

**REPUBLIC OF VANUATU**

**OFFICE OF THE OMBUDSMAN**

P. M. B. 9081  
Port Vila  
Vanuatu

**PUBLIC REPORT**  
**ON THE**  
**IMPROPER APPOINTMENT OF THE**  
**PRINCIPAL V.I.T.E**

**Date: 1 June 2005**

**3091/2005/04**



**REPUBLIC OF VANUATU**



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**PUBLIC REPORT**  
**ON THE**  
**IMPROPER APPOINTMENT OF THE PRINCIPAL VITE**

**1 SUMMARY**

**Outline of events**

When the post of Principal of the Vanuatu Institute of Teacher Education was to be become vacant in 2003, a member of the Institute's Council as well as an applicant to the position, Mr Jacques Gédéon as then Acting Principal, had the position advertised in the local newspaper. The VITE Council convened a meeting to shortlist applicants and recommended Mr John Atkins Arukelana as Principal to the appointing body, the Teaching Service Commission. Citing "technical errors" as being a major cause for concern in the recruitment process, the TSC then took the liberty to readvertise the post. A second selection panel was then convened comprising members of the Public Service and the Teaching Service. The panel's recommendations were then sent directly to the TSC, bypassing the requirement to have the Council's endorsement.

**Findings**

- Finding 1: Then Acting Principal, Mr Jacques Gédéon's decision to advertise the post of Principal was in direct contravention to Section 22 (1) of the VITE Act.
- Finding 2: Then Acting Principal, Mr Jacques Gédéon's action in advertising the post of Principal constitutes a breach of Section 13 (a) of the Leadership Code Act.
- Finding 3: The Teaching Service Commission's decision to re-advertise the post of Principal in May 2003 was in breach of Section 25(4) of the VITE Act.
- Finding 4: The Teaching Service Commission has breached Section 22 (1) of the VITE Act.
- Finding 5: The TSC and the second selection panel have breached section 22(1) of the VITE Act.
- Finding 6: The TSC's actions in breaching Section 22(1) and Section 25(4) of the VITE Act show a lack of respect for the law. This constitutes a breach of Section 13 (a) of the Leadership Code Act.
- Finding 7: The second selection panel's actions in breaching Section 22(1) of the VITE Act show a lack of respect for the law. For panel members who are public servants, this amounts to a breach of Section 34 (1) (f)

which are disciplinary offences under Section 36 (1) (a) & (b) of the Public Service Act.

Finding 8: Members of the selection panel who are bound by the Teaching Service Staff Rules and who have shown a lack of respect for the law, have breached Section 8.14 of the Teaching Service Staff Rules.

### **Recommendations**

The Ombudsman recommends:

- The Teaching Service Commission should revoke Mr Gédéon's appointment and the Council readvertise the position of Principal immediately.
- Mr Gédéon should be disciplined by the Minister of Education and the Teaching Service Commission for misconduct in Office.
- The Public Service Commission should consider the findings against the public servants involved in this matter (members of the second selection panel) and consider applying disciplinary action where necessary.
- The Teaching Service Commission should consider the findings against the teachers involved in this matter (members of the second selection panel) and apply disciplinary action where necessary.
- The Council should use its powers under Section 19 of the VITE Act to make rules for the recruitment process for staff such as for the post of Principal.
- The appointing body of the Teaching Service Commission (President, Minister responsible and the Chairman of the Public Service Commission) should consider applying disciplinary action against the current members of the Commission who were involved in this matter

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## **2 JURISDICTION**

- 2.1 The Constitution and the Ombudsman Act and the Leadership Code Act allow the Ombudsman to look into the conduct of government, related bodies, and Leaders. This includes the Teaching Service Commission and public servants who were involved in the recruitment of the Principal of the Vanuatu Institute of Teacher Education ("VITE") in November 2003. The Ombudsman can also look into defects in laws or administrative practices, including breaches of the VITE Act.

## **3. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED**

- 3.1 The purpose of this report is to present the Ombudsman's findings as required by the Constitution the Ombudsman Act and the Leadership Code Act.
- 3.2 The scope of this investigation was to establish the facts about the process to recruit the Principal of the VITE which began in 2002. The investigation aims to determine whether the respective selection panels and the Teaching Service Commission's conduct in the process was proper.
- 3.3 This Office collects information and documents by informal request, summons, letters, interviews and research.

## **4. RELEVANT LAWS**

Relevant parts of the following laws are reproduced in **Appendix A**.

**THE CONSTITUTION OF THE REPUBLIC OF VANUATU**  
**VITE ACT**  
**PUBLIC SERVICE ACT**  
**LEADERSHIP CODE ACT**  
**TEACHING SERVICE STAFF RULES**

## **5. OUTLINE OF EVENTS**

### **The Complaint**

- 5.1 In July 2003, the Office of the Ombudsman received two separate complaints against the Teaching Service Commission in regard to the recruitment of a Principal for the VITE. The complaints alleged that the recruitment process for the position of Principal VITE should be investigated because over two advertisements had been published for the post and the delay may be unjustified. The complaints said that this was not fair to the applicants as well as the institute. Further, the complaints also stated that the Teaching Service Commission's ("TSC") explanation to the candidates that there had been technical errors committed in the first advertisement required investigation. During the process of the inquiry, the Office of the Ombudsman discovered that when the Principal was eventually appointed in November 2003, there were still doubts as to whether the recruitment process had been done according to the required procedures.

### **VITE**

- 5.2 VITE is an educational institution that is formally established under the Vanuatu Institute of Teacher Education Act No.25 of 2001 ("**the Act**"). Section 3 of the Act describes VITE as "*the national institute of excellence for the education and training of primary and secondary teachers, and in so doing to contribute to the social and economic development of Vanuatu.*" VITE is run by a Council known as the Vanuatu Institute of Teacher Education Council ("**the Council**"). The functions of the Council are mainly to oversee the management of VITE (refer to **Annex A** for more information). This Council is comprised of 8 members, one of which is the Principal (see **Annex A**).

### **Chronology of Events**

- 5.3 In 2000, Mr Jacques Gédéon ("**Mr Gédéon**") was appointed as Principal of VITE. His contract was for 3 years. When his term in Office was due, the Minister of Education invited him to act in the position whilst the post was to be advertised.
- 5.4 On 15 February 2003, Mr Gédéon had the position of the Principal advertised in the *Daily Post* Issue No. 893 (see **Annex B** which is also labelled as "**First Advertisement**"). Applications were invited from the public which saw four men, Mr John Atkins Arukelana ("**Mr Arukelana**"), Mr Gédéon, Mr George Iapson and Mr John Tanga apply.
- 5.5 On 17 March 2003, then Minister for Education, Mr Jacques Sese, issued a letter to Mr Gédéon that his appointment as Principal would only be on a temporary basis.
- 5.6 The Council then set up a panel, which was comprised of the Council members; Mr Ture Kailo, Mr John Laan ("**Mr Laan**"), Mr Etienne Warimavute ("**Mr Warimavute**"), Mr Tom Alick Kalo and Mr Kanam Wilson. (At the time, Mr Warimavute was Chairman of the Council).  
On 24 March 2003, the panel short listed the applicants and recommended to the TSC Mr Arukelana as Principal. A copy of the panel's report is attached as **Annex C**) In the meantime, Mr Gédéon had been acting as Principal and on 1 March 2003, his contract ended.
- 5.7 On 22 May 2003, Chairman of the TSC, Mr William Mael ("**Mr Mael**") informed Mr Gédéon by letter that his contract as principal (which had been renewed after 1 March 2003) was due to expire on 19 May 2003 had been extended to 15 July 2003.
- 5.8 On 23 May 2003, the Secretary General of TSC (Mr Christopher Karu) wrote to all applicants for the post of Principal that there was a technical error so the post would be re-advertised. However, they were invited to re-apply (See **Annex D** for sample of letter).
- 5.9 On 12 June 2003, Acting Chairman VITE, Mr Laan wrote to Mr Mael that the Council was concerned over the handling of the appointment of the VITE Principal in that it was taking too long for an appointment to be made (See

**Annex E).** The Council was concerned that the TSC could be in breach of the VITE Act if they did not recommence the process of recruitment.

- 5.10 On 14 June 2003, the Post of Principal VITE was again advertised in *Port Vila Presse*, Issue No.129 (see **Annex F** which is also labelled as "**Second Advertisement**"). Applications were then received from Mrs Céline Telukluk, Mr Simeon Watas, Mr Gédéon, Mr Arukelana, Mr John Tangaloabani and Ms Andrea Leo Hinge.
- 5.11 On 11 July 2003, Secretary General of the TSC, Mr Christopher Karu ("**Mr Karu**") informed Mr Laan of the applicants for the post of principal (Mr Gédéon's name was not included). He also asked them to proceed with the selection process (refer to **Annex G**).
- 5.12 On 17 July 2003 the Council met to consider the make-up of panel members for the post of Principal VITE. The following day, letters were issued to panel members whose names included Mr Bill Willie, Mrs Lewani Iopa, Mr Philibert Raupepe, Mr Jean Pierre Nirua, Mr Tamath Daniel and Mr Roy Obed.
- 5.13 On 21 July 2003 Mr Karu informed Mr Laan that they had included Mr Gédéon's name in the list of six applicants. Mr Karu also asked Mr Laan to include Mr Gédéon's name in their deliberations (refer **Annex H**)
- 5.14 On 22 September 2003, Mr Karu informed the Office of the Ombudsman (refer **Annex I**), that the Principal's post had been re-advertised because

the current principal carried no balance in terms of language weighting and specifically more weighting on Anglophone side which could be seen (as bias and unfair."

- 5.15 Mr Karu also commented:

The re-advertisement specifically stated it has to be a bilingual applicant approved by the VITE Council then, later during the process the Council recommend an Anglophone applicant to be a new principal which is seen contradicting the advertisement and technically questionable. For this reason, the Teaching Service Commission decided it would be proper to re-advertise the post to allow flexibility for that matter.

- 5.16 On 1 October 2003 Mr Gédéon as Acting Principal wrote to the panel members to attend the short-listing process for applicants on 7 October 2003 (refer **Annex J**).
- 5.17 On 10 October 2003, Ag. Chairman of VITE, Mr Laan reported to the Office of the Ombudsman that there was a delay in convening a panel meeting as some members had travelled overseas. Further, there should have been 6 members in the panel, but two members still needed to be appointed.
- 5.18 On 25 October 2003, the selection panel met to select a Principal.
- 5.19 On 11 November 2003, Mr Bill Willie ("**Mr Willie**"), Chairman of the selection panel, informed the Secretary of TSC that they had recommended Mr Gédéon



as the Principal and the eligible candidate was Mr John Arukelana (see **Annex K**).

- 5.20 Mr Laan informed the Office of the Ombudsman that on 25 November 2003, he had contacted Mr Karu at the TSC to advise him that he had received a copy of Mr Willie's letter of 11 November 2003. Mr Laan further stated that Mr Karu told him that he (Mr Karu) assumed that the matter had also been brought before the Council and Mr Laan told him no. Mr Karu then told him that Mr Gédéon's appointment letter was in the process of being issued on that same day. He also told Mr Laan that each candidate should make an appeal if they were not satisfied with the process.
- 5.21 On 25 November 2003, Mr Mael of the TSC wrote to Mr Gédéon to tell him that his application for the post of Principal VITE was successful (refer to **Annex L**).
- 5.22 On 12 February 2004, the Office of the Ombudsman wrote to the selection panel that recommended Mr Gédéon as Principal (copy of sample letter attached as **Annex M**). Allegations had been brought to the Ombudsman's attention that the process did not follow the proper procedures of recruitment.
- 5.23 (Please refer to **Annex K, N1, N2 & N3**). Several members of the panel confirmed that their deliberations had been sent directly to the TSC, but they felt that they had good enough reasons to do so as one of the applicants (Mr Gédéon) was also member of the Council.

#### **Comparison of Selection Process**

After the first round of applications were received in February 2003, the panel used the Public Service assessment forms to assess each applicant. A copy of the forms is attached as **Annex O**. Applicants would then be short listed and interviews conducted. A copy of the interview questions is attached as **Annex P**. The final scores were then tallied and Mr Arukelana scored the highest of the applicants.

- 5.24 The second panel also stated that they used the same forms. Following the short-listing process, applicants were asked to prepare written statements on their interest in the post (see **Annex Q**). Their answers would also be discussed in their interviews for the position. The second panel stated that they discovered that Mr Gédéon scored higher than all other applicants (refer to **Annex K**).
- 5.25 In the first round of applications, all four candidates were interviewed. In the second round of interviews, only three of the applicants from the total of six had been short-listed for interviews. The questions raised in the interviews were not similar. The first interviews focused on specific responsibilities of the Principal. Applicants in the second interviews were asked questions that were more broad, particularly on how the Principal would guide the institution towards the future.
- 5.26 According to Section 25 (1) of the VITE Act, the Council in making the appointment of the Principal must make an appointment on merit and also ensure that the process is a fair and transparent one. Both panels have

informed this Office that they believe that the processes they used have been "independent", "unbiased", "comprehensive", "lengthy" and a "fair one".

After the first panel had determined the successful applicant, a recommendation was made to TSC. The second panel did not return to the Council with its recommendation, but instead sent it directly to TSC.

## 6. RESPONSES BY THOSE WITH FINDINGS AGAINST THEM

6.1 Before starting this enquiry, the Ombudsman notified all people or bodies complained of and gave them the right to reply.

6.2 On 21 June 2004, the Office of the Ombudsman released a Working Paper on the preliminary findings made on the alleged improper appointment of the principal, Mr Gédéon. Responses received included new information on the issues raised. As such, the *Findings* and *Outline of Events* of the report were edited to take account of the changes.

6.3 Responses to the first working paper were received from Mr Laan ("**Annex R**"), Mr Obed ("**Annex S**"), Mr Kanam Wilson ("**Annex T**"), Mr Warimavute ("**Annex V**") and Mr Arukelana ("**Annex W**").

Mr Laan's response pointed out that the second advertisement was done by the TSC and not the Council, so that the finding that the TSC caused the Council to breach the VITE Act was in error. This had implications on the findings and they were changed as such.

6.4 Mr Obed was a member of the second selection panel and his view is that had they had access to copies of the Leadership Code and the VITE Act, then the submission of their recommendations would have followed the proper channel.

6.5 The Ombudsman's response to Mr Obed's rationale is that as public servants or teaching service staff, they are expected to know the law. In fact, Section 34 (f) of the Public Service Act and Section 8.14 of the Teaching Service Staff Rules clearly state this.

6.6 Mr Obed also said that the complaints outlined in this report do not fall in line with the actions that the second panel took. The Ombudsman's reply to this is that under Article 62(c) and Section 11 (2) (b) of the Ombudsman Act, the Ombudsman may inquire into the conduct of any person or body on his/her own initiative. As there were additional issues arising after the two complaints were received, the Ombudsman took the initiative to conduct additional inquiries.

6.7 Mr Wilson, who was a member of the first selection panel, said that Mr Gédéon issued an advertisement in February 2003 that was *closed* and not *open* as compared to the second advertisement of June 2003.

6.8 Mr Wilson also confirmed that the first selection panel used the Public Service recruitment procedures to select a principal. In light of this, the first

advertisement used did not reflect the Principal's approved job description as it should have (see **Annex U** for a copy of the Principal's job description).

- 6.9 Mr Warimavute's comments were similar to what Mr Wilson had provided to the Office of the Ombudsman.
- 6.10 Mr Arukelana had requested more time to provide a response, so his response was received later. He points out that on 8 December 2003, he had written a complaint to the TSC and in February 2004, together with another applicant, Mr Tangaloabani, the Director General of Education ("**DG**") and Mr Karu, they had met over the issues raised. Mr Arukelana says in his letter to the Ombudsman that the DG had seen the need to rectify the situation and had instructed the TSC to deal with the matter quickly but nothing had been done about it. Mr Arukelana further states that he had written an additional letter on June 1<sup>st</sup> 2004 to the DG, but has not received any response from the DG. Mr Arukelana attached a copy of his letter with his response.
- 6.11 On 18 March 2005, the Ombudsman released a second working paper on this matter. Responses were received from Messrs Warimavute and Wilson (see "**Annex X**") and Mr Bill Willie (refer to "**Annex Y**").
- 6.12 Messrs Wilson and Warimavute's comments have been mainly to provide some minor editions to the report and their first statements to this Office. The Ombudsman has accepted their comments and made the appropriate changes to this report.

