

**Education Sector Support Programme in Nigeria
(ESSPIN)**

**Analysis of the Role of Local Government Authorities
and Local Government Education Authorities in
Supporting Basic Education in Nigeria**

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The documents include:

ESSPIN 001	1st Quarterly Report
ESSPIN 002	MTSS Strategy
ESSPIN 003	M&E Strategy
ESSPIN 004	Inception Strategy
ESSPIN 005	Initial Report from the MTSS Task Team Leader
ESSPIN 201	Analysis of the Role of LGAs and LGEAs in Supporting Basic Education in Nigeria

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Acronyms and abbreviations

CSACEFA	Civil Society Action Coalition on Education for All
DEC	.....	District Education Committee
E&SD	.....	Education and Social Development
ECCE	.....	Early Child Care Education
EMIS	.....	Education Management Information System
ES	.....	Education Secretary
ESSPIN	.....	Education Sector Support Programme in Nigeria
ETF	.....	Education Tax Fund
ExCo	.....	Executive Council
GL	.....	Grade Level
HoD	.....	Head of Department
HR	.....	Human Resources
HT	.....	Head Teacher
IBP	.....	Issues Based Project
JSS	.....	Junior Secondary School
LEMIS	.....	Local Education Management Information System
LG	.....	Local Government
LGA	.....	Local Government Area
LGC	.....	Local Government Council
LGEA	.....	Local Government Education Authority
LGEC	.....	Local Government Education Committee
LSS	.....	Local Schools Supervisor
MEST	.....	Ministry of Education, Science and Technology
NCE	.....	Nigerian Certificate in Education
NPE	.....	National Policy on Education
NUT	.....	National Union of Teachers
OH	.....	Overheads
PFM	.....	Public Financial Management
PRS	.....	Planning, Research and Statistics
PTA	.....	Parent Teacher Association
SAVI	.....	State Accountability and Voice Initiative
SBMC	.....	School Based Management Committee
SC	.....	Supervisory Councillor
SESP	.....	State Education Support Project
SPARC	.....	State Partnerships for Accountability, Responsiveness and Capacity
SUBEB	.....	State Universal Basic Education Board
TOR	.....	Terms of Reference
TSC	.....	Teaching Service Commission
UBE	.....	Universal Basic Education
UBEC	.....	Universal Basic Education Commission

Abstract

1. The funding and management of basic education in Nigeria is highly fragmented, with complex and unregulated institutional arrangements that are prone to political interference. This leads to the neglect of some areas and the duplication of others. There is little accountability, consensus or coordination of service funding and delivery between the different actors. This results in inefficient and inequitable resource allocation.
2. Local Governments (LGs), by law, are responsible for basic education, and yet they have little decision making capacity or control over budgets being spent in their Local Government Area. At the same time, they are not held accountable for their own expenditure on education.
3. The purpose of this study is to analyse the current situation and provide a foundation of knowledge for ESSPIN engagement at this level to improve basic education service delivery.

Executive Summary

4. This report provides a summary of a three week scoping visit to Jigawa and Kwara States to look at the role of LGs in supporting basic education. The visit was carried out by a single consultant.
5. It considers not only the constitutional role and functions of LG, but also how these roles and functions play out in practice. This has revealed duplication of effort and funding, inefficiency and a lack of consensus between the different actors. Whilst LGs are constitutionally responsible for education, in practice it is SUBEB who administer and manage schools through LGEAs, amid little consultation with LG Councils (LGCs).
6. These LGEAs are staffed by the LG and yet human resource (HR) issues for staff above grade level (GL) 7 are decided by SUBEB not by the LGs. SUBEB also has control over the decision making process for allocating federal resources for construction and renovation of classrooms among LG Areas.
7. The relationship between LGCs and LG Education Authorities (LGEAs) has also been investigated to understand formal and informal institutional arrangements for cooperation. Even though, in most states, Education Secretaries (ES) are nominated by LG Chairmen, there seems to be limited cooperation in some LGAs between the LG and the LGEA due to a lack of financial support of the LGEAs by the LGCs.
8. Planning and making use of data for management purposes seems to be more prevalent in the LGEAs than in the LGs. Similarly although LGs have a role to play in ensuring standards of education, their involvement in advisory services and supervision and monitoring are ad hoc, under-funded and often duplicate the functions of the LGEAs.
9. The constraints placed on the leadership of LGCs include the unreliability of funding, lack of consultation with state actors and lack of control over the funding and delivery of education in their jurisdiction. This coupled with the lack of incentives to be accountable and lack of measures of performance result in LGs acting in an autonomous vacuum.
10. However, this is not to say that LGs are responsible for the poor service delivery of basic education. SUBEB itself is a semi-autonomous institution and many policies which it has put in place and enacted are not being implemented.
11. This is why it is crucial to support LGEAs and to encourage mechanisms and processes which streamline and simplify roles and responsibilities. A Nigerian proverb says that, "if palm oil touches one finger, the others are quickly stained." When many

actors are responsible for the same function, accountability reduces, until no-one claims responsibility for outcomes.

Management

12. ESSPIN has the capacity to work with LGEAs to improve the management and therefore the quality of education. This could include inspection, in-service training, head teacher support, teacher deployment and supporting SBMCs.

Governance

13. ESSPIN in collaboration with SPARC (State Partnerships for Accountability, Responsiveness and Capacity) can work to improve the levels of consultation and communication between communities, LGCs and SUBEB to ensure more transparent and equitable decision making and resource allocation. This would involve public financial management (PFM), social development, institution building, communication and monitoring and evaluation.

