Orphans & Vulnerable Children

Education Sector Policy for Orphans & Vulnerable Children

“Building a Learning Nation”
Republic of Namibia

Ministry of Education

Education Sector Policy for Orphans and Vulnerable Children
(August 2008)

“Building a Learning Nation”
Foreword

OVC is one big acronym which stands for Orphans and Vulnerable Children. It is cited as one of the most emerging and challenging global issues we face today. For a developing country like Namibia, the OVC issue has become a humdrum to the ears.

The National Policy on Orphans and Vulnerable Children defines an orphan as “a child who lost one or both parents because of death and is under the age of 18 years”, and a vulnerable child as a “child who needs care and protection”. The Education Sector Policy for Orphans and Vulnerable Children extends the meaning of vulnerable children to include children with disabilities or learning difficulties, the neglected and abused, the HIV-positive, the indigenous minorities and other vulnerable children. We must admit that all children are vulnerable and the degree of their vulnerability varies and their vulnerability can happen at a blink of an eye.

Since 2004, the Ministry of Gender Equality and Child Welfare has registered 142,777 orphans and vulnerable children and its number is increasing. It is projected that by 2021, Namibia will have approximately 250,000 OVC under the age of 15 and therefore the situation must not be taken lightly.

The Ministry of Education acknowledges the importance of strengthening the capacity of children and young people to meet their own needs by encouraging them to stay in schools so they could gain skills and qualifications and become self-reliant and self-confident. It aims to identify the barriers to education and devise strategies to attract and keep children in school. Its objective is to ensure that all school-going aged orphans and vulnerable children attend school and are not deterred from full participation through lack of financial means, material or psycho-social need, stigma, discrimination or any other constraints. Moreover, the out of school orphans and vulnerable children are encouraged to return to schools or provided with appropriate educational opportunities.

This Policy is based on international and national policy frameworks such as the Convention on the Rights of the Child, and the African Charter on the Rights and Welfare of the Child, the Namibian Constitution, the Namibian HIV/AIDS Charter of Rights, the National Policy on HIV/AIDS for the Education Sector, the National Policy on OVC and the National Policy on HIV/AIDS. Its activities are provided for in the Education and Training Sector Improvement Programme (ETSIP).

It is significant to note that this policy does not only state the activities to be done. It also defines the tasks and responsibilities to be carried out by specific offices either at the Head Office, regional offices or schools and the specific officials who will carry out the tasks. The Policy spells out the doers, thus the accountability for unaccomplished tasks is easy to follow up.

This document is a product of extensive and intensive consultation, collaboration and hard work of many individuals and organisations. Adults and children in the urban and rural areas were consulted. The Ministry is thankful and grateful for everyone’s participation, contribution and expertise devoted towards the development of this document. I would like to appeal to them to stay committed in its implementation.

On behalf of the Ministry of Education, I would like to thank in particular UNICEF, USAID and the Academy for Educational Development (AED) for the technical and financial assistance they have rendered towards the development and production of this Policy and for their continuous support and commitment to the Ministry.

I hope that through the implementation of this Policy we will ensure a better future for all the children of Namibia.

Nangolo Mbumba MP
Minister of Education
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Abbreviations

AEC  Annual Education Census
AIDS  Acquired Immuno-Deficiency Syndrome
CAA  Catholic AIDS Action
CAFO  Church Alliance for Orphans
CBO  Community-Based Organisation
DATS  Diagnostic, Advisory and Training Services (within MOE)
DNEA  Directorate of National Examinations and Assessment (within MOE)
ECD  Early Childhood Development
EDF  Education Development Fund
EMIS  Education Management Information System
ETSIP  Education and Training Sector Improvement Programme
FBO  Faith Based Organisation
HAMU  HIV and AIDS Management Unit (within MOE)
HIV  Human Immuno-Deficiency Virus
LAC  Legal Assistance Centre
MGECW  Ministry of Gender Equality and Child Welfare
MOE  Ministry of Education
MOHSS  Ministry of Health and Social Services
NGO  Non-Governmental Organisation
NIED  National Institute for Educational Development (within MOE)
NPA  National Plan of Action for OVC
NSFP  National School Feeding Programme
OVC  Orphans and Vulnerable Children
PAD  (Directorate of) Planning and Development (within MOE)
PQA  (Directorate of) Programmes and Quality Assurance (within MOE)
RACE  Regional AIDS Committee for Education
RSC  Regional School Counsellor
SDF  School Development Fund
UNICEF  United Nations Children’s Fund
USAID - AED  United States Agency for International Development-Academy for Educational Development
1. Introduction

1.1 Background

The number of Orphans and Vulnerable Children (OVC) in Namibia was estimated at 140,000 in 2005 and is projected to increase to 180,000 in 2010. According to the 2001 census there were approximately 97,000 children under 15 years of age who had lost one or both parents. The rights of these children to education may be under threat in the light of increasing poverty, over-stretched extended families and insufficient mechanisms to ensure quality Education for All.

Education for all children is a right and not a privilege. Article 28 of the United Nations Convention on Rights of the Child states that state parties shall recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- Make primary education compulsory and available
- Encourage the development of different forms of secondary education, including general and vocational education, to make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in the case of need (United Nations, 1991:34).

Anecdotal evidence suggests that one of the major challenges facing caregivers of OVC is their inability to access education and to meet the educational needs of the children. In some cases OVC are turned away from school when they cannot buy uniforms, stationery or pay the School Development Fund (SDF). Secondary school fees are significantly higher than primary school fees and caregivers find it difficult to cover these. It is likely that the inability to pay secondary school-related costs perpetuates the continuous poor performance and drop out at secondary level.

Children can become vulnerable at any time, and for any length of time, during their childhood due to any number of circumstances. As a result, they may be unable to cope with the economic demands of simply caring for themselves, not to mention the emotional and psychological needs associated with their situation. In such cases, a school is often the only safe and supportive environment on which they can depend. It is, therefore, imperative that a school is a place where these children can receive the educational and psychological support they require.

