



LIST OF WITNESSES WRITTEN EVIDENCES

Performance Audit of Effectiveness of Institutional Framework for Preventing Corruption – *a look at the National Anti-Corruption Agency and a sector on Corruption Prevention for Free Education Grant*

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MINISTRY OF EDUCATION, HERITAGE & ARTS

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**The Chairperson
Public Accounts Committee
Government Buildings
Suva**

Dear Hon Alvick Maharaj

Re: **Response to Report of the Auditor General of the Republic of Fiji – Performance Audit Report of Effectiveness of Institutional Framework for Preventing Corruption (Parliamentary Paper No. 152 of 2019)**

With reference to your request file ref Parl 7/02, the responses are as follows:

What is the status on review of the Education Act?

We have reviewed the draft Education Act in consultation with the Solicitor Generals Office. There needs to be additional work done following the draft review and as part of the 2019/2023 Strategic Plan; the Ministry wishes to carry out a review of the Education Act.

How does the Ministry intend to address the weaknesses identified pertaining to the management of the organizational resource (i.e. grant) from challenges of misappropriation by administrators of grants. (i.e. Will the Ministry ensure that codes of conduct are in place for all education personnel involved in the administration of FEG?)

The School Management Committee (SMC) and Head of Schools are both accountable for ensuring that the school financial management procedures meet MEHA's requirements. Both parties have a legal obligation towards the Government, MEHA, the controlling authority and parents in the effective management of school funds. The heads of school being a civil servant would be guided by the PSC code of conduct. As for the other members of the SMC the code of ethics is stipulated in part A3.4 School Governance Arrangements of the 2020 School Management handbook. SMC Members will be required to sign the code of ethics upon their appointment.

What efforts have been made to provide legal framework and administrative practice to promote transparency and accountability in the administration of FEG?

A revised Policy for Financial Management Arrangements in Schools was approved in late 2019.

The School Management Handbook 2020 was issued in January 2020.

The School Management Handbook 2020 includes various measures that will promote transparency and accountability including the following:

- a) Restrictions on the use of grants for capital expenditures;
- b) Defining the grant payment conditions that must be met before grants are released;
- c) Strengthening of the procurement processes to be used by Schools so that these are closer to the processes used by Government. (e.g. use of Purchase Requisitions, Evaluation Forms & Purchase Orders);
- d) Monthly reporting on the utilisation of grants (utilising FEMIS) This will include a requirement to carry out bank reconciliations at the school level via FEMIS;
- e) Additional requirements on the management of fixed assets and inventories purchased from school grants; and
- f) Restrictions on carrying forward balances of grant funds at the end of the year.

How does the Ministry intend to strengthen its control, oversight and sanctioning role over the schools/ educational institutions?

The Ministry has already clarified the responsibility for the control and oversight role in the revised School Management Handbook 2020 and Policy for Financial Management Arrangements in Schools. In addition to this the Ministry is planning to develop and implement a revised Grants Audit/Monitoring Framework for Schools - this will be implemented to ensure grant funds are being used as intended and that Schools are complying with relevant policies and processes. Key features of the framework will include:

- A focus will be to move towards conducting more regular random monitoring as a deterrent to fraud and corruption in schools;
- Development of Standard Operating Procedures for Grants Audit and Monitoring. This will include checklists for routine/regular monitoring to be carried out by the Grants Audit Team and District Finance Officers. The checklists will be directly linked to the School Management Handbook and will assess compliance with the handbook and utilisation of the FEG.
- The results of monitoring will be reported and dis-aggregated by District and by the relevant sections of the school management handbook - this will assist the Ministry in determining where additional training may be required (ie. which districts and which topics should be covered)

What actions are being undertaken by the Ministry to improve effectiveness of education services in maintaining data? [e.g. data on enrolment. This data can be used not only as a basis for distributing grants but can also be used to provide statistics on minorities and disadvantaged groups]

The Ministry is undertaking various improvements that are ensuring improved data management on FEMIS. The Ministry has recently automated the generation of grant payments for schools from FEMIS. Apart from being more efficient, this will also assist in enforcing the eligibility requirements as defined in the various MEHA policies. This reform also means that the payment of grants is dependent on class audits in FEMIS, thereby motivating schools and other stakeholders to ensure the data is accurate.

In addition to that FEMIS also captures data such as Disability Data. The FEMIS Disability Data provides information relating to:

- Disability in children ,including type and severity of disability
- Accessibility of school's infrastructure and support
- Training required in relation to disability-inclusive education

Students Learning Profile (SLP) which identifies children with functional difficulties and those at risk of disability captures

- a. information to identify disability type and severity
- b. information to identify learning support needs, including assistive devices such as wheelchairs, hearing aids, etc, reasonable accommodations such as additional time or a note-taker during assessments, etc
- c. information on access to referral services

There are other forms of data that is captures such as Students Drug Report, Students literacy and Numeracy tracker.