## 7. FINDINGS

- 7.1 **Finding 1: Then Acting Principal, Mr Jacques Gédéon's decision to advertise the post of Principal was in direct contravention to Section 22 (1) of the VITE Act.**
- 7.1.1 Under Section 22 (1) of the VITE Act, the Council is the authority designated to conduct the selection process of the Principal. Mr Gédéon acted outside of the Council in making the decision to advertise the post without the Council's endorsement.
- 7.1.2 Mr Gédéon has a conflict of interest in the matter and did not take the necessary steps to disallow his involvement in the recruitment process. He regardless, sent invitation letters to the second panel to convene a meeting to shortlist candidates for a position he himself had applied for.
- 7.2 **Finding 2: Then Acting Principal, Mr Jacques Gédéon's action in advertising the post of Principal constitutes a breach of Section 13 (a) of the Leadership Code Act.**
- 7.2.1 Mr Gédéon was a member of the Council, but he acted without the Council's endorsement of the advertisement. Section 13 (a) of the Leadership Code Act requires that a leader "*comply with and observe the law*". Further, he also had a conflict of interest in the matter but failed to refrain himself from the recruitment process. Section 13 (1) (b) of the Leadership Code Act require that a leader "*comply with and observe the fundamental principles of leadership contained in Article 66 of the Constitution*". Section 19 of the

Leadership Code states that a leader who does not comply with Section 13 of the Leadership Code Act is in breach of the Code and may be punished as such.

**7.3 Finding 3: The Teaching Service Commission's decision to re-advertise the post of Principal in May 2003 was in breach of Section 25(4) of the VITE Act.**

7.3.1 Section 25(4) of the VITE Act provides that the TSC must "*as the case requires accept a recommendation for appointment made to it under section 22, 23 and 24 unless it is satisfied that all or any of the requirements of subsection (1) or (2) have not been complied with.*" Subsection (1) says that such appointments as the Principal's must be made on merit following a fair and transparent selection process. Subsection (2) states that "*...All vacancies must be advertised in such a way that informs and seeks applications from people throughout Vanuatu.*"

7.3.2 The TSC have said that they rejected the Council's recommendation because there were technical errors committed in the advertisement. These are reasons that are not in line with subsection (1) and (2) of Section 25(4) of the VITE Act.

**7.4 Finding 4: The Teaching Service Commission has breached Section 22 (1) of the VITE Act.**

7.4.1 Section 22 (1) of the VITE Act requires that the Council conduct the selection process under the requirements of Section 25 of the Act (i.e. appointments to be done on merit). The TSC is mentioned in Section 22 (1) as the authority to *appoint* the Principal on the recommendation of the Council. They were not required by law to re-advertise the post. In so doing, they were undermining the authority of the Council by taking action on matters that were not in their area of responsibility.

**7.5 Finding 5: The TSC and the second selection panel have breached section 22(1) of the VITE Act.**

7.5.1 Under Section 22 (1) of the VITE Act, the TSC will make an appointment based on the recommendation of the Council. The second selection panel had been instructed to forward their proceedings to the Council, who will then make a recommendation to the TSC. The panel failed to do this.

7.5.2 The TSC on receipt of the panel's recommendation failed to notify the Council that their endorsement of the recommendation had been overlooked.

7.5.3 As a result, the TSC made an appointment that did not carry the recommendation of the Council and this is a breach of Section 22 (1) of the VITE Act.

7.5.4 The Secretary General of the TSC had suggested to the Acting Chairman of the Council that because the selection panel had bypassed the Council in their recommendation, that applicants should make an appeal to the TSC. It is the responsibility of the TSC, the Council and the selection panel to ensure that the recruitment is done in a fair and transparent manner (refer to Section

25(1) of the VITE Act in **Annex A**). It is not the duty of applicants to make certain of this.

7.5.5 The second selection panel has reasoned with the Office of the Ombudsman that they had not sent their deliberations to the Council as one of the applicants, (Mr Gédéon) was also a member of the Council. Whether this is a justification for their oversight, it does not excuse the fact that they did not abide by the law.

7.6 **Finding 6:** The TSC's actions in breaching Section 22(1) and Section 25(4) of the VITE Act show a lack of respect for the law. This constitutes a breach of Section 13 (a) of the Leadership Code Act.

7.7 **Finding 7:** The second selection panel's actions in breaching Section 22(1) of the VITE Act show a lack of respect for the law. For panel members who are public servants, this amounts to a breach of Section 34 (1) (f) which are disciplinary offences under Section 36 (1) (a) & (b) of the Public Service Act.

7.7.1 The selection panel did not follow the law or abide by the Council's instructions to send their deliberations to them prior to their endorsing their recommendation to the TSC. Their actions amount to breaches of Section 22(1) of the VITE Act and for the panellists who are public servants, a breach of Section 34 (1)(f) of the Public Service Act.

7.7.2 The Public Service Act requires that all employees of the Service comply with and abide by the law and any other lawful instructions. Failure to do this could amount to a disciplinary offence where the offender could face a disciplinary hearing by a disciplinary board.

7.8 **Finding 8:** Members of the selection panel who are bound by the Teaching Service Staff Rules and who have shown a lack of respect for the law, have breached Section 8.14 of the Teaching Service Staff Rules.

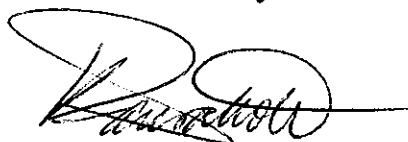
7.8.1 Section 8.14 of the Teaching Staff Rules requires that teachers conduct themselves in such a way so that they do not break the law. Teachers who act in contravention to the Teaching Service Staff Rules may be reported by the Director of Education to the TSC who will then take steps to discipline the officer concerned (refer to **Annex A** for relevant section of staff rule).

## 8. RECOMMENDATIONS

**Recommendation 1:** The Teaching Service Commission should revoke Mr Gédéon's appointment and the Council readvertise the position of Principal immediately.

- Recommendation 2:** Mr Gédéon should be disciplined by the Minister of Education and the Teaching Service Commission for misconduct in Office.
- Recommendation 3:** The Public Service Commission should consider the findings against the public servants involved in this matter (members of the second selection panel) and consider applying disciplinary action where necessary.
- Recommendation 4:** The Teaching Service Commission should consider the findings against the teachers involved in this matter (members of the second selection panel) and apply disciplinary action where necessary.
- Recommendation 5:** The Council should use its powers under Section 19 of the VITE Act to make rules for the recruitment process for staff such as for the post of Principal.
- Recommendation 6:** The appointing body of the Teaching Service Commission (President, Minister responsible and the Chairman of the Public Service Commission) should consider applying disciplinary action against the current members of the Commission who were involved in this matter.

Dated the 1<sup>st</sup> day June 2005



**Mr Peter K. TAURAKOTO**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**

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# Annex A

## CONSTITUTION OF THE REPUBLIC OF VANUATU

### CONDUCT OF LEADERS

66. (1) Any person defined as a leader in Article 67 has a duty to conduct himself in such a way, both in his public and private life, so as not to—
- (a) place himself in a position in which he has or could have a conflict of interests or in which the fair exercise of his public or official duties might be compromised;
  - (b) demean his office or position;
  - (c) allow his integrity to be called into question; or
  - (d) endanger or diminish respect for and confidence in the integrity of the Government of the Republic of Vanuatu.
- (2) In particular, a leader shall not use his office for personal gain or enter into any transaction or engage in any enterprise or activity that might be expected to give rise to doubt in the public mind as to whether he is carrying out or has carried out the duty imposed by subarticle (1).

### DEFINITION OF A LEADER

- 67 For the purposes of this Chapter, a leader means the President of the Republic, the Prime Minister and other Ministers, members of Parliament, and such public servants, officers of Government agencies and other officers as may be prescribed by law.

## LEADERSHIP CODE ACT NO.2 OF 1998

### LEADERS

5. In addition to the leaders referred to in Article 67 of the Constitution, the following are declared to be leaders:
- (a) members of the National Council of Chiefs;
  - (b) elected and nominated members of local government councils;
  - (c) elected and nominated members of municipal councils;
  - (d) political advisors to a Minister;
  - (e) directors-general of ministries and directors of departments;
  - (f) members and the chief executive officers (however described) of the boards and statutory authorities;
  - (g) chief executive officers or secretaries-general of local governments;
  - (h) the town clerks (or their equivalent in name) of municipal councils;
  - (i) persons who are:
  - (i) directors of companies or other bodies corporate wholly owned by the Government; and
  - (ii) appointed as directors by the Government;
  - (j) the Attorney General;
  - (k) the Commissioner and Deputy Commissioner of Police;
  - (l) the Solicitor-General;
  - (m) the Public Prosecutor;
  - (n) the Public Solicitor;
  - (o) the Ombudsman;
  - (p) the Clerk of the Parliament;
  - (q) the Principal Electoral Officer;
  - (r) the Auditor-General;
  - (s) the Chairperson of the Expenditure Review Committee;

- (t) the Chairperson when acting in that capacity of the Tenders Board;
- (u) members of the Public Service Commission;
- (v) members of the Teaching Service Commission;
- (w) members of the Police Service Commission;
- (x) members of the Electoral Commission;
- (y) the Commander of the Vanuatu Mobile Forces.

#### **DUTIES OF LEADERS**

13(1) A leader must:

- (a) comply with and observe the law;
- (b) comply with and observe the fundamental principles of leadership contained in Article 66 of the Constitution;
- (c) comply with and observe the duties obligations and responsibilities established by this Code or any other enactment that affects the leader; and
- (d) not influence or attempt to influence or exert pressure on or threaten or abuse persons carrying out their lawful duty.

#### **BREACH OF LEADERSHIP CODE**

19. A person who does not comply with Part 2, 3 or 4 is guilty of a breach of this Code and is liable to punishment in accordance with Part 6.

#### **UNDUE INFLUENCE**

22.(1) A leader must not exercise undue influence over, or in any other way bring pressure to bear on, a person who is:

- (a) another leader; or
- (b) any other person holding public office;

so as to influence, or attempt to influence, the person to act in a way that is:

- (c) in breach of this Code; or
- (d) improper; or
- (e) illegal; or
- (f) against the requirements of the Act under which the person was appointed; or
- (g) contrary in any other way to the requirement of the person's office or position.

(2) A leader must not influence or attempt to influence or exert pressure or threaten or abuse or interfere with, persons carrying out statutory functions.

### **VANUATU INSTITUTE OF TEACHER EDUCATION ACT NO.25 OF 2001**

#### **PURPOSE OF THE INSTITUTE**

3 The purpose of the Institute is to be the national institution of excellence for the education and training of primary and secondary teachers, and in so doing to contribute to the social and economic development of Vanuatu.

#### **ESTABLISHMENT OF THE COUNCIL**

6(1) The Vanuatu Institute of Teacher Education is established.

6(2) The Council is the governing body of the Institute.

#### **FUNCTIONS OF THE COUNCIL**

7 The Council has the following functions:

- (a) to oversee the efficient and effective management of the Institute and monitor its performance;
- (b) to approve plans and policies for the Institute;
- (c) to provide advice and support to the Principal;
- (d) to determine the staffing requirements of the Institute and maintain a register of staff;
- (e) to make recommendations on the appointment of the Principal and Deputy Principal, and to appoint certain academic staff and general staff in accordance with Part 5;
- (f) to set fees for subjects and courses in consultation with and subject to the approval of the Minister;
- (g) to establish committees to assist the Council;
- (h) to advise the Academic Board;
- (i) to supervise the effective and efficient use of the financial resources of the Institute;
- (j) to monitor the academic results of the students;
- (k) to undertake such other functions as are conferred on it by this Act.

#### **COMPOSITION OF THE COUNCIL**

- 10(1) The Council consists of 8 members.
- (2) The members are:
- (a) the Principal; and
  - (b) a member of the academic staff elected by the academic staff; and
  - (c) a member of the general staff elected by the general staff; and
  - (d) 5 persons appointed by the Minister from nominations recommended by the Principal.
- (3) A person must not be nominated under paragraph (2)(d) unless he or she has:
- (a) knowledge or experience in the education and training of teachers; or
  - (b) special skills or knowledge relevant to the functions of the Council.
- (4) At least 2 of the members of the Council must be women, and so far as practicable there must be an equal number of Francophone and Anglophone members.
- (5) A member of the Council, other than the Principal, holds office for a term of 3 years and is eligible for reappointment.

#### **APPLICATION OF THE LEADERSHIP CODE**

- 11(1) A member of the Council is a leader for the purposes of the Leadership Code Act No.2 of 1998 and the provisions fo that Act (eg. disclosure of interests under section 16 of that Act) apply to each member.
- (2) Without limiting subsection (1), a member of the Council must in the exercise of his or her functions act honestly and exercise reasonable care and diligence.

#### **PRINCIPAL**

- 22(1) The Principal is to be appointed by the Teaching Service Commission on the recommendation of the Council. The Council must conduct the selection process for the Principal in accordance with the requirements of section 25.
- (2) The Principal is responsible for the day to day administration and management of the Institute in accordance with the policies and directions of the Council, and the requirements of this Act.
- (3) without limiting subsection (2), the Principal must ensure that all staff are performing satisfactorily, and the funds of the Institute are spent in accordance with the requirements of this Act and any other relevant Act.

#### **DEPUTY PRINCIPAL**

- 23(1) The Deputy Principal is to be appointed by the Teaching Service Commission on the recommendation of the Council. The Council must conduct the selection process for the Deputy Principal in accordance with the requirements of section 25.
- (2) The Deputy Principal has such duties and responsibilities as are assigned to him or her by the Principal.

#### **ACADEMIC AND GENERAL STAFF**

- 24(1) The academic staff are to be appointed by the Teaching Service Commission on the recommendation of the Principal
- (2) Academic staff who are employed or engaged on a temporary or contract basis are to be appointed by the Council on the recommendation of the Principal
- (3) The general staff are to be appointed by the Council on the recommendation of the Principal
- (4) The Principal must conduct the selection process for academic staff under subsection (1) and general staff under subsection (3) in accordance with the requirements of section 25.

#### **APPOINTMENTS ON MERIT**

- 25(1) Subject to subsection (3), all appointments under sections 22, 23 and 24 must be made on merit following a fair and transparent selection process.
- (2) All vacancies must be advertised in such a way that informs and seeks applications from people throughout Vanuatu.
- (3) In making an appointment under subsection 24(2), the Council must have regard to the person's qualifications, experience and suitability for the position concerned.
- (4) The Teaching Service Commission or the Council, as the case requires, must accept a recommendation for appointment made to it under section 22, 23 and 24 unless it is satisfied that all or any of the requirements of subsection (1) or (2) have not been complied with.
- (5) If the Teaching Service Commission or the Council rejects a recommendation for appointment made to it under section 22, 23 or 24, it may issue a written directive that the selection process recommence and be conducted in accordance with the requirements of that section and subsections (1) and (2).

### **PUBLIC SERVICE ACT NO.11 OF 1998**

#### **EMPLOYEES OBLIGATIONS**

- 34(1) Every employee, director-general, director or senior administrator (as the case may be), must in the course of his or her employment in the Public Service:-
  - (a) comply with generally accepted behaviour in the conduct of his or her employment; and
  - (b) comply with any reasonable direction given by a director-general, director or the Commission; and
  - (c) behave honestly and with integrity; and
  - (d) act with care and diligence; and
  - (e) treat everyone with respect and courtesy and without coercion or harassment of any kind; and
  - (f) observe and comply with all applicable laws;
  - (g) comply with all lawful and reasonable directions given by someone employed in the ministry for which the employee works and who has authority to give the direction; and

- (h) maintain confidentiality about dealings that the employee has with any minister or members of staff of a ministry; and
- (i) disclose and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with his or her employment; and
- (j) use resources and public money in a lawful and proper manner; and
- (k) not provide false or misleading information in response to a request for information; and
- (l) not make improper use of information or his or her duty, status, power or authority in order to gain or seek to gain a benefit or advantage for himself or herself or for any other person; and
- (m) comply with any other requirements imposed by this or any other Act, regulation or instruction.

#### **DISCIPLINARY MATTERS**

36(1) An employee commits a disciplinary offence who-

- (a) by any wilful act or omission fails to comply with the requirements of this Act or of any order hereunder or of any official instrument made under the authority of the Commission or of the director-general of the ministry in which the employee is employed;
- (b) in the course of his or her duties disobeys, disregards or makes wilful default in carrying out any lawful order of instruction given by any person having authority to give the order or instruction or by word or conduct displays insubordination;
- (c) is negligent, careless, indolent, inefficient, or incompetent in the discharge of his or her duties;
- (d) behaves in a manner calculated to cause reasonable distress to other employees or to affect adversely the performance of their duties;
- (e) uses intoxicating liquors or drugs (including for the avoidance of doubt, kava) to excess or in such manner as to affect adversely the performance of his or her duties;
- (f) improperly uses or removes property, stores, monies, stamps, securities or negotiable instruments for the time being in his or her official custody or under his or her control, or fails to take reasonable care of any such property, stores, monies, stamps, securities or negotiable instruments;
- (g) otherwise than in the proper discharge of his or her duties directly or indirectly discloses or for private purposes uses any information acquired by him or her either in the course of his or her duties or in his capacity as an employee;
- (h) absents himself or herself from his or her office or from official duties during hours of duty without leave or valid excuse, or is habitually irregular in the time of his or her arrival or departure from his or her place of employment;
- (i) is guilty of any improper conduct in his or her official capacity, either inside or outside of working hours, or of any other improper conduct which is likely to affect adversely the performance of his or her duties or is likely to bring the Public Service into disrepute;
- (j) is guilty of any other offence prescribed from time to time by regulations made under this Act.

