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APPOINTMENT OF TEACHERS TO TEACHING POSITIONS

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Introduction

The process of appointing teachers to teaching positions is outlined in the *Teaching Service Act, 1995* (Consolidated to No. 20 of 1995), *Education Act, 1983* (Consolidated to No. 13 of 1995), and the Teaching Service Commission's Human Resource Information and Operations Manual. However, a recent study on teacher appointments in primary schools found that the appointment of teachers to teaching positions, in most cases, is done outside of these legal and policy frameworks.

This contributes to corruption, lack of accountability and transparency, and failure on the part of the appointing authorities to effectively and efficiently manage the process of teacher appointments. Problems associated with teacher appointments are exacerbated by a lack of clarity, duplication and division in the Teaching Service Commission's (TSC) and the National Education Board's teacher appointment roles and functions stipulated under the *Teaching Service Act, 1995* and the *Education Act, 1995*. This situation does not only create confusion amongst the teachers, but also contributes towards the creation and perpetuation of teacher appointment problems throughout PNG.

Appointment of Teachers

Teacher appointment process

The teacher appointment process begins with the creation of teaching positions. The TSC is empowered under s.29 (1a-c) of the *Teaching Service Act, 1995* to create, reclassify or abolish positions and classes of positions in the Teaching Service Commission and may determine the salaries, duties and qualifications for the positions. However, in fixing the number of positions in each class of positions it must comply with s.9 of the *Education Act, 1995*. All these should be done in consultation with the National Education Board (NEB) and the agency responsible for the school.

The creation of teaching positions and the determination of terms and conditions for each position are then followed by the advertisement of vacancies, appointments, promotions, and transfers. The role for advertising the positions lies with the NEB and the Provincial Education Boards (PEB). The Teaching Service Commission only approves positions for advertisement, including all positions filled by acting appointments, at least once a year. Pursuant to s.35(3) of the *Teaching Service Act, 1995* all vacant

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base-level positions in a community school shall be advertised by the PEB and s.35(4) all vacant promotional positions in community schools, and all positions in provincial high schools, technical schools, vocational centres and national institutions, shall be advertised by the NEB in the Education Gazette.

Teacher appointment criteria

The teacher appointment criteria are set out in s.35 (5a-e) of the *Teaching Service Act*, 1995. Provinces have also developed and implemented their own criteria. These criteria often include:

- relevant qualifications;
- good work record;
- substantive applicants with no current tenure position;
- teachers whose eligibility will expire soonest;
- teachers who are incumbents who served on a tenure position of an acting appointment in the same school for less than 3 years; and
- teachers who meet Church codes 1, 2, and 3.

The appointment criteria should provide the grounds for teachers to be appointed to vacant teaching positions or on acting positions on merit. However, appointing authorities in the provinces do not adhere to the criteria when appointing teachers. They willingly flout the criteria to make appointments to serve the interests of their cronies, therefore creating enormous problems at both the provincial and national levels, which often results in teachers resuming their duties late. Moreover, those who met the criteria, including female teachers, often do not get appointed to the positions they applied for. This situation is having a severe impact on the morale of teachers, particularly female teachers in the provinces.

Appointment of teachers to vacant positions

The appointment of teachers to vacant positions is outlined in the *Teaching Service Act*, 1995, s.37, ss.1-6; s.38, ss.1-4; and, s.39, ss.1-3. These sections and sub-sections provide the legal requirements for the appointment of teachers to vacant positions. The qualifications for appointment to vacant positions, the procedures in making appointments, and obligations to appoint are described in s.40, s.41 and s.42 respectively. In spite of this, it was found that these legal requirements on the appointment of teachers were not adhered to by the appointing authorities,

especially the PEBs. A lot of inconsistencies and anomalies were found in the appointment of teachers to vacant positions. The main ways in which teachers are appointed to teaching positions reported by primary school teachers are presented in Box 1.

Box 1

Appointment of teachers to teaching positions

- Teachers appointed through the Education Gazette (44%);
- teachers appointed by PEB (35%);
- teachers appointed through nepotism and bribery (12.4%); and
- teachers forced to take up positions (2%).

What is wrong with the appointment process?

The teacher appointment process continues to be a major concern among teachers, parents, Boards of Management (BoM) and Boards of Governors (BoG) throughout the country. The Education Gazette is always late, appointment of teachers is not done before the end of the school year, and teachers resume for duties late. As a consequence, children's learning is compromised. Moreover, teachers who are eligible for higher positions rarely are notified of the outcome of their applications. In the East Sepik Province for example, teachers who applied for promotional positions in 2009 were informed of the outcome of their applications in October 2010, by which time it was very late for them to take up their appointments. What the primary school teachers perceived to be wrong with the teacher appointment process is reflected in Box 2.

Box 2

What is wrong with the teacher appointment process?

- Teachers appeal against appointment (17%);
- teachers forced to take up teaching positions (15%);
- lack of transparency in the appointment of teachers (14%);
- teachers put in the pool (10%);
- teachers' welfare and interests not considered when appointments are made (7%); and
- late resumption of duties (6.1%).

