>
<b>2. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED</b>	<b>5</b>
<b>3. RELEVANT LAWS, REGULATIONS AND RULES</b>	<b>6</b>
<b>4. OUTLINE OF EVENTS</b>	<b>6</b>
<b>5. RESPONSES BY THOSE WITH FINDINGS AGAINST THEM</b>	<b>10</b>
<b>6. FINDINGS</b>	<b>10</b>
<b>7. RECOMMENDATIONS</b>	<b>13</b>
<b>INDEX OF APPENDICES</b>	<b>15</b>