### **TEACHING SERVICE STAFF RULES**

#### **CHAPTER 8 GENERAL CONDUCT**

8.14 In all aspects of their conduct with regard to public affairs (which includes political, administrative, and trade union matters) all officers must show the responsibility and restraint which their position as officers demands. They should not seek to use their public office or status for political or sectional purposes. They should not conduct themselves in such a way as to bring their office or the Service into disrepute, or in such a way as to create a conflict, or the appearance of a conflict, between their private interests and their public duty. They should not engage in

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conduct to the prejudice of law and order, the Government of the day, or service discipline.

- 8.18 The Director of Education is responsible for reporting cases of misconduct or disciplinary offences to the Commission. This applies whether or not formal disciplinary proceedings are instituted against the officer, so that such offences may be reflected in the officer's record and taken into account when the officer's suitability for promotion, confirmation, etc. is being considered.

## VACANCY NOTICE

The Vanuatu Institute of Teacher Education Council is advertising the position of the Principal of the institute which will become vacant after 1st March 2003 when the current Principals contract ends. The Council informs the interested candidates that this is a Senior position which requires maturity and experienced professional. The Council is looking for a candidate who possesses the following criteria:

- has a degree from a recognised institution;
- an efficient administrator who has good managerial skills;
- be familiar with budget planning, policy maker;
- new policies initiators, has visions for the development of teacher training in Vanuatu;
- committed to improving the teacher training issues in Vanuatu and the region;
- someone who has experience in a similar position;
- has good communication and written skills;
- is familiar with the Vanuatu system of education;
- is a good team leader and good role model for teachers.

Because the institute caters for trainee teachers who speak French and English, a bilingual candidate is a must.

If you think you possess the qualities outlined above, do submit your application with a detailed Curriculum Vitae with copies of your relevant degrees, diplomas and certificates with a letter of motivation (2 pages maximum) and at least two (2) referees for the Council reference to:

The Vanuatu Institute of Teacher Education Council  
PMB 9076  
PCRT VILA

*Your application must arrive not later than  
Friday 25th February 2003 at 4.30pm.*

# Annex C

Vanuatu Institute of  
Teacher Education

Private Mail Bag 076  
Port Vila, Vanuatu  
Phone (678) 23099  
Fax (678) 27530



Institut de Formation des  
Enseignants du Vanuatu

Sac de Courrier Privé 076  
Port Vila, Vanuatu  
Téléphone (678) 23099  
Télécopie (678) 27530

Port-Vila, le 24 mars 2003.

Le Conseil Directeur de l'IFEV

A Monsieur le Président de la Commission de l'Enseignement.

**Objet :** Lettre d'accompagnement des résultats des interviews des candidats au poste de principal de l'IFEV.

Monsieur,

Le Conseil Directeur de l'IFEV a le plaisir de vous faire connaître les points suivants :

Le processus de l'interview de candidats au poste de principal suivi par le Conseil Directeur de l'IFEV est celui de la Fonction Publique. Vous trouverez, ci-joints, pour votre information, les documents utilisés. Le Conseil a essayé, dans la mesure de ses moyens, d'être aussi transparent, vrai et aussi juste que possible. Nous vous soumettons les résultats de celle-ci., ainsi que les recommandations du Conseil Directeur de l'IFEV, pour une délibération de votre Commission.

Le Conseil de l'IFEV a classifié les candidats par ordre de mérite. Vous trouverez ce classement dans l'annexe 1. Dans l'annexe 2, vous trouverez aussi des éléments de référence extraits des dossiers individuels des candidats, à la Commission de l'Enseignement. Ces informations nous ont aidés à mieux connaître chacun de nos candidats.

Les résultats de l'interview placent M. ARUKELENA John Atkins en tête de liste. Il est donc recommandé par le Conseil, au poste de principal de l'IFEV.

Pour les trois autres candidats, George Iapsen est susceptible d'être éligible au poste de principal. Même s'il a, d'un côté, obtenu une note faible à l'interview à cause de son manque d'expérience dans l'administration, il est le candidat le plus qualifié, il est jeune, il a un potentiel non négligeable et il a un dossier vierge. Pour ces raisons, le Conseil Directeur de l'IFEV le considère comme candidature éligible au poste de principal de l'IFEV.

Vous constaterez que, lors de l'interview du vendredi 21 mars, le membre Jules Bongnebu a été absent pour des raisons familiales. Du coup, l'interview de M. Iapsen a été reportée au Lundi 24 mars, à 8.30 du matin, car M. Kanam Wilson, ayant





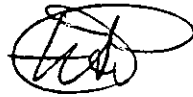
été jadis correspondant de M. Iapsen, a décidé de ne pas participer à l'interview de M. Iapsen.

En conclusion, le Conseil Directeur de l'IFEV souhaite que :  
La Commission de l'Enseignement fasse rapidement la nomination du nouveau principal de l'IFEV.

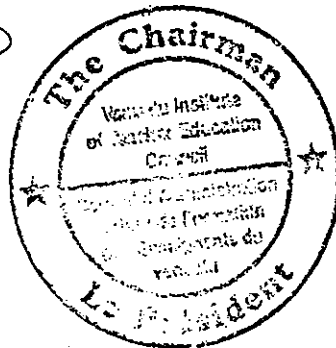
La Commission de l'Enseignement puisse tirer le maximum d'informations des documents que nous lui soumettons.

Le Conseil Directeur de l'IFEV souhaite bonne chance à la Commission de l'Enseignement dans sa délibération du jeudi 27 mars 2003.

Veillez croire, Monsieur le Président, à l'expression de mes plus respectueuses salutations.



Etienne Warimavute  
Président du Conseil



## COMPARATIVE ASSESSMENT OF APPLICANTS FORM

To be filled out and signed by the Selection Committee members and attached to the Selection Outcome Report form (PSC FORM 3-5).

JOB TITLE: Principal GRADE: E. 9 POST No: \_\_\_\_\_

MINISTRY: Education DEPT: VIDE LOCATION: Port-Vila

## SELECTION PANEL:

Representative: Name WARIMAVUTE Etienne Signature [Signature] Date 24/03/03

Department: \_\_\_\_\_  
(Convenor)

OPSC or Nominee: Karan Wilson [Signature] 24/03/03

Independent: \_\_\_\_\_  
(Other Department or Organisation)

## COMPARATIVE RANKING OF APPLICANTS: (place recommended applicant first)

Name of Applicant	Comments
1. ARUKELANA John Athin	Recommended candidate; experienced in running similar inst. but. Clear vision to reorganize the inst. but.
2. GEDEON Jacques	Has experience in the running of the inst. but. A good leader but works and takes decisions in isolation.
3. TANGALOBANI John	Has <del>experience</del> good experience, but <del>focus</del> focus <del>and</del> . Has find difficulties in implementing his ideas.
4. IAPSEN George	Very clear vision in the necessity of the inst. but. Very confident especially. Less experience but has potential to be a future principal.
5.	
6.	
7.	

RECOMMENDED APPLICANT: ARUKELANA John Athin

ELIGIBLE CANDIDATE(S) (if any): \_\_\_\_\_

# SELECTION OUTCOME REPORT

(NOTE: This form MUST have attached to it the Comparative Assessment of Applicants Form (PSC FORM 3-4) completed by the Selection Committee).

JOB TITLE: Principal GRADE: E-9 POST NO: \_\_\_\_\_

MINISTRY: Education DEPT: VIOE LOCATION: Port Vila

RECOMMENDED APPLICANT: ARUKELANA John Atkins

ELIGIBLE APPLICANT(S) (if any): TAPSEN George  
(ranked in order of merit commencing with the next most suitable applicant)

Chairman of VITE Council  
1. DIRECTOR OF DEPARTMENT or PSC CONVENOR (if Director-level vacancy)

Comments: I certify that the selection process was carried out in accordance with PSC procedure.

Recommendation Supported (Please circle) Yes/No

I certify that the merit selection procedures set out in the Staff Manual have been followed.

Signature: [Signature] Date: 24/03/03

Chairman of VITE Council  
2. DIRECTOR GENERAL OF MINISTRY or PSC CONVENOR (if DG level vacancy)

Comments: I recommend that the TSC consider and approves the selection outcome report as recommended.

Recommendation endorsed (Please circle) Yes / No

I certify that the merit selection procedures set out in the Staff Manual have been followed and that sufficient funding is available in the Department's budget to fill this position.

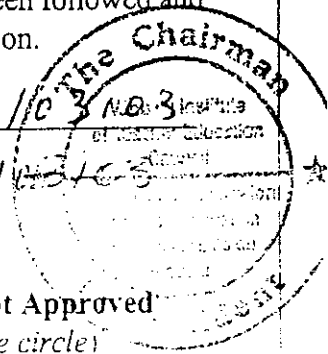
Signature: [Signature] Date: 24/03/03

3. Decision of PUBLIC SERVICE COMMISSION

Date of PSC Meeting: \_\_\_\_\_ Decision: Approved/Not Approved  
(Please circle)

Comments: \_\_\_\_\_

NOTE: If approved, please also sign the attached Letter of Appointment.



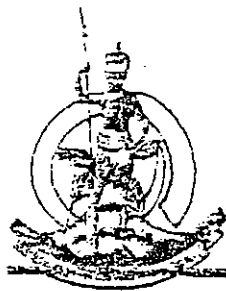
# Annex D

5/17

GOVERNMENT  
OF THE REPUBLIC  
OF VANUATU

MINISTRY OF EDUCATION

TEACHING SERVICE COMMISSION  
Private Mail Bag 023  
Port Vila, Vanuatu



GOUVERNEMENT  
DE LA REPUBLIQUE  
DE VANUATU

MINISTERE DE L'EDUCATION

LA COMMISSION DE L'ENSEIGNEMENT  
Sac Postal Privé 028  
Port Vila, Vanuatu

23<sup>rd</sup> May 2003

Mr. Jaques Gedion

VITE

Port Vila

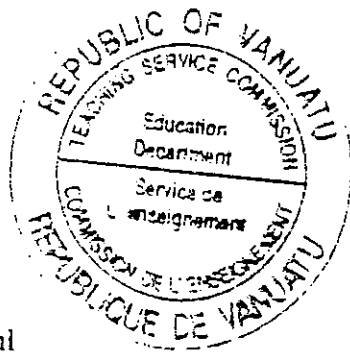



Dear Mr. Gedion

We acknowledge your application for the position of VITE Principal. The Teaching Service Commission regrets that due to technical errors effecting the process of recruiting some one into this position decides that it is only proper for the position to be re-advertised and you are welcome to re-apply.

We thank you for your patient and regret any inconvenience this may have caused.

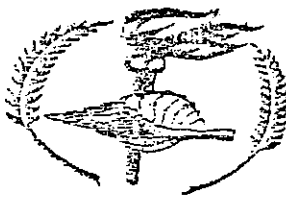
Yours sincerely,



  
Christopher Karu  
Secretary General  
Teaching Service Commission

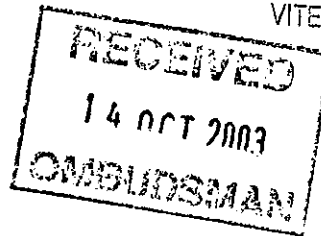
CC: Director General  
Director VITE  
Chairman VITE Council





Mr. William MAEL  
Chairman  
Teaching Service Commission  
PMB 9028  
PCRT-VILA

VITE, Thursday 12<sup>th</sup> June 2003.



Dear Chairman,

VITE COUNCIL CONCERNS OVER THE HANDLING OF APPOINTMENT OF VITE PRINCIPAL

During its meeting on Thursday 5<sup>th</sup> June 2003, the VITE Council is disappointed over the delay and the handling of a new appointment of the VITE Principal.

The Council understands that a recommendation has been made to the Commission but nothing concrete has been done about that recommendation.


The Council wants to point out that according the VITE New Act no of 2002 Section 25, Subsection 5 reads: "If the Teaching Service Commission or the Council rejects a recommendation for appointment made to it under section 22, 23, and 24, it may issue a written directive that the selection process recommence and be conducted in accordance with the requirements of that Section and Subsection (1) and (2).

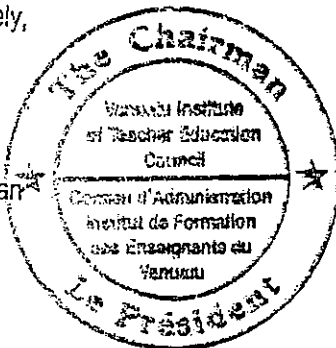
The Council has noted that TSC failed to issue a directive to the Council in order to recommence the process.

The Council noticed that since the VITE new Principal appointment has been delayed, another advertisement must take time and questions were raised about the time allocated to the Acting Principal which ends on July 15<sup>th</sup> 2003.

The Council recommends that in the future the TSC must comply to the VITE New Act and more consultations need to be established between the two institutions.

Yours Sincerely,

  
John Laan  
Acting Chairman  
VITE Council



cc: Hon. Minister of Education  
Director General of Education  
Director VICE



## ARE YOU AN OUTSTANDING EDUCATOR?

The Vanuatu Institute of Teacher Education (formerly Vanuatu Teachers College) is seeking an outstanding educator and team leader to provide effective leadership from mid-July, 2003.

The key position of Principal requires an energetic, reliable and highly committed professional. You should be able to *demonstrate* the following attributes:

- \* Skill as a team leader able to motivate a diverse group of educators and ancillary staff to work together collaboratively in the interests of education in Vanuatu.
- \* A successful background in primary and/or secondary school teaching
- \* Experience in educational administration, preferably in a tertiary institution or school in the region
- \* High level skills in policy development, planning and administration
- \* The ability to develop and manage a budget
- \* Strong written and oral communication skills
- \* A university degree from a recognised institution
- \* Fluency in either French or English

It will be an added advantage if you can demonstrate that you:

- \* Have experience in teacher education
- \* Have a recognised teaching qualification
- \* Are bilingual in French and English
- \* Have a higher degree in education or another relevant field
- \* Are familiar with the Vanuatu education system.

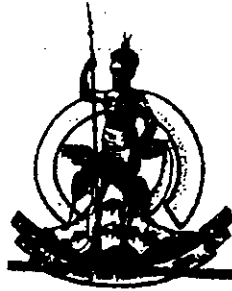
If you wish to apply for this exciting but demanding position, please write a covering letter in which you carefully address each of the criteria above. You should also attach a detailed curriculum vitae, copies of relevant education certificates/diplomas and the names and contact details of two (2) referees who are able to comment on your work experience.

Applications should be sent to Chairman Teaching Service Commission  
The deadline for applications is Thursday 10th July 2003, 4.30 p.m

GOVERNMENT  
OF THE REPUBLIC  
OF VANUATU

MINISTRY OF EDUCATION

TEACHING SERVICE COMMISSION  
Private Mail Bag 028  
Port Vila, Vanuatu



GOUVERNEMENT  
DE LA REPUBLIQUE  
DE VANUATU

MINISTERE DE L'EDUCATION

LA COMMISSION DE L'ENSEIGNEMENT  
Sac Postal Privé 028  
Port Vila, Vanuatu

Ref: TSC.2003/325/SG/CK: me

Mr John Laan  
Acting Chairman VITE Council  
Vanuatu Institute of Teacher Education  
Port Vila

11<sup>th</sup> July, 2003

Dear Mr Laan,

**RE: APPLICATION FOR VITE PRINCIPAL POST.**

The Teaching Service Commission has registered at least six applicants for the post namely.

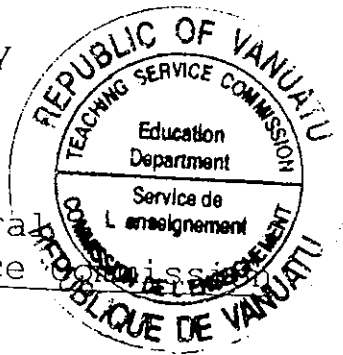
1. Mrs Celine Barthelemy Telukluk
2. Mrs Andrea Hinge Leo
3. Mr John Tangalobani
4. Mr Simeon Watas
5. Mr John Atkins Arukelana

As usual, you may begin with your selection process for Teaching Service Commission's final appointment.

