

# Unit 11: Statutory Regulations and Procedures

## AIM

The aim of this unit is to enable inspectors to understand, interpret and implement educational policies in accordance with statutory rules, regulations and procedures governing education.

## LEARNING OUTCOMES

By the end of the unit, inspectors will have an understanding of:

- the importance of the Education Act
- the application of rules and regulations governing teachers
- the application and significance of the Code of Conduct for Inspectors
- personnel regulations and their implementation
- application of financial regulations and procedures.

## CONTENT SUMMARY

- 11.1 The Education Act
- 11.2 Personnel Regulations
- 11.3 Financial Regulations
- 11.4 Code of Conduct for Inspectors
- 11.5 Teaching Service Regulations

### 11.1 THE EDUCATION ACT

#### *Key Information*

One of the key documents of the Ministry of Education is the Education Act. It provides for the foundation of the proper development of education.

#### **Activity 11a**

In pairs, define what an Education Act is.

What is the relevance of having an Education Act?

An Education Act may be defined as a statutory instrument which sets the philosophy, mission and objectives of the education system in a country. It addresses in broad framework the rationale of the education system, the principles embodied in the development of education as well as the goals of the education system as a whole.

#### **Activity 11b**

In small groups, identify some of the main components of an Education Act. Discuss and provide feedback to the larger group.

## 11.2 PERSONNEL REGULATIONS

### *Key Information*

There are different types of documents within government that guide and regulate personnel matters such as the Code of Regulations governing the conditions of service of teachers, financial regulations, and others.

#### **Activity 11c**

Brainstorm some of the personnel regulations within the public service.

How do these affect your day-to-day operations?

Generally, personnel regulations provide the administrative foundation of a government. They set out the basic principles of public service to guide public servants in both their relations with each other and their dealings with the public. There are a number of principles which are addressed in the personnel regulations. They include among others:

- regard for public interest
- neutrality
- accountability
- transparency
- freedom from corruption
- continuity
- duty to be performed

## 11.3 FINANCIAL REGULATIONS

### *Key Information*

All officers concerned with the collection, disbursement and safe custody of public monies or other government property are required to observe financial regulations. These regulations are based on an Act of Parliament commonly referred to as the Finance Act. They are usually issued by the Ministry of Finance to lay out procedures and control the use of public funds.

#### **Activity 11d**

In your position as inspectors, what are your financial responsibilities? List and discuss them.

How do these fit in the general financial rules and regulations?

Generally, in the SADC region, inspectors are required to handle financial issues either within the service itself or by offering support to schools on how finances should be handled. It is therefore imperative for the inspectors to know not only the general financial regulations of the country, but also to relate these to budgeting in education.

### **Activity 11e**

In pairs prepare a mini-budget and discuss your mini-budget in the larger group.

Note: It might be useful to approach the task with the following questions in mind:

- What is a budget?
- Why have a budget?
- When do you prepare a budget?
- What goes into the budget?

## **11.4 CODE OF CONDUCT FOR INSPECTORS**

### ***Key Information***

Governments usually provide some sets of principles regulating the conduct of public officers. Inspectors as senior public officers operate within these principles. Since the inspectorate is a specialised service, a specific Code of Conduct is laid down for them. Inspectors' conduct must therefore be characterised by courtesy, integrity, respect, and regard for the public interest.

### **Activity 11f**

In pairs, list and discuss your general obligations and duties as laid down in the code of conduct for inspectors.

To what extent do these obligations and duties relate to the general personnel regulations?

The code of conduct is developed in order to underpin the high professional standards of inspectors. The code includes how inspectors should carry out their work. The following are essential.

- high professionalism, integrity and courtesy
- honesty and fair reporting
- objective evaluation of the school work
- a clear and frank communication
- always acting in the best interest of the learners as well as respect for confidentiality of personal information received during inspection.

### ***Trainer's Note***

Breach of the code can result in demotion or the loss of one's job.

## **11.5 TEACHING SERVICE REGULATIONS**

### ***Key Information***

Teaching service regulations are very important to inspectors because in most cases they set out the duties, responsibilities and conduct of teachers. They also include rules

and regulations governing disciplinary procedures, appointments, salaries, and other conditions of service as required by law. In some countries, teaching service regulations are based on the Education Act.

### **Activity 11g**

In small groups, discuss the following questions and explain how they affect your duties and responsibilities as inspectors.

- (a) What is the relationship between the teaching service regulations and the Public Service Act?
- (b) How do the above relate and link up with the Code of Conduct for inspectors?
- (c) What role do you as inspectors play in enforcing the teaching service regulations?
- (d) In your opinion is there a conflict between the teaching service regulations and the Public Service Act. Please state the nature of conflict, if any.

Teaching service regulations provide guidance to members of the service in terms of the legislation governing the conditions of service for teachers, the application of the regulations, and the authority of the regulations. Any obligations that may be laid upon teachers in the execution of their official duties are derived from those.

In respect of schools, in most countries, it is advisable to read the regulations in conjunction with government financial instructions, stores regulations and any other regulations and instructions which may from time to time be issued by government and with which teachers serving in government schools are required to comply.

### **Activity 11h**

In your position as inspectors, you have been assigned to investigate a case involving the headteacher and one of the female teachers. You have carried out your investigation, but just before leaving the school, the headteacher presents you with a gift. State the reason(s) why you may or may not accept the gift.

## **SUMMARY**

Public service regulations are essential to every civil servant and must therefore be clearly understood. A breach of the regulations, be it finance, personnel etc. can lead to loss of job or seniority. Inspectors are seriously reminded always to keep this in mind when carrying out their work.

## **REFLECTION**

Reflect on how, if you were still a teacher, you would have reacted to the teaching service and public service regulations in your country and think of how you will assist teachers to cope with these regulations.

## REFERENCES

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