



Corruption-free education

Lessons from a State- and civil society joint initiative in Peru

A recent anti-corruption initiative targeting Peru's education sector was undertaken jointly by the Office of the Ombudsman and Transparency International's chapter in Peru, *Proética*. The initiative sought to help shape the public discussion surrounding educational reform by introducing the issue of corruption – one of several factors undermining the fundamental right of all to quality education. This U4 Brief reviews the initiative's methodology, findings, and lessons learned, including an overview of successful advocacy efforts targeting national educational authorities.

Brief description of the experience

In the latter half of 2006, Transparency International's chapter in Peru, *Proética*, and the Office of the Ombudsman (DP) joined forces to fight corruption. The education system was given top priority in view of serious corruption problems which had been detected by both institutions individually. Corruption problems had been undermining multiple aspects of the educational services provided by the State,



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contributing to poor quality of teaching staff, sub-standard facilities, lack of pedagogical resources and uneven distribution of educational materials.

Both institutions agreed that corruption in education must be confronted in order to help boost poor academic achievement levels in Peruvian public schools, where over half of all students in their final year of primary and secondary school had been unable to demonstrate even basic mathematical and reading comprehension skills expected of students one level below (National Survey, 2004). Moreover, Peruvian students fared far worse in reading literacy than students from other countries in the region (54% failed to score above the lowest level possible – level 0 – compared to 16% of Mexican students and 23% of Brazilian students, based on the results of the PISA+ 2001 exam).

In light of these data, DP and Proética launched an advocacy campaign for making anti-corruption efforts an essential component of educational reform. In this context, it is important to note that new legislation on education had been introduced in Peru (spearheaded by the General Law on Education of 2003) which is still being implemented. Other initiatives in progress include a process to decentralize education and the National Education Project – devised by the National Council on Education and recently adopted by the government. The latter also serves as a framework for academic programmes at regional, local, and school-levels, many of which remain pending. This context shaped the public discussions which the campaign was directed at.

The chosen strategy sought to expose corruption-prone areas in the public education system in six regions.¹ Between August and November 2006, the DP's decentralized offices began to categorize complaints of corruption in education by using a classification system based on the types of complaints already received by the DP.² The inter-agency core team took charge of processing the data and preparing a final report. In order to encourage the public to voice complaints, awareness-raising efforts were undertaken through informational spots on local radio, and workshops on corruption and anti-corruption in education – attended by key members of the local academic community (primarily leaders of parent organisations, unions for teachers and administrative staff, and school officials). Informational visits by members of the DP offices to schools were also organized to establish direct contact with other key players in the academic community – particularly teachers, parents and students.

1 Ayacucho, Huancavelica, Junín, Cuzco, Lambayeque, and Loreto

2 Classification used two main categories: i) institutional management (administration; selection of personnel, irregularities in administrative and payment procedures, etc.) and ii) educational management (cases relating to the direct provision of educational services).

The dissemination strategy was fruitful and the number of complaints of corruption in education nearly tripled during the months of the campaign. What was most significant, however, were the results yielded by the analysis of the data gathered during the initiative.

Summary of findings

Common types of cases

The six DP offices received a total of 307 complaints during the three months when complaints were collected. Most complaints (49%) focused on problems in the administration of the sector, such as, *inter alia*, irregularities in personnel hiring and management practices, as well as deficient control measures. 34% of the complaints involved corrupt acts directly relating to the actual provision of educational services at schools, eg. payments for good grades or irregular absence of teachers. Furthermore, 17% of the cases reported involved a serious encroachment upon other fundamental rights, such as violations against a student's sexual integrity by a teacher, who is in a position of power – acts which took place in schools.³ It is important to note that in addition to an increase in complaints, the type of person who presented a complaint also markedly changed. Prior to the campaign, those who filed complaints with the DP offices were mostly teachers, probably because they were better informed. Following the awareness-campaign, the number of parents who complained rose significantly. However, the fact that there continues to be far fewer complaints from rural quarters than from individuals in urban settings remains notable.