Thank you for assistance in this respect and looking forward to receiving from you at your convenience.

Yours sincerely

C. Karu  
Secretary General  
Teaching Service Commission  
GF  
Chrono



# Annex H

GOVERNMENT  
OF THE REPUBLIC  
OF VANUATU

MINISTRY OF EDUCATION

TEACHING SERVICE COMMISSION  
Private Mail Bag 028  
Port Vila, Vanuatu



GOUVERNEMENT  
DE LA REPUBLIQUE  
DE VANUATU

MINISTERE DE L'EDUCATION

LA COMMISSION DE L'ENSEIGNEMENT  
Sac Postal Privé 028  
Port Vila, Vanuatu

Ref: TSC.2003/339/SG/CK: me

Mr John Laan  
Chairman VITE Council  
Port Vila

21 July, 2003

Dear Mr Laan,

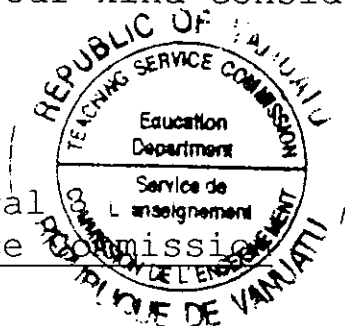
**RE: APPLICATION FOR VITE PRINCIPAL POST.**

This is to confirm that we had registered six applicants and Mr Jacques Gédéon was included. We apologize his name was not included our letter of advise dated 11 July 2003.

Please, do include him in your deliberations and selection process.

Thank you for your kind consideration.

C. Karu  
Secretary General  
Teaching Service



GF  
Chrono



GOVERNMENT  
OF THE REPUBLIC  
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MINISTRY OF EDUCATION

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Private Mail Bag 028  
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GOUVERNEMENT  
DE LA REPUBLIQUE  
DE VANUATU

MINISTERE DE L'EDUCATION

LA COMMISSION DE L'ENSEIGNEMENT  
Sac Postal Privé 028  
Port Vila, Vanuatu

Ref: TSC.2003/395/C/WM/CK: me

Ombudsman of the Republic of Vanuatu  
Office of the Ombudsman  
Port Vila

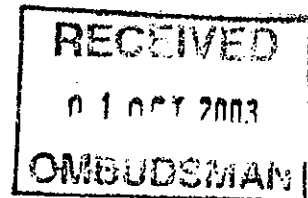
22<sup>nd</sup> September, 2003

Dear sir,

**POST OF PRINCIPAL VITE (VTC)**

I refer to your letter 525/3091/L251/ck of 9<sup>th</sup> September 2003 on the above subject. I am replying to the complaint as follows:

1. It is true that the post was advertised in 2002 and the process was completed then, it was re-advertised due to misunderstanding and technical errors.
2. The list of our current members are:
  - (a) Mr William Mael chairman
  - (b) Mr Amos Titongoa member
  - (c) Mr Donald Palaud member
  - (d) Mr Steven Garae member
  - (e) Mr Jacques Nauka member
3. The technical error in the Teaching Service Commission's point of view are:



- 2/6
- (a) members interviewing the current principal carried no balance in terms of language weighting and specifically more weighting on anglophone side which could be seen bias and unfair.
  - (b) The re-advertisement specifically stated it has to be a bilingual applicant approved by the VITE Council then, later during the process the Council recommend an anglophone applicant to be a new principal which is seen contradicting to the advertisement and technically questionable. For this reason, the Teaching Service Commission decided it would be proper to re-advertise the post to allow flexibility for that matter.

The normal procedure however, is to advertise a principal post and selection panel is appointed to select and interview the short listed applicants and after the applicants have been ranked in descending order with a recommendation Teaching Service Commission finally makes formal appointment into the position.

The above is our normal practice and practical. However, had the Council maintained the criteria of selection and the requirement for this position to be a bilingual the post would not have been re-advertised.

This had been re-advertised, those applied previously have re-applied and VITE Council is now re-processing the applicants hopefully the re-advertisement is flexible and the best applicant can be appointed as soon as the Commission receives their submission.

I attached copies of both advertisement and letters to the applicants mentioning that the Commission was unable to appoint someone to the position due to technical reasons, I have mentioned above.

It appears that whoever the complainant must have a conflict of interest while Teaching Service Commission is only attempting to avoid bias and patronage in appointing immediately someone into this position, which does not comply to the previous advertisement and its requirement.

I hope I have been informative and of some help to your investigation.

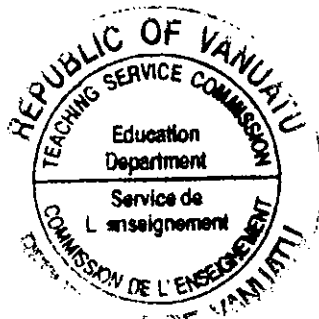
Yours sincerely

**TEACHING SERVICE COMMISSION**



**C. KARU**  
**Secretary General**

GF  
Chrono



Vanuatu Institute of  
Teacher Education

Private Mail Bag 076  
Port Vila, Vanuatu  
Phone (678) 23099  
Fax (678) 27530



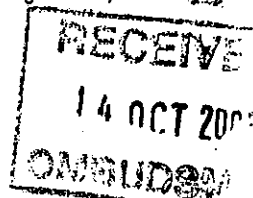
Institut de Formation des  
Enseignants du Vanuatu

Sac de Courrier Privé 076  
Port Vila, Vanuatu  
Téléphone (678) 23099  
Télécopie (678) 27530

Mr. Jean Pierre NIRUA (Centre Director, USP Emalus Campus)  
Mr. Roy OBED (Inspector Secondary, CDU)  
Mr. Philibert RAUPEPE (Principal, Lycée Louis Antoine de Bougainville)  
Mr. Bill WILLY (Secretary, Public Service Commission)  
Mrs. Lewani YOPA (Teacher Malapoa College)

Wednesday 1<sup>st</sup> October 2003

Dear Panel Members,



**URGENT**

**SHORT LISTING AND INTERVIEWS OF CANDIDATES WHO APPLIED FOR VITE PRINCIPAL'S POSITION.**

I am inviting each one of you to get together on Tuesday 7<sup>th</sup> October 2003 to shortlist the applications for the position of Principal of Vanuatu Institute of Teacher Education.

During that meeting you will have to set a date for successful candidates' interviews.


Date: 7<sup>th</sup> October 2003  
Time: 3.30 PM  
Venue: VITE Conference Room

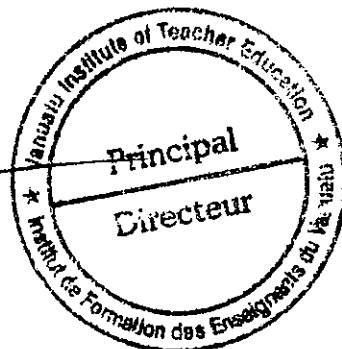
**Agenda:**

- 1- Short Listing process
- 2- Interview date
- 3- Process, criteria and procedures of interviews & selection
- 4- Any Other Business

Looking forward to your attendance.

Yours Faithfully,

  
Jacques Gédéon  
Principal  
VITE



cc: Hon. Minister of Education  
Director General of Education  
Director VIOE  
Acting Chairman, VITE Council.



# Annex K

Secretary  
Teaching Service Commission  
Ministry of Education  
PORT VILA


Public Service Commission  
Private Mail Bag 9017  
PORT VILA

Dear Sir,

Tuesday, November 11, 2003

SUBJECT: PRINCIPAL - VITE

Please find enclosed herewith our panel report and recommendation for the position of the Principal - VITE. Our recommended applicant is Mr Jacques Gideon and the eligible candidate is Mr John Atkins and the position to be readvertise should this be rejected.



**BILL WILLIE**  
**CHAIRMAN SELECTION PANEL**

CC: Acting Chairman - VITE

SELECTION PANEL  
POSITION FOR THE PRINCIPAL OF VITE  
VILA

25<sup>th</sup> October 2003

The Executive Secretary,  
Teaching Service Commission,  
VILA.

Dear Mr. Karu

REPORT ON THE SHORTLISTING AND INTERVIEWS OF APPLICANTS  
FOR THE POSITION OF VITE PRINCIPAL

The panel members were:

- Mr. Jean Pierre Nirua, Centre Director, Emalus Campus
- Mr. Roy Obed, Secondary School Inspector
- Mr. Philip Raupepe, Principal Lycee LAB
- Mr. Bill Willie, Secretary, Public Service Commission
- Mrs. Lewani Iopa, Teacher, Malapoa College

The task for the panel was to facilitate the short listing and interview process for the position of the principal of VITE.

There were six (6) applicants as follows:

- i. Celine Telukluk – Tutor, VITE
- ii. Gideon Jacques – Acting Principal, VITE
- iii. John Atkins Arukelana – Tutor, VITE
- iv. Simeon Watas – VFF, Vila
- v. John Tagalobani – Tutor, VITE
- vi. Andrea Hinge Leo – Tutor, VITE

Processing Procedure

Meeting No. 1

Date: 7<sup>th</sup> October 2003. Venue: VITE Conference Room. Time: 3.45 – 4.45 pm

Panel Members received letters of appointment from the Acting Chairman of the Board of VITE, Mr. John Laan, inviting members to this meeting.

Mr. Laan thanked members for accepting the invitation to be part of the selection panel. He then briefed us on the important task at hand and its urgency. He informed us that we were the second panel to be involved in the second applicants' process for the position of Principal of VITE.

He informed us that the nomination put forward by the first panel was declared invalid by the Teaching Service Commission due to some technical error.

After Mr. Laan had left, the panel proceeded to elect a Chair and a Secretary as follows:

- i. Chairman – Mr. Bill Willie
- ii. Secretary – Lewani Iopa

After some groundwork was established, the panel sought to establish some procedures to work along. From this discussion, the panel resolved that the immediate task would be to:

- a. Build a 'fuller' profile on each candidate as supporting information provided by each respective applicant
- b. Find out about the nature of the 'technical error' that disqualified the nominee that was submitted by the first panel.

This we felt was crucial to avoid the same mistake made earlier. Therefore, the disseminating task was delegated to several members of the panel to gather the necessary information to be submitted to the panel in the following meeting.

#### Meeting No. 2

Date: 14<sup>th</sup> October 2003. Venue: VITE Conference Room. Time: 2.00 – 4.00 pm

One of the panel members was excused from the meeting as he was preparing for the memorial Service for the Late Mr. Siwacibau, Vice Chancellor of USP that evening.

After several considerations, the panel proceeded to short-list the applicants for interview. The additional information gatherers assisted in the precise profiling of each candidate. The following were made:

- a. Summaries of each candidate profile was established
- b. The 'Technical Error' was explained to be caused by two factors:
  - i. The Vacancy Notice stated that the applicant must be bilingual, which was considered as bias
  - ii. The panel did not represent equity in terms of equal representation of Ni-Vanuatu Anglophone and Francophone.

The panel studied the applications in detail strictly in accordance to the eight qualifying criteria put out by the TSC. By the end of the meeting, the panel finalized the list to the following to be interviewed:

- i. John Tangalobani
- ii. Jacques Gideon
- iii. Andrea Hinge Leo
- iv. John Atkins Arukelana

The secretary, Mrs. Iopa, was instructed to inform the above short listed for interview on Wednesday 22<sup>nd</sup> of October commencing at 2.00 pm.

The interview was to begin with two (2) sessions as follows:

- i. A written questionnaire was handed out and written answers were expected back from the short listed within an hour (1 Hour)
- ii. This was to be followed by oral interviews by the panel

#### Meeting No. 3

Date: 22<sup>nd</sup> October 2003. Venue: VITE Conference Room. Time: 1.30 – 4.40 pm

The Chairman handed out copies of the VITE Principal's Job Description and the PSC Application Assessment Form for study in addition to all the information available for interviews to commence.

The three applicants present that day were called in, together with the VITE Deputy Principal, Mr. Eric Natuoivi, and were informed of the format of the interviews process. Mr. Natuoivi was to supervise the one-hour written questionnaire and to have them copied to panel members to study before the oral interviews were to be conducted the following day. Mrs. Andrea Hinge Leo was absent this time as she was conducting a field trip exercise with her students. The panel was literally informed that she had inequitably self terminated herself from the race altogether.

#### Meeting No. 4

Date: 23<sup>rd</sup> October 2003. Venue: VITE Conference Room. Time: 1.30 – 4.45 pm

The panel interviewed the applicants one at a time. Each panel member questioned the applicants on allocated 'points' from the qualifying criteria and with reference to their completed written questionnaire.

John Atkins was unable to attend the interview as his wife was admitted in hospital.

The panel then decided that for fairness John's interview was to take place during lunch hour the following day.

#### Meeting No. 5

Date: 24<sup>th</sup> October 2003. Venue: VITE Conference Room. Time: 12.15 – 2.15 pm

John apologized for his absence the previous day.



The panel then proceeded with the interview in the same manner as the previous two were conducted.

After John's interview, the panel then proceeded to tally the scores and record them chronologically.

### Interview Procedure

- I. **Questionnaire:** The chairman explained to the applicants that they had up to an hour (1 Hour) to complete the questionnaire and to hand it in to Mr. Erick Natuoivi so that he will make copies for the panel to study overnight before the initial interview was done.
- II. **Oral Interview:** The applicants were called into the room one at a time in the following order:
  - i. John Tangalobani
  - ii. Jacques Gideon
  - iii. John Atkins Arukelana (the following Day)

When the candidate was invited into the room, the Chairman introduced members of the panel and then asked them to be relaxed before he went through the procedure for conducting of the interview. Applicants were informed to take time to answer the questions posed to them as there was no time limit and for them to be free to ask for clarifications if they wanted to.

- III. The Chairman then directed the questioning procedure making sure that the questions asked were in order to the qualifying criteria set out by the TSC.

Each panel member then proceeded with their questions in line with the qualifying criteria allocated to them. Other members of the panel were at liberty to ask supplementary questions to clarify points made by the applicants.

- IV. Each panel member had a PSC Score Sheet for each applicant where a numerical score was made for each criterion for the eight qualifying criteria.
- V. Each panel member totaled each applicant's tally separately to arrive at a total score.
- VI. Average score for each applicant was called out for each criteria and one member tallied the total score for each candidate.

VII. The results were as follows:

1. Jacques Gideon	-	297 points
2. John Atkins Arukelana	-	271 points
3. John Tangalobani	-	228 points


**Recommendations:**

The panel wishes to highlight the following points:

- i. That the responsibility of the panel was to facilitate the short-listing of the applicants. That the final decision and appointment of the successful applicant is the sole responsibility of the Teaching Service Commission based on each candidate's records and performances. This shall be the sole responsibility of the TSC.
- ii. That although bilingualism was not emphasized as important criteria, VITE is a unique institution where bilingual skills should be high in its agenda for selection criteria.
- iii. The panel wishes to express its gratitude to the VITE Board and the TSC for entrusting us the responsibility to conduct the interview process and having arrived at the end recommendation. We hope we have been of valued service to your expectations.

Thank you.

Yours sincerely,



*L* Lewani Iopa  
Secretary for Panel

# PSC FORM 34

## COMPARATIVE ASSESSMENT OF APPLICANTS FORM

To be filled out and signed by the Selection Committee members and attached to the Selection Outcome Report form (PSC FORM 3-5).

JOB TITLE: Principal - VITE GRADE: \_\_\_\_\_ POST No: \_\_\_\_\_

MINISTRY: EDUCATION DEPT: VICE LOCATION: VITE

**SELECTION PANEL:**

Representatives:	Name	Signature	Date
Department: 1 (Convener)	<u>John Nima</u>	<u>[Signature]</u>	<u>24/10/03</u>
OPSCor	<u>2 Roy Obed</u>	<u>[Signature]</u>	<u>24/10/03</u>
Motaine:	<u>3 William Kutele</u>	<u>[Signature]</u>	<u>24/10/03</u>
Independent:	<u>4 Lenani Yoba</u>	<u>[Signature]</u>	<u>24/10/03</u>
Other Department or Organisation)	<u>5 Bill Willie</u>	<u>[Signature]</u>	<u>24/10/03</u>

**COMPARATIVE RANKING OF APPLICANTS: (place recommended applicant first)**

Name of Applicant	Comments
1. <u>JOHN THINGALOBANI</u>	<u>Score: 228</u>
2. <u>JACQUE GIDEON</u>	<u>Score: 297</u>
3. <u>JOHN ATKINS REKELADIA</u>	<u>Score: 271</u>
4.	
5.	
6.	
7.	