Schools should provide an accessible, safe and conducive learning environment, free of stigma and financial barriers, in which the legislated Code of Conduct for Teaching Service (Government Gazette, No 15 of 2004) guarantees a culture of care and gender-sensitive education. Moreover, teachers, acting ‘in loco parentis’, are custodians of the learners at schools and must adapt a mindset of being caring and careful. The Ministry of Education should therefore ensure that teachers are adequately trained and can serve as role models.

It is the aim of this policy to specify support mechanisms to address the economic, educational and psychological needs of OVC in educational institutions.

1.2 Policy Environment

Namibia has a very favorable legislative environment to support children. After independence in 1990, Namibia was one of the first signatories to the United Nations Convention on the Rights of the Child. Since independence, a number of laws and sector specific policies have been developed to protect and enhance the development of children. These laws and policies include, but are not limited to:

Constitution of the Republic of Namibia (1990)

Article 20 of The Constitution of the Republic of Namibia provides that:

- All persons shall have the right to education.
• Primary education shall be compulsory and the State shall provide reasonable facilities to render effective this right for every resident within Namibia, by establishing and maintaining State schools at which primary education will be provided free of charge.

• Children shall not be allowed to leave school until they have completed their primary education or have attained age sixteen (16) years, whichever is sooner, save in so far as this may be authorised by Act of Parliament on grounds of health or other considerations pertaining to the public interest.


The United Nations Convention on the Rights of the Child was ratified by Namibia in September 1990. Article 12 of the Convention affirms the right of a child to participate in “all matters affecting the child”. The encouragement of parental participation is also promoted (Articles 5 and 42).


In Article 11, No. 5 of the Charter it is stated that: “State parties to the present Charter shall take all appropriate measures to ensure that a child who is subjected to school and parental discipline shall be treated with humanity and with respect for the inherent dignity of the child in conformity with the present Charter”.

Education Act (Government Gazette, No. 16 of 2001)

Article 25 of the Education Act directs that:

• (10) “Subject to subsection (9) the school board may partially or fully exempt any parent from the payment of the school development fund contribution.

• (11) “If a parent is partially or fully exempted by the school board from the payment of the school development contribution, the school board may apply to the [Education Development] Fund for aid to pay such contribution”.

Code of Conduct for Teaching Service (Government Gazette, No 15 of 2004)

The objective of this legislative document is to ensure that “teachers are generally expected to - (a) establish a safe, disciplined and purposeful school environment dedicated to the improvement and maintenance of the quality of the learning and teaching process; (b) create a caring and nurturing environment for learners to enable them to develop into caring, honest and responsible adults...” Administering corporal punishment is forbidden as well as the sexual, physical, emotional or psychological humiliation or abuse of a learner “in any form”.


This policy identifies various groups as educationally marginalised and who are therefore in need of special interventions to ensure that they access education. These groups are: children of farm workers, children in remote rural areas, street children, children in squatter areas and resettlement camps, children with physical or mental impairments, over-aged children according to existing policies, and children of families in extreme poverty (p. 3). Some of the suggested options for children in extreme poverty are:

• Affordable education for children from poor families: The Ministry of Education “should insist on the implementation of its directives to schools regarding payment of school fund fees and the wearing of school uniforms. Neither of these are compulsory and school authorities should use their discretion in this case. For children who live too far away from school to walk on a daily basis, there is also a need for financial assistance for transport and/or boarding facilities” (p.25 - 26).
• School feeding programme: “Learners, who have to walk a long distance to school, often without having eaten any breakfast before leaving home in the morning, find it difficult to concentrate on school work during the day. For many children from poor families the school feeding programme is the main incentive for attending school. Therefore the school feeding programmes should continue, or be introduced, in poor communities. It should also apply to “informal hostels”, that is to learners who stay away from their families, near the school, often in huts built by the family” (p. 27).


The EFA Goal II (p. 30) reads as follows: “Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality”.


The Charter specifically prohibits all discrimination against children orphaned by AIDS. It states that such children are entitled to love, support and care and a nurturing environment that would enable them to realise their full potential, and that they should be cared for and supported within their communities. The Charter further requires that information on services, grants and benefits for AIDS orphans should be made freely available.


A section of the National Policy on HIV and AIDS is devoted to OVC. In addition to reiterating the goals on OVC stated in the National Policy for HIV and AIDS in the Education Sector, it also calls for:

• the revision of laws on social grants and the placement of children in need of protection.

• an appropriate system for identifying children in need of assistance.

• improved mechanisms for registering births and deaths and issuing identification documents, to facilitate the provisions of assistance to OVC.

• awareness-raising campaigns encouraging parents to provide for their children by means of will, as well as other interventions to protect children’s access to inherited property.


The National Policy on HIV and AIDS for the Education Sector contains a specific section on the needs of OVC. It emphasises the need to disseminate information to schools, parents and caregivers on exemptions from the payment of school funds and hostel fees, and stipulates that no learner shall be excluded from a government school, or from examinations, because of inability to pay school fund or examination fees, or to afford a school uniform. All education sector employees should be sensitised about the special needs of OVC and should facilitate their access to supportive and counselling services and, where necessary, to school feeding schemes. This policy also stresses the need for effective inter-school referral systems to minimise disruption and to provide support to learners when they have to be transferred after a parent or caregiver dies. Furthermore, vulnerable children are to be favoured with respect to hostel accommodation or community-boarding alternatives. Schools are also encouraged to develop networks of support for OVC at each educational institution.


Vision 2030 includes an objective to “provide opportunities to disadvantaged children, including orphans, which will prepare them for and make them live meaningful and happy lives.”

The MTP III considers OVC both in terms of measures to prevent HIV infection in vulnerable groups and in mitigating the impact of HIV, especially on children through increasing access to community-led interventions, social assistance, and education. It specifies, amongst others, that:

- holistic care, counselling and support services have to be provided to OVC and children affected and infected by HIV and AIDS,
- continuing life skills, sexual health, HIV and AIDS education prevention programmes have to be implemented in all educational institutions for all learners/students, and
- systems and structures have to be in place to provide data and information necessary to support the HIV and AIDS Management Unit (HAMU)

Education and Training Sector Improvement Programme (ETSIP) (Ministry of Education, 2005)

The ETSIP pays specific attention to the educational needs of OVC and it proposes to provide in the first phase 2006-2011:

- a specialised training package on OVC for caregivers in the field of Early Childhood Development (ECD), translated into local languages.
- increased and more equitable access to pre-primary education for OVC.
- increased educational and psychosocial support for OVC through the schools, through the use of specialised staff such as educational psychologists as necessary, by providing strengthened counselling services at schools and other education institutions, by utilising Regional School Counsellors (RSCs) to train teachers in counselling skills, and to encourage the establishment of circles of support.