Verification of objective risks of corruption

In order to analyse the data contained in the complaints received at DP offices, the institutions drew on previous research to increase the understanding of corruption, conducted by Proética in rural areas of the country. The following three general risks of corruption concluded by this research were examined: i) the weakness of transparency and accountability mechanisms; ii) the precariousness of citizen oversight, and restrictions placed on such by the State; and iii) the inefficiency of procedures used to investigate and punish acts of corruption.⁴ As expected, an analysis of the complaints showed that acts of corruption in the education sector also occur in situations in which the three elements above are present. Nonetheless, some of the most interesting findings were that schools and teachers are very often located several hours away from the

3 It is sometimes debated whether violation of a sexual nature should be considered corrupt acts, but this campaign chose to include such incidents in the definition of corruption given the abuse of a public function for undue personal benefit.

4 Rotta Castilla S., (2007) Three objective conditions that breed corruption, in Proética (2007), *IV National Survey on Corruption*, Proética, Lima, Peru

closest control headquarters. These headquarters lack sufficient resources to even inspect those educational facilities that are closest to it. Consequently, a control measure as basic as a sign-in/sign-out log for teachers is not inspected by anyone. Also, that the precariousness of citizen oversight is shown, for example, by the fact that school directors maintain pre-eminence and power over citizen participation forums at schools (known as institutional education councils or CONEI) that are formally recognised in the General Law on Education, which were created precisely as instruments to counterbalance this power of micro-educational authority.

Disorganization and lack of cohesion in the education system in confronting corruption

The information gathered from the cases also show that there is no clarity in terms of how to counteract corruption. Instead, there is a high number of public entities duplicating and counteracting each other's work, which in turn serves to minimize the chances of successfully sanctioning corrupt acts. Complaints are shuffled between different entities until the time legally stipulated for investigating and punishing an act of corruption has passed and the complaint, therefore, is no longer valid.

Fear and lack of information

The analysis of the complaints received showed that impunity will continue if the disorganization mentioned above is matched by a lack of knowledge in the general public about the sector, particularly in terms of their rights and the State's consequent obligations to guarantee quality education (i.e. by adhering to regulations and procedures, as well as ensuring that different offices carry out their duties and abide by set deadlines). The lack of information is further compounded by the sense of vulnerability that a person often feels when attempting to confront corrupt officials. DP offices reported that many whistleblowers had expressed concern for their own safety and how the information they submitted would be handled. They also insisted on filing the complaint at a DP office since it was an entity separate from the education sector.

Reaction of national and regional school officials

In the campaign, efforts were made from the start to keep school officials involved. The Education Minister, Antonio Chang, attended the campaign's launch in the capital, Lima. A preliminary report was later forwarded and presented to him halfway through the campaign, and the vice-minister was present at the public presentation of the final report. Moreover, local school officials attended the campaign's local launch. Also, a number of educational institutions were represented by school directors, teachers, parents, and students, at training workshops in the regional capital.

Immediately following the receipt of the final report,

the ministry harnessed the process by forming a commission consisting of high-ranking sector officials. Their purpose was to review, evaluate and implement – in the medium term – the general recommendations offered by the Office of the Ombudsman and Proética, which primarily pivoted on formulating and implementing a probity policy for the sector. This policy should be incorporated into the National Education Plan and likewise establish forums and mechanisms for cross-sector anti-corruption co-ordination between the Office of the Comptroller General of the Republic, the Judiciary, the police, the Office of Public Prosecution, the Ministry of Education and its attorney's office, the regional and municipal governments, the Office of the Ombudsman, and civil society organisations.

Whistleblowers insisted on filing their corruption complaints at the Office of the Ombudsman since it was an entity separate from the education sector

In the short term, the sector's response was two-pronged. First, at the local level, educational entities in each region efficiently responded to several of the cases forwarded by a regional DP office (i.e., issuing decisions within official time limits, as opposed to what usually occurs). And secondly, at the national level, in addition to creating the commission mentioned above, several regulations governing the investigation of teachers involved in acts of corruption in administrative bodies were revised (specifically, the Regulations to Implement the Law on the Teaching Staff, published in 1990). The sector ombudsman's office also gave priority to the punishment of acts in which the sexual integrity of a student had been compromised.