Purpose of the consultancy

14. The purpose of this consultancy was provide a sound basis of knowledge for ESSPIN engagement at local government level by studying the constitutional and practical role of LGAs and LGEAs in the governance, funding, management and monitoring of schools, their modes of operation and their potential in facilitating educational improvement.
15. This knowledge is then to be used to recommend strategy options for ESSPIN engagement during the inception period (January – May 2009) and beyond.

Achievement of terms of reference

	TOR tasks	Progress made and agreements reached (with whom)	Proposed/ agreed follow up (by whom and when)
1	Examine the constitutional role and functions of local government in the delivery of basic education.	All relevant legislation researched. Findings were then cross-checked with stakeholders to discover levels of awareness. Foundation of constitution: "Local governments are responsible for the management of basic education through LGEAs."	Share Jigawa revised legislation with other states. Check Kano, Kaduna and Lagos for revisions. Performance indicators to assess changes due to revisions?
2	Provide an overview of the relationship between State and Local Government.	Both governance bodies and education bodies were considered in this overview. Issues such as accountability, decision making, communication and consultation, funding, standards and organisational structure were considered. This overview is based on legislation, policy documents, budgets and field work.	Governance and accountability to be further researched in collaboration with SPARC in January. Will include more detailed analysis of funding at state and local government levels. SUBEB/LGEA duplicity of structure to be investigated for capacity building and support for implementation of policies.
3	Specify the distinct functions and points of intersection between the LGA and the LGEA.	This was evidenced from observation and discussions held in the field. There is considerable duplication of roles and functions at all levels of provision.	Arrange study tour for Kwara Institution Building Committee members to visit Jigawa re appointment of ES, etc. Scope for formalisation of clarity of distinctions and overlapping functions – possibility of pilot in LGAs.
4	Provide illustration of how the roles, jurisdictions and functions of LGAs and LGEAs play out in practice.	From sample size available (4/27 LGAs in Jigawa and 3/16 in Kwara) several examples were reported of practical implementation of roles and functions.	Communication, consultation, planning, monitoring functions could be improved through ESSPIN funded IBPs.
5	Outline the extent of the financial resources available to LGAs and LGEAS for supporting schools.	Difficult to obtain figures and documents from LGCs. Some were made available and have been analysed and triangulated as far as possible. Issue of PTA levies explored.	Possibilities of approaching Auditor Generals in collaboration with SPARC to assess funding flows through PFM more fully.

	TOR tasks	Progress made and agreements reached (with whom)	Proposed/ agreed follow up (by whom and when)
6	Explain the factors determining the uses of these funds.	This was fairly clear and has considerable political undertones. Government guidelines for LGEAs appeared to be understood and followed by ESs but leakage was not assessed.	Scope for more consultation and communication in decision making process at all levels. Equity issues and indicators of development could also be included. PFM again relevant. Budget tracking with CSACEFA?
7	Describe the involvement of LGAs and LGEAs in planning and the collection and use of management information.	LGAs do not keep education data. They use that collected by LGEAs. This was evidenced in presentation of data on request. Use of data seems to be limited to storage and reproduction. Since primary school enrolment is a factor determining the allocation a LG receives, this figure is open to political influence.	The existing data collection and storage methods can be used as a foundation for exploring the potential uses of the data for planning. This would also improve communications between LGAs and LGEAs.
8	Describe the involvement of LGAs and LGEAs in the provision of advisory services and the supervision and monitoring of schools and how this relates to the inspection functions of other bodies.	Much supervision and monitoring of schools is reported to be taking place, possibly due to more funding mechanisms than the effects inspections are having on quality of teaching and learning. Advisory services are provided by the LGEAs to the LGAs and are utilised to varying degrees.	Greater harmony hoped to be achieved in supervision and monitoring of schools in line with ESSPIN's inspection reform programme. Streamlining and enhancing SBMC involvement and support could be investigated.
9	Form an initial assessment of the constraints on leadership in LGAs and LGEAs.	The biggest constraint for both levels seems to be political influence and lack of consultation in decision making.	Governance issues are important factors here – to be investigated more in collaboration with SPARC programme team.

	<i>TOR tasks</i>	<i>Progress made and agreements reached (with whom)</i>	<i>Proposed/ agreed follow up (by whom and when)</i>
10	Draft an outline for a technical paper/situation analysis to be completed during part 2 of the assignment.	<p>Management issues: Definition and duplication of roles and functions, quality improvement and assurance, data for management information.</p> <p>Governance issues: Planning, communication, consultation, legislation of policy, funding processes, involvement of SBMCs.</p>	A thorough assessment of capacity and constraints at LG level. Further investigation of PFM of LGs and funding of education in collaboration with SPARC. ESSPIN’s technical areas will be involved in formulating relevant strategies. The extent to which ESSPIN will need to engage and possibilities of pilot studies will be investigated.

Background

16. This consultancy has been carried out during the pre-inception phase of ESSPIN and therefore is set in the context of preparation of inception plans at Federal and State level. In Kwara State, the collaboration and support of the Institution Building Component of ESSPIN was fundamental to the research carried out there.

Main activities

17. Field visits were undertaken in Jigawa and Kwara States. These included discussions with the following stakeholders:
 - Commissioner of Education; Permanent Secretary Ministry of Local Government
 - Local Government Chairmen, Vice Chairmen, Councillors, Supervisory Councillors, Secretaries, Treasurer, Heads of Department
 - Chairman and Secretaries of SUBEB; Heads of Department SUBEB
 - Zonal Inspector of Education
 - Education Secretaries, Heads of Section, Staff and LSS of LGEAs
 - JSS Principals, Primary School Head Teachers, teachers
 - State Vice Chairman NUT, LG Chairmen NUT, State Chairman PTA
18. The purpose of these consultations was not only to investigate systems and functions, but also to assess capacity, awareness levels and communication channels.
19. Documents were obtained where available to form a basis for evidence through triangulation and also to provide statistics and data. Relevant reports and legislation were also researched. Discussions were also held with SPARC programme staff in Jigawa and Abuja.

