

Uganda Private Teachers' Union (UPTU)

Presentation of Teachers' thoughts relating to **the National Teachers Bill 2024**
to the Parliamentary Committee of Education and Sports

3rd October 2024

1.0 Background

The 2017 Education Abstract by MoES EMIS provides for 207,238 teachers in Uganda; 78,220 of whom are from private schools representing 38% and 129,018 from government institutions at 62%. (Source **Table 4.9: Education Abstract 2017**). Over the years the stated figures have drastically changed by the rapid development of private education sector and by 2020, estimates indicated a 50:50 proportional ratio of private to government school teachers out of the overall estimated 320,000 teachers in the country.

The above numbers confirms the significance of the private education sector and the role of private schools teachers in Uganda education system and therefore reaffirms the great importance for adequate consideration of concerns for private sector players in regulating and legislating for teaching space in our country.

Honorable chair and Honorable members, Uganda Private Teachers Union (UPTU) and our federation the National Organisation of Trade Unions (NOTU) are honored for the invitation you extended to us.

We have so far read **The National Teachers Bill 2024** and we take note of the gap and defects that are highlighted therein including issues of; teacher absenteeism/ attrition and now early retirement, ineffective teaching, low qualification and lack of standards for teachers, unethical behaviours among others. We also keenly reviewed the objects of the bill and the other sections thereof, we however take deep exceptions that the proposals of the bill in their form do not directly address the gaps identified but instead may aggravate the problems as you may observe from some of the clauses reviewed below.

Part two;

2.0 Some of the considered provisions of the bill

Item 2 under the memorandum about; the Defects and gaps in the existing law; The bill highlights some of the challenges in the education sector such as; absenteeism, low qualifications, limited professional development for teachers among others

As UPTU we believe that the movers should also reflect on the increasing challenges of teachers' attrition across all education sectors, for example in the private sector, public primary and public secondary (Arts) sectors, teachers are fleeing the service due to the mockery payments yet even the secondary science categories are resorting to early retirement in order to do their private business while enjoying the retirement package which is way above the pay for a serving counter part in the other earlier stated categories.

Media records indicate increasing applications for early retirements of teachers across the different districts of Uganda

The above notwithstanding, proposed solutions to the fore mentioned gaps do not directly address the core teachers problem of welfare in terms of fair/ commensurate and equal pay for the services rendered.

Section 3 of the bill on objectives except for subsection (f) covers areas that are already provided for by other laws and statutory instruments for example the teacher code of conduct, the Education Act, the various guidelines that have been issued from time to time.

Sub section 3(f) establishing a **National Teachers Council** is the only new thing but with roles that are already catered for by other existing institutions such the Education Standards Agency, Education Service Commission, Teacher Department at the ministry and others. This council only seeks to create job vacancies for some individuals but have no peculiar justification as it seeks to supplant functions (legislation on an already covered scope causing undue overlap).

Sections 10 and 11 of the bill on Collaboration with National Council for Higher Education and Powers of the Council respectively, reaffirms the fact that the proposed council has no peculiar role except supplanted functions - repeating and or overtaking from other entities such as NCHE, ESC, ESA. This is glaring in S.10 (2) and (3), S. 11 (C) and other provisions.

In our view the council is doing no new fundamental function except to create job vacancies for a few individuals and increasing on the already overwhelming cost of education that is nearly making it prohibitive for children from low income backgrounds.

(take note that on average, good government schools charge between 1500,000/- - 3.,500,000/- termly which is way too high for most average families)

Section 27 on Registration of teachers particularly S. 27 (3) and (4) proposes that the council may require a teacher to do a competence pre-test(s) before registration! This shall be to legalize the infamous act by **Nakaseke district** chairperson one **Ignasius Kiwanuka Koomu** who was subjecting qualified teachers to competence tests, as UPTU we are vehemently opposed to it.

In fact considering teachers as a soft target and punching bag for reckless requirements MUST STOP as we cannot tolerate that a qualified teacher from an accredited training institution is again examined by a body whose core role is not explicitly to undertake competence examinations instead whatever may be tested at this stage should be included in the teacher training packages and upon passing, a teacher should be registered automatically

Section 28 on Eligibility particularly S. 28 (1) (a) requires a teacher to possess a degree in Education. While as the requirement for a degree is already in the 2019 National Teachers Policy which was less consultative,

- i. Graduates with other disciplines such as BA (Arts), BA(Sciences) with PGDE will automatically be disqualified as the provision of the bill is very specific with a degree in Education and this will disqualify a substantive number of teachers a view we consider very unwarranted!
- ii. In practical terms it is unproven and perhaps it is unnecessary to require a nursery teacher to possess a degree instead they require more ECD skills as until now no clear nursery education curriculum has been put by the ministry except for the learning framework which is still on experimental version.

- iii. Further considering the deplorable working conditions and especially the salary levels of most teachers in private schools - it is practically impossible to assume that they may conveniently acquire the degree qualification required except when issues of their welfare and particularly salary levels is well answered to. Accordingly the government should start with seconding salaries for private teachers to build their abilities to attain the requirements - otherwise this is exclusively intended to exclude the low paid teachers from the teaching career.