**RECOMMENDED APPLICANT:** JACQUES GIDEON

**ELIGIBLE CANDIDATE(S) (if any):** JOHN ATKINS REKELADIA

*Since no gap was long infala in accounts then good along re-advertisement posit*

# Annex L

Attachment

GOVERNMENT  
OF THE REPUBLIC  
OF VANUATU

MINISTRY OF EDUCATION

TEACHING SERVICE COMMISSION  
Private Mail Bag 028  
Port Vila, Vanuatu



GOUVERNEMENT  
DE LA REPUBLIQUE  
DE VANUATU

MINISTERE DE L'EDUCATION

LA COMMISSION DE L'ENSEIGNEMENT  
Sac Postal Privé 028  
Port Vila, Vanuatu

---

Ref: TSC.2003/488/C/WM/CK: me

Mr Jacques Gédéon  
Vanuatu Institute of Teacher Education  
PMB 076  
Port Vila

25 November, 2003

Dear Mr Jacques,

**YOUR APPOINTMENT AS PRINCIPAL OF VANUATU INSTITUTE  
OF TEACHER EDUCATION**

I am pleased to inform you that the Teaching Service Commission has duly considered and do hereby formally appoint you as **Principal Vanuatu Institute of Teacher Education** to perform educational duties as an officer of the Teaching Service in accordance with Section 11 of the Teaching Service Act N° 15 of 1983, with effect from **20 November 2003**.

The post to which you are appointed is Category **E9.1** an annual salary of **VT1.230.946** plus VT51.000 being, living allowance per year of the Teaching Service Staff Rules Amendment N°1 signed and dated 11<sup>th</sup> December, 1985 and any amendments made thereunder.

The appointment will also be subject to further terms and conditions as the Commission may from time to time determine.

The duties and responsibilities are as attached.

You are advised that this appointment is made on a **permanent basis** and may be terminated by the Commission or, by you giving three months notice to the Commission or, three months salary in lieu of notice to the Commission.

Be advised that during your tenure of office, you may be called upon to carry out educational duties in any place in the Republic as the Administration and as the Minister responsible thinks fit.

Should you live in a rented accommodation, you will be entitled to 15.000VT ceiling or housing allowance or, pay normal 12% of monthly salary towards Government Housing.

You are advised that each year you are also entitled to 21 days annual leave and upon application, this can be granted in either this December or January of the following year.

You will be responsible to Director Secondary Education or, Senior Education Officer Secondary. Your Job Descriptions are as laid down in school Principals' Handbook. You are required to make yourself acquainted with those terms of reference to assist you perform your duties and responsibilities for Principal accordingly.

We wish to congratulate you on your successful application, and if you accept this offer of appointment, please complete the attached form and return it to the Secretary General Teaching Service Commission, Private Mail Bag 028, Port Vila.

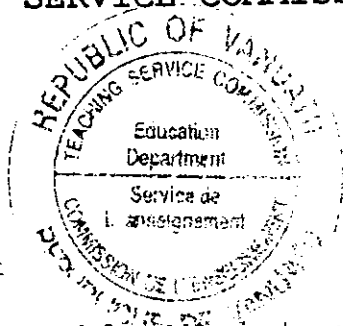
By copy of this appointment Mr Luna Tasong,  
Director of Administration is asked to see that  
your salary is paid with immediate effect.

Yours faithfully

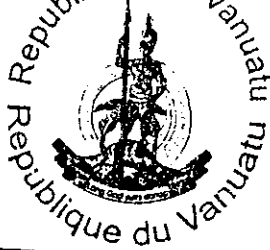
**TEACHING SERVICE COMMISSION**



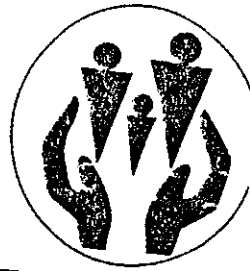
W Mael  
Chairman



Cc: Honourable Minister of Education  
1<sup>st</sup> Secretary Ministry of Education  
Director General of Education  
Director Vanuatu Institute of Education  
Director Administration and Finance  
**Chairman VITE Council** ✓  
PF  
Chrono



**Annex M**  
Office of the Ombudsman  
Bureau du Médiateur  
Ofis blong Ombudsman



Our Ref: 0418-3091-L25-ro

(Please quote this reference in all correspondence)  
12 February 2004

Mr Roy Obed  
Inspector  
CDU  
Port Vila

Dear Mr Obed

**APPOINTMENT OF PRINCIPAL VITE**

This Office has received a complaint against the Teaching Service Commission on the above matter and we intend to start an enquiry into the matter. The complaint alleges that

1. The VITE Council had the position of the Principal VITE advertised in February 2003 and applications were sought from the public. The Council reviewed the applications and made a recommendation to the Teaching Service Commission.
2. The Teaching Service Commission then returned to say that due to "technical errors", the post will be re-advertised and this was done in June 2003.
3. Following the second advertisement of the post, a selection panel was formed on the request of the VITE Council. The panel sent its recommendations directly to the Teaching Service Commission who then issued a letter of appointment to the successful candidate.

This Office is aware that you were a member of mentioned selection panel to decide on a candidate for the post of Principal VITE. Please find attached a copy of your letter from the Acting Chairman VITE Council, Mr John Laan. We request that you provide the following information and documents to our office before **27 February 2004** to assist this office with this investigation:

1. According to your letter of appointment to the panel, you were required to forward your recommendations to the Council and they would then remit their recommendation to the Teaching Service Commission. Please confirm the allegation that your deliberations were sent directly to the Teaching Service Commission, bypassing the requirement to have the VITE Council review your recommendation first.
2. If you did bypass the VITE Council, please explain why.
3. We would also appreciate any other documents or information that you consider relevant to this matter.

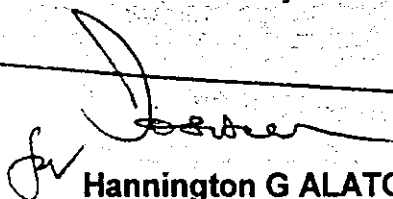
If you do not respond to this request, this Office can issue a Notice compelling you to come to the Office to give evidence and to provide the required information and documents, however we prefer to work co-operatively wherever possible.

Please note:

**Confidentiality is important and is protected by s.28 of the Ombudsman Act. This correspondence is directed only to you and anyone in your office with whom it is necessary to communicate in order to provide the information requested. If you have any questions about the extent of confidentiality in this matter, please contact the Ombudsman's Office to discuss it.**

Thank you in advance for your assistance in this matter and we look forward to hearing from you.

Yours sincerely



**Hannington G ALATOA**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**

Encl.

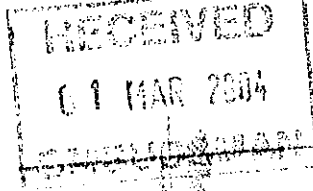


**nex N1**

Inspectorate Section  
Vanuatu Institute of Education  
Private Mail Bag 9006  
Port Vila  
Vanuatu

Telephone: (678) 23506  
Fax: (678) 23504

Email: [inspectorate@vanuatu.vie.vu](mailto:inspectorate@vanuatu.vie.vu)



Service d'Inspectorat  
Institut Pédagogique du Vanuatu  
Sac Postal Réservé 9006  
Port-Vila  
Vanuatu

Téléphone: (678) 23506  
Télécopie: (678) 25854

27<sup>th</sup> February 2004

The Comptroller,  
Comptroller's Office,  
P.O. 7

Dear Sir

**MEMORANDUM OF THE DELIBERATION PANEL FOR THE VITE PRINCIPALS**  
2004

Thank you for your letter on the above subject. I am glad to provide evidence to our findings in the above and to highlight the reasons I perceived to be the cause and course, which the Chairman of the panel took. The report attached details the deliberations and recommendations forthwith.

It is difficult to state at this point whether we were at error for the path, which the report took. It may have followed the wrong channel, but I hope my statement may provide some explanation.

First and foremost, may I admit that we were working at the prerogative of the VITE Council after we were briefed and summoned by the Acting Chairman at that time who was Mr. John Laan. While this was clear from the outset and in the letter of appointment, I cannot explain why the report, which was drafted by myself, was addressed to the Teaching Service Commission. However, on the other hand, the advertisement was written by the TSC.

After the report was drafted, it was sent to the Chairman of the panel. In my expectation, the report would be submitted to the VITE Council. As it turned out to be, this was never the case.

The initial reason for the report to be addressed to the Teaching Service Commission, even if or whether that, was to be transmitted via the Council.

Of course, it was a difficult situation in that the current Principal was concerned. Directly, he was acting as the secretary to the council at that time. How independent the report to the council was to be would be questioned as well. If it were

deliberated in the council and our final outcome as per the report were changed, it may have legal implications the same as it is now being questioned.

In another case, the appointment of Mr. Philip Raupepe to the panel was seen not to be free as he was implicated in two inspection reports that required the Ministry to prompt further investigations. However, on the surface, his appointment was never seen to place the panel in an independent position.

Furthermore, the appointment of the panel came about due to the fact that the first one was not well represented of the Francophone and Anglophone. But one of the Francophone, Mr. Daniel Tamati withdrew from the panel and his replacement was not made. Thus, the panel had already been misrepresented again.

Sir, whatever route the report took from the panel's chairman's desk, I have the clear conviction that the Teaching Service Commission is to be held responsible as it should have diverted the report to the Council if it felt that we had erred in the beginning. Even so, the TSC should be responsible to follow the recommendations of the panel. The School Council may have had the liberty to disqualify the recommendations of the panel and may have asked for another panel's task. Whatever the view may be, it is my belief that our task was fair from the pre-selection phase to the interview and ranking phase.

Finally, throughout the whole process, the panel followed the criteria set out in the advertisement and had acted with professionalism throughout the entire period.

It is important to note that MFE had its own internal rivalries. Tutors and students were not happy with the Principal. So the argument to have the ombudsman to query the council, which the report took, may be valid, but it is to be understood that there will always be discontentment even if proper avenues were adhered to.

I shall be available for further deliberation should there be need.

I hope this is of some help.

Thank you.

Yours sincerely,



R. Obed  
Panel Member

17  
VII. The average score for each applicant was called out for each criteria and one member tallied the total score for each individual candidate.

VIII. The results were as follows:

1. Jacques Giteon -- 297 points
2. John Atkins Arukelana -- 271 points
3. John Tangalobani -- 228 points

Recommendations:

The panel wishes to highlight the following points:

- i. That the responsibility of the panel was to facilitate the short listing and to conduct interviews of the candidates. That the final decision and appointment of the successful applicant is the sole responsibility of the Teaching Service Commission, based on each candidate's records and performances. This shall be the sole task of the TSC.
- ii. That although bilingualism was not emphasized as important criteria, VITE is a unique institution where bilingual skills should be high in the agenda for selection.
- iii. The panel wishes to express its gratitude to the VITE Board and the TSC for entrusting us with the responsibility to conduct the interviews on behalf of the board and to arrive at its recommendation. We hope we have been of valued service to your expectations.

Thank you.

Yours sincerely,

Edward Topa  
Panel Secretary

Meeting No. 5

Date: 24<sup>th</sup> October 2003. Venue: VITE Conference Room. Time: 12.15 – 2.15 pm

John Atkins apologized for his absence the previous day.

The panel then proceeded in interviewing him in the same manner as the previous applicants.

After John's interview, the panel then proceeded to tally the scores and record them chronologically.

#### Interview Procedure

- I. Questionnaire: The Chairman explained to the applicant that they had up to an hour to complete the questionnaire and to hand them in to Mr. Maturoni so that he would have to make copies for members to study overnight before the initial interviews were carried out the following day.
- II. Oral Interview: The applicants were called into the room one by one in the following order:
  - A. John Tangaloberi
  - B. Jacques Gidson
  - III. John Atkins Arakeima (the following day)
- IV. When the candidates came into the room, the Chairman introduced members of the panel and then asked them to be relaxed before he went on to call on each panel to ask questions relating to the allotted criteria. Applicants were informed to take time to answer the questions posed to them, as there was no time limit. They were also free to ask for clarifications if the questions were not clear.
- V. The Chairman ensured that the questions asked were always in line with the qualifying criteria. Other members of the panel were at liberty to ask supplementing questions to clarify points made by the applicants.
- VI. Each panel member had a PSC Score Sheet for each applicant where a numerical score was made for each criterion for the eight qualifying criteria.
- VII. Each panel member tallied each applicants score

- iii. Andrea Hinge Leo
- iv. John Atkhis Arukelana

The secretary, Mrs. Iopa, was instructed to inform the above short listed candidates for interview on Wednesday 22<sup>nd</sup> October commencing at 2.00 pm.

The interview was to begin with two (2) sessions as follows:

- 1. A written questionnaire was handed out for written answers to be handed back from the candidates within an hour as springboard for interview.
- 2. This was to be followed by oral interviews by the panel based on the eight criteria.

Meeting No. 3

Date: 22<sup>nd</sup> October 2003. Venue: VTFE Conference Room. Time: 1.30 – 4.40 pm

The Chairman handed out copies of the VTFE Principal's Job Description and the PNC Application Assessment Form for study in addition to all the information available for interview to commence.

The three applicants present that day were called in, together with the VTFE Deputy Principal, Mr. Erick Natuolvi, and were informed of the format of the interview process. Mr. Erick Natuolvi was to supervise the one-hour written questionnaire and have them copied to panel members to study before the oral interviews were to be conducted the following day. Mrs. Andrea Hinge Leo was absent this time as she was conducting a field trip with her students. The panel was verbally informed that she had inequitably self-terminated herself from the race altogether.

Meeting No. 4

Date: 23<sup>rd</sup> October 2003. Venue: VTFE Conference Room. Time: 1.30 – 4.45 pm

The panel interviewed the applicants according to the eight criteria and scored points accordingly. The questions were derived from the criteria as well as from individual statements.

John Atkhis Arukelana was unable to attend the interview as his wife was admitted to hospital that day.

The panel then decided to have him interviewed the following day during lunch hour.

He informed us that the nomination put forward by the first panel was declared invalid by the Teaching Service Commission due to technical error.

After Mr. Lema had left, the panel proceeded to elect a Chair and a Secretary as follows:

1. Chairman: Mr. Bill Willie
2. Secretary: Mrs. Lewani Iopa

After some groundwork was established, the panel sought to establish some procedures to work along. From this discussion, the panel resolved that the immediate task would be to:

- a. Build a 'fitter' profile on each candidate as supporting information provided by each respective applicant.
- b. Find out about the nature of the 'technical error' that disqualified the nominee that was submitted by the first panel.

What we felt was crucial to avoid the same mistake made earlier. Therefore, the preliminary task was delegated to several members of the panel to gather the necessary information to be submitted to the panel in the following meeting.

Meeting No. 2

Date: 14<sup>th</sup> October 2003. Venue: VITE Conference Room. Time: 2.00 – 4.00 pm

One of the panel members was excused from the meeting as he was preparing for the memorial service for the late Mr. Savanua Siwacibau, Vice Chancellor of VITE, that evening.

After several considerations, the panel proceeded to short-list the applicants for interview. The additional information gathered assisted in the precise profiling of each candidate. The following were made:

- a. Summaries of each candidate profile was established
- b. The 'Technical Error' was explained to have been caused by two factors:
  - i. The vacancy notice stated that the applicant must be bi-lingual, which was considered as bias.
  - ii. The panel did not represent equity in terms of equal representation of Ni-Vannatu Anglophones and Francophone.

The panel then studied the applications in detail strictly according to the eight (8) qualifying criteria put out by the Teaching Service Commission. After scrutinizing the applications, the panel finalized the list to the following for interview:

1. John Pangalobau
2. Jacques Gideon

SELECTION PANEL  
POSITION FOR THE PRINCIPAL OF VITE  
CHLA

28<sup>th</sup> October 2003

The Executive Secretary,  
Teaching Service Commission,  
VILA.

Dear Mr. Kuen,

REPORT ON THE SHORT LISTING AND INTERVIEWS OF APPLICANTS  
FOR THE POSITION OF VITE PRINCIPAL

The panel members were:

- 1. Mr. Jwan Pierce Nbrun, Center Director, Enalus Campus
- 2. Mr. Fay Obed, Secondary School Inspector,
- 3. Mr. Philip Raupepe, Principal Lycee LAB
- 4. Mr. Bill Willie, Secretary, Public Service Commission
- 5. Mrs. Leisani Topa, Teacher, Malapoa College

The task for the panel was to facilitate the short listing and interview process for the position of the principal of VITE.

