Nepal Education Sector Local Education Group Memorandum of Understanding for the School Sector Development Plan (2016-2023)

1. Background

The Sector Wide Approach (SWAp) has been introduced as the implementation model of the Education Sector Plans at the start of the Education For All (EFA) programme in 2004, which was succeeded by the School Sector Reform Programme (SSRP) in 2009, followed recently by the School Sector Development Programme (SSDP) in 2016. Nepal has been implementing the previous education sector plans through a SWAp, which has been fulfilling the role as Local Education Group (LEG) in Nepal. The LEG members, with representation from Government of Nepal (GoN), Development Partners (DPs), I/NGOs, and CSO platforms and representatives, meet periodically under MOE leadership to jointly review and consult important aspects of the education strategy and coordinate joint support to the strategy, programs and activities, including implementation of the education sector plans. LEG members have been considered key participants in all semi-annual and quarterly reviews and consultations of the previous ESP, the School Sector Reform Program (SSRP). The Government, DP and CSO members of the LEG meet regularly in joint technical groups to discuss and provide suggestions on key issues related to the program. Supported by the LEG, the Government of Nepal developed the School Sector Development Plan (SSDP) for the July 2016 to July 2023 period to continue its efforts to ensure equitable access to quality education for all. Based on this seven-year plan, an implementation programme has been developed for the first five years (2016-2021). The SSDP was developed through a participatory process led by the Ministry of Education, and continuous consultation of the other members of the LEG as well as broader stakeholders of the Nepal education sector. The SSDP was developed in line with the country's vision of graduating from the status of a least developed country by 2022. Furthermore, the SSDP is considered an important vessel to enable Nepal in achieving the SDGs and to reach the goal of achieving the status of the level of the middle-income country by 2030. The main drivers of the plan's content have been the achievements, lessons learned and unfinished agenda from the preceding School Sector Reform Plan (SSRP) (2009–16), and the Education for All programme (2001–15).

2. Strategic Purpose

The overall strategic purpose of the Nepal LEG MoU is to acknowledge the strength of the SWAp consortium in terms of informing, reviewing and supporting policy, planning and implementation processes, as well to further institutionalize this and formalize its membership. Furthermore, this MoU further describes the joint mechanisms, such as the technical working groups, as well as the different roles and responsibilities within the LEG. The budget support committed by the Joint Financing Partners (JFPs) is harmonized through a Joint Financing Arrangement (JFA), which outlines the SSDP implementation review and arrangements and verification mechanisms for the support provided through both the fixed tranches, as well as the Disbursement Linked indicators (DLIs). The SSDP JFA is attached as annex 2. Recognizing the significant volume of the support to the SSDP that will be provided to Technical Assistance and Direct Funding (TA/DF),

in addition to the support committed through the JFA. As such, this Memorandum of Understanding (MoU) seeks to further strengthen the joint coordination and planning of this TA/DF against the identified needs and priorities under the SSDP. For this purpose, there will also be a common TA framework designed through which all TA/DF can be aligned against the SSDP objectives and priorities. The draft TA framework has been attached as annex 3.

3. Objectives

The Nepal LEG MoU has been developed in order to support further aid effectiveness and strengthen coordination within the Nepal school education sector. This in line with Nepal's commitment to the 2011 Busan agreement on effective Development Partner Cooperation and the 2014 Nepal Development Cooperation policy. The MoU has the objectives of strengthening the implementation of the SSDP through (i) specification of specific roles within the LEG, such as that of the DP focal point and co-focal point (see ToR attached as annex 1), (ii) specification of support modalities and joint mechanisms for review and consultation, and (iii) specification of the communication and dissemination of information beyond the scope of the LEG with other sub sectors within the education sector, as well as other sectors and cross sectoral and strategic fora, with the aim to:

1. Support government ownership and leadership for the implementation of the SSDP and to encourage strong government-led coordination of the LEG
2. Reduce the administrative burden on the GoN in their collaboration with multiple Development Partners to the sector and to streamline coordination and enhance transparency for effective implementation of the SSDP
3. Ensure that Development Partners' support is increasingly provided to the GoN in a predictable, harmonised and coordinated manner, minimising transaction costs for the GON and maintaining adequate assurance and support for effective aid delivery to the SSDP within the framework of the JFA and a common framework for TA/DF.
4. Contribute to and promote coordinated policy dialogue and technical support on strategic issues in education within MOE and across government, and between GON, the private sector and civil society.
5. Support the GoN to leverage additional support from current and potential Development Partners, including GPE.
6. Support the GoN to strengthen and optimize the systemic efforts for effective monitoring and evaluation as well as for strong financial and accountable governance mechanisms in the sector programme.

