



**OFFICE OF THE OMBUDSMAN**

**PUBLIC REPORT**

**ON THE**

**RECRUITMENT OF NEW TEACHERS BY  
THE TEACHING SERVICE COMMISSION**

Date: 12 March 2026



**REPUBLIC OF VANUATU**

OMB24-0045/2026/01

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## **1. PURPOSE**

The purpose of the investigation is to determine whether the process taken by the Teaching Service Commission (TSC) to recruit new teachers was lawful.

## **2. SCOPE**

The scope of the investigation is;

- a. To look into the process of approval of new teachers and to determine whether the selection was made on merit
- b. To look into the decision being made and determine whether there was quorum in that particular meeting to make decision on recruitment of new teachers.

## **3. ISSUES**

There is only one issue raised in this matter;

1. Whether the recruitment of new teachers was done lawfully.

## **4. OUTLINE OF EVENTS**

On 23 September 2024, the Office of the Education Services published information on social media and emails to Provincial Education Officers about the recruitment of new Teachers.

## **5. DISCUSSIONS**

The Issue raised in this matter is whether the recruitment of teachers by the Teaching Service Commission to replace the suspended teachers was conducted lawfully.

Following the suspension of over a hundred teachers, many schools across Port Vila, Luganville Santo and other islands were left without teaching staff. This prompted the decision by the Teaching Service Commission to recruit new teachers.

On 23 September 2024, the Office of the Education Services, on behalf of the Teaching Service Commission, disseminated information regarding the recruitment of new teachers through social media and emails to Provincial Education Officers. The notice of recruitment was not issued by the Teaching Service Commission.

The evidence available comes from a number of Sources. First from George Firiam, Industrial Relation Officer of Vanuatu Teachers Union. The relevant part of his statement goes as follows:

*“Mi stap confirm se tete 18 September 2024 at 11:00am, mi kolem Manses long Teaching Service Commission blong finem aot date we Commission I appruvum recruitment blong ol teachers, be response we hemi kivim se Olgeta long Education Services oli putum notice of recruitment be ino TSC”.*

Another evidence comes from Lispet Jimmy, Commission member representing Vanuatu Qualification Authority. The relevant part of her statement goes as follows;

*“Mi stap confirm se mi never attendem any Commission meeting about recruitment blong ol new teachers”.*

Another evidence comes from Marie Chanelle Manwo, Commission member. The relevant part of her statement goes as follows;

*“Mi confirm se Commission hemi no lukluk long recruitment blong ol new teachers”.*

The above statement of Commission members confirmed that the decision taken to recruit the new Teachers was done between the Chairman of TSC and the Office of the Education Services. Other members of the Commission were not aware of the decision.

#### ***“34 Appointments to the Teaching Service***

- (1) All appointments to the Teaching Service are to be made by the Commission.*
- (2) The Minister, other members of Parliament, political advisors and those holding positions of authority in political parties must not seek to influence the Commission in relation to appointments to the Teaching Service or any other decisions under this Act either directly or through another person. Any contravention of this subsection is a breach of the Leadership Code within the meaning of the Leadership Code Act [CAP 240]”.*

Another evidence comes from PEO Malampa Province, Renjo Samuel. The relevant part of his statement goes as follows,

*“No one informed me formally of the decision of TSC to recruit new teachers, information was converted to us by the education services department during our zoom meetings when discussing school strike related matters. Education Service Department at the Ministry of Education and Training send the application form to the secretary of the office and requested to put out the forms for any interested person who would like to apply for the post of a teacher in schools”.*

The evidence of recruitment comes from newly recruited teachers. First from Sera Bani, new Teacher at Vila North School. The relevant part of her statement goes as follows;

*“Mi bin luk post long facebook se TSC hemi stap recruitum ol new Teachers. After mi karem form long one fren blong mi we hemi mekem photocopy long hem. Mi fulumap afta mi go dropem . Long namba 18 September 2024, TSC hemi kolem mi mo askem name blong mi mo talem long mi blong mi startem work long Vila North school long namba 19 September. Taem oli kolem mi, one woman askem mi se spos mi agree blong go teach. Respond blong mi se mi agri”.*

Another evidence comes from Napuat Pascaline. A new Teacher at Saint Joseph. The relevant part of her statement goes as follows;

*“One tawi blong mi I kolem mi se mi go pikimap form long TSC. Mi fulumap finis mi go dropem. TSC I kolem mi se oli apruvum form blong mi go teach long Saint Joseph school. Mi stap confirm se mi no signem any contract”.*

Another evidence comes from Tokio Jenniffer, a new Teacher at Seaside School. The relevant part of her statement goes as follows;

*“Mi look post long facebook afta mi go karem form long TSC. Mi fulumap afta mi go dropem. TSC I kolem mi se mi go long seaside school. Mi stap confirm se mi no signem any agriment”.*

Another evidence comes from Hivid Leiticia. A new Teacher at Ecole Publique. The relevant part of her statement goes as follows.