Section 30 on Issuance of certificate of registration

S.30(1) and (2) seem to propose that the council shall set own qualification criteria for one to be registered as a teacher, this is equivalent to vetting the university qualifications processes and is unwarranted therefore would be expunged in case this bill continue to stand otherwise the best option is to throw the whole bill away.

As a union, we strongly believe that upon acquisition of a teacher qualification(s) from a recognised institution, when a person applies to register – the certificate should be automatically issued only with exceptions only on ethical considerations.

Sections 31 on Cancellation of certificate of registration and S.31 (3) in particular is a punitive clause that we urge the Members of Parliament to keenly consider as the approach of coercion can not be the most appropriate means to improve teachers' efficiency!

The fine **under S. 31(3) of the two hundred fifty currency points and or imprisonment of 5 years** and the other sanctions **under S. 33(3) on practicing license** of one hundred currency points and or imprisonment four years are only punitive clauses yet the whole bill has no single provisions for the well-being of a teacher.

Such pessimistic legislation kills the public attraction to the teaching profession and should be avoided after all such sanctions are well provided for under the public service standing orders, appointing instruments, teachers code of conduct, collective bargaining agreements and other legislations such as the penal code among others.

It is important to note that presently the country lacks the required number of teachers as illustrated in the table below;

Table showing approved and Existing numbers of teachers in public schools (Source Ministry of public service)

School level	Approved staff	Existing Staff	Deficit
Primary Level	172,531	138,008	34,523
Secondary Level	82,782	35,950	46,842

Accordingly the individuals bridging the gaps can not be reprimanded severely for their voluntary and supplementary role INSTEAD they should be appreciated through a better reward system.

On Section 34 about Application for practicing license; it is proposed under S.34 (1) that application for a license is upon payment of a prescribed fee.

Section 36(3) under issuance of a practicing license proposes that the license shall be valid for a period of four years from the date of issue. These unfortunate clauses are slapping another extra tax on the already taxed and yet very miserable salaries for teachers.

In fact UPTU wishes to know from you honorable members what exactly is the intention for this covert tax upon teachers and what has the parliament done to improve the well-being of the teachers?

Part three;

3.0 General observations, recommendations and conclusion

3.1 General Observations;

From our keen review of the proposals of the bill we observe that;

- a) This bill is typically blind of the educational scope in Uganda, deeply insensitive of the up-country teaching environment that is characterised by lack of teachers, poor and or no existing teaching facilities and other key enablers of effective teaching.
- b) Further the proposals of the bill are indifferent to the dynamics in the private teaching sector **(Which we have already highlighted as a very critical player in the education service)**. The larger proportion of the private Sector especially in the rural districts and upcountry schools are characterised with very miserable salary payment levels some times ranging between 100,000/- to 250,000/- per month and yet is commonly delayed and or completely defaulted!

In one of UPTU exercises in Namutumba district, we faced a case of a male teacher whose school had defaulted payments of two consecutive terms at a rate of 80,000/- per month!!, we have further gotten testimonies that many teachers in Kumi private Schools earn between 50,000/- to 150,000/- per month in salaries and these scenarios are common in many other village districts of Uganda.

- c) The bill by its proposals **does not address any particular new issues except it supplants roles already provided for in other laws** such as the education Act 2008, the Universities and other Tertiary Institutions Act 2001. In fact this bill only seems to create job spaces for some few people under its proposed **National teachers council**, which in itself defeats the government efforts of rationalising agencies and the need for affordable quality education - because it will eventually translate into a cost addition to the education service!!!
- d) We accordingly take note that this bill only intends to edge out a vast number of teachers from the profession and also to collapse all the ordinary/ rural ' schools in private sector a result of which the entire education sector shall eventually be collapsed!

3.2 Our Recommendations

On basis of the above observations, Uganda private teachers union and the teachers in the private sector recommends;

That upon the analysis and observations made above and on consideration of our union that the pillars upon which this bill is proposed are grossly faulty and collapsing and that the bill fundamentally loses its basis, we recommend that it is **WITHDRAWN**

That this committee advises the ministry of Education and Sports to undertake deliberate consultations with key stakeholders including UPTU in identifying sector priorities that then may form basis for regulations and legislating for teachers and the education sector at large.

The parliament and other regulators of education sector considers as a matter of urgency to address the welfare concerns of teachers in the country by harmonising salaries, enhancing salaries especially for the primary school teachers and safe guarding against excessive exploitations in many private schools (a declaration of a minimum wage in private schools is long overdue) .

Further we recommend that the government starts with secondment of all teachers in private schools by paying a monthly minimum salary that their respective schools may top up and that this minimum secondment pay may vary based on teachers' qualification levels. This will naturally attract upgrading among the teachers.

3.3 Conclusion

In conclusion UPTU appreciates the need for teachers' professional development, the desires to effectively regulate teaching space including regulating teachers' conduct among others however we pray for proactive and practical approaches in addressing the gaps. The proposals under the National Teachers Bill 2024 do not help us at all in bridging the gaps instead it creates unnecessary stringent requirements for the teaching profession and this risks the country from adverse lack of professional teachers in near future!

Accordingly our union desire that an educational consultation be undertaken to collectively identify sector priorities that then may inform the basis for any desired law(s).

Signed

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General Secretary