There were six (6) applicants as follows:

- I. Mr. Nre Tetakina - Tutor, VITEc
- II. Silena Inerua - Acting Principal, VITE
- III. John Atkins Arukelana - Tutor, VITE
- IV. Simeon Watas - VTE, Vila
- V. John Tangalobani - Tutor, VITE
- VI. Andrea Hinge - Tutor, VITE

Proceeding Procedure

Meeting No. 1

Date: 7<sup>th</sup> October, Venue: VITE Conference Room, Time: 3.45 - 4.45pm

Panel members received letters of appointment from the Acting Chairman of the Board of VITE, Mr. John Laan, inviting members to this meeting.

Mr. Laan invited members for accepting the invitation to be part of the selection panel. He then briefed us on the important task at hand and his agency. He informed us that we were the second panel to be involved in the second application process for the position of Principal of VITE.

## INTERVIEW NOTE

<b>Case Ref:</b>	0559-3091-IN25
<b>Date:</b>	16 March 2004

<b>Date of interview:</b>	1 March 2004
<b>Person interviewed:</b>	Mr Roy Obed
<b>Address:</b>	CDC, Port Vila
<b>Phone:</b>	-
<b>Interviewer:</b>	25
<b>Subject of interview:</b>	Appointment of Principal VITE

The above person visited the Office on the date of interview. He had drafted a response to our letter and came to hand deliver it. He also wanted to provide additional comments:

1. The report on the recommendations was drafted by Mr Obed and given to Chair of the Panel to endorse. If the TSC knew that the Council had to see the report first, they should have said/done something.
2. The Council has a strained relationship with the Principal. This would affect the selection process and there could be legal implications (certain of this).
3. Mr Obed also says that he doesn't know the Act fully.
4. The Council can veto the panel's decision, so what is the use of having a panel?
5. The VITE has a lot of big issues that need to be resolved.
6. The appointment of the Council itself was political.
7. The Principal is a Council member – eg. He sent letters to the panel members so he had a conflict of interest. He was one of the applicants for the post.
8. In the advertisement, the applicants have to send their applications to the TSC.
9. There is also the question of why the TSC did not endorse the first recommendation. Where the reasons sufficient?



Malapoa College,  
Private Mail Bag 002,  
Port Vila.

25<sup>th</sup> February 2004.

The Ombudsman,  
PMB 081,  
Port Vila.

Ref: 0421 - 3091 - L25 - ly.

Dear Mr Alatoa,

**Re: Appointment Of Principal VITE.**

This letter is to explain your enquires concerning the above matter.

1. I confirm that our deliberations were sent directly to the Teaching Service Commission, bypassing the requirement to have the VITE Council our recommendations first.
2. My bypassing the VITE Council was because to my understanding the Teaching Service Commission handles appointments of teachers and principals to schools and other education institutions, eg. VITE. Another reason for my actions was that our 'task' was confidential. One of the candidates for the VITE principal position, was in actual fact a member of the VITE Council.

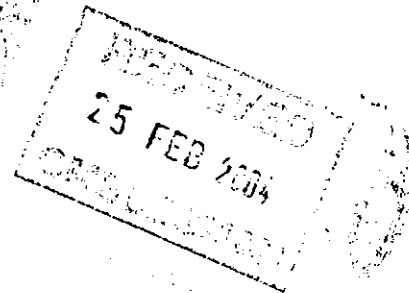
If your office has further enquires concerning the matter, please do not hesitate to contact me at the above address.

Thank you for your attention.

Yours faithfully,



Lewani Iopa.



# Annex N3

Inspectorate Section  
Vanuatu Institute of Education  
Private Mail Bag 9006  
Port Vila  
Vanuatu

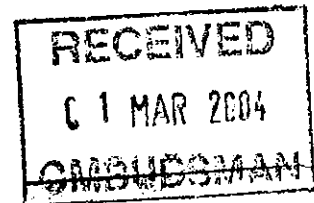


Service d'Inspectorat  
Institut Pédagogique du Vanuatu  
Sac Postal Réserve 9006  
Port-Vila  
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Telephone: (678) 23508  
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Téléphone: (678) 23508  
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Email: [curriculum@vanuatu.com.vu](mailto:curriculum@vanuatu.com.vu)

Hannington G ALATO  
Office of the Ombudsman  
Port Vila  
Vanuatu



Dear Sir,

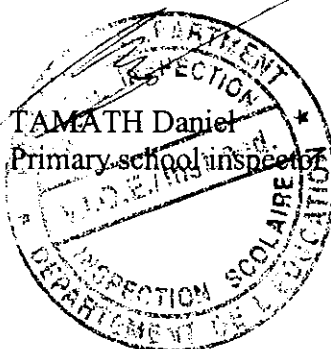
Re: APPOINTMENT OF VITE PRINCIPAL

I am writing in response of your letter of 12th February regarding the above subject. As you mentioned, I have received a letter of appointment as selection panel member for the position of VITE Principal but due to some other commitment, I decided to refuse the nomination by filling in the acceptance document.

Therefore, it is not possible to provide the information and documents required to your office in order to assist the investigation.

Thank you

Yours sincerely,



## INDIVIDUAL APPLICANT ASSESSMENT FORM

*This form is to be filled out by the Selection Committee for the Purpose of short-listing and any further assessment. A completed form is to be attached to each separate job application.*

JOB TITLE: \_\_\_\_\_ GRADE: \_\_\_\_\_ POST No: \_\_\_\_\_

MINISTRY: \_\_\_\_\_ DEPT: \_\_\_\_\_ LOCATION: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

### SECTION 1: ASSESSMENT OF APPLICANT AGAINST SELECTION CRITERIA

*(In each row, write down one of the selection criteria. Generally there should be no more than six)*

<b>1.</b>	<b>Qualification &amp; Experience</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>2.</b>	<b>Leadership Skills</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>3.</b>	<b>Curriculum Management</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>4.</b>	<b>Financial Management</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>5.</b>	<b>Human Resource &amp; Communication Skills</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>6.</b>	<b>Language &amp; Material</b>										
0	1	2	3	4	5	6	7	8	9	10	
<b>TOTAL SCORE</b>											

20/5

**SECTION 2: GENERAL COMMENTS ON THE APPLICANT**

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**SECTION 3: SELECTION METHOD USED TO ASSESS APPLICANT**

*Tick the box of the methods used to assess the applicant. You do not have to use all the methods, but only those the Selection Committee considers suitable for the nature of the job vacancy.*

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Written application           | <input type="checkbox"/> Resume         | <input type="checkbox"/> Work samples   |
| <input type="checkbox"/> Interviews                    | <input type="checkbox"/> Practical test | <input type="checkbox"/> Referee checks |
| <input type="checkbox"/> Other (Please describe) _____ |   |   |

**SECTION 4: To be short-listed for further consideration?: YES**

NO

**SECTION 5: Further consideration through referee reports?: YES**

*(Generally Referee Reports would only be obtained on those applicants considered for appointment to the position)*

NO

**SECTION 6: Selection Committee authorisation:**

**Representative:**      **Name** \_\_\_\_\_      **Signature:** \_\_\_\_\_      **Date:** \_\_\_\_\_

**Department:** \_\_\_\_\_  
**(Convenor)**

**OPSC OR**  
**Nominee:** \_\_\_\_\_

**Independent**  
**(Other Department**  
**or Organisation):** \_\_\_\_\_

26/1/19

# COMPARATIVE ASSESSMENT OF APPLICANTS FORM

To be filled out and signed by the Selection Committee members and attached to the Selection Outcome Report form (PSC FORM 3-5).

JOB TITLE: \_\_\_\_\_ GRADE: \_\_\_\_\_ POST No: \_\_\_\_\_

MINISTRY: \_\_\_\_\_ DEPT: \_\_\_\_\_ LOCATION: \_\_\_\_\_

**SELECTION PANEL:**

Representative:	Name	Signature	Date
-----------------	------	-----------	------

Department: \_\_\_\_\_  
(Convenor)

OPSC or Nominee: \_\_\_\_\_

Independent: \_\_\_\_\_  
(Other Department or Organisation)

**COMPARATIVE RANKING OF APPLICANTS:** (place recommended applicant first)

Name of Applicant	Comments
1.	
2.	
3.	
4.	
5.	
6.	
7.	

**RECOMMENDED APPLICANT:** \_\_\_\_\_

**ELIGIBLE CANDIDATE(S) (if any):** \_\_\_\_\_

## SELECTION OUTCOME REPORT

(NOTE: This form MUST have attached to it the Comparative Assessment of Applicants Form (PSC FORM 3-4) completed by the Selection Committee).

JOB TITLE: \_\_\_\_\_ GRADE: \_\_\_\_\_ POST NO: \_\_\_\_\_

MINISTRY: \_\_\_\_\_ DEPT: \_\_\_\_\_ LOCATION: \_\_\_\_\_

RECOMMENDED APPLICANT: \_\_\_\_\_

ELIGIBLE APPLICANT(S) (if any): \_\_\_\_\_  
(ranked in order of merit commencing with the next most suitable applicant)

1. **DIRECTOR OF DEPARTMENT or PSC CONVENOR** (if Director-level vacancy)  
 Comments: \_\_\_\_\_

Recommendation Supported (Please circle) Yes/No

I certify that the merit selection procedures set out in the Staff Manual have been followed.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

2. **DIRECTOR-GENERAL OF MINISTRY or PSC CONVENOR** (if DG-level vacancy)  
 Comments: \_\_\_\_\_

Recommendation endorsed (Please circle) Yes / No

I certify that the merit selection procedures set out in the Staff Manual have been followed and that sufficient funding is available in the Department's budget to fill this position.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

3. **Decision of PUBLIC SERVICE COMMISSION**

Date of PSC Meeting: \_\_\_\_\_ Decision: Approved/Not Approved  
(Please circle)

Comments: \_\_\_\_\_

**NOTE: If approved, please also sign the attached Letter of Appointment.**

# Annex P

ATTACHED (C)

## QUESTIONS TO GUIDE THE PANEL MEMBERS

### VITE PRINCIPAL'S POST

1- Question one (1)

A- Give three main reasons why you apply for the position.

B- You understand that the position you apply for requires a qualified and experienced professional. Can you elaborate on that statement.

John  
2- Question two (2)

What do you understand by the word "Leader"? When applying for the position, do you believe that you have the qualities of a leader? Please elaborate.

Wilson  
3- Question three (3)

Being Principal of one of the most recognized institution of our country, requires lots of time commitment and sacrifice. It also requires skills in curriculum developments in order to comply fully with the MOE national curriculums. Do you foresee (or anticipate) the area of curriculum as an important development and to what extent can VITE manage that area?

Tate  
4- Question four (4)

As Principal you will be involving yourself in budgetary planning throughout the year. What areas in finance will you focus on in order to get a better service delivery to every sections of VITE. What will be your immediate emergency plan if VITE comes to face financial difficulties?

Alton  
5- Question five (5)

You will be responsible for VITE human resource development. What will be your priorities in that area? How are you going to deal with teachers who require special attention. Please elaborate as this is a key area of your every day responsibilities.

John  
6- Question six (6)

You know that VITE enrolls French and English speaking trainee teachers. You will have to deal with teachers who use French and English frequently in their daily teaching. How are you going to link these two factions in order to maintain a balance in their language of instruction? If you have to intervene in an English or French speaking class, how are you going to manage that? Could you please elaborate on that important area?

## Supplementary questions

- 1- Future development of VITE is a priority to embark on. Can you give an overall picture of your immediate plans o develop it further.
- 2- What active role can VITE play in education development in Vanuatu? Please elaborate.
- 3- Do you have anything you would like to say before the panel members to conclude your interview?

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*



STATEMENT OF INTEREST FOR THE INTERVIEW PROCESS

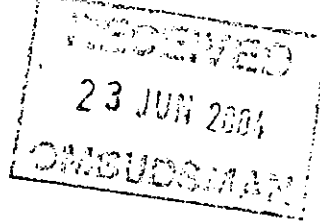
PLEASE SPEND AT LEAST <sup>1 HOUR</sup>~~25 MINUTES~~ TO ANSWER THE FOLLOWING STATEMENTS AND PREPARE TO DISCUSS THEM WITH THE PANEL DURING YOUR INTERVIEW

1. VITE is an important training institution of the Ministry of Education. Discuss three (3) visionary plans you would envisage in the College if you were appointed to the position of the Principal.

2. Provide three (3) priority areas you would develop in the first year of your term.

3. With the growing demand in education and together with the high expectation of the Ministry for quality service and the possibility to offer higher diplomas, explain how VITE would respond to these if you were appointed to the post of Principal

4. Discuss three (3) pressing issues (problems) of the college. Say how you would guide the college out of these situations.



p.7, Section 6.2.1 of the Working Paper:

John Laan questions the statement – *“they caused the Council to readvertise the post”*

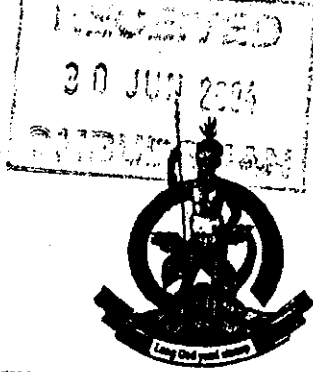
The Council didn't readvertise the post. Because the TSC had rejected the Council's recommendation, they then left it to the TSC. The TSC did the readvertising. When the TSC received the applications, they sent it to the Council.

Therefore, the above statement is not correct.

This has implications on Finding No.2, Section 6.3

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Vanuatu Institute of Education  
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Port Vila  
Vanuatu

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Service d'Inspection  
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28<sup>th</sup> June 2004

The Ombudsman,  
Office of the Ombudsman,  
VILA.

Dear Sir,

## RESPONSE TO THE REPORT ON THE IMPROPER APPOINTMENT OF VITE PRINCIPAL

Thank you for forwarding the preliminary report on the above.

I do not dispute anything in the report but rather wish to provide some overview concerning the content of the report, which may clarify the position the second panel took, and the rationale for such action.

I still believe that if we had the opportunity to the copy of the VITE Act and copy of the Leadership code and other laws referred to in the report, we would have been in a better position to the virtue of the channel the report was supposed to have gone. It is easy for the ombudsman to assume that all civil servants have access to the laws of the country. This is far from reality.

The fact remains that Mr. Jacques Gideon acting on the capacity as VITE Council's Secretary may be acting in conflict, as our report would have been made available through him for the Council to deliberate the appointment. Secondly, the TSC had the responsibility to refer the matter to the Council to ensure that Mr. Jacques Gideon's part in the preliminary deliberation is avoided. So to state that we did not abide by the law is an overstatement!

The ombudsman's office received two complaints over the appointment of the VITE Principal in July 2003. The volume of matters comprising the concern to cause these complaints to be launched may have not involved any part of the role the second panel undertook, since we were appointed in October 2003. (Annex 1). So seriously speaking, the complainant in submitting his/her complaint wasn't aware as yet to the actions the Second panel took. Even if the ombudsman's office saw any valid argument in the role of the 2<sup>nd</sup> panel, which this report fully covers, it is logical to state that the complaint was over the first appointment.

Therefore, I feel that the whole process was fairly undertaken by the second panel. I feel that my reasoning in my letter to your office on 23<sup>rd</sup> February 2004 explained my position. Thus your points on page 8 (6.6, 6.6.1, 6.6.2, 6.7 and 6.7.1) in my view a very harsh consideration and application in view of the conflict that prevailed that may have caused our deviation to direct the report to the TSC. If, then you feel that we have erred, then the system itself is more corrupt to justify such ruling before asserting that we should be held responsible.

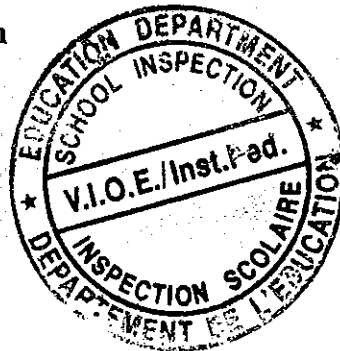
It is this assertion that the second panel tried to avoid. As far as I am concerned, in discussing our role with your office on 16<sup>th</sup> March this year, it is our believe that the whole saga needs to be closely investigated as there is more you would uncover within VITE.

I hope that the report protrude a clearer path for a more transparent appointment process to be carried out in future.

Thank you.



R. Obed  
Inspection Division



# Annex T

## INTERVIEW NOTE

<b>Case Ref:</b>	1389-3091-IN25
<b>Date:</b>	5 July 2004

<b>Date of interview:</b>	30 June 2004
<b>Person interviewed:</b>	Mr Kanam Wilson
<b>Address:</b>	Public Service Commission
<b>Phone:</b>	25090
<b>Subject of interview:</b>	Working Paper on the Alleged Improper Appointment of the Principal VITE

Mr Wilson was cautious that something would go wrong right from the very beginning of the selection process after the first round of advertisements in February 2003. So he asked Mr Etienne Warimavute (then Chairman of the Council VITE) to make duplicate copies of their recommendations to the Teaching Service Commission. Mr Wilson said that Mr Warimavute will produce a copy of the report to this Office.