I hope that the above response shall assist the Public Accounts Committee in their deliberations on the above mentioned report. The Ministry also wishes to confirm the attendance of myself, The Head of National Education Service Delivery Mr Timoci Bure and Director Finance Mr S Donish Lal for the presentation on Thursday 6 February 2020

Yours sincerely

Susan Kiran (Ms.)

A/Permanent Secretary for Education, Heritage and Arts

i. Has any assessment been carried out by the Commission on the Effectiveness of activities undertaken (i.e. preventative approaches towards corruption) with the Education sector and what are the outcomes?

Corruption is understood to be an ancient problem which has continued to affect our livelihoods. It is expected to continue with its devastating impact on the lives of all Fijians if it is not addressed meticulously and strategically. Since corruption has a long history, it was able to pollute the minds of many by offering opportunities for quick gains and luxuries on the expense of others. Fiji is in a tender need of strategies to change mindsets against corruption. The country needs measures which can also nurture young minds to refrain from adopting the long-lived corruption culture as a way of life, and at the same time rejuvenate a sense of passion, patriotism, justice, pride and honest commitment towards societal and national developments, benefiting all.

The above preventative agenda towards corruption is undoubtedly best achieved through educational programs. FICAC has aggressively invested in educating the public towards corruption and will continue to do so in order that the Commission's mandate is successfully accomplished. Since the inception of the Commission's Corruption Prevention Department in 2008, awareness education has been the forefront of the FICAC's deliverables. Through continued focus and efforts, FICAC has established and maintained good working relationship with the education sector through collaboration with the Ministry of Education. One major achievement through this collaboration is the launching of the National Anti-Corruption Curriculum (NACC) in 2019 for all Fiji schools. This initiative allows anti-corruption merge with relevant topics in selected subjects in both primary and secondary school curricula.

In the 2018 – 2019 fiscal year alone, a total of seventy-three (73) awareness sessions were conducted with the education sector/schools/institutions around the country. These included five (5) sessions with various school managements, twenty-five (25) sessions with teachers from different schools, eleven (11) sessions with various tertiary student clusters, twenty-three (23) sessions with students from different secondary schools and nine (9) Good Kiddo (customized moral values program) sessions with students from various primary schools.

It is a continued effort from FICAC to improve its education and awareness programs in order that the desired impact of these programs can be achieved. FICAC has always evaluated its programs by carrying out internal evaluation exercises. The evaluation exercises mainly focused on the delivery of the program by the Corruption Prevention Officers. A thorough assessment on the effectiveness of the activities is something which the Commission will need to consider and achieve. The Commission believes that for a fair assessment and reporting, a third party needs to be involved. Hence, plans are already in place to conduct of an online survey which will complement the assessment by third party agencies on the effectiveness of FICAC awareness programs including those that target the education sector. In summary, FICAC is preparing to facilitate a thorough assessment on the effectiveness of the anti-corruption activities delivered by the Commission.

ii. Does FICAC intend to make or adapt any policies any standards for the Fight against Corruption?

The 2013 Constitution of the Republic of Fiji Section 115 (7) directs that “In exercising its powers and performing its functions and duties, the Commission shall be guided by the standards established under the United Nations Convention Against Corruption” (UNCAC). Fiji acceded to UNCAC on 14 May 2008 and the eight chapters and the 71 articles of UNCAC act as the standards, guidelines and benchmarks for FICAC. The document provides the necessary framework which participating countries need to achieve as part of the anti-corruption agenda and work towards achieving the United Nations Sustainable Development Goals.

Using the UNCAC document as a guide, FICAC foresees to propose a National Anti-Corruption Strategy, a document which will contextualize UNCAC adequately to the Fijian context. And, FICAC intends to take the lead role in compiling this essential Strategy document with the assistance of its stakeholders and credible research institutions in the country.

Furthermore, as far as internal policies and standards are concerned, FICAC has always kept itself up to dated. Towards the end of 2019, FICAC has started working on developing and reviewing the frameworks for all its Corruption Prevention programs/products to ensure that the frameworks become a clear guideline for all its Officers and stakeholders who share the same objectives.

Furthermore, best practices and standards adopted by some credible anti-corruption agencies around the world are continuously learnt through exposure of FICAC Officers to conferences, symposiums and trainings. Ideas are then analyzed and realigned to the Fijian context and FICAC jurisdiction to ensure successful outputs is achieved locally. Moreover, Professional Standards Unit which is part of the Investigation Department oversees that standards and policies guiding the investigation process are reviewed and updated. The Unit audits the process followed by FICAC Investigators as way to maintain compliance and to ensure contemporary issues are addressed adequately with smart solutions which is later embedded into FICAC standards if proven effective and efficient.

iii. What is FICAC policy on engagement with other anti-corruption bodies in Fiji? Are there any working arrangements in place? On what circumstances does FICAC meet with the other stakeholders identified in the report as pillars of integrity?