Why teachers refuse to take up their appointments

Due to a lack of transparency in the teacher appointments process, teachers being forced to take up teaching positions in schools they had not applied for, and teachers' interests and welfare not being considered at the time of appointment, many teachers refused to take up the teaching positions offered. Others said they had no choice but to take up the positions offered in fear of being put in the pool and taken off the payroll.

There were also other factors that contributed to teachers' deciding not to take up the teaching positions offered to them. The major factors contributing to teachers' refusal to take up teaching positions as reported by primary school teachers are presented in Box 3.

Box 3

Factors contributing to teachers' refusal to take up teaching appointments

- Unhappy with the appointment (24%);
- family and personal problems (22%);
- location of school (17%);
- security concerns (10.3%);
- logistics and costs of getting to the schools (10%); and
- lack of services (9%).

What teachers do when they are not offered the positions they apply for

Teachers and the executives of their union often protest when teacher appointments are not done according to their expectations. They become critical of the way teacher appointments are handled by the appointing authorities in the provinces.

Box 4

Actions teachers take when they are not given the positions they apply for

- Challenge appointment (43.5%);
- refuse to take up appointment (23.4%);
- accept appointment (11.2%);
- resume work late (5.4%); and
- leave teaching (4%).

Many teachers often front up at the appointing authorities seeking explanation on why they were not appointed to the positions they applied for. Others, for fear of being taken off the payroll or

forced to take up an appointment, accept the positions offered to them without any kind of resistance. The most common actions teachers take when they are not given the position they apply for are presented in Box 4.

What the appointing authorities do when teachers refuse to accept their appointments

Provincial Education Boards often take a number of actions against teachers who refuse to take up their teaching positions. These actions are often taken without due consideration of teachers' reasons for refusing to take up their teaching positions. The lack of an efficient and transparent appeal process and the confrontational mode in which some provincial appointing authorities operate are often the causes of animosity between the teachers and the PEB. The confrontation between teachers and the appointing authorities is often the cause of the delay in finalising teacher appointments and the resumption of duties by teachers. The most common actions taken by the PEB against teachers who refuse to take up their appointments reported by primary school teachers are shown in Box 5.

Box 5

Actions the appointing authorities take when teachers refuse to take up their appointments

- Place teachers in the pool (32.5%);
- issue threats/put teachers off the payroll (28.4%);
- place teachers in other positions (23%);
- force teachers to take up appointments (8%); and
- send teachers to remote schools (1.3%).

Resumption of teaching duties

Factors contributing to teachers resuming duties late

Teachers resuming late for duties is a major problem. Factors such as late appointment of teachers to teaching positions, late notification of teachers' of their appointments, lack of logistical support for teachers, and the delay in processing teachers' recreational leave contribute directly to a good proportion of teachers turning up late at their schools after the school year has commenced. Box 6 presents the main factors that primary school teachers reported as often hindering them from resuming their teaching duties on time.

Box 6**Factors contributing to teachers' late resumption of teaching duties**

- Logistics and costs of getting to the schools (48%);
- late appointment of teachers to teaching positions (16%);
- late notification of teaching appointment (11.2%);
- family and personal reasons (10.3%); and
- unhappy with appointment (5%).

Problems which exist within the resumption of duties process

The entire process of teachers resuming for duties in schools is problematic. Lack of logistical and financial support for teachers, late submission of the Resumption of Duty forms, and late notification of teachers of their appointments are ongoing problems. Often these problems contribute to low teacher morale, absenteeism, and late arrival of teachers in the schools. Some of the problems associated with the resumption of duty process as reported by primary school teachers are presented in Box 7.

Box 7**Problems associated with the resumption of duty process**

- Late resumption of duties (30%);
- late submission of the Resumption of Duty forms (15%);
- logistics and costs of traveling to schools (13%);
- Late notification of appointment (9%);
- poor organisation (7%); and
- two or more teachers appointed to a position (3%).

Conclusion and policy response

The findings of the study on the appointment of teachers in PNG indicate that there are serious flaws in the implementation and management of

teacher appointments. The lack of clarity and duplication of the roles and responsibilities of the NEB and TSC over teachers' affairs, the non compliance of various sections of the *Education Act*, 1995 and the *Teaching Service Act*, 1995 by appointing authorities in the appointment of teachers, and lack of transparency and accountability are the main contributing factors to teacher appointment problems. These factors have also led to teachers and other stakeholders questioning the relevance of TSC, particularly its ability to effectively manage the affairs of an expanding teaching workforce.

Immediate action must be taken to not only address the problems besieging teacher appointments, but also other problems relating to teachers' welfare and wellbeing. The *Teaching Service Act* and the *Education Act* must be critically reviewed to ensure that ambiguity and duplication in roles and responsibilities of the NEB and TSC over teachers' employment are eliminated. Moreover, the TSC must be separated from the Department of Education and empowered with relevant legislation to manage all teachers' affairs. This will ensure that only one authority is responsible for managing all aspects of teachers' employment therefore eliminating inefficiency and a host of other problems associated with the management of teachers' affairs, including teacher appointments.

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