Findings and Issues Arising

20. More detailed findings are included in Annex 1. An important issue which has arisen is that collaboration between ESSPIN and SPARC seems to be sensible, so as to consider governance issues in education service funding and delivery. Short trips to the other ESSPIN states (Kano, Kaduna and Lagos) might be advisable during the second phase of the work.

Options and next steps

21. The option of not working with LGs seems to be unfeasible if the ESSPIN objectives are to be achieved. LGs can play a crucial role in funding and supporting quality delivery of education in schools. Due to the size and scale of Nigeria, sub-State entities are necessary to ensure adequate management and governance of education. From international research it is clear that sustainability and equity of results require

transparent, consultative processes for allocation and distribution of resources. Monitoring and evaluating development made using standard indicators will also help identify where these processes are and are not working.

22. The next steps start with the second part of the assignment which will take place from 19 January 2009. The purpose of this visit will be to formulate possible strategy options for ESSPIN engagement with LGs and the resources this will entail. The possibility of pilot studies will be considered with the following provisos: criteria for selection of LGs; details of involvement of SPARC and/or SAVI were they are present; planned timetable, with milestones, to assess and potentially roll out activities to additional LGs.

Annex 1: Supplementary information supporting TOR tasks

Examine the constitutional role and functions of local government in the delivery of basic education

23. The constitutional role and functions of local government in the delivery of basic education are set out in the National Policy on Education, the State Universal Basic Education Acts and the State enacted Local Government Laws (which are based on the 1999 Nigerian Constitution).

NPE (2008):

24. Local governments are involved in the planning and administration of basic education. They have shared responsibility for the funding and management of basic education as provided for in the constitution. Local governments shall, through their Local Education Authorities (LGEAs) have responsibility for the management of Basic Education within their local government areas. School-Based Management Committees and LGEAs shall be responsible for the management of schools at the appropriate levels.

State UBE Act:

25. The State UBE Acts vary depending on whether they have been amended or not, but are based on the UBE Bill (2004).

General

26. The LGEA should have a bank account. The LGEA is under the supervision of the Board.

Membership of SUBEB Board

27. LGCs do not participate on the SUBEB Board, except in Jigawa

LGEAs

28. These are defined differently. Generally there is a LGE Committee, with a Chairman appointed by the LGC, and with representatives of education stakeholders, but the ES is responsible for day-to-day running of the authority. The LGEs do not seem to be functioning. There are also District Education Committees, which have also yet to be established.

Appointment of ES

29. This has traditionally been by the nomination of the LG Chairman. However, Jigawa has changed the system by revising the law. They have started appointing ESs based on merit and they are not posted to their own LGA.

30. Local governments, through their LGEAs have responsibility for the management of Basic Education within their local government areas. The list includes governance and management functions:

Governance Functions

- Develop and maintain education plans
- Submit annual reports, estimates, accounts and monthly returns to the Board
- Manage the monthly overhead
- Disbursement of management funds to schools
- Supervise DECs
- Take reasonable steps to ensure full enrolment and attendance of children in primary and junior secondary schools
- Mobilisation and sensitisation of communities and stakeholders
- Provide regular stakeholder feedback to the Board

Management Functions

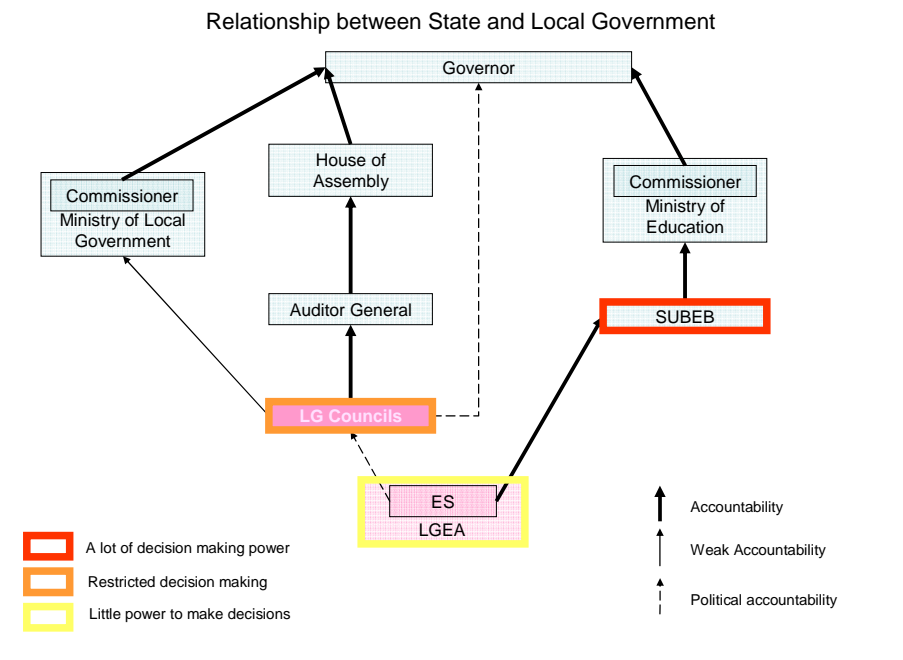
- Day-to-day operations
- Staff management (grade dependent) and payment of salaries, allowances and other benefits
- Retrain teachers
- Monitor and supervise schools
- Acquisition and distribution of instructional materials and equipment to schools
- Undertake minor repairs of classrooms and other infrastructure
- Maintain data (LEMIS) including ECCE and special education

LG Law:

31. LGs should prepare economic plans and development plans and are responsible for the provision and maintenance of primary, adult and vocational education. Local Government Chairmen appoint Supervisory Councillors for Education and Social Development, whose role is to: serve as political heads of their department; serve as a member of the LG ExCo; give directives to the HoD on policy issues; and supervise the execution of projects in their department.