4. Nepal's Education Sector Development Partner Group

The Nepal LEG is composed of (i) Government of Nepal, (ii) Development Partners and (iii) Civil Society and stakeholder representatives. The scope of the Nepal LEG is aligned with that of the SSDP, which includes the school education sector, including non-formal education, literacy, school based technical and vocational education and pre-primary education. The details of these entities and their roles and responsibilities are stated below. A broad consortium was established under the EFA and SSRP SWAps, leading to the institutionalization of a Nepal Local Education Group (LEG), which has been formalized through this MoU. Within the LEG, the following types of members participate:

(i) Government, led by the Ministry of Education (MoE), including the Department of Education (DoE) and education sector Central Level Agencies (CLAs), and in collaboration with the National Planning Commission (NPC), Ministry of Finance (MoF), Office of the Auditor General

(OAG) and Financial Comptroller General Office (FCGO), as well as other line ministries on a need base.

(ii) Development Partners, consisting of:
   a. Joint Financing Partners (JFPs), being DPs that support the SSDP through budget support and subscribe through the Joint Financial Arrangement (JFA) of the SSDP. Currently, the JFPs are World Bank (WB), Asian Development Bank (ADB), European Union Delegation to Nepal (EUD), Embassy of Finland (Finland), Royal Norwegian Embassy (Norway), Japan International Cooperation Agency (JICA), Embassy of Australia (Australia), United Nations Children's Fund (UNICEF) and the Global Partnership for Education (GPE).
   b. Non-Joint Financing DPs, being key DPs that support the implementation of the SSDP through off-budget support. Currently, the non-joint financing DPs are the United States Agency for International Development (USAID), the World Food Programme (WFP), and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

(iii) Civil society representatives, consisting of:
   a. The Association of International Non-Governmental Organizations in Nepal (AIN) being a platform that over 29 members joined in its Education Working Group (AIN-EWG).
   b. Stakeholder representative, with the National Campaign for Education Nepal (NCE-N) – a national coalition NGO being an advocacy platform that bring together over 80 member organizations, including Government, INGOs, NGOs, teacher professional organizations, media, private sector representatives, etc.

The Development Partners and Civil Society representatives are jointly referred to as the Nepal Education Sector Development Partner Group (NESDPG) in this MoU.

a) (i) Government of Nepal

The GoN is represented in the Nepal LEG by the Ministry of Education and is composed of the Ministry of Education, the Department of Education and the Central Level Agencies (CLAs)[1] at the central and the Regional Education Directorates and District Education Offices at the regional/district level.

i. Roles and Responsibilities

The government is responsible for the development, implementation, monitoring and evaluation of the education sector plan, currently being the School Sector Development Plan (2016-2023), that promotes equitable access to quality education for all. The government is primarily accountable to its parliament and citizens, sharing the results of this accountability with the other members of the LEG.

The government:

a) implements the evidence-based education sector plan that has been developed based on broad consultation, is credible and of good quality, and is focused on equity, efficiency and learning;

b) ensures effective implementation of the education sector plan by creating, leading and utilizing effective and inclusive mechanisms for policy, strategy, and activity development, implementation, and monitoring based on reliable and disaggregated education sector data;

c) prioritizes sufficient and equitable domestic financing for education and ensures transparent reporting of budgets and expenditures;

[1] NCED, CDC, NFEC, ERO, STRO, OCE, ….

d) strengthens education management and information systems and prioritizes the compilation, use, and sharing of reliable and disaggregated education sector data, including on equity, efficiency, and learning outcomes;

e) leads effective and inclusive mechanisms for policy dialogue that allow for meaningful participation by stakeholders, including representatives from line ministries, civil society, teachers, private sector partners as relevant, and development partners;

b) (ii) Development Partners

i. Definition

Development Partners comprise local representatives from bilateral and multilateral development partners and other donors, (including private philanthropic foundations). In the Nepal LEG, the Development Partners (DPs) are represented by the DP focal and co-focal point (see ...) and are composed of (i) Joint Financing Partners (JFPs), and (ii) non-joint financing DPs.