Mr Wilson confirmed to the Office of the Ombudsman that the first selection panel was comprised of the Council members. He also stressed that when the advertisement was published, the VITE Act was not yet in force. As there was no Act for the Council, they didn't feel safe in adopting panel members from outside so they formed a panel from members of the Council only. After the Act came into force, it was more precise about all of this.

When the Council made the decision to advertise the position, they asked the Acting Principal, Mr Jacques Gèdèon to draft the advertisement and then to present it to the Council for endorsement before it was sent out to the newspaper.

The Council was later informed that the advertisement had been drafted and issued to the newspaper, so they (the Council) did not have a chance to view it and endorse the text of the advertisement before it went out.

The Council did not do anything because the advertisement had already gone out so they instead decided on the composition of the selection panel.

Mr Wilson said that he asked the other members of the Council if there was a recruitment process in place. When there was none, he then proposed the use of the Public Service recruitment process. The Council approved his proposal. The Council then nominated the panel members. Mr Wilson told the Council that they must have a reasonable representation of French and English speaking members, as well as a reasonable representation of male and female members, as per the Public Service rules in this regard.

Section 4.1 of the Working Paper says that the TSC's reason for readvertising the post was due to technical errors. In Mr Wilson's view, there were no technical errors. If the argument is that there was no equal number of males and females and no equal number of Francophone and Anglophone speakers in the panel, then this reasoning is not correct as per the Public Service rules for recruitment.

Section 4.7 says that in May 2003, Mr Karu wrote to the applicants to tell them about the technical error and that the post would be readvertised. Section 4.8 also says that the Acting Chairman, Mr Laan wrote to the TSC to follow-up on the delay in the recruitment of the Principal. Mr Wilson explained that the Council was concerned about the delay of recruiting a Principal after their recommendation was made; they were worried that the



Principal should have been recruited already, and were concerned about why it was taking so long.

Section 4.14 carries Mr Karu's explanations on why readvertise the post. Mr Wilson refuted this by stating that there is a practice that for the two posts (Principal and Deputy Principal), if one is Anglophone, the other will be Francophone. This practice has been with the institution for a long time and is common knowledge. Mr Wilson said that the Chairman of the Council, Mr Warimavute at the time, did remind the Council of this practice.

Mr Wilson commented on Annex B (first advertisement of February 2003). He said that according to the Public Service procedures, if a post is advertised, the details of the text have to be in line with the actual job description. He further stated that the advertisement that went out was a closed advertisement and suits only a specific person. The actual job description doesn't say that the person has to be bilingual. The Acting Principal had agreed that the Council use the Public Service process, but he did not follow the process. In the Public Service process, the advertisement has to be in line with the job description selection criteria.

Section 4.19 carries Mr Karu's comments to Mr Laan for applicants to appeal if they are opposed to the recruitment of Mr Gèdèon. To this, Mr Wilson stated that this is not proper. It is the Teaching Service Commission's responsibility to find a way to remedy the situation, such as referring the matter back to the Council.

The second selection panel had said in Section 4.2.2 that because Mr Gèdèon was a member of the Council so they therefore felt it was proper that they send their recommendations to the TSC. Mr Wilson responded to this by saying that there is a practice by the Council that if there is an issue where a conflict of interest may arise for a council member in their deliberations, then the council member will declare his/her conflict and will be excused from the meeting. Mr Wilson believes that the second panel's reasoning for not sending their recommendations to the Council is not good enough.

Mr Wilson also talked about the questions used by the two panels. In regard to paragraph 3, section 4.2.3 of the Working Paper, the questions were approved by the Council. Mr Wilson questions whether the second panel had their questions approved by the Council. Mr Wilson also agreed that the second panel did not follow the proper procedures by sending their report to the Council first before it was sent to the TSC.

In regard to the preliminary findings made in the Working Paper, Mr Wilson said that finding 6.1.2 on the TSC's decision to readvertise the post, is wrong. Instead, their decision was biased and politically influenced (the TSC were politically motivated). The Council had decided to stick to the Public Service recruitment process.

In regard to section 6.2.1 where the finding is that the TSC caused the Council to breach the VITE Act, Mr Wilson raised the issue of whose responsibility it is to advertise the post. The VITE Act says that the TSC recruits the principal and the Council recruit the deputy principal.

The investigator also pointed out to Mr Wilson that this finding may be in error because the Office of the Ombudsman was recently informed that the Council did not re-advertise the post, instead it was the TSC who had issued the second advertisement – so the question Mr Wilson raised is a valid one.

Mr Wilson's comment on Finding 6.3.1 on breaches of the Leadership Code is that this is "very true". He also had the same comment for section 6.4 to 6.4.3 (breaching of Section 22(1) of the VITE Act).

Finding number 6.4.4 outlines the Secretary General of the TSC's remark to Mr Laan that applicants who are not happy about the appointment of the Principal should lodge an appeal to the TSC. Mr Wilson responded to this by saying that the Secretary General of the TSC did not provide professional advice as he should have.

For finding 6.5.1 and 6.5.2 elaborate on the TSC's actions as a sign of disrespect for the law and could amount to Leadership Code breaches. In light of this, Mr Wilson recommended that appropriate action be taken.

(Refer to Finding 6) Panel members who are public servants and teaching service staff, may have breached the Public Service Act (for the former) and the Teaching Service Staff Rules (for the latter) in showing their disrespect for the law. Mr Wilson recommended that the appropriate action be taken against those concerned.

Mr Wilson suggested that it would be interesting to find out who is influencing who and to apply disciplinary action where necessary.

Mr Wilson wanted to stress Section 7 (e) and (g) of the VITE Act where it clearly states the functions of the Council in the recommendations on the appointment of the Principal and the Deputy Principal, as well as the Council's power to establish committees to assist the Council. In reference to the second panel's decision to forward their report directly to the TSC, Mr Wilson is of the view that the second selection panel may have acted in contravention to these two sections. Committees such as the selection panel are not delegated with the responsibilities of the Council.

Mr Roy Obed made comments in his interview with this Office on 1 March 2004 (see Annex M1) that the appointment of the Council was political. Mr Wilson responded to this by saying that rather than criticise the first panel, the second panel should have studied the first selection panel's recommendations and try to rectify the situation because this was the purpose of the second panel convening.

After the VITE Act came into force, there was an issue over the composition of the Council being balanced in terms of language. The VITE Act does require this, but it does not say this about the selection panel. In the absence of the Act when the first panel sat, this was not an issue. Therefore, the "technical error" reasoning by the TSC is "nonsense".

The technical problem posed by the TSC is unfounded as when the first selection panel decided to follow the PSC's procedures of recruitment, the PSC's policy is more geared towards gender equity and not the language balance in a selection panel. Further, if the TSC also believed that the applicant had to be bilingual, then the question remains as to why they did not appoint the eligible candidate after Mr Arukelana, which was Mr Iapson. Mr Iapson is bilingual.

Mr Wilson talked about Annex B (the first advertisement). He reiterated that the advertisement was not endorsed and approved by the Council. He again noted that the text of the advertisement is closed and directed at one person. Further, the issue of a bilingual candidate is not in line with the approved job description.

After the first panel sat, the candidate recommended for the post of Principal was Mr John Atkins Arukelana. The eligible candidate was Mr George Iapson. Mr Arukelana was not

bilingual but Mr George Iapson was. If the requirement was for the candidate to be bilingual, Mr Wilson asked why the TSC didn't appoint Mr Iapson instead of rejecting the first panel's recommendations.

Mr Wilson also pointed out that before the panel sat, they went through the candidates' personal files to study their backgrounds. With the help of a staff member who knew the applicants, they produced Annex P (the applicants' scores).

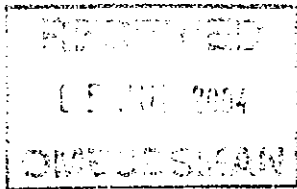
Mr Wilson commented that with the second advertisement, (Annex E), the advertisement is more open and this was approved by the Council. It was also in line with the job description.

In regard to Annex G (letter of 21 July 2003 to Mr Laan from Mr Karu), Mr Wilson proposed that the Ombudsman check if Mr Gèdèon applied in time because his application was received later than the others. When was it actually received by the TSC?

Annex H is a letter from Mr Karu to the Office of the Ombudsman explaining their decision to readvertise the post. Mr Wilson remarked that the TSC ignored the policies and procedures that were already established.

In regard to the comparison of the selection processes between the two panels, Mr Wilson proposed that the Ombudsman check on the point ratings of the two panels. This will determine whether the ratings were biased or not. He also proposed that the reasons for the ratings be checked.

14



4.2 Job Description : Principal

Section A Position Details

Position: Principal of Vanuatu Teachers' College

Reporting to: School Council and Ministry of Education

Contract Period: Commencing 1.03.2000 Ending 31.12.2000

Salary: E9.1

Section B Key Responsibilities and Performance Measures

Key Responsibilities

Performance Measures

1. Financial Management

- Prepares annual budget
- Manages income and cash flow
- Approves all expenditure
- Liaises with Bursar for financial management
- Maintains clear financial management systems and communicates these to others
- Implements requirements of the Ministry of Education and liaises with other appropriate agencies

2. Personnel Management

- Prepares job descriptions for all staff and discusses them
- Makes clear responsibilities within the school and develops appropriate management systems for these
- Recommends the hiring and dismissal of staff in consultation with the School Council and the Ministry of Education
- Assists and advises all teachers on classroom management, learning assessment and general duties. Appraises staff performance and plans for staff development ( with DP and HOD's)
- Calls regular staff meetings and holds other meetings as appropriate.
- Delegates responsibilities.
- Encourages team spirit among the school staff.

3 Property Management ( including materials, rations, vehicles, machinery, buildings, furnishings, grounds )

- Develops and implements a plan for property maintenance.
- Prepares a plan for property development.
- Keeps a register of all school property , including rations.
- Recovers costs of damages and losses.
- Purchases new property and disposes of old property.
- Calculates depreciation for replacement.
- Liaises with Ministry of Education and other appropriate agencies on property matters.

4 School Council

- Plans and calls meeting of the School Council
- Keeps accurate minutes of all meetings
- Actions decisions made by the Council
- Circulates minutes and reports promptly after each meeting.
- Corresponds as required with members of the Council, the Ministry of Education, and other agencies and people as appropriate.
- Prepares and circulates agenda in advance.

5 Professional Leadership

- Develops strategic plans and school policies.
- Develops and maintains campus and community relations
- Develops relationships with Ministry of Education, aid donors and other appropriate agencies and organisations, acting promptly to deal with all issues, correspondence and school visitors.
- Encourages professional growth and development through the delegation of leadership and other responsibilities and initiatives.

6 Curriculum Management

- Identifies curriculum needs.
- Maintains subject inventories, updated annually and orders curriculum materials.
- Assists staff to implement the national curriculum in school programmes.
- Supervises the delivery of the curriculum ensuring that the school timetable covers at

3/A

least the minimum hours allocated to each subject are allocated.

- Stores safely for reference all curriculum statements and examination prescriptions.

Section C Appraisal

See Annex

### VACANCY NOTICE

The Vanuatu Institute of Teacher Education Council is advertising the position of the Principal of the institute which will become vacant after 1st March 2003 when the current Principals contract ends. The Council informs the interested candidates that this is a Senior position which requires maturity and experienced professional. The Council is looking for a candidate who possesses the following criteria:

- has a degree from a recognised institution;
- an efficient administrator who has good managerial skills;
- be familiar with budget planning, policy maker;
- new policies initiators, has visions for the development of teacher training in Vanuatu;
- committed to improving the teacher training issues in vanuatu and the region;
- someone who has experience in a similar position;
- has good communication and written skills;
- is familiar with the Vanuatu system of education;
- is a good team leader and good role model for teachers.

Because the institute caters for trainee teachers who speak French and English, a bilingual candidate is a must.

If you think you possess the qualities outlined above, do submit your application with a detailed Curriculum Vitae with copies of your relevant degrees, diplomas and certificates with a letter of motivation (2 pages maximum) and at least two (2) referees for the Council reference to:

The Vanuatu Institute of Teacher Education Council  
PMB 9076  
PORT VILA

Your application must arrive not later than Tuesday 25th February 2003 at 4.30pm.

ATTN: THE DIRECTOR

Please fax to confirm if the advert is ok prior to printing. The cost is VT17,925 VAT incl.

Regards

Bryan

fax: 26865

# Annex V

## INTERVIEW NOTE

<b>Case Ref:</b>	1366-3091-IN25
<b>Date:</b>	9 July 2004

<b>Date of interview:</b>	1 July 2004
<b>Person interviewed:</b>	Etienne Warimavute
<b>Address:</b>	Curriculum Development Centre
<b>Phone:</b>	-
<b>Subject of interview:</b>	<b>WP on the Alleged Improper Appointment of Principal VITE</b>

*Mi no tingting blong kam taem mi risivim leta blong yufala from se panel we mifala i bin formem hemi mekem preselection, after TSC hemi no tekem into account ol recommendation blong mifala. Be blong talem nomo, olsem we yufala i save, i bin gat 2 panel. Wan ia nao we hemi hemia we mimi Jeaman blong hem. Mifala i usum wan fom blong Pablik Sevis. Hemia, Kaonsel hemi bin agri long hem se bae mifala i usum. So taem Kaonsel hemi appointem mifala four(?) I wok long hem, mifala i usum fom ia nao. And first panel, hemia ol memba blong Kaonsel nomo – ino evri wan.*

*Igat 6 memba blong Kaonsel we oli bin stap, Kanam Wilson, Ture Kailo, John Laan, Tom Kalo, Jules Bongnebu mo Etienne Warimavute.*

*Wan insaed ia nomo we hemi kam aotsaed, hemi Tom Kalo. Sipos no, ol narafala ia ol memba blong Kaonsel.*

*Recommendation we mifala i mekem, process blong hem hemi stret, hemi transparent enaf blong TSC hemi mekem appointment folem recommendation blong mifala. Long 24 Maj, mi wetem Wilson Kanam il finisim ol pepa wok mo submitim igo long komisen. Mifala i classifiem ol candidate ia, igat four. Igat John Arukelana (John Atkins), Jacques Gèdèon, John Tagaloabani, George Iapson.*

*Ol recommendation blong mifala i go olsem, se folem ol score we wanwan long olgeta i bin scorem long that taem, il placem John Arukelana hemi kam first. And afta, George Iapson hemi eligible candidate. Tufala ia nao, taem we mitufala i finisim pepa wok, mitufala i karem i go long Komisen, be afta Komisen hemi no akt long hem.*

*Hemia hemi brief presentation blong wok. Why nao Komisen hemi no akt long recommendation blong Kaonsel – hemi talem se hemi gat sam technical error long hem. Be ol technical error ia hemi no kam long mifala. Christopher, Chairman blong TSC hemi talem se wok blong mifala i stret fowod nomo, be mistake we hemi kam i se taem we mifala il stap redi blong prosessem ol interview, i bin kat tri leta (wan blong George Iapson we hemi komplem se text blong advertisement i talem se candidate we bae hemi karem hemi mas be bilingual) – hemia hemi technical error we Komisen hemi talem, maet wan long hemia. Be blong tok smol blong poen ia blong advertisement, mifala i askem smol long Principal, Jacques Gèdèon i preparem text ia after submitim ikam bagegen long Kaonsel, blong Kaonsel I lukluk long hem, i modifyem, jenisim sam samting before igo publishim long Newspaper. Wanem we hemi happen, taem Jacques Gedeon hemi preparem text ia finis, hemi putum direct igo long Newspaper. Mifala i sek nomo long taem blong wan long ol miting blong mifala se wan long mifala il talemaot se 'be advertisement i kam aot finis, i no pass tru long yumi'.*

*Ating hemia hemi wan samting we George Iapson i talem se taem yumi tok baot language hemi Discrimination. Maet hemia nao wan long ol technical error. Mi no save se wanem stret nao TSC i minim by technical error.*

*Allez narafala poen se Jacques Gèdèon i raetem leta i talem se panel i no gat ekwal namba blong Francophone mo Anglophone. Hemia hemi tru, ino gat ekwal namba. Be mitufala two Francophone – the only two Francophone we i gat insaed long Kaonsel. Mi no kaontem Jacques Gèdèon.*



Ol narafala tri ia, Ture, Wilson Kanam, mo John Laan olgeta ol Anglophone. Law hemi talem hemi stret.

Blong kam bak long poen blong Chris se technical error ia hemi kam long mifala, no, i no kam long mifala. From wok we mifala i mekem hemi stret fowod nomo.