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The National Plan of Action for Orphans and Vulnerable Children, launched in 2007, identifies concrete actions in support of the goals of the National Policy on Orphans and Vulnerable Children. The Plan of Action provides targets and activities in five strategic areas: Rights and Protection; Education; Care and Support; Health and Nutrition; Management and Networking.

The current Education Sector Policy for Orphans and Vulnerable Children builds on this strong foundation, providing additional detail and guidance on how the sector will meet the needs of OVC.

The current policy is set within the framework of an overarching national and sectoral enabling environment that would facilitate the implementation of the current provisions.

1.3 Goals and objectives

The goal of this policy is to ensure that an increased number of OVC are able to access, remain in, and complete general education of good quality.

The objective of this policy is to ensure that all OVC of school-going age attend school and are not deterred from full participation through lack of financial means, material or psychosocial need, stigma, discrimination or any other constraints, and to ensure that out-of-school OVC are brought back into school or provided with appropriate alternative educational opportunities.

1.4 Guiding Principles

With this policy the Ministry of Education wishes to promote child-centred education and child-centred leadership in schools, regional offices and at head office, and underscore the dignity of every learner and every primary caregiver. The guiding principles of this policy are to:

- focus on the best interest of the child,
- nurture meaningful participation of children,
- establish collaborative partnerships with parents,
- promote inclusion and non-discriminatory environments, culture and practices,
- promote action on gender disparities,
- bolster family and community participation in the education system,
- strengthen networks and systems and leverage support wherever possible, recognising that poverty is a key contributor to vulnerability,
- link prevention, treatment and care programmes, and
- aim that OVC have the same opportunities as any other Namibian child.

1.5 Definitions

According to the National Policy on Orphans and Vulnerable Children an **orphan** is “a child who has lost one or both parents because of death and is under the age of 18 years” and a **vulnerable child** is “a child who needs care and protection”. This definition is further elaborated in the National Plan of Action for Orphans and Vulnerable Children (NPA) launched in October 2007. The national monitoring definition for a **vulnerable child** in the NPA is:

- a child living with a chronically ill caregiver, defined as a caregiver who was too ill to carry out daily chores during 3 of the last 12 months
- a child living with a caregiver with a disability who is not able to complete household chores
- a child of school-going age who is unable to attend a regular school due to disability
- a child living in a household headed by an elderly caregiver (60 years or older, with no caregiver in household between 18 – 59 years of age)
- a child living in a poor household, defined as a household that spends over 60% of total household income on food
- a child living in a child-headed household (meaning a household headed by a child under the age of 18)
- a child who has experienced a death of an adult caregiver (18-59 years) in the household during the last 12 months.

Various sectoral programmes are encouraged in the NPA to develop programme definitions of vulnerability to identify potential programme beneficiaries. For the purpose of a policy for the Education Sector, the said age limit is extended to include all children who are at school or who should be enrolled in school, including those of 18 years and older.

The term **school** refers to educational institutions from pre-school to secondary school. Tertiary educational institutions are encouraged to develop, in collaboration with their student body, similar provisions in support of vulnerable students.

A **parent** means “a natural or an adoptive parent or a guardian of any learner, and includes any person taking care of or who assumes responsibility for any learner’s education”.  

This policy acknowledges that vulnerability may be physical, educational, socio-economic, psychological and/or situational, and may also be temporary. Specific criteria for accessing particular services within the Ministry of Education, including exemption from payment of the School Development Fund, exemption from payment of examination or hostel fees, access to school feeding, counselling, learning support (compensatory teaching) and other services will be determined from time to time at school, regional and national level as appropriate. The following list can be used to extend the NPA definition of vulnerability; however heads of institutions are advised to practise discretion to ensure that no OVC is excluded.

A child is **vulnerable** under the following circumstances, but not limited to these circumstances:

- he or she is living on the street
- his or her caregiver receives a Child Welfare Grant (i.e. a Maintenance grant, a Special Maintenance grant, a Foster Care grant or a Place of Safety allowance) from the Ministry of Gender Equality & Child Welfare
- he or she is an orphan
- he or she is neglected or abused by his or her parents or caregivers
- he or she is in emotional need due to illness or death of a significant person in his/her life, substance abuse in the household, domestic violence or other difficulties related to the household
- he or she is in conflict with the law
- he or she is affected by or infected with HIV or AIDS
- he or she is not regularly attending school due to the burden of responsibilities in the home or other reasons
- he or she has disabilities or learning difficulties
- he or she is a member of an indigenous minority
- he or she is subjected to labour that is exploitative, hazardous or otherwise inappropriate for his or her age, detrimental to his or her schooling, or his or her social, physical, mental, spiritual or moral development

Many vulnerable children may have more than one area of vulnerability, or may be living under circumstances not specified herein. Vulnerability cannot be time-specified, a child may be vulnerable, and still need support, even for a short time.

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4 Education Act, Sub-section 1 (1).
Section 2. Scope of Application

This sectoral policy shall be applicable to all government and government subsidized education institutions in Namibia accommodating learners from pre-school to secondary school. However, all schools, whether subsidized by Government or not, are morally and ethically obliged to serve the needs of OVC.

The policy serves the needs of all learners of school-going age including learners over 18 years of age who are still attending secondary school or who should be enrolled at school (Education Act Part VI: Education Development Fund, 28 (1) (b)). Tertiary and other educational institutions are encouraged to develop responsive policies for vulnerable students.

Section 3. Policy provisions

3.1 Addressing school related expenses

Many OVC are unable to continue schooling due to severe financial constraints: i.e. economic vulnerability. This economic vulnerability is often as a direct result of their status as an orphan or as a child otherwise affected by HIV and AIDS, for example, a child who is not an orphan but is living in a household that is caring for a number of additional children. This policy ensures that OVC will have the same access to educational opportunities as other children in Namibia.

