

Manyame Rural District Council (Schools Administration) By-laws, 2023

ARRANGEMENT OF SECTIONS

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IT is hereby notified that the Minister of Local Government and Public Works, has in terms of section 90 of the Rural Councils Act [*Chapter 29:13*] approved the following by-laws made by Manyame Rural District Council: -

Title

1. These regulations may be cited as the Manyame Rural District Council (Schools Administration) By-laws, 2023.

Application

2. This by-law shall apply to all areas under the jurisdiction of Manyame Rural District Council

This by-law shall apply within Manyame Rural District Council area of jurisdiction and any local government area in the administration, control and management of which is vested in Manyame Rural District Council.

3. Preamble

This by-law is the guiding framework upon which all matters to do with administration of schools shall be managed. The by-law also guides and assists in the process of establishment of a school by individuals, organisation and or community.

4. Interpretation

- 4.1 “Committee”- refers to the committee responsible for the administration of schools
- 4.2 “Council”- refers to the Manyame Rural District Council
- 4.2 “Council School” – a school administered and controlled by Council

4.3 “District”- refers to Manyame Rural District Council area of jurisdiction

4.3 “Executive”- refers to the management team of council headed by the Chief Executive Officer

4.4 “Government School” – a School administered and controlled by the Ministry responsible for primary and secondary education.

4.5 “Private, Trust and Church run institutions” – a School which is not owned by government or council.

4.6 “Responsible Authority” – this is an individual or organisation responsible for the establishment, management and operation of a school.

4.7 “School”– refers to the infrastructure established for the purpose of education learning. establishment, management and operation of a school.

5. Establishment of a school

To establish the Council School the following procedures shall be followed:

- i) The ward concerned shall hold a ward meeting on the need for the school and propose three sites.
- ii) The ward concerned to submit the request to establish the school together with minutes of the meeting and attendance register of the people who attended the meeting to Council through the Ward Councillor.
- iii) Council shall hold a consultation meeting with concerned ward residents to verify the need for a school or college.
- iv) The request to establish a school shall be presented to the committee for recommendation then to Council for resolution to establish the school.
- v) Council together with other key stakeholders which include Ministry responsible for primary and secondary education, Ministry responsible for health and child care, Department responsible for physical planning and Ministry responsible for lands and rural resettlement site visit and peg the school stand. The Department responsible for physical planning shall produce the plan for the school. The District Planner shall coordinate the process.
- vi) The community shall mobilise locally available resources.
- vii).Council shall provide a plan for the classroom blocks and staff houses
- viii).The Ward Councillor shall invite Council and the Ministry to inspect every stage on the construction of the classroom blocks and staff houses.
- viii).Council shall provide assistance as it sees fit.
- x). Council shall process registration of the school in collaboration with the Ministry.
- xi). The School shall be commissioned on completion.

5.2 To establish a Private, Trust and Church run institution the following procedures shall be followed:

- i).The individual or organisation shall secure a school stand from Council or Ministry of Lands and Rural Resettlement. Council shall verify the land status.

- ii). The individual or organisation shall come up with the plan for the school which **must** be approved by Council and the Ministry responsible for health and child care.
- iii). The individual or organisation shall mobilise required resources and establish the school.
- iv). The owner of the school shall invite Council and the Ministry to inspect every stage on the construction of the classroom blocks and staff houses.
- v). The school shall be inspected by the Ministry responsible for health and child care
- vi). The owner shall process registration of the school with the Ministry.
- vii). The school shall operate only after registration with the Ministry.
- viii). The School shall pay a yearly license before 31 January every year for it to operate.

5.3 To establish a Government school the following procedures shall be followed:

- i). The ward concerned shall hold a ward meeting on the need for the government school and propose three sites.
- ii). The ward concerned shall submit the request to establish the government school together with minutes of the meeting and attendance register of the people who attended the meeting to Council through the Ward Councillor.
- iii). Council shall hold a consultation meeting with concerned ward residents to verify the need for a government school or college.
- iv). The request to establish a government school shall be presented to the committee for recommendation then to Council for resolution to establish the school.
- v). The Government shall secure a school stand from Council or Ministry responsible for lands and rural resettlement.
- vi). The Government shall use an approved plan to construct the school.
- vii). The Government and the community shall mobilise required resources and establish the school.
- viii). The Council and the Ministry shall inspect every stage on the construction of the classroom blocks and staff houses.
- viii). The school shall be inspected by the Ministry responsible for health and child care.

6. Management of schools

To manage a Council School:-

- i). The authority to construct anything shall be approved by Council.
- ii). All School boundaries shall be marked and fenced.
- iii). The school shall be insured.
- iv). Asset registers shall be in place and updated quarterly.
- v). School Development Committee (SDC) meeting minutes shall be forwarded to Council.
- vi). The school proposed budget shall be sent to the Ministry for approval, and **copied to Council.**
- vii). The school shall produce quarterly and annual reports and submit copies to Council.
- viii). All Schools shall embrace Information Communication Technology (ICT).

- ix). Proposed development plan shall be forwarded to Council not later than 30 October each year.
- x). The school shall open a bank account.
- xi) Employment of school staff shall be in accordance with the Labour Act and relevant National Employment Council (NEC) regulations.
- xii) Procurement of goods, works and services shall be in accordance with the Public Procurement and Disposal of Public Assets Act [Chapter 22:13].
- xiii) Council schools shall be headed by Heads and Deputy Heads recommended by Council.

6.2 In the management of Private, Trust and Church run institutions:-

- i) The responsible authority is the individual or organisation
- ii). All Private, Trust and Church run institutions shall pay licence fee on a termly basis to council
- iii). Council shall monitor the operation of the Private, Trust and Church run institutions and it shall close all illegal schools in partnership with the Ministry responsible for education and health and child care.

6.3 In the management of Government Schools:-

- i). The responsible authority is the Government
- ii) All schools shall be insured in case of disasters.
- iii) All schools shall have school boundaries, fenced and have sign posts
- iv) All schools shall apply for increment of fees from the Ministry.

7. Auditing of Council Schools

7.1) The school shall be audited yearly and submit the report to Council.

7.2) All Council schools shall be audited annually by the Auditor General or Appointee and a report shall be submitted to Council.

7.3) The Council Internal Auditor or Official responsible for Social Services shall audit Council schools.

7.4) The Council Schools shall submit audited financial statements annually.

8. Offences and penalties

Any school that contravenes any section of this by-law shall be guilty of an offense and liable to a fine as prescribed in the council budget or to prosecution, or to both such fine and prosecution.