Provide an overview of the relationship between State and Local Government

Figure 1



Accountability

32. LG is to varying degrees accountable to the state, but the reverse is not true as accountability is vertical and upward (see diagram). No one is accountable to communities. Ultimately, the Governor governs LGC activities through the control of their monthly LG allocations.

Decision Making

33. SUBEB makes the majority of decisions regarding: use of funds; staff issues; quality issues. These decisions are made based on information from the LGEAs, but there is no consultation either with them or with the LGCs. The LGCs make independent decisions about the use of their own funds. LGEAs have very little decision making power.

Examples of Decision Making

Governor

- Appointment of political positions eg Commissioner, SUBEB Chairman
- Awarding contracts (informal)

State (MoE)

- Approving SUBEB's budget

SUBEB makes the majority of decisions:

- Location of new classrooms
- Which classrooms to renovate
- Appointment of staff (GL 7 and above)
- Posting, transfer, deployment, promotion, discipline of staff (GL 7 and above)
- Amount of OH to LGEAs and schools
- Approval of LGEA budgets
- Which instructional materials should be used
- Curriculum
- School timetable
- Rate and allocation of PTA levies (in collaboration with PTA)

LGCs

- Capital and recurrent expenditure on education
- Which communities to assist
- Appointment of new staff (GL 1-6)
- Deployment and transfer of staff (informal)

LGEAs

- Appointment of Head Teachers
- Deployment and transfer of staff (formal GL 1-6; informal GL 7 and above)
- Distribution of instructional materials
- Overhead expenditure
- Number of inspections carried out

Communication and Consultation

34. Although LGEAs provide a great deal of information to SUBEB in their monthly reports, communication from SUBEB to LGEAs is normally instructional although there were some cases of consultation reported.
35. Very little communication exists between SUBEB and LGCs. Consultation seems to be non-existent. However, governors do seem to communicate with LG Chairmen in a consultative manner. There seems to be a feeling that communication and consultation are not necessary formal structures, although it was identified that personal relationships contributed greatly to success at all levels. Cordiality was mentioned many times, and the avoidance of adoption of policies “by force” was also recognised to ease change.

Funding

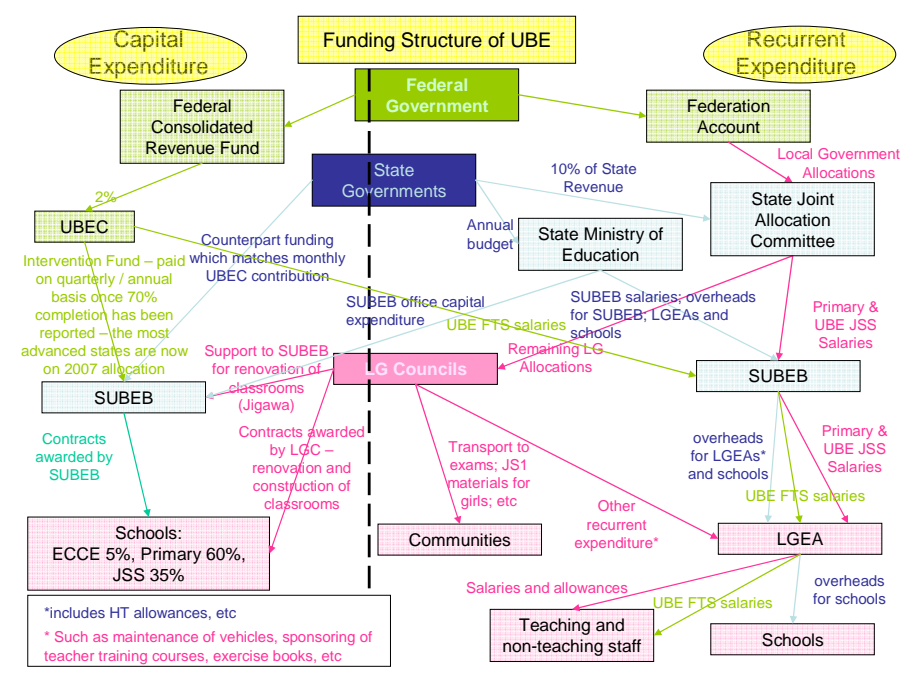
36. LG provides the majority of funding for recurrent expenditure, which consists of teaching and non-teaching staff. The State (with UBEC and ETF inputs) provides the

majority of capital funding. The diagram on the next page shows the funding structure of UBE.

Table 1

Item	State	Local Government
Recurrent expenditure	SUBEB salaries SUBEB overheads LGEA overheads School overheads Instructional materials Staff training	Salaries of teaching and non-teaching staff Instructional materials Staff training Student transport / scholarships Materials for JS1 girls
Capital expenditure	SUBEB renovation SUBEB vehicles and furniture School construction School renovation School furniture Instructional materials	Vehicles for inspection School construction School renovation School furniture Instructional materials

Figure 2



Things to Consider

- Weight of arrows to signify amount of funding flow
- Decision making/power relationships
- Actuals Vs Budgets (leakage)
- Accountability flows

Standards

37. Standards are set at the state or federal level and are monitored at all levels, but most frequently at the LG level.

Structure

38. The Ministry of Local Government has a Department of Education and Social Development. The organisational structure of LGEAs replicates that of SUBEB to some extent. There are ample links between the functions of the departments and the sections.