*“Mi look oli postem long Facebook se skul I nidm ol teachers. So mi sendem application blong mi I go tru long Principal, afta Principal I sendem application I go long TSC. Mi stap wait yet blong TSC I kolem mi blong mi go signem contract blong mi. Mi stap confirm se mi no signem any agriment”.*

The above evidences of recruitment by the new Teachers shows that the same process of recruitment was made throughout the schools in Vanuatu. It also raised the question of why the Department of Education Service approved the instructions for recruitment and TSC made the recruitment. It also showed that TSC contacted the new teachers and informed them of the approval to teach in a specific school without an approved letter by the Commission. This clearly shows that the Commission, particularly the Chairman and the Acting Secretary contradicted section 37 of TSC Act as follows;

Section 36 of the Teaching Service Act talks about the evidences of appointment as follows;

**“36 Evidence of appointment**

- (1) Any appointment to the Teaching Service must be approved in writing by the secretary acting with the authority and on behalf of the Commission.
- (2) A document signed by the secretary certifying any named person was appointed to a position in the Teaching Service from a specified date is sufficient evidence

*that the person was properly appointed and continues to hold the position from that date unless the contrary is proven”.*

Section 18 of the Teaching Service Act talks about the duty of the Commission as follows;

**“18 Duty to act as a good employer**

- (1) *It is the duty of each member of the Commission to ensure the Commission is a good employer.*
- (2) *The Commission must, as a good employer:*
  - (a) *ensure the fair and proper treatment of its employees in all aspects of their employment; and*
  - (b) *ensure selection for employment and promotion is based only on merit and without undue influence; and”*

Section 19 of the Teaching Service Act talks about merit as follows;

**“19 Determining merit**

*In determining a person’s merit for appointment, promotion or salary increment, regard must be had to the person’s:*

- (a) *skills and abilities to perform the duties and responsibilities of the relevant position; and*
- (b) *standard and efficiency of work performance; and*
- (c) *qualifications and trainings undertaken; and*
- (d) *experience; and*
- (e) *personal qualities and conduct”.*

The evidence to prove that the above provision was breached comes from Jimmy Kone Olivier. A new Teacher at Ecole Publique. The relevant part of his statement goes as follows:

*“ Hemi first time blong mi go long class room”.*

Another evidence to corroborate on the above evidence comes from Raulu Claire Justine. A new Teacher at Ecole Publique. The relevant part of her statement goes as follows.

*“Mi confirm se mi stap skul yet long National University”.*

Section 41 of the Teaching Service Act talks about temporary employees as follows;

*“41 Temporary salaried employees*

- (1) The Commission may engage such temporary salaried employees as are required and may dismiss a person so engaged with one weeks’ notice.*
- (2) Temporary salaried employees may only be employed for a period up to 6 months which can be extended for a further period of up to six months.*
- (3) The Commission is to determine the terms and conditions of employment of temporary salaried employees of the Commission.*

The Teaching Service Commission has breached all of the above provisions of the Teaching Service Act during the recruitment of new teachers.

Members of the Teaching Service Commission are leaders under section 5 (v) of the Leadership Code Act as follows;

*5. Leaders*

*In addition to the leaders referred to in Article 67 of the Constitution, the following are declared to be leaders:*

*(v) Members of the Teaching Service Commission;*

Because they are leaders, they are obliged to comply with section 3 and 13 of the Leadership Code Act as follows;

*3. Leader’s behaviour*

*A leader holds a position of influence and authority in the community. A leader must behave fairly and honestly in all his or her official dealings with colleagues and other people, avoid personal gain, and avoid behaviour that is likely to bring his or her office into disrepute. A leader must ensure that he or she is familiar with and understands the laws that affect the area or role of his or her leadership.*

*13. Duties of leaders*

*(1) A leader must:*

*(a) comply with and observe the law;*

*(b) comply with and observe the fundamental principles of leadership contained in Article 66 of the Constitution;*

*(c) comply with and observe the duties, obligations and responsibilities established by this Code or any other enactment that affects the leader; and*

*(d) not influence or attempt to influence or exert pressure on or threaten or abuse persons carrying out their lawful duty*

It clearly shows that Members of the Commission, including the Chairman, failed to adhere to the requirements outlined in the Leadership Code stated above. Consequently, their actions constitute a breach of their Code of conduct.

## **6. RESPONSES BY THOSE WITH FINDINGS AGAINST THEM**

Before starting this investigation, the Ombudsman notified all people or bodies complained of and gave them the right to reply. Also, a working paper was provided prior to preparation of this Public Report to give the individuals mentioned in this report another opportunity to respond.