Wan narafala poen tu from wanem mifala i recommended nem blong John Arukelana wetem George Iapson, reason hemia nao se wok we mitufala wetem Wilson Kanam i mekem, mitufala i go tru long wanwan fael blong ol wanwan applicant long TSC. Jacques Gedeon il gat kes blong hem i stap – ating misuse blong mane long Lycée. Afta, John Tagaloabani, hemi tu i bin gat wan kes we oli suspendem hem long sam taem long tijing. Be tufala narafala ia, kes blong tufala i gud. Hemia hemi wan element we hemi helpem mifala blong recommendem nem blong tufala ia. Be main samting we i mekem se mifala i recommended ol names ia, hemi ol marks blong tufala. Tufala i scorem ol high marks so that's why mifala i putum tufala long ples ia.

Long saed blong second panel, mifala i no insaed, be mifala i lukluk nomo. Taem we panel i finis, i sendem recommendation blong hem direct i go long Komisen. I sapos blong i go fastaem blong Kaonsel i apruvum then Kaonsel i sendem bak igo long olgeta oli endorsem blong mekem appointment.

Hemia hemi wan mistake finis we i kamaot long narafala panel.

Narafala samting tu we I nid blong lukluk long hem, olsem we mifala I mentionem long leta long ples ia, se taem we oli finalisem Kaonsel blong skul, ol nem candidate, Jacques Gèdèon hemi no insaed.

Kaonsel hemi finalisem, nem blong Jacques Gèdèon hemi nogat. Olsem yufala i talem long ples ia il stret – long leta blong 11 July 2003.

Long 21 July, Christopher i raet long John Laan blong talem long hem blong i ademap nem blong Jacques Gèdèon – be Kaonsel hemi approvum ol nem blong candidate finis. So hemia mi luk se, Christ i tekem paoa blong hem ia long wea blong handem nem blong Jacques Gèdèon? From se sipos mi kam long Akt blong Teachers' College, hemi talem i klia se

Functions of the Council – hemi kat paoa blong mekem recommendation blong Principal or Deputy Principal. Be hemi no talem se Komisen or Sekreteri blong Komisen hemi kat paoa blong rekomendem nem. Kaonsel hemi rekomendem ol nem finis long 11 July, and Chris i askem long John Laan blong i ademap nem bong Jacques Gèdèon, hemi brekem Akt blong Teachers' College.

Wan narafala poen blong ademap se posisen ia, long lukluk blong mifala, Jacques Gèdèon i faet from posisen ia. That's why taem ol application hemi stap long process blong interview, Jacques hemi stap mekem ol leta igo antap, fes leta, second leta...that's why hemi slowem daon ol wok blong mifala. Taem we mitufala i submitim samting ia igo, Chris ating hemi tekem ol leta ia oli serious blong Komisen i lukluk long ol leta blong Jacques mo George Iapson. Allez i stap i stap gogo mifala i sek nomo oli talem se no bae yufala i readvertisem posisen.

Mifala i readvertisem posisen, olgeta long panel oli usum text we mifala i bin preparem second taem. Advertisement igo, ol man oli apply, oli mekem interview, ating oli shortlistim 4 man, afta oli eliminatem Mrs Celine, tri nomo i stap. Jacques Gèdèon, John Atkins, mo ating Andrea Hinge.

Be long wok blong second panel, mi bae mi no toktok tumas. Be mi wantem mekem nomo il klia se wok blong mifala we ibin mekem (first panel), hemi no wan samting we hemi no gat politik insaed. Hemi wan samting we hemi fea nomo. Decision blong mifala i submitim long 24 Maj 2003. Afta i stap nao blong Komisen il mekem apoenmen, be hemi no happen olsem. From bifo we mitufala wetem Kanam il go, mi raetem wan leta. Hemia nao mi talem se "Lettre d'accompagnement des resultants des interviews des candidates au poste de principal" we il talem se

Le Conseil Directeur de l'IFEV a le plaisir de vous faire connaître les points suivants: Les processus de l'interview de candidates au poste de principal suivi par le Conseil Directeur de l'IFEV est celui de la Fonction Publique.

Afta hemia mi talem se

Nous vous soumettons les resultants de celle-ci., ainsi que les recommandations du Conseil Directeur de l'IFEV, pour une deliberation de votre Commission.

*So i luk olsem se, mi no save, ating i gat wan indifference samples long sam pipol o sam grup. Wok blong mifala fastaem ia hemi klia, hemi stret. Hemia nao il stap long Komisen blong i talemaot wanem. Be olsem long toktok blong mi wetem Kanam, wok we mitufala i producem, hemi independent, olsem mi talem finis.*

*Ating hemia nomo blong talem blong yu.*

*Mi redi eni taem sipos yufala i wantem blong mi kam bak.*

**Vanuatu Institute of Teacher Education (VITE)**

PMB 9076  
Kawenu,  
Port Vila  
Republic of Vanuatu

5<sup>th</sup> July 2004

Mr. Hannington Alatoa  
Ombudsman  
Ombudsman Office  
PMB 028

Dear Sir,

Thank you for the opportunity to express my views regarding the "alleged improper appointment of the Principal of VITE".

I believe the process went wrong when the Principal Mr. Jacques Gedeon was appointed by the former Minister of Education to be acting Principal when his first contract ended. This was because he was one of the applicants and at the same time acting as VITE Council Secretary handing the selection process. This situation created what I see as a conflict of interest though I don't blame Mr. Gedeon for it. This may have been the cause of the direct submission of interview results to the Teaching Service Commission (TSC) by the interview panel headed by Mr. Bill Willie instead of sending it to the VITE Council. I feel the Deputy Principal Mr. Eric Natouivi should have been appointed acting Principal leaving Mr. Gedeon, as an applicant, free from all administrative responsibilities awaiting the decision of the VITE Council and TSC.

As an applicant I was rather under stress, not because I wanted to take the post, but because I believe anyone who takes over must not go into the office empty handed - he/she must prepare. I felt that I could only relax once I'm informed of the results. But I sensed that something was wrong when the TSC was taking so long to make its decision, even to come out and tell applicants what was wrong or whether or not they were successful. I feel that advertising the post three times and taking about a year to appoint a principal for VITE reflects an uncaring attitude towards the urgent needs of VITE to reorganise and upgrade so that it can function as a tertiary institution and, perhaps most important, to fully implement the VITE Act of 2001.

I was indeed disappointed with TSC after going through the lengthy process because it was not taking the situation at the Institute at that time seriously, secondly it did not bother to inform the applicants about their status at that time and, thirdly, it was delaying the proper functioning of the Council. I am not blaming the VITE Council, rather I wish to point out that its (VITE Council) work was hindered by the fact that the Secretary (the Principal of the Institute) was one of the applicants and I believe he was experiencing difficulty in handling the process. This left the Council in a very difficult and frustrating situation because the Council was not meeting to carry out its function.

2/A.

After waiting for so long to hear results, I was finally advised through phone towards the end of November 2003 by the Secretary of the TSC of the outcome of the interview panel and that Mr. Jacques Gedeon was re-appointed. I was hoping that the Commission would advise me in writing but this did not happen.

I wrote to the TSC on 8<sup>th</sup> December and raised a number of issues because I believed that the procedures leading to the re-appointment of the former Principal, in some areas, were not transparent and inconsistent with the VITE Act of 2001. I was disappointed that since April 2003 (end of former principal's contract) when the post was first advertised, the TSC was unable to get things right.

I raised the following:

1. It is alleged that one member of the interview panel (the Principal of Lycee) was not selected by the VITE Council.
2. According to the VITE Act of 2001, Sections 22 and 25, the TSC makes the appointment of the Principal upon **recommendation by the VITE Council**. I understand this process has not been followed.
3. The appointment of the former Principal is a re-appointment. It was therefore unfair that the interview panel and TSC to treat all the applicant at the same level. Mr. Gedeon's interview should have been based on different or additional criteria since he was acting Principal or on the job at the time of the interview. This means his re-appointment should have been based on credible reports such as the audit of the Institute accounts (annual), Performance /Appraisal report (by Council?) etc. I stressed that fact that if such reports were not available at the time of the interview, TSC should have these put together before an appointment (or re-appointment) was done.
4. The interview panel and the TSC overlooked the very fact that the Institute was looking for a 'teacher educator'. The advertisement heading said 'ARE YOU AN OUTSTANDING EDUCATOR?' To me, the re-appointment did not meet this overall aim, including a number of criteria as advertised in Port Vila Press, issue no. 129 of 14/06/03:

I have nothing personally against the Principal (Mr. Jacques Gedeon) but I am concerned with the process leading to the appointment which has implications for the future of the Institute.

I believe the TSC was (and is) well informed of the needs and situation of the Institute and the VITE Act of 2001 but purposely ignored the procedures.

Given the above points, I considered the decision of TSC to be null and void. I requested that the situation be rectified immediately by the TSC at its earliest convenience following proper procedures and observing the criteria advertised. I further requested that the Commission inform me of what actions it would take by 17<sup>th</sup> December 2003. Should the Commission fail to response, I would seek legal redress.

My letter was copied to the following people:

- The Chairman of TSC
- Members of TSC
- The Chairman, VITE Council.
- Teaching Staff Representative, VITE Council
- The Director General of Education
- The Director of VIOE

There was no reply from TSC or even comments from others who were sent copies of the letter. In February 2004, the Director General of Education intervened and requested that the matter be settled at the Department of Education level. On 9<sup>th</sup> February 2004 John Tanga and myself were asked to meet the Director General of Education and the General Secretary of TSC. During that meeting we (John Tanga and John Atkins Arukelana) pointed out that we believe certain sections of the Act of VITE were breeched by TSC as we pointed out in our letter to TSC in December in 2003. What we were requesting was that TSC justify, whether or not its decision and the whole process leading to the appointment of the Principal was legal (in line with VITE Act).

During the above meeting the DG, having realised the need to rectify the situation, instructed the TSC to urgently look in the matter. Our understanding was that TSC would act quickly before end of February 2004. Unfortunately, little happened since then.

On 1<sup>st</sup> June 2004 I wrote to the DG of Education to follow up our (John Atkins Arukelana, John Tangalobani, TSC Secretary and the Director General) discussion on the above matter ~~because~~ because I believe that we cannot continue breeching laws, especially the VITE Act. Copy of my letter is attached for your information. I have not heard anything yet but we (John Tanga and myself) are in the process of seeking legal redress.

I shall be available for further deliberation on the matter, should there be a need to so, at VITE.

Yours sincerely,



John A Arukelana  
(applicant)

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*PS: I wish to request that the information on strengths and weaknesses of applicants on third last sheet of the working paper be removed. I consider this as confidential. In addition, I disagree with some of the information provided - inaccurate and dispiriting.*

*attached.*

**Vanuatu Institute of Teacher Education (VITE)**  
PMB 9076  
Kawenu, Port Vila

1<sup>st</sup> June 2004

Mr. Abel Nako  
Director General of Education  
Department of Education  
Port Vila

Dear Sir,

**RE: APOINTMENT PROCESS OF PRINCIPAL OF VITE**

I write to follow up our (John Atkins Arukelana, John Tangalobani, TSC Secretary and the Director General) discussion on the above matter on Monday 9<sup>th</sup> February following our (John Atkins Arukelana, John Tangalobani) letters that we wrote late last year to the Teaching Service Commission. In our letter, we raised a number of concerns regarding the selection and appointment process of the Principal of VITE by the Teaching Service Commission (and the VITE Council) which we regard as a breach of the VITE Act.

We intended to seek legal redress in February 2004 when TSC failed to response to our concerns within the period given , however, we did not make further move following your advice to settle the matter within the Department of Education (outside the court). It is now over three months. We received a couple of verbal advices from the Secretary that TCS is working on it but it seems nothing has progressed further despite the urgent need, according to our discussion on 9<sup>th</sup> February in your office, for the TSC to look into the matter.

Why is it taking so long in responding to the issues we raised in our letters (John Atkins Arukelana, letter dated 8<sup>th</sup> December; John Tangalobani, letter dated )? We are requesting that TSC justify WHY the selection and appointment processes of the Principal of VITE in 2003 was NOT inline with the Act of VITE. We strongly believe that we cannot go on breaching procedures laid out by the Act.

Are there any other ways or avenues that your office could speed up the process for the benefit of the Institute? If TSC is unable to deal with the case, we will be very much willing, since we have initiated the move in February, to seek legal advice.

We look forward to hear from your Office by Tuesday 15<sup>th</sup> June. If we do not receive a favourable answer by 4.30pm, we'll take the case to our solicitor on Wednesday 16<sup>th</sup> June for legal redress.

Yours sincerely

John Atkins Arukelana

Cc: John Tangalobani

# Annex X

## INTERVIEW NOTE

Case Ref:	2695-3091-IN25
Date:	22 March 2005

Date of interview:	22 March 2005
Persons interviewed:	Etienne Warimavute & Kanam Wilson
Address:	Curriculum Development Centre & PSC
Phone:	-
Subject of interview:	Re-issued Working Paper on the Alleged Improper Appointment of the Principal VITE

Mr Wilson and Mr Warimavute wanted to submit their responses to the Working Paper together. Mr Wilson first commented that the working paper is good but he would like to add a few comments as follows:

p.8, Section 7.5.1, the Ombudsman talks about the selection panel's conduct. Even though it is stressed in the heading that the reference is being made to the Second selection panel, it would be good to reword this sentence. Please add "second" beside "selection panel".

The same also applies to Section 7.5.5 of the report where there is mention of the selection panel.

For Annex B, it would be good to put a heading on it as the "first advertisement" so that readers are aware of it. Also, for Annex F, it should be labelled as the "second advertisement".

For Annex J, Mr Gédéon wrote to the second panel members inviting them to convene their meeting. In Mr Wilson's view, Mr Gédéon should not be the one to write to the panel members as he himself is an applicant. If he does write, he should write on behalf of the Council, and not himself because then it seems that he has a conflict of interest in the matter.

For Annex T, third page, second to last paragraph, after the word "*nonsense*", please add:

*The technical problem posed by the TSC is unfounded as when the first selection panel decided to follow the PSC's procedures of recruitment, the PSC's policy is more geared towards gender equity and not the language balance in a selection panel. Further, if the TSC also believed that the applicant had to be bilingual, then the question remains as to why they did not appoint the eligible candidate after Mr Arukelana, which was Mr lapson. Mr lapson is bilingual.*

Mr Warimavute commented about Annex V. He wanted his interview edited particularly when he mentions the Council members present at the time of the meeting to shortlist applicants. He stressed that there were six Council members present at the time of the selection process: Kanam Wilson, Ture Kailo, John Laan, Tom Kalo, Jules Bongnebu and Etienne Warimavute.

# Annex Y

**GOUVERNEMENT DE LA  
REPUPLIQUE DE VANUATU**

**COMMISSION DE LA  
FONCTION PUBLIQUE**

**Sac Postal Privé 9017, PORT VILA  
Tel: 25090/23337  
Fax: 26381**



**GOVERNMENT OF THE  
REPUBLIC OF VANUATU**

**PUBLIC SERVICE  
COMMISSION**

**Private Mail Bag 9017, PORT VILA  
Tel: 25090/23337  
Fax: 26381**

*Toutes correspondences doivent être adressées au SECRETAIRE, Commission de la Fonction Publique.  
All correspondences should be addressed to the SECRETARY, Office of the Public Service Commission.*

21 March 2005

Ref.omb.49.1

**Iolu Abbil  
Acting Ombudsman  
Office of The Ombudsman  
Private Mail Bag 9081  
PORT VILA**

Dear Sir,

**RE: WORKING PAPER ON THE ALLEGED IMPROPER APPOINTMENT OF THE  
PRINCIPAL VITE**

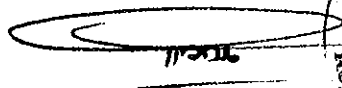
I refer to your letter reference 2643-3091-L251bw dated 18<sup>th</sup> March 2005.

When receiving the letter of my appointment as a member of the second panel by the Acting Chairman of VITE Council I was of the opinion that the requirement of the Vanuatu Institute of Teaching Education Act was adhered to.

It was an oversight that our original submission was sent direct to the Secretary, Teaching Service Commission (TSC), however the copy of the same was sent to Acting Chairman – VITE.

In normal circumstances as in the Public Service Commission are doing the original submission should have been return to VITE Council by the TSC to comply with the Act. It is also surprising that TSC has not ratified the situation and in my view they should be accountable of their illegal action since it is now a public knowledge that their appointment of VITE Principle is illegal. This includes the Secretary of their Commission.

Yours faithfully,

  
**BILL WILLIE  
DEPUTY SECRETARY  
PUBLIC SERVICE COMMISSION**