ii. Roles and Responsibilities

Development Partners are expected to:

f) support the government's efforts to achieve SDG4 and SSDP goals and objectives;

g) through inclusive, government-led policy and monitoring dialogue mechanisms, provide meaningful and effective support to sector analysis and the development, implementation and monitoring of the education sector plan, bringing technical expertise, voice, innovation and experience to address the complex challenges of delivering education;

h) facilitate the independent appraisal of the developing country partner's education sector plan and participate in the discussion of appraisal results, actively working to help ensure the sector plan is, evidence-based, of good quality and focused on equity, efficiency, and learning outcomes;

i) based on the results of the appraisal of the education sector plan, endorse such plan and in doing so, confirm that the sector plan is of good quality and responds appropriately to needs and challenges of the education sector in the given context;

j) assist the government in mobilizing financing on a long-term and predictable basis to complement domestic financing to fund implementation of the endorsed education sector plan;

k) monitor and promote progress toward better harmonization and alignment of all financial and technical support to the education sector;

l) align philanthropy and program work with the needs and priorities of the education sector plan;

m) inform the government on annual funding commitments and actual disbursements as well as indicative rolling expenditure/implementation plans;

n) promote transparency and proactively share evidence and lessons learned;

c) (iii) Civil Society and Stakeholder Organizations

i. Definition

Civil Society comprise non-governmental organizations (including international and local CSOs, and representatives of the teaching profession).

Civil Society and Stakeholder organizations:

o) through inclusive, government-led policy and monitoring dialogue mechanisms, provide meaningful and effective support to the development, implementation and monitoring of the education sector plan;

p) participate in the discussion of the results of the independent appraisal of the developing country partner's education sector plan, actively working to help ensure it is evidence-based, of good quality and focused on equity, efficiency, and learning outcomes;

q) based on the results of the appraisal of the education sector plan, endorse it and in doing so, confirm that such plan is of good quality and responds appropriately to needs and challenges of the education sector in the given context;

r) promote transparency and proactively share evidence and lessons learned;

s) Support progress towards the SDG4 and SSDP Goals and Objectives through advocacy and dialogue on appropriate education policy and implementation with adequate financing as well as oversight and accountability mechanisms;

t) ensure that broad and representative voices are brought into the discussions regarding the development, implementation and monitoring of the education sector plan;

u) engage in policy dialogue with a view to strengthen domestic policy and accountability gaps;

v) strengthen their internal coordination and dissemination mechanisms in order to represent a consolidated voice of the members within their network in policy and planning processes; and

w) align program work with the needs and priorities of the education sector plan;

5. Joint review and consultation of SSDP

The Nepal LEG members participate in joint reviews and consultations of the annual implementation of the education sector plans, as well as participates in mid-term and end-term reviews of these plans. As per the JFA, there are two major meetings each year for joint review of the progress made against the SSDP targets and indicators, where the MOE will invite the JFPs supported by other NESDPG members for semi-annual reviews/consultations in March (Budget Review Meeting) and November (Joint Review Meeting) each year to review progress in implementation of SSDP:

1. The Budget Review Meeting (BRM) in March will be conducted each year, with LEG members providing input to the Government and JFPs for them to:
    a. Review the SSDP plans and budget for the next fiscal year.
    b. Assess overall program performance and implementation progress based on Government status and progress reports.
    c. Assess progress towards meeting Disbursement Linked Indicators (DLIs) and identifying steps to remove obstacles if any.
    d. Review compliance with financial management responsibilities as mentioned in Section III and procurement procedures.
    e. Assess outcome of other reviews.
2. The Joint Review Meeting (JRM) in November will be conducted each year, with LEG members providing input to the Government and JFPs for them to:
    a. Assess overall program performance and implementation progress based on Government status and progress reports.
    b. Assess and confirm the achievement of annual DLIs for which evidence has been submitted.

c. Agree on the actions to be taken and the evidence to be submitted to fulfil the DLIs for the current year.
d. Review compliance with financial management responsibilities as mentioned in Section II and procurement procedures.
e. Assess outcome of other reviews.

In addition, the NESDPG meets on a monthly base to discuss emerging issues and priorities in supporting the Government with the implementation of the ESP.

a) Technical Working Groups

In addition to this, Technical Working Groups (TWGs) will be established to provide a continuous platform for joint dialogue and technical discussion to ensure progress made between the joint reviews and consultations. The TWGs are Government (under-secretary level) led and will report to the SSDP implementation committee that will update the consortium in the Joint Reviews that are stated above. Each group should have a coordinator, led by the GON, who is experienced in the area concerned, who will convene the TWG, facilitate the activities of the group and update on progress and recommendations at the monthly meeting. The GON coordinator will be supported by a DP representative. On a quarterly basis, progress and recommendations from TWG meetings will be compiled through the MOE FCS and Presented to the SSDP Steering Committee. The TWGs will meet to offer strategies for addressing issues or accelerate change during the SSDP implementation, following up on agreed actions from the joint reviews within their technical area. TWGs can invite experts to inform the work within the technical area. The TWG ToR has been attached as Annex 4.