Firstly, I say thank you to Hardison Tabi, Former Acting Chairman and current member of Teaching Service Commission for giving his response to the Working paper.

He responded on the 29<sup>th</sup> of September 2025. His response goes as follows;

*Firstly, at point 4 of the working paper, I cannot remember if the Office of the Teaching Service Commission (TSC) had gone on media about the recruitment of new teachers. All I can say is that the Commission approved the engagement of temporary teachers, the information was dismantled professionally to the relevant agencies. Please show us the evidence where the TSC posted on social media.*

My response;

The Office of the Ombudsman has carried out its investigation into the recruitment of Teachers to determine whether the process was lawful. The question put before the new recruited teachers was, who informed them about the recruitment.

The evidence given by the new recruited teachers being interviewed by the Ombudsman was that that they have seen on Facebook. Hardison Tabi rightly said TSC dismantled to the relevant agencies. From there the information was shared on social media through the information from the Teaching Service Commission. The informal sharing of information on Facebook about recruitment of Teachers allowed people to submit their application to the Teaching Service Commission.

That gives us the evidence on appointment of new Teachers announced by the Teaching Service Commission on Vanuatu Broadcasting Television Corporation (VBTC) on 3 February 2025. They confirmed the total of 430 temporary Teachers as replacement effort of the 600 plus teachers on suspension.

Second point;

*On 2 October 2024, a submission was made to the Commission to deliberate on the engagement of temporary teachers. The submission was made through flying minutes. On 2 October two (2) members approved the agenda for engaging temporary teachers. The two members did not respond (which impliedly means they have dissenting view so I (as Acting Chairperson) had to exercise the power of vote pursuant to section 8(4) of the TSC Act and approved the agenda. Therefore, I confirmed that the recruitment of temporary teachers was approved by the Teaching Service Commission.*

My response

Section 8 of the Teaching Service Act states the following;

*Meetings of the Commission*

- (1) The Commission may hold such meetings as are necessary for the proper performance of its functions.*
- (2) The Chairperson is to preside over all the meetings of the Commission. If the Chairperson is absent the members are to nominate another member to preside over that meeting.*
- (3) At a meeting of the Commission a quorum consist of the Chairman and three other members present at that meeting. The Commission may meet despite any vacancies in its membership so long as a quorum is present.*
- (4) Each member present at a meeting has one vote and questions arising at a meeting are to be decided by a majority of votes. If the votes taken are equal, the Chairperson has a casting vote.*
- (6) Subject to this Act, the Commission may determine and regulate its own procedures.*

Section 8 (3) above talks about the quorum that must consist of the Chairman and three other members. This refers to the siting of the Commission, not a meeting through the flying minute where members are not together to form the quorum. Mr Tabi stated that only two members approved the agenda and the other two did not respond. That is not the sitting and that approval contradict section 8 (3) of TSC Act.

Section 8 (4) talks about members vote and question arising on the agenda under discussion. The other two members did not respond on the flying minute because section 8 (3) allows them to sit in a meeting and raised question on the agenda.

*Third point, when application was received by the TSC, the selection and verification was done by the Teaching Management Unite (MU) in the TSC. Thus, the selection was done on merit in accordance with section 19 of TSC Act.*

My response

Section 8 requires members of the Commission to come together in a room to have a meeting when the quorum is presented. It does not provide for meetings through flying minutes.

Section 19 of TSC Act states the following.

**19 Determining merit**

*In determining a person's merit for appointment, promotion or salary increment, regard must be had to the people:*

- (a) skills and abilities to perform the duties and responsibilities of the relevant position; and*
- (b) standard and efficiency of work performance; and*
- (c) qualifications and trainings undertaken; and*
- (d) experience; and*
- (e) personal qualities and conduct.*

The Ombudsman carried out its investigation to determine whether the recruitment process was lawful, that covers the detail information of newly recruited teachers. The outcome of the investigation proved that most recruited teachers lack experience, skills, qualifications, experience and personal qualities as outlined under section 19. That was evident from two witness quoted in this report. That proved that the recruitment lacks merit process.

Secondly, I say thank you to Alice Kaloran, the Acting Chairlady of the Teaching Service Commission. She made her respond on the 10<sup>th</sup> of October 2025. Her first point goes as follows;

*Legal basis for recruitment decisions. I draw your attention to section 65 of the Teaching Service Act. During the recent industrial action initiated by VTU members, Teaching Service and learning were severely disrupted. In accordance with section 65 of TSC Act, the Commission was obliged to fulfil the duties of those who had vacated their posts due to the strike.*

My response;

Section 65 (1) (a) states as follows;

**65 Protection and educational interests of children to be paramount consideration**

(1) The protection and educational interests of children is to be the paramount consideration:

(a) in making any decision under this Act.