Table 2

<i>SUBEB Departments</i>	<i>LGEA Sections</i>
Administration and Finance	Finance and Supply
Personnel	Administration and Personnel
Internal Audit	
Planning Research and Statistics	Planning Research and Statistics (In Jigawa this is combined with the Works Section)
Works	n/a
School Services (combining ECCE, Primary and JSS)	
Training and Inspection (in Kwara combined with School Services)	Teacher Training and Inspection (in Kwara combined with School Services)
Mobilisation	Social Mobilisation (not in Jigawa)

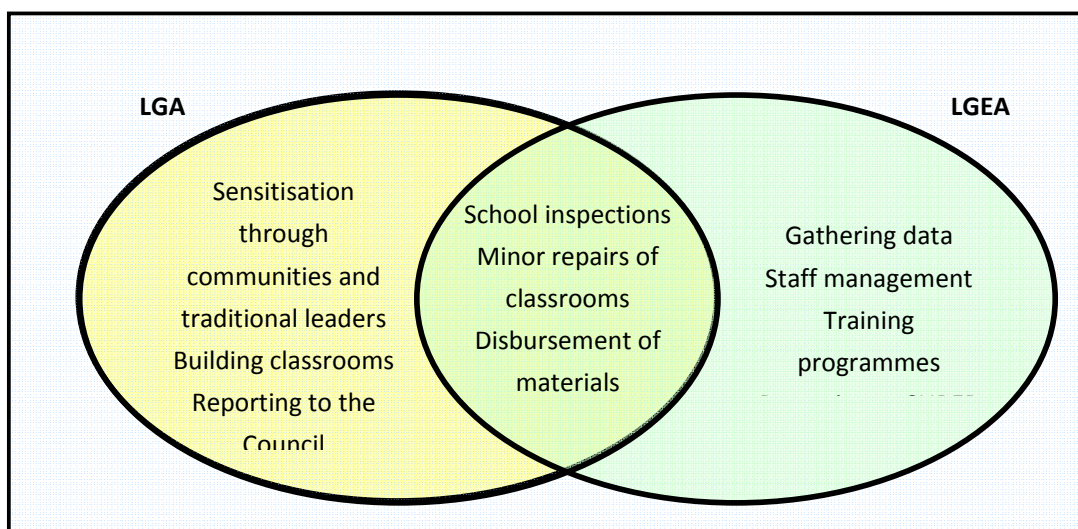
Specify the distinct functions and points of intersection between the LGA and the LGEA

39. All LGs have a Department of Education and Social Development, which is run by a Head of Department. The functions of this department are not stated clearly in any law, but the constitution assigns primary, adult and vocational education to LGs. The HoD interviewed gave the education functions of his department as: overseeing educational programmes in the LGA including supervisions of schools (carried out very sporadically due to lack of funds); provision of materials to schools on behalf of LGC; site visits to classroom renovations with the LG HoD Works Department.
40. Their level of activity tends in practice to depend on the funding given to their office, which seems to be minimal and is provided on an ad hoc basis in response to requests to the LGC. There is a weak link between the E&SD Dept and the LGEA, they meet infrequently and their meetings have no formal agenda.
41. There is a stronger link between Supervisory Councillors and Education Secretaries. The SCs are more engaged with the ESs as they form a link between the LGEA and the LGC. Requests to the LGC from the ES are often funnelled through the SC.

Provide illustration of how the roles, jurisdictions and functions of LGAs and LGEAs play out in practice

42. In some LGs the link between the ES and the SC is very strong and the SC acts as a mentor and advisor to the ES on policy. For example, in Oyun LGA in Kwara State, the SC initiated a Rural Volunteer Teacher Scheme, with approval and funding from the LGC, which the ES was implementing. This involved interviewing, examining and selecting NCE graduates from the rural areas in the LGA to be appointed as LG staff on N5000 per month. After a year, they are examined again and those who pass are put on N7000 a month. Contact is now being made with SUBEB about absorbing these teachers. It was described as an attempt by the LG to employ teachers of a certain standard who would stay in the rural communities. This was the only such example found.

Figure 3



Outline the extent of the financial resources available to LGAs and LGEAs for supporting schools

43. PTA levies are the major source of income for schools. In Kwara State, a circular was issued which gave the following breakdown for the use of the levies:

Table 3

Disbursed to:	Primary School N	Secondary School N
School PTA Account	30	40
LG PTA	10	10
State PTA	10	15
LGEA / MEST office	10	15
SUBEB / TSC	15	10
Nigerian HT / Principal Assoc	5	10
PTA Retention (?)	20	-
TOTAL paid per student	100	100

44. As can be seen, parents are funding government as both the LG representatives of State government (LGEA and MEST) and the State organisations themselves (SUBEB / TSC) receive funding from the N100 levy per student. These figures were not included in any of the budgets which were obtained during the visit.

45. In one LGEA benches for staff were made with the PTA levy. SUBEB stated that their own allocation was used by the State PTA whenever they wanted to hold meetings. However, as the State PTA also receive a proportion of the levy this seems unlikely.

Government receipt of PTA funds from primary schools

Table 4

Sector	No of students	Levy per term	Total per term N
SUBEB	348,901	N15	N5,233,515
LGEA	21,806*	N10	N218,060

46. The following circular was sent to all JSS in Kwara State for 2007/08. As can be seen, schools do receive income from students for overhead costs, and even capital costs such as furniture. This was not mentioned during the visits.