3.1.1 Heads of educational institutions shall ensure that no child is refused admission to a school or denied continued attendance at school if their parents are unable to pay the School Development Fund (SDF) contribution or other school related expenses, such as hostel related funds and fees as appropriate, or a school uniform.

3.1.2 School boards shall exempt certain learners from paying the SDF according to the Education Act Section 9 and Regulations 11 (4) and 11(6c) (2001).

3.1.3 No full time learner in a school shall be excluded from examinations on account of inability to pay examination fees.

3.1.4 Heads of educational institutions shall ensure that no child is denied participation in a school related activity due to inability to pay.

3.1.5 Heads of educational institutions shall ensure that no child’s school reports are withheld due to inability to pay SDF.

3.1.6 Heads of educational institutions shall ensure that no learner will be reproached, individually or in class, about their School Development Fund contributions or any fees payable by their parents.

3.1.7 The Ministry of Education will determine how the Education Development Fund (EDF) shall reimburse schools to partially offset the loss in revenue incurred to the SDF as a result of exemptions granted to OVC.

3.1.8 Heads of educational institutions shall ensure that learners who are economically vulnerable and enrolled at primary and secondary levels shall benefit from the EDF as determined by the Ministry of Education.

3.1.9 All heads of education institutions and parents shall be provided with information about allowable exemptions from the payment of all funds and fees (related to the school, hostel and examinations), as well as procedures to follow in applying for such exemptions.

3.1.10 Parents shall be assisted to apply for allowable exemptions in education.

3.1.11 Namibian Students’ Financial Assistance Fund (NSFAF) shall prioritise OVC in giving loans and grants to students for further studies.
3.2 Providing health care and nutritional support

OVС may be especially at risk of not having their health needs recognized and addressed, which will affect their ability to optimally benefit from schooling. These needs include receiving sufficient nutrition as well as immunization against and treatment of diseases, HIV and AIDS education, basic hygiene and sanitation. While the school cannot provide all of these services, it is well placed to identify children with health needs and refer them to the appropriate service providers. The National School Feeding Programme (NSFP) provides an ideal vehicle for supplementing learners’ nutrition, allowing them to benefit fully from educational opportunities.

3.2.1 The national coordinator of the NSFP, with the regional hostel officers responsible for the NSFP, will expand the school feeding programme in line with its capacity and the needs of children who are economically vulnerable or neglected.

3.2.2 Heads of educational institutions shall comply with the Ministry of Education guidelines on the identification of learners who qualify to participate in the feeding scheme and with all reporting requirements.

3.2.3 School management, in consultation with the School Board, shall ensure that feeding scheme meals shall be served at a time that enhances both concentration at school and regular attendance, at first break if feasible.

3.2.4 Inspectors of Education shall encourage and assist schools to seek additional support from local businesses, charities, NGOs and FBOs to supplement the feeding programme for primary school learners on weekends and on holidays. Nutritional support for secondary school learners should similarly be sought. Inspectors of Education and hostel officers must coordinate this effort with other ministries and development partners.

3.2.5 Heads of educational institutions shall ensure that information is disseminated to parents and community members on how to access free health care services. The head will collaborate with primary health care personnel to assess, identify and respond to the physical and mental health needs of learners.

3.2.6 Teachers, especially the register teacher, shall be cognizant of the general health status of learners, including vision, hearing, and signs of emotional, physical and/or sexual abuse. All teachers shall record concerns about the health status of a learner. These will be forwarded through the principal’s office to the parent and/or the nearest clinic or health care worker.

3.2.7 Heads of educational institutions are responsible for recommending to the parent that the learner should be referred for appropriate medical or paramedical support. If the parent is not available, the heads of the educational institution will refer the learner directly. A trusted teacher will be tasked to support the learner (and/or parent) through the process.

3.2.8 Teachers and/or hostel matrons, as directed in writing by a parent or guardian or health care worker through the office of the principal, shall assist a child with taking medication.

3.2.9 The Regional Office staff shall ensure that systems are in place to facilitate referrals to health facilities and shall monitor these referrals.

3.2.10 Heads of educational institutions shall ensure that at least one teacher at the school is trained in first aid.

3.2.11 Each school shall have a first aid kit in good order, checked on a weekly basis.

3.2.12 Learners shall be taught to safely manage their own bleeding or injuries, and never to touch the blood, open wounds, sores, breaks in the skin, grazes and open skin lesions of others. They shall be taught to call for the assistance of an education sector employee to attend to injuries.

3.2.13 No learner, or parent on behalf of a learner, shall be required to disclose his or
her HIV status to a school. No school shall be permitted to enquire about a learner’s HIV status during enrolment either verbally or by way of the registration form.

3.3 **Ensuring a safe and non-discriminatory environment**

The Namibian Constitution determines that children have the right to be protected from any abuse or discrimination. Children may be particularly at risk of being abused and may face discrimination due to their circumstances.

3.3.1 Heads of educational institutions shall ensure that no child is denied admission, continued attendance or participation in school related activities as a result of that child’s status as an OVC.

3.3.2 Heads of educational institutions and heads of hostels shall ensure that the allocation of accommodation in hostels favours vulnerable learners and students.

3.3.3 Heads of educational institutions and heads of hostels shall ensure that hostels are OVC friendly by providing information and training to hostel staff on how to understand and address the needs of all children.

3.3.4 In areas where there are no hostels, heads of institutions shall facilitate and monitor the provision of boarding alternatives in cooperation with the community. These community hostels shall maintain an acceptable standard of nutrition, security, safety and hygiene.

3.3.5 Head office of the Ministry of Education shall ensure that streamlined procedures exist for the speedy admission of OVC into hostels. The Inspector of Education and regional officer in charge of hostels shall monitor admissions and ensure that OVC receive priority and timely admission to hostels.

3.3.6 The OVC who stay in hostels shall be allowed to remain in the hostels during out weekends.

3.3.7 Heads of educational institutions shall ensure that systems and safeguards, including security and supervision at hostels and educational institutions, are in place and enforced to ensure that learners are not at risk of sexual, emotional or physical abuse (including corporal punishment) from employees, peers, visitors, or anyone else.