I am more concerned about 65 (1) (a) because it refers to the decision made under this Act. The decision referred to in this matter is the recruitment decision. That decision has to be made in accordance with section 8 (3) of the Teaching Service Act that states;

*(3) At a meeting of the Commission a quorum consists of the Chairman, and three other members present at that meeting. The Commission may meet despite any vacancies in its membership so long as a quorum is present.*

There was no record of the three members present at the meeting to form a quorum so that the meeting can convene. There was only copy of flying minute with two people approving the agenda. Approving the agenda on flying minute is the same as giving a notice for a Commission sitting in writing with the agendas and the member approve by signing the outward mail book. I refute this point by the Acting Chairlady and uphold my decision that the decision was not done in good faith and therefore lacks the requirement of a good employer under section 18.

Secondly, merit and fairness in temporary appointments.

*I respectfully disagree with the findings suggesting unlawful recruitment. The Commission acted in good faith and in line with its responsibilities as good employer. While the merit assessment for temporary appointment was necessarily streamlined due to urgency, the principal of fairness and merit still upheld.*

My response;

Section 9 (j) of the Teaching Service Act Talks about the function of the Commission as follows;

## **9 Functions of the Commission**

The functions of the Commission are:

- (j) to advise the Government, the Minister, the Director-General of the Ministry of Education and other senior members of the Government and the Public Service in relation to:
  - (i) teacher education, both prior to and after appointment to the Teaching Service; and
  - (ii) teacher recruitment and retention strategies and programs; and
  - (iii) the remuneration and working conditions of teachers; and
  - (iv) all other matters concerning the Teaching Service.

Whilst I understand that TSC is an independent body, it is one of the statutory bodies of the Ministry of Education where decision, Policy and budget are mandated under the Education Act. That's where the power and functions of the Minister, Director General, Directors and Provincial Education come into play.

In this particular matter, I have noted that the decision to recruit temporary teachers was done outside of the lawful process stated under section 8 (3) of the Teaching Service Act. Because the decision was unlawful, then any advice given to the authorities within the Ministry of Education to enforce that decision to make recruitment was also unlawful.

That, in my view, was not a good faith decision, that is acting in bad faith and not as a good employer.

## 7. FINDINGS

### **Finding 1: Acting Chairman of Teaching Service Commission breached section 8 (3) of the Teaching Service Act**

The decision to recruit temporary teachers was made through a flying minute. Only two members approved the agendas on the flying minute. Section 8 (3) state, at a meeting of the Commission a quorum consists of the Chairman and three other members present at that meeting. The Commission may meet despite any vacancies in its membership so long as a quorum is present.

### **Finding 2: The Commission did not meet to approve the recruitment of new teachers**

The Acting Chairman failed to allow for the members to sit in a meeting, vote for the agenda and raised questions. It states as follows;

*(4) Each member present at a meeting has one vote and questions arising at a meeting are to be decided by a majority of votes. If the votes taken are equal, the Chairperson has a casting vote.*

### **Finding 3: The Chairman of the Teaching Service Commission, Hardison Tabi breached section 18 of the TSC Act**

By disregarding the duty to act as a good employer, his action contradicts the above provision.

### **Finding 4: Chairman of the Teaching Service Commission breached Section 19 of the Teaching Service Act**

By disregarding the merit process outlined under section 19, their action was in contravention of the above provision

### **Finding 5: Chairman of the Teaching Service Commission breached section 36 of the TSC Act**

By disregarding the evidence of appointment under section 36, their action was in contravention of the above provision

**Finding 6: Chairman of the Teaching Service Commission breached section 41 of the TSC Act**

By disregarding the lawful process of engaging teachers on temporary salaried employees, their action was in contravention of the above provision

**Finding 7: The Chairman of the Teaching Service Commission breached section 3 and 13 of the Leadership Code Act**

This disregard for his behavioural obligations and duty to comply with the law, undermines the principles requiring leaders to act fairly and honestly and avoid bringing their office into disrepute.

**8. RECOMMENDATIONS**

**I make the following recommendations:**

1. Head of State to terminate Hardison Tabi from his position as Commission member for breaching the Teaching Service Act and the Leadership Code Act;
2. Hardison Tabi to be prosecuted for breaching the Leadership Code;
3. Head of State to terminate other Commission members and appoint new Members;
4. The Teaching Service Commission to ensure that future recruitment of teachers must be in line with the process outlined under the Teaching Service Act;
5. The Head of State to inform the Ombudsman within 30 days from the date of this Report about his decision.

Dated 13 March 2026

  
**Hamlison BUELI**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**