Annex 1; Development Partners Group Focal and co-focal point

i. Scope of work

1. The Local Education Development Partner Group (LEDPG) Focal Point (FP) and Co-Focal Point (CFP) are mandated to represent the Development Partners that support the 5-year SSDP program (2016-2021), and its possible 2-year extension to complete the 7-year SSDP timeline (2016-2023) in policy dialogue and consultative mechanisms. The FP/CFP facilitate the presentation of joint issues and priorities as agreed within the LEG but do not have any authority to make decisions on behalf of the Joint Financing Partners (JFPs) and Non-Joint Financing Development Partners (N-JFPs).

2. The composition and membership of the LEDPG has been reflected in the Nepal Local Education Group (LEG) Memorandum of Understanding (MoU) under heading 4 section ii and iii and will be open to all bi-lateral and multi-lateral agencies, development banks, the Association of INGOs in Nepal (AIN) and the representatives of the Global Partnerships for Education (GPE) and Global Campaign for Education (GCE), who support the education sector or intend to do so, either through the SSDP JFA, direct budget support or through project support. The LEDPG can invite other stakeholders and Local Education Group (LEG) members for consultation and meetings when relevant.

3. The roles and responsibilities of the FP, together with the support from the CFP, are to undertake the following tasks relating to the DPs' engagement in the school education sector generally and the support provided through the Sector Wide Approach (SWAp) modality and Joint Financial Arrangement (JFA) specifically:

4. The FP and CFP undertake the tasks bestowed upon them in close communication and collaboration with each other and by the FP taking the lead role and the CFP the supportive role. Within this framework, FP and CFP may agree upon a division of labour.

5. The FP and CFP will serve one year after which, in principle, the CFP has the possibility to take over as FP. The JFPs will decide on selection of a new Co-Focal Point. An indicative commitment in terms of FP and CFP ship has been compiled (see appendix 1) for the FY 2016/17-FY 2020/21. The confirmation of FP and CFP of the next FY will take place prior to March of the running Fiscal Year (FY) to be announced during the annual Budget Review Meeting (BRM). The current FP will communicate in writing to the GoN (MoF/FCGO/NPC/MoE/DoE) of the selection of the FP and CFP of the upcoming FY.

6. Due to the scope of work, it is in principle expected that the FP and CFP are both JFPs. It is further agreed that there will always be a balance assured of having one multi-lateral and one bi-lateral JFP serving as FP and CFP at the same time.

7. Agencies accepting the responsibility of FP/CFP are committing to invest appropriate time and technical expertise. Agencies taken up the responsibility need to be represented by a Staff Member. The Staff Member can be represented by a consultant.

ii. Coordination and communication

8. The FP will prepare and share the draft agenda for the LEDPG meeting in advance of the meetings to solicit suggestions for agenda items by LEDPG members. The FP chairs the meeting and ensures the meeting to be strategic, concise, and participatory. Meetings should in principle not be extended beyond the planned duration, with a maximum of two hours.

9. Draft minutes of meetings will be circulated to LEDPG members for their input, review, omissions and corrections as per the need. The revised minutes will then be endorsed by the LEDPG members at the beginning of the next LEDPG monthly meeting and finalised accordingly.

10. The FP serves as the main entry point for communication and information sharing between Government of Nepal (GoN) and the LEDPG members and amongst LEDPG members, on all matters related to the SSDP, including the JFA.

11. The FP liaises closely with the Ministry of education (MOE), and if needed line minsitries such as the Ministry of Finance (MoF) and the Ministry of Federal Affairs and Local Development (MoFALD), the Department of Education (DOE), and its Central Level Agencies (CLAs), CSO and stakeholder representative networks and other relevant Government and Non Government Agencies on current issues and state of affairs.

12. The FP ensures the institutional memory of the SWAp modality within the LEDPG members through ensuring the distribution and correspondence of relevant information and documents, as well as the establishment and maintenance of relevant documentations relating to the education sector, SWAp meetings and LEG/LEDPG processes

13. The FP will establish, coordinate and disband Thematic Working Groups (TWGs) in agreement with LEDPG members and the GoN and will follow up on any issues in terms of the operationalization and functionality of these TWGs, as well as their alignment in terms of the SSDP implementation arrangements.