SUBEB directive to Junior Secondary Schools for approved school charges 2007/08 – Returning students

Table 5

Item	Levy N	Comment
Education levy	50	Retained by school
Exam rate	100	
Health Rate	10 100	Day student Boarding student
Sport Rate: Ministry School	30 5 25	
PTA	100	Disbursed as above
Utility	25	

JETS	20	
Total	335	Day student
	425	Boarding student

SUBEB directive to Junior Secondary Schools for approved school charges 2007/08 – New students to JS1 (in addition to the above)

Table 6

<i>Item</i>	<i>Levy N</i>	<i>Comment</i>
Student cumulative folder	150	
Student report booklet	35	
School badge	30	
Locker and chair	1,000	
Uniform	1,200	
Sports wear	500	
Exercise books 1 dozen	300	
Boarding fee	11,000	
Hostel maintenance	1,000	
Total	3,115	Day student
	15,115	Boarding student

Table 7

<i>Resources available for supporting schools</i>	<i>LGAs</i>	<i>LGEAs</i>
Amount per month	Around N4,000,000	Between N140,000 and N300,000
Teachers' salaries	✓ Deducted at source Some paid directly	✓ From SUBEB
Funding teacher training	✓ On request from LGEA	X
Supervision and inspection costs	✓ On request from LGEA E.g. provision/repair of vehicle	✓ Jigawa – part of OH Kwara – allowance paid to LSS
Overheads to schools	X	✓ Only in Jigawa
Head teachers' allowance	X	✓ Sent from SUBEB
Allowances for rural teachers (N200) and Science teachers (N25 – set in 1981)	X	✓ Included in salary
Instructional materials	✓ Usually notebooks	✓ Sent from SUBEB – never enough

Administrative materials	✓ Generally on request from LGEA	✓ Sent from SUBEB
Maintenance of classrooms	✓	X Minor - Jigawa
Construction of classrooms	✓	X
Furniture, water, toilets, etc	✓	X

Explain the factors determining the uses of these funds

LG funds

47. These are used mainly based on two factors – requests from LGEA (which are usually based on need) and political decisions. There are no laws or guidelines stating how much LGCs should spend on education or the balance between capital and recurrent expenditure. Therefore the LGC have no constraints in spending.

LGEA funds

48. Budgets are prepared annually and monthly expenditure reports are sent to SUBEB. There are clear lines for expenditure and training has been given to the Finance and Supply staff at LGEA level to prepare budgets and keep records. There are also clear guidelines for certain expenditure e.g. HT allowances, school overheads, etc and these seem to be paid accordingly. Minor repairs to classrooms seem to be carried out on a request basis, but there must be some factors which determine the priority given to each request. This could be investigated further.

Describe the involvement of LGAs and LGEAs in planning and the collection and use of management information.

49. LGAs do not seem to collect any education data. They are given information by the LGEAs who have data on staff, student and school statistics. Although the LGCs prepare annual budgets, they do not plan. Decisions are made on an ad hoc basis depending on: their monthly allocation; political considerations; and on requests they receive from the LGEA or the Education and Social Development Department through the Supervisory Councillor.

50. Part of the role of LGEAs mentioned in the NPE (2008) are to feed the State Ministry of Education (through SUBEB) with statistics and information for planning purposes. Therefore the LGEAs send monthly reports to SUBEB which include both management information and plans. They make recommendations to SUBEB about staffing and training issues and infrastructural needs. This process appears to be significantly more transparent and functional in Jigawa State than in Kwara State. The LGEAs

make decisions about who goes on courses and how to distribute materials and minor repairs, which are based on the data they collect and store.

51. One major issue is that of posting teachers to rural schools. There are provisions in the UBE Act to prevent inequitable posting of teachers. There is considerable data in the LGEA and SUBEB PRS Departments highlighting this issue. ESs send monthly reports describing the problem. However, the issue is still unresolved. This is an area in which Kwara State in particular have expressed interest in future ESSPIN involvement.

Describe the involvement of LGAs and LGEAs in the provision of advisory services and the supervision and monitoring of schools and how this relates to the inspection functions of other bodies

Advisory services

52. The LGEA advises the LGA on areas of need and makes suggestions and requests. The LGA advises the LGEA on decisions made by LGC. There is some advice and support given to SBMCs but there is no clarity as to who is responsible for this or the level of support which should be given. Training in setting up and supporting SBMCs has been given to different stakeholders by different organisations and this seems not to be cohesive. Where SESP is funding SBMCs there is definitely far more awareness and active engagement in SBMC activities by the communities, schools, LGEAs and LGAs.

Supervision and monitoring of schools

53. The LGEA supervises all of their schools 3-4 times a term, although it is likely that closer schools will be inspected more than rural ones. Schools are inspected for school record keeping, classroom observations, lesson notes, attendance of teachers, etc. In Kwara State LSSs are given an allowance with their salary (deducted at source from LG allocations) of N2000 a month. This is not monitored or budgeted for. In Jigawa State inspection charges come from the LGEA overheads. LGEAs also send out teams of inspectors, which include members of the PRS, Admin and Personnel, etc Sections. These team inspections appear to take place a couple of times a week. Each LSS is assigned to particular schools, and this was not identified as an issue which might prevent impartiality. In addition Zonal Inspectors inspect schools at least once a term, but it was admitted that they did not reach all schools in a term. The State also sends inspectors to schools, who normally visit the LGEA office to discuss what they find. The NPE (2008) specifies that this should happen: "The LGEAs are also to work with State and Federal bodies to ensure the inspection and supervision of education."
54. The LGAs use traditional rulers to sensitise and mobilise communities to enrol their children and also to check the attendance of teachers. LG Education staff would

appear to make inspections, particularly when the LGC is carrying out renovation or construction projects.

55. SBMCs were not mentioned as supervising or monitoring schools.

Form an initial assessment of the constraints on leadership in LGAs and LGEAs.

LGAs

56. Constraints on leadership at the LGA level include: politics, decision making ability, ownership, instability in allocation payments, etc.

LGEAs

57. Constraints on leadership at the LGEA level include: politics, lack of funding, lack of support and consultation from SUBEB and LGC. One SC stated “ESs have no power, they are just instruments.”