3.3.8 Heads of educational institutions shall take immediate and incisive action if a learner is sexually, emotionally or physically abused or harassed by employees, peers, visitors, or anyone else. Zero tolerance shall be adopted in this regard.

3.3.9 Heads of educational institutions shall ensure that appropriate systems and safeguards are in place to enable learners to lodge complaints concerning such misconduct.

3.3.10 Every school shall adhere to the Child Protection Policy\(^5\) to ensure the safety and well-being of learners.

3.3.11 The Code of Conduct for Learners at a school shall include provisions about the unacceptability of behaviour that discriminates against those who are vulnerable for whatever reason, including HIV infection, orphanhood, disability or other causes.

3.3.12 No education sector employee shall engage in sexual activity with, harassment of, or any other abuse of a learner. Such behaviour on the part of an education sector employee constitutes misconduct and will result in a disciplinary hearing. Assault, indecent assault, rape, etc. also constitute criminal acts and will result in a criminal charge.

3.3.13 Public sector employees are obliged to report such misconduct, according to Regulations under the Public Service Act (OPM, 1995), Regulation 19. Failure to report such misconduct and failure to follow up with appropriate protective and disciplinary measures also constitute misconduct, according to Regulations under the Public Service Act.

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\(^5\) The Child Protection Policy is currently under consideration for development (August, 2008).
Act (OPM, 1995), Regulation 23. Supervisors (i.e. heads of institutions) are lawfully obliged to act upon misconduct.

3.3.14 Failure on the part of an education sector employee to protect the confidentiality of information relating to vulnerability of a learner, including but not restricted to his or her HIV and AIDS status or that of a family member, shall constitute misconduct and shall result in a disciplinary action. Sensitive issues arising from a child’s vulnerability will be handled with discretion and compassion.

3.4 Providing counselling and support

All education sector staff, but in particular those responsible for the counselling and support of learners, should be compassionate, empathetic, accepting, competent and self-motivated. They should respect diversity and enhance the resilience of their learners.

3.4.1 All education sector employees shall be sensitised to the special needs of learners infected, affected or orphaned by HIV and AIDS and of other vulnerable children.

3.4.2 Heads of educational institutions shall ensure that at least two compassionate teachers per school shall be comprehensively trained and that they have the time and a venue to provide counselling and support to children with psycho-social needs.

3.4.3 Heads of educational institutions shall ensure that every school designates a teacher as Head of the Counselling Support Group. The Head of the Counselling Support Group shall meet at least once a month with all teachers in the school who provide counselling services, life skills instruction, or offer other emotional support to learners and shall oversee administrative duties related to counselling services (e.g. resources, process notes).

3.4.4 Every teacher shall monitor the progress and psychological well-being of learners on a continuous basis. Teachers are expected to identify children who seem to be vulnerable and will bring these children to the attention of the head of counselling services in the school. The head of counselling services will facilitate the appropriate intervention, including referrals as necessary.

3.4.5 Schools shall refer learners to appropriate support services if needed (e.g. the Regional School Counsellor, Social Workers, the Woman and Child Protection Unit, church representatives, etc.) and support the learner through-out the process.

3.4.6 Heads of educational institutions and the Head of the Counselling Support Group shall ensure that every school and hostel has a list of resources available for vulnerable children in the wider community, including NGO and government contacts.

3.4.7 The Regional School Counsellor, in collaboration with Cluster Principals, shall ensure that a Cluster Facilitator for Counselling is chosen by the teacher-counsellors in the cluster, and Cluster Meetings for Counselling are held at least once per term.

3.4.8 Each school shall ensure that vulnerable children are catered for, encouraged and assisted to join existing clubs, especially Life Skills programmes, as well as other extra-mural activities. Participating learners shall be encouraged to articulate their needs and suggest ways in which these needs may best be met. The effectiveness of these programmes shall be regularly evaluated and enhanced.

3.4.9 Teacher-counsellors, the school-based HIV and AIDS Coordinators, or any teacher / guest speaker with the necessary knowledge shall be tasked with raising awareness and providing information to parents on parenting skills, counselling, extra-mural activities, how to access Child Welfare Grants, etc. as the need may be.

3.4.10 Heads of educational institutions shall ensure that a register of all OVC is up-dated regularly and with sensitivity. The register should include what services the learner has
3.4.11 Teacher-counsellors shall at all times act ethically and protect confidentiality, and only give feedback to other teachers and parents with the learner’s consent, or if it is deemed appropriate and required to divulge information which is in the best interest of the learner that such information be shared. Negligent sharing of confidential information about a learner’s situation shall constitute misconduct.

3.4.12 Regional offices shall ensure that counselling and support services are provided at all schools in the region. The Regional School Counsellors are responsible for the supervision, monitoring and support of the school-based teacher-counsellors.

3.5. Ensuring equal opportunities and educational success for all

This policy aims at making quality education as inclusive as possible for all children. All children, including those that have learning difficulties, who fail repeatedly or have disabilities, should be catered for, first and foremost, in the mainstream. OVC may have special needs which have to be catered for by the teachers, institutions and educational planners.

Although emphasis is placed on child-centred education, the Grade 1 curriculum anticipates that a child will have acquired certain social, emotional and motor skills before coming to school. The child who starts school without these skills is potentially more vulnerable than other children. Because most early childhood education is provided in privately-run centres with a profit motive, economically vulnerable children are often excluded. Unless finances are made available to subsidise such ventures, this will continue to be the case.

The cost of learner drop-out is immeasurable, not only for the child him/herself but also for the Namibian civil society. The psychological, social, economic and political repercussions of learner drop-out could be minimised if children are encouraged and assisted to stay in schools or to rejoin the education system. The cause of learner drop-out at every level should be thoroughly analysed and addressed, particularly with regard to Grade 10 learners.

3.5.1 Integrated early childhood development

3.5.1.1 The Ministry of Education shall expand early childhood development services for and facilities to accommodate OVC by identifying children who are in most need of early childhood development services and by removing obstacles to their participation.