Lessons learned

Since this was a pilot initiative, it also served to pinpoint problems in the very nature of the joint initiative (addressing an issue as delicate as corruption in education) between Proética and the DP. This has made it possible to fine-tune certain aspects by further expanding on them or redesigning them to enhance the campaign's impact during its expanded launch – currently underway.⁵ Some of the most important lessons are mentioned here:

Building trust with inter-agency partnerships

The major distrust felt by the public which prevented people from filing complaints was to some extent lessened – primarily due to how the initiative was

⁵ Planning began in February 2007 and complaints collection took place from April to November 2007. The scope of the initiative was expanded to include twelve regions of the country. The report on this phase is expected to be published in April 2008.

presented to the public: as a partnership between a legitimate, renowned public institution, such as the Office of the Ombudsman, and Proética, a prestigious social organisation with rural presence. This combination was very effective since prejudices toward either sphere individually were overcome (fear felt toward the State or lack of trust in an NGO's ability to spur change). In the new phase, an effort was made to further reinforce the image of a good partnership by organizing joint activities in rural areas, although this was not always possible. It should also be noted that another initiative similar to this project had been undertaken in 2004 by a federal congresswoman (and former Minister of Education) who was very committed to the issue of education: filing complaints was advocated in three regions of the nation and a report was published on the initiative. What makes the current campaign different is its joint implementation by two institutions, which reinforces its sustainability over time unlike the previous initiative.

Determining supply – not only demand

The campaign placed heavy emphasis on strengthening the capacity for filing complaints involving the educational community. The campaign's design was based on information gathered in four national surveys on corruption conducted by Proética, which showed that the majority of those affected by acts of corruption (94% in 2006) never file a complaint. This is primarily because they fear being exposed and attacked or because they feel that doing so will not change anything. Consequently, as stated, a decision was made to inform members of the educational community of their rights and urge them to report cases of corruption. However, the problem lies in subsequent inefficient handling of the new wave of reported cases. Cases which have been expedited by local institutions at the insistence of the DP, are merely exceptions confirming the now exposed system disorder. Even though the report recommended attacking the problem (and the ministerial commission is considering how to do so), better coordination with local authorities involving regular presentations and discussions around preliminary reports, were needed for the implementation of the expanded phase. This was done in order to address the problems with handling complaints. The purpose was to bring sustainability to the achievements of the campaign in the regions, as well as to find local sector-based partners who could help advocate for necessary national reforms.

Linkages with education reform processes

The Peruvian educational system is undergoing several institutional reform processes. The most significant ones include decentralisation of education, implementation of the National Education Plan and the Regional Education Programmes, discussion of the budget for the sector, and the evaluation of teaching staff and the career track for teaching in public schools. Despite dialogues with stakeholders in the reform processes (the government, independent experts, specialised NGOs, think tanks) – and although the issue of corruption in education was successfully placed on the reform agenda – the findings of the pilot initiative and the campaign itself were not tied into any major change processes within the sector. For the the expanded phase, dialogues with key officials and experts in the education system have been stepped up to ensure that existing national and regional education programmes serve as frames of reference for any new recommendations.

The role of development partners

Donors contributed financially to the initiative. As Proética was unable to secure specific funding for this initiative, activities had to be included under other similar projects in progress, or be funded by other means (e.g. the radio spots were negotiated with the organisation that provided them). As for the DP, the campaign was financed primarily by a basket fund established with resources from the following development agencies: SDC (Switzerland), CIDA (Canada), Sida (Sweden), and AECI (Spain). The agencies had agreed – within the framework of the Paris Declaration on development aid effectiveness (of which Peru is a signatory) – to fund DP efforts geared towards the protection of fundamental rights. This institutional basket fund was set into motion in March 2006, and the campaign has shown how efficient this approach can be.⁶

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⁶ The text of the final report of the pilot phase was funded by the Belgian Development Co-operation (DGDC).