Draft an outline for a technical paper/situation analysis to be completed during part 2 of the assignment

Confirm and enhance the findings from the scoping visit

58. This will happen through further discussions with State and local Government officials and ESSPIN staff in collaboration with SPARC programme staff. This might include more rigorous collection and examination of documents. It is hoped that increased demand from LGs for quality education will improve the effectiveness of State actors.

Capacity of LGA and LGEA staff

59. An analysis of types of training attended by staff of LGA and LGEAs has been started. Capacity was also assessed during the visit in terms of awareness of issues, roles, responsibilities and functions.

Increased efficiency and effectiveness of LGA and LGEA in supporting the delivery of basic education

60. Efficiency issues centre on resource allocation. The funding of basic education is a complicated system with much scope for leakage as shown in the earlier diagram. Therefore currently the delivery of basic education is very inefficient and also highly inequitable. There is little evidence to link expenditures at the federal, state or local government levels with resources received by schools. In this respect, PFM considerations must be included in the scope of ESSPIN’s involvement in service delivery. A simple example of this is the distribution of textbooks to schools. This expenditure appears in budget and expenditure reports, yet when LGEAs and schools are visited, teachers rather than students have received copies due to insufficient allocation, and the remaining ones are locked up somewhere or are not available. Budget tracking is one option available here.

61. The effectiveness of basic education is measured by educational outcomes achieved with available school inputs. Quality and availability of teachers, instructional materials, in-service training, support by head teachers, etc can all help improve student learning and therefore education effectiveness. LGEAs are the arm of SUBEB closest to the schools, and therefore are the most suitable to provide support to schools in terms of posting teachers, allocating resources, identifying training opportunities, providing support and training to head teachers, etc. LGEAs can do this if they are supported and monitored by SUBEB. As one ES said “We want increased control, but with increased accountability.”

Resources and capacity needed by LGA and LGEA to provide better support

62. Management and governance capacity are needed by LGAs and LGEAs. This will be investigated further in the next visit. The interest in this can be encouraged by linking the capacity building to an allocation of resources for a specific activity (eg IBP). The capacity can be given with SUBEB involvement and can also be linked to governance issues such as planning, budgeting, decision making, etc.

Extent of ESSPIN engagement required at LG level in order to deliver outputs

63. It would be advisable to consider pilot studies at the initial stage to monitor the effectiveness of the engagement. These pilot studies would then lead into wider coverage of activities if they achieve their objectives. The criteria for selection of LGAs would have to be decided upon.

Strategy options for this engagement during the ESSPIN Inception period (January-May 2009) and beyond

64. These will need to be developed during the next visit and beyond. Collaboration with SPARC and SAVI will help to identify cross-cutting governance issues that can be supported by the suite of DFID programmes.

65. The main areas identified during this scoping include the following:

Management Options

- Re-assessing definition and duplication of roles and functions, including consideration of legislation
- Improving and supporting quality development and assurance through School Services and Inspection Sections / Departments
- Analysing data collection and presentation for management use through the PRS Section / Department

Governance Options

- Increasing communication and consultation between LG and State on planning and resource allocation
- Increasing efficiency and equity of resource allocation through the Finance Department (SUBEB and LGEA) and LGCs
- Increasing transparency of decision making mechanisms – SUBEB and LGCs
- Increasing accountability and monitoring and evaluation – budget tracking CSACEFA / SBMCs, etc

“The complex set of institutional and intergovernmental relations for the provision of education is particularly opaque in Nigeria as it does not define the roles and responsibilities among the three tiers of government, leaving no government or agency clearly accountable for results... Unclear roles and responsibilities, especially for expenditure and management, together with frequent policy changes, especially regarding basic education, have caused confusion, duplication, and sometimes rivalry in the discharge of responsibilities.”

World Bank “Nigeria: A review of the costs and financing of public education”, May 2008

Annex 2: Terms of Reference

Title of the assignment: *Analysis of the role of Local Government Authorities and Local Government Education Authorities in supporting basic education in Nigeria*

Duration and dates of the assignment: Up to 30 working days

Part 1: 10-29 November 2008

Part 2: January 2009

Background

Despite the possession of considerable oil wealth, a rising population, inefficient government investment in front line public services and years of neglect have left the Nigerian education system in a poor state. Education indicators are amongst the lowest in Sub-Saharan Africa, particularly for girls. Currently it is estimated that there are 7-9 million school aged children not attending schools, a disproportionate percentage of whom are girls.

Since legislation was passed in 2004 establishing nine-year compulsory Universal Basic Education, the main sectoral focus of Federal and State governments has been an expansion of basic education to meet the Millennium Development Goals. There has been a significant increase in investment in the basic education sector through State governments and through Federal sources such as the Universal Basic Education Commission (UBEC). Access remains a problem, as do the low quality of education outcomes and the stark inequities in the system.

The Education Sector Support Programme in Nigeria (ESSPIN) is a six-year DFID programme of education development assistance and is a part of a suite of programmes aimed at improvements in governance and the delivery of basic services. ESSPIN's aim is to have a sustainable impact upon the way in which government in Nigeria delivers education services and is directed at enabling institutions to bring about systemic change in the education system, leveraging Nigerian resources in support of State and Federal Education Sector Plans and building capacity for sustainability. It is currently operating in five States (Kano, Kaduna, Kwara, Jigawa and Lagos) and at the Federal level. ESSPIN builds upon previous technical assistance projects in education, in particular the Capacity for Universal Basic Education Project (CUBE). ESSPIN will run in parallel with World Bank credit-funded projects in four of the States (the State Education Sector Project (SESP) in Kano, Kaduna and Kwara and SESP II in Lagos).