3.5.1.2 The Ministry of Education shall liaise with line ministries, NGOs, FBOs, CBOs and other stakeholders to enhance early childhood development services for OVC.

3.5.1.3 Heads of educational institutions shall ensure that the allocation of places for early childhood programmes that receive support from the Ministry of Education favours vulnerable children.

3.5.2 Children with disabilities and learning difficulties

3.5.2.1 The Ministry of Education shall have in place a policy of inclusion which inculcates in every school a culture and practice of care and respect for diversity.

3.5.2.2 The Ministry of Education shall ensure that the curriculum is flexible in order to allow for the learning support of learners with learning difficulties or disabilities within the mainstream.

3.5.2.3 Heads of educational institutions shall ensure that the school provides teaching and learning experiences that foster opportunities for all children to reach their highest potential, both academically and socially. Schools shall offer learning support (compensatory teaching) for learners with learning difficulties.
3.5.2.4 The Ministry of Education shall provide additional human and other resources, facilities and training and support so that schools can cater for learners with learning difficulties or disabilities in an inclusive environment.

3.5.2.5 Regional education authorities shall ensure that children with severe disabilities of such a nature that they cannot have their educational needs met in a mainstream school, are given access to a government-funded school, unit or class at which their needs can be met, as near to their home as possible or if needed in another region of the country.

3.5.2.6 Learners above the age-norm for a specific grade or previously out-of-school OVC shall be catered for. These children shall follow an accelerated curriculum with emphasis on literacy, numeracy and Life Skills appropriate to their age, allowing them to master the mainstream curriculum as soon as possible.

3.5.3 Learner support

3.5.3.1 Heads of educational institutions shall be cognizant of the problems that OVC experience and shall ensure adequate flexibility in scheduling and rules, e.g. responses to being late or erratic attendance.

3.5.3.2 Heads of educational institutions shall ensure that case discussions are held on the difficulties that OVC face. Such discussions shall include the school representative(s), the parents, other service providers and relevant stakeholders - thus a multi-disciplinary group. The child should participate in such discussions where possible. Decisions have to be recorded and followed up.

3.5.3.3 Regional Office staff and heads of educational institutions shall ensure effective inter-school referral system to minimise disruption and to provide support to a learner who is transferred.

3.5.3.4 The Ministry of Education shall institute measures to prevent learners from dropping out of school and to bring such learners back into school or to provide them with appropriate alternative educational opportunities.

3.6 Engaging the community and other partners

The school has a central role in the life of the community and in the lives of learners, and is thus well-placed to stimulate and coordinate community efforts to respond to the needs of OVC. These efforts in turn can mitigate the pressure upon schools and can improve the support given to learners.

3.6.1 Every school shall attempt to involve the broader community in its efforts to mitigate the vulnerability, for whatever reason, of its learners.

3.6.2 The school development plan shall include programmes that address the needs of vulnerable learners and practical ways to involve the local community in these activities.

3.6.3 School Boards, in consultation with the HIV and AIDS Advisory Committee and the Counselling Support Group, shall develop circles of support and facilitate referrals and appropriate community responses for OVC by liaising with traditional authorities, the private sector, regional officials, Line ministries, NGOs, CBOs and FBOs. The support should respond to the wide range of needs that exist.

3.6.4 School Boards and community members assist in the identification of out-of-school OVC for the necessary support and assistance to enable enrolment at a school or for appropriate alternative assistance.

3.6.5 Each school shall have at least one function for parents each year at which information will be provided on issues such as HIV and AIDS prevention and mitigation, how to access Child Welfare Grants, parenting skills, counselling, extra-mural activities, etc. as the need may arise.
3.6.6 The Regional office shall coordinate support from development partners and Public Private Partnerships to particular schools ensuring that schools with the highest numbers of OVC are prioritized and that the particular support is in line with this policy.

3.6.7 The Ministry of Education shall use the Permanent Task Force for Orphans and Vulnerable Children as a platform for involving line ministries in support of activities in the education sector.

3.6.8 The senior Ministry of Education representative on the Permanent Task Force for Orphans and Vulnerable Children shall annually submit a comprehensive report to the Task Force on the implementation of this policy, which shall include information from each regional office, drawn from the reports submitted by schools.

3.7 Providing training and support to teachers

Teachers, including the heads of institutions, are the staff members of the Ministry of Education who directly interact with learners and their parents. It is of utmost importance that education sector employees develop professional altruism and respect for diversity.

They need to acquire the skills for identifying and dealing with vulnerable children during their pre-service training. Through in-service training continuous professional development will be ensured. Pre-service and in-service teacher education curricula should periodically be revised to reflect changing circumstances and challenges.

3.7.1 All pre-service Teacher Education Programmes shall emphasize, on a continuous basis, those attitudes necessary to support learning and teaching, including empathy, respect and paying due regards to every child’s needs.

3.7.2 All pre-service Teacher Education Programmes shall provide to all student-teachers generic, introductory training in the needs and identification of OVC, an Introduction to the subject and Life Skills programmes and an Introduction to Learning Support.

3.7.3 All pre-service Teacher Education Programmes will institute specialization courses of which students can choose one of: Counselling, LifeSkills, or LearningSupport. These programmes shall be offered by registered Psychological Counsellors. Qualifying teachers shall have the appropriate competencies and attitudes to identify and meet the needs of vulnerable children within the context of the learning environment and shall have the appropriate competencies and attitudes to provide differentiated learning support with competence and confidence.

3.7.4 The University of Namibia, National Institute for Educational Development and Colleges of Education shall ensure that these competencies are included in the Teacher Education programme, examined, and that statements of results are endorsed accordingly. No teacher shall qualify in the final year of the Teacher Education programme without displaying adequate competence in these areas.

3.7.5 The Namibia Qualifications Authority shall ensure that all teacher education qualifications, whether from national or international institutions, and whether obtained by attendance at an institution or by distance learning, comply with the above requirement for recognition. Courses for which recognition has already been given will be revisited to ensure that this requirement is met, and where not, the institution will be given twelve months in which to remedy the situation, failing which recognition for the course for future graduates shall be withdrawn.

3.7.6 Teacher training institutions shall facilitate pre-service training in first aid and the Regional Office shall facilitate in-service training in first aid.