FICAC is maintaining an open-door policy for its partners to share the anti-corruption agenda. The Commission experienced a slow response in the beginning on the willingness of relevant organizations to collaborate on activities to combat corruption in Fiji. However, today, FICAC is well networked locally with other agencies and organizations that share the anti-corruption agenda. To date the Commission has signed Memorandum of Understanding (MOU) with five (5) organizations that are part of the National Integrity System (NIS) to their support and cooperation in the fight against corruption. These include Fiji Revenue and Custom Services (FRCS), Financial Intelligence Unit (FIU), Land Transport Authority (LTA), Ministry of Justice (MoJ) and Ministry of Education, Heritage & Arts (MOEHA).

In terms of information sharing, annually the Officers from the Corruption Prevention Department of FICAC provide different types of training programs to institutions that form a part of the NIS.

These trainings include short awareness programs, one (1) day Anti-bribery, Ethics and Values Workshop and two (2) days Corruption Impact Assessment (CIA) workshop. Civil society organizations are also targeted in the year to deliver trainings and are also invited to participate in activities that help build resilience towards corruption. For example, FICAC in 2019 cooperated with Adventist Development & Relief Agency (ADRA) by providing resource persons to visit schools in the Cakaudrove Province to raise awareness on accountability and transparency in schools.

In addition to the above, the FICAC Corporate Integrity Pledge (CIP) program targets the private sector institutions in order to build cooperation to deal with corruption in the Fijian business sector. To date five (5) corporate institutions have signed the pledge while there are few others which are interested to come on board with the program. Also, the Corruption Prevention Department ensures that all institutions that are part of the NIS are visited during the year and the anti-corruption motives are continuously rejuvenated.

iv. Is the current system or framework to combat corruption sufficient to combat corruption in Fiji?

No.

FICAC's vision for fighting corruption; "Ensuring the peoples of Fiji live a life free of corruption" is wide, comprehensive and enormous. This vision challenges the organization to continuously do more. The Commission understands that with the wide vision like this, the organization cannot be satisfied with the work done so far. The Commission will therefore, continuously search for ways to better its frameworks and processes in order to accomplish better outputs.

FICAC's current framework for fighting corruption is not enough but it is definitely practical. There are a lot of rooms for improvement and expansion, which the Commission will definitely consider. The organization will continue to take one step at a time to explore better ideas and tenets to address corruption in Fiji.

The following are some of the areas that are earmarked by the Commission to explore or do more work:

- a. Asset recovery;
- b. Possession of unexplained wealth;
- c. University anti-corruption curricula;
- d. Proactive investigation;
- e. Anti-corruption in public tender and procurement processes; and,
- f. Children's moral values program.

v. How do you assess or have assessed the progress in combating corruption in Fiji?

The following mechanisms have assisted the Commission to gauge the progress made towards combating corruption in Fiji:

- a. KPI benchmarking and audit – the achievement of Key Performance Indicators (KPIs) benchmarked through the implementation of the Annual Corporate Plans are audited by the organization in order to evaluate the progress status of activities and strategies planned in a year.
- b. Complaints analysis - analysis of complaints registered with the Commission by the public indicates an overall reduction in the lodgment of non-corruption related complaints. This denotes that the awareness programs to the public are able to rectify their understanding as far as FICAC's jurisdiction is concerned.
- c. Quarterly & Annual Reporting –Quarterly and Annual reports submitted to the relevant authorities also reports the progresses made as far as different anti-corruption activities are concerned.
- d. Response from stakeholders – the Commission has noted a surge in the positive response from stakeholders towards invitations to attend various anti-corruption trainings. The positive response shows the willingness of the organizations to cooperate with FICAC and their acceptance of the FICAC trainings/corruption prevention activities.

vi. Are there any international reports on the progress of fight against corruption available?

The following are some international reports available that describes/outlines the progress Fiji has made towards the fight against corruption:

- a. 2005 – Corruption Perception Index report compiled by Transparency International;
- b. 2009 – Report on pilot Review Program by France and Serbia to review Fiji's implementation of the United Nations Convention Against Corruption (UNCAC);
- c. 2012 – Report on Fiji as one of the first 28 State Parties to be reviewed on the implementation of the UNCAC. Bangladesh and the United States of America in a peer review process (first full review) carried out the second Review; and,
- d. 2019 – Report on UNCAC implementation (yet to be released). Fiji was reviewed by United Kingdom and Samoa with the assistance of UNODC.