Objectives of the assignment

The objectives of the assignment are:

- To study the constitutional and practical role of LGAs and LGEAs in the governance, funding, management and monitoring of schools, their modes of operation and their potential in facilitating educational improvement.

- To provide a sound basis of knowledge for ESSPIN engagement at the local government level.

Tasks: Part 1 of the assignment

Undertake a scoping visit to Nigeria to:

- Examine the constitutional role and functions of local government in the delivery of basic education.
- Provide an overview of the relationship between State and Local Government.
- Specify the distinct functions and points of intersection between the LGA and the LGEA.
- Provide illustration of how the roles, jurisdictions and functions of LGAs and LGEAs play out in practice.
- Outline the extent of the financial resources available to LGAs and LGEAS for supporting schools.
- Explain the factors determining the uses of these funds.
- Describe the involvement of LGAs and LGEAs in planning and the collection and use of management information.
- Describe the involvement of LGAs and LGEAs in the provision of advisory services and the supervision and monitoring of schools and how this relates to the inspection functions of other bodies.
- Form an initial assessment of the constraints on leadership in LGAs and LGEAs.
- Draft an outline for a technical paper/situation analysis to be completed during part 2 of the assignment.

Tasks: Part 2 of the assignment

Undertake a second visit to Nigeria in order to:

- Confirm and, where necessary, enhance the findings from the scoping visit, through further discussions with State and local Government officials and ESSPIN staff.
- Produce a technical paper/situation analysis that sets out and expands findings from the scoping visit and in addition:-
- Provides an indication of the capacity of LGA and LGEA staff to carry out their current functions.
- Specifies ways in which LGA and LGEA staff could provide more efficient and
- Recommends strategy options for this engagement for the ESSPIN Inception effective support to the delivery of basic education.
- Assesses the extent of the resources and capacity building required to enable LGA and LGEA to provide better support to education service delivery.

Analysis of the Role of Local Government Authorities and Local Government Education Authorities in supporting Basic Education in Nigeria

- Examines the extent to which ESSPIN will need to engage at the Local Government level in order to deliver its outputs. period (January-May 2009) and beyond.

Outputs

- For each visit, a visit report in the standard format summarising progress against these TORs, issues arising and next steps. This should be drafted and discussed with ESSPIN staff prior to departure at the end of each assignment.
- By the end of the second visit, a technical paper setting out, in detail, findings from the assignment and providing recommendations for ESSPIN. A draft of this report should be submitted to the Lead Specialist Institutional Development (State Reform) at the end of the second part of the assignment.

Institutional/administrative arrangements

The consultant will report to the Lead Specialist Institutional Development (State Reform) and will undertake this assignment in two parts: an initial scoping visit and a second visit to provide a technical paper/situation analysis. The consultant will be based in Abuja, with field visits in Jigawa and Kwara States.

Competencies

Qualifications/experience

- A minimum of a higher degree in a relevant area and 10 years' experience of institutional analysis and development.
- Extensive practical experience of factors affecting social service delivery in developing countries.
- Experience of providing professional inputs in development assistance programmes.

Knowledge

- Practical knowledge of educational development issues in Nigeria and other countries.
- In-depth knowledge of current international literature on governance systems.
- Knowledge of Nigerian Government and parastatal structures and systems.
- Knowledge of the capacity constraints that may hamper effective and efficient action.
- Knowledge of the purpose and principles of ESSPIN.

Abilities

- Ability to communicate appropriately with clients and stakeholders and to elicit reliable information.
- Possession of inter-personal skills and the ability to deploy them as and when necessary.
- Ability to interact constructively with officials at all levels of government.
- Ability to inspire colleagues and to act as member of a team.

Annex 3: Programme of Activities

<i>Date</i>	<i>Location</i>	<i>Activities</i>	<i>Stakeholders Met</i>
17-18 Nov	Abuja	<ul style="list-style-type: none"> Reading documents, preparing fieldwork tools, discussions with ESSPIN programme staff 	<ul style="list-style-type: none"> Technical team coordinator Lead specialists on: <ul style="list-style-type: none"> Institutional development Education quality Inspections Federal level
19-21 Nov	Jigawa State: Birnin Kudu LGA Buji LGA Gwaram LGA Kiyawa LGA	<ul style="list-style-type: none"> Carrying out field work in 4 LGAs Meetings with SPARC, SUBEB and NUT Obtaining documents and statistics 	<ul style="list-style-type: none"> State team leader Jigawa State LGC members LGEA staff Head teachers and Principals SPARC state team leader SUBEB Chairman and HoDs State NUT Vice-Chairman
21-22 Nov	Abuja	<ul style="list-style-type: none"> Writing up Jigawa notes Adjusting tools and preparing for Kwara visits 	<ul style="list-style-type: none"> Lead specialist on community interaction State team leader Kwara State
24-28 Nov	Kwara State: Edu LGA Oyun LGA Asa LGA	<ul style="list-style-type: none"> Carrying out field work in 3 LGAs Meetings with stakeholders Obtaining documents and statistics Meeting and briefing with Institution Building Component Committee 	<ul style="list-style-type: none"> Commissioner of Education MoLG Permanent Secretary SUBEB staff LGC members and LGA staff LGEA staff Head teachers and Principals Teachers
28-29 Nov	Abuja	<ul style="list-style-type: none"> Writing up Kwara notes 	<ul style="list-style-type: none"> Kwara Communications and knowledge management officer
1-5 Dec	Abuja	<ul style="list-style-type: none"> Meeting with SPARC staff Preparing scoping visit report Presenting report to ESSPIN Programme Manager and Technical Team Coordinator 	<ul style="list-style-type: none"> SPARC LGA coordinator and consultants