3.7.7 The Ministry of Education, through the Regional School Counsellors, shall provide in-service training and support in counselling on a continuous basis to at least two teacher-counsellors per school.
3.7.8 All teachers shall partake in wellness programmes which will be the responsibility of the Counselling Support Group in collaboration with regional office bearers such as the RACE Coordinator or the Regional School Counsellor. Adequate provision should be made for the de-briefing of teacher-counsellors.

3.7.9 Teachers who have attended in-service training courses shall within two weeks of their return to their school share the acquired information with all their colleagues in the school or cluster in a session lasting not less than one hour. The head of the institution shall ensure that this happens, and shall be present for the session. The Regional School Counsellor shall ensure compliance with this provision through contact teacher monitoring.

3.7.10 All teachers joining a school shall, within their first month at the school, be required to read this policy, the National policy on HIV and AIDS for the education sector, the Education Sector Policy on the Prevention and Management of Teenage Pregnancy among learners, the Code of conduct for teaching service, the school’s code of conduct and other relevant laws and policies. They shall sign a statement, which shall be kept on record in the head of the institution’s office, that they have taken note of the contents.

3.7.11 The Ministry of Education shall formulate regulations to minimize the teaching load and extra-mural responsibilities of the teacher-counsellors; with a view to make it possible for teacher-counsellors to counsel learners during school time. The appointment of a full-time teacher-counsellor at every school or a School Counsellor at every cluster is highly recommended.

3.7.12 The Ministry through the Teacher Education Programmes shall ensure that teachers are trained and supported to provide differentiated, child-centered learning support with competence and confidence.

3.7.13 The Ministry of Education shall provide training on early childhood development that includes a component on the identification of vulnerable and children with disabilities and appropriate responses. The training shall include parental guidance, emotional and health monitoring, the identification of neglected or abused children, referrals, etc.

### 3.8 Filing grievances

The Government’s customer service charters assure the public that they will receive the services to which they are entitled. By encouraging the public to air their grievances and providing clear and open channels for doing so, problems in the system can be eliminated and the protection of children’s rights ensured.

Heads of institutions and teachers should always establish collaborative partnerships with parents. Steps must be taken to ensure that a ‘parents are welcome’ culture is instituted. The parent must be accommodated, rather than intimidated, by the school’s response to grievances.

3.8.1 Parents can engage traditional or church leaders or any other trusted member of the community to assist them in filing grievances.

3.8.2 The School Board shall designate one member to accept, resolve and follow up on complaints by parents and learners in an ethical, confidential and sensitive manner.

3.8.3 Each regional office shall identify personnel to deal with complaints from parents or their representative about any instance of non-compliance with this policy at schools.

3.8.4 Any victimisation of learners or parents by school staff or fellow learners after a grievance was filed constitutes misconduct and will result in a disciplinary inquiry.

3.8.5 Each regional office shall annually submit to the Permanent Secretary a report on complaints handled, giving details of the number and nature of complaints and of action taken.
Section 4. Dissemination of the policy and awareness raising

In order for this policy to be implemented successfully it should be communicated to all beneficiaries, education sector staff and management, Line ministries and other stakeholders. The following are guidelines for information dissemination, but other strategies may be implemented.

4.1 This policy shall be made available in hard copy to all school principals, who in turn will share the contents with staff within three months of receiving it. Newly appointed staff shall acquaint themselves with the policy within their first month at the school.

4.2 All government schools shall prominently display a notice in the reception area at all times affirming that no learner shall be turned away if his or her parents are unable to afford School Development Fund contributions or a school uniform. This notice will set out the procedures for exemption and information on the grievance procedures concerning any aspect of the implementation of this policy.

4.3 In every school information on child rights and related responsibilities shall be conveyed to learners.

4.4 Heads of educational institutions shall inform parents at school meetings about the OVC Policy, and especially the exemption provision and procedures. The policy will be disseminated to parents and other community members using multi-media, including a brochure in local languages. Community institutions, such as churches and other religious institutions, will also be asked to distribute this information.

4.5 The Regional Education Director shall inform the Regional Council on the policy and implementation thereof and facilitate its incorporation into the Regional Plan. The Regional Education Forum is responsible for communicating this policy, through its members, to the different stakeholders and for reporting back to the National Advisory Council on Education.
Section 5. Implementation: Duties and responsibilities

The implementation of this multi-facetted policy necessitates inputs from various role players and stakeholders – but it is in effect the responsibility of every education sector employee and every learner to put into practice a culture of care in education.