14. Coordinate to pull the expertise of the LEDPG members on their respective areas for compiling and commenting or suggesting any documents related to review and policy issues

15. The FP will coordinate, in consultation with the JFPs and other DPs, organisation of reviews and preparatory meetings (including field visits for missions) as mentioned in the JFA and communicate with the GoN on proposed arrangements as provisioned in the JFA and ensuing this are adequate for the requirements of the JFPs to continue their support through the JFA.

16. The FP will maintain accurate and up to date contact and mailing lists on LEDPG members' SWAp focal points, Heads of Mission and Agency (HoM/A) and of representatives of the GPE and GCE for Nepal.

iii. Planning and Monitoring

17. The FP will organise review among the LEDPG members on an annual work plan and budget priorities and review progress and achievements against the SSDP Program and Result Framework (PRF). Furthermore, the FP will facilitate any processes where verification of results against SSDSP JFA Disbursement Linked Indicators (DLIs) require endorsement of the LEDPG or JFPs. Prior to joint review or consultation meetings provisioned as part of the SWAp and JFA, the FP will consolidate input and comments from LEDPG/JFP members and present them to the GoN through the MoE Foreign Coordination Section (FCS) or when needed in the SSDP Steering Committee (SSDP CS), SSDP Program Implementation Committee (SSDP PIC), or the other thematic committees that have been established as part of the SSDP implementation arrangements.

18. The FP will monitor and ensure delivery of reports and other information as defined in the JFA and ensure timely distribution of the information to all LEDPG members.

19. The FP will monitor compliance of donor commitments through each fiscal year and their disbursement to the Government based on information from donors and bank reconciliation/statements from the GoN and Nepal Rastra Bank.

20. In consultations with the LEDPG members, the FP will designate other LEDPG members to support the FP and CFP in undertaking specific tasks and/or contact external technical assistance to support the joint monitoring of the SSDP.

21. The FP will organize monthly LEDPG meeting to follow-up the issues from the SSDP JRM and BRM's Aid Memoire, implementation of the reform, progress status, challenges, programme monitoring and to discuss emerging issues.

22. The FP will support the undertaking of the Annual Fiduciary Review (AFR) by the JFPs, as well as other reviews deemed necessary as per JFA requirements as well as for consultations related to other issues, which may be tabled by LEDPG members.

iv. Representation

23. The FP will draft briefings and joint statements for review and adoption by the LEDPG.

24. Facilitate agreement of the LEDPG on official letters and sign on behalf of the LEDPG after clearance by respective agencies.

25. The FP will facilitate agreement about and clearance by respective agencies of press releases of the LEDPG.

26. The FP will represent the LEDPG in meetings with various entities including MOE, MOF, NPC, civil society and other organizations

27. The FP will represent the LEDPG in media related events upon request of the LEDPG, ensuring that any joint statements are approved by the members represented.

28. The FP will participate in the Aide Memoir committees of the JRM/BRM and ensure representative participation of the LEDPG in the drafting committee

Annex 2; SSDP Joint Financial Arrangement

Annex 3: SSDP Common TA/DF framework

Annex 4: ToR of SSDP TWGs

Annex 5: Calendar of Key Meetings and Events

FREQUENCY	ACTIVITY
Monthly	Regular Meetings attended by local level all Development Partners (JFPs and non JFPs) First Tuesday of the Month
Annual (March/May)	Budget Review Meeting (BRM) (Meetings between MoE/central level agencies, MoF, NPC, Development Partners and their HQ representatives and other stakeholders) Include sentence on key purpose of this meeting
TBD? Format/Frequency	Review of ASIP/AWPB
Annual (November)	Joint Annual Review Meeting (Meetings between MoE/central level agencies, Development Partners and their HQ people and other stakeholders) Includes Joint Review Meeting on JFA with JFPs Also potentially presentations on joint field visits, overall progress, dissemination on key outcomes from technical discussions (TWGs), findings from pilots and evaluations, sharing of best practices, lessons learned, and innovations, etc. Include sentence on key purpose of this meeting
On-going	Ad hoc issue based meetings with MoE, Info sharing; dissemination, reporting on technical group progress, policy dialogue.
On-going	Review and discussion on periodic reports annual reports, research and studies and other emerging issues
Ad hoc	Representation of Development Partners in DEOs seminar and other national level events
On-going	Liaison with other relevant line Ministries and NPC