<table>
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<tr>
<th>Level</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td>Line ministries</td>
<td>• The Ministry of Gender Equality &amp; Child Welfare provides a list of children who receive grants every term to the relevant regional office of the Ministry of Education.</td>
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<tr>
<td>Head office</td>
<td>• Mobilize resources</td>
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<td></td>
<td>• Streamline and roll out the Education Development Fund</td>
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<td>• Advocate for a bigger vote for the NSFP</td>
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<td></td>
<td>• Develop the Child Protection Policy</td>
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<td>• Finalize and implement the Policy on Inclusive Education</td>
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<td></td>
<td>• Ensure that the curriculum is flexible in order to allow for the learning support of learners with learning difficulties within the mainstream.</td>
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<td></td>
<td>• Revisit the Education sector policy on the prevention of and addressing pregnancy among learners</td>
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<td></td>
<td>• Develop in-service counselling training programmes and material</td>
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<td>• Develop in-service training programmes and materials to support advocacy for and implementation of this policy (e.g. School Board training regarding the EDF, Training on monitoring a learner’s health status)</td>
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<td></td>
<td>• Develop strategies for the implementation of this policy (e.g. performance-based incentives and time-tabling guidelines for teacher-counsellors)</td>
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<td>• Compile, analyze and publish national data on OVC</td>
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<td></td>
<td>• Monitor and evaluate policy implementation by using instruments such as the National Standards and Performance Indicators for Schools in Namibia and the HAMU checklist</td>
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<tr>
<td></td>
<td>• Ensure that children’s authentic and ethically-obtained opinions and contributions are taken into account in the planning and implementation of each article in this policy</td>
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</table>
| Regional offices | • Resource mobilization  
• Appoint Regional School Counsellors  
• Collect and analyze data on OVC in schools  
• Inspectors of Education, RACE Coordinators and Regional School Counsellors monitor school-level policy implementation and report to the Regional Director  
• Discipline education sector staff who contravene or violate the policy  
• Ensure schools receive compensation from the EDF  
• Train School Boards on their responsibilities concerning: i) how to exempt children according to the Education Act ii) how to apply to the Education Development Fund and iii) how to use other fund raising strategies for the school  
• Facilitate in-service training on how to monitor the basic health status of learners, inclusive education, identification of vulnerable learners, counselling and other aspects of this policy  
• Regional School Counsellors, through school-based teacher-counsellors, sensitize all teachers about OVC  
• Liaise with development partners, line ministries and other stakeholders and establish Public Private Partnerships to ensure proper implementation and support of the policy  
• Ensure that children’s authentic and ethically-obtained opinions and contributions are taken into account in the planning and implementation of each article in this policy |
| The University of Namibia, the National Institute for Educational Development, and the Colleges of Education | • Ensure that the competencies required by teachers as mentioned in this policy are included in the teacher training courses, are presented by lecturers competent in the area of learning, assessed, and that statements of results are endorsed accordingly.  
• Develop and publish policy on how to support vulnerable tertiary students |
| Clusters | • Elect Cluster Facilitators for Counselling  
• Conduct Cluster Meetings for Counselling or on other issues related to the policy |
<table>
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<tr>
<th>Schools: Principals and Teachers</th>
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<tr>
<td>• Mobilize resources</td>
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<tr>
<td>• Implement policy at school level</td>
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<tr>
<td>• Monitor the implementation of the policy</td>
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<tr>
<td>• Support staff primarily responsible for providing services to OVC in the school</td>
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<td>• Assist in the identification of out-of-school OVC learners</td>
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<td>• As directed in writing by a parent or guardian or health care worker through the office of the principal, shall assist a child with taking of medication</td>
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<td>• Model and inculcate a culture of care</td>
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<tr>
<td>• Must be responsible for the creation of a conducive learning environment</td>
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<td>• Advocate for the rights of the child, liaise with and educate stakeholders</td>
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<tr>
<td>• Keep records of children receiving counselling and/or other kinds of support</td>
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</tr>
<tr>
<td>• Ensure that children’s authentic and ethically-obtained opinions and contributions are taken into account in the planning and implementation of each article in this policy</td>
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</table>
| School Boards and local Line ministries, NGOs, CBOs and FBOs | • Advocate and lobby for the full implementation of this policy  
• Draw up a school development plan with a component of care and support for OVC, handle the exemption and adopt the budget (as per Education Act)  
• Develop circles of support with local clinics, community members, NGOs, CBOs, FBOs, the private sector and other line ministries. Lobby and coordinate support from the private sector, in cash and in kind, to support the feeding, clothing and other needs of OVC.  
• Assist in the identification of out-of-school OVC  
• Sensitize and inform community members and other stakeholders on the policy and the exemption provision and procedures and the rights and responsibilities of OVC, as well as the rights and responsibilities of those who assume the role of caregivers. Hold meetings to discuss the policy in detail, organize awareness campaigns to communicate the policy to various community groups.  
• Inform the principal about the difficulties and circumstances of learners-in-need  
• Provide information on services provided to OVC to the local school and to the Ministry of Gender Equality & Child Welfare for their data-base to avoid duplication of services  
• Link with regional officials  
• Ensure that children’s authentic and ethically-obtained opinions and contributions are taken into account in the planning and implementation of each article in this policy |
| Learners | • Participate in forums and advocate for the rights of children  
• Inform a staff member or the teacher-counsellor of difficulties or problems  
• Comply with the Code of Conduct for Learners  
• Be familiar with the policy  
• Treat each other with respect and care  
• Practice responsible enjoyment of rights and services |
Section 6. Planning

The Ministry of Education commits itself to integrate an understanding of the special needs of OVC into all aspects of the planning process within the education sector.

Section 7. Budget

The Ministry of Education commits itself to making adequate provision in the budget for the effective implementation of all aspects of this policy.

Section 8. Monitoring and review

The socio-economic circumstances, the causes and, the nature of vulnerabilities may change from time to time. This policy and monitoring plan should be periodically reviewed and revised to address changing circumstances.

8.1 The School Development Plan shall include plans for the implementation of the provisions set out in this policy.

8.2 Schools shall keep a permanent record of the orphan or vulnerable child status of their learners, and of reasons for drop-out and absenteeism, and keep these records updated each term. The register should also include what services the child has received from the school and from elsewhere. Inspectors of Education and Regional School Counsellors shall control these records during school visits.

8.3 The Directorate responsible for school inspections shall develop a format, based on the National Standards and Performance Indicators for Schools in Namibia, for schools to report on the extent to which this policy has been implemented, and on constraints to implementation. Each school shall annually submit this report to the regional office, via the Inspector of Education. The reports shall be studied by the Inspector of Education, who shall follow up any matter of concern with the school and report in writing to the regional director on the nature of the follow-up.

8.4 Data on exemptions from the payment of the SDF or other fees, on applications to the Education Development Fund and on any other support received by OVC shall be collected annually as part of the routine gathering of education statistics.

8.5 Data for monitoring the implementation of this policy will be disaggregated by gender, age and region. The data will be collected as part of the existing Ministry of Education monitoring procedures; including the Annual Education Census; the 15th School Day Survey; the National Standards and Performance Indicators for Schools in Namibia; and the HAMU reporting forms.

8.6 Relevant Key Areas, Performance Indicators and Themes/Aspects within the National Standards and Performance Indicators for Schools in Namibia can be used to evaluate the implementation of this policy.

8.7 The Ministry of Education shall annually compile a summary extraction from reports on the implementation of this policy for discussion with ministry staff, local authority representatives, non-governmental organisations (NGOs), community-based organisations (CBOs), faith-based organisations (FBOs) and development partners involved in the sector, and for subsequent submission to the Permanent Task Force for Orphans and Vulnerable Children. This summary shall be included in the Ministry of Education’s annual report.