

The Politics of Accountability within the Collaboration Schools: Measures, Processes and Emerging Issues

A mini- thesis submitted in partial fulfilment of the requirements for
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Education, South Africa, inequality, public-private partnerships, accountability, academy schools, charter schools, privatisation, managerialism, contractualism



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Abstract

At the beginning of 2016, the Western Cape Education Department (WCED) initiated a public-private partnership called the Collaboration Schools Pilot Project (CSPP). This pilot targets underperforming schools bringing in private partners that provide the schools with additional funding, support and new governance structures. There are significant implications for accountability in this new model. This exploratory thesis seeks to unpack the ways in which accountability is conceived of and practised within the collaboration schools model, in order to explore the emerging conflicts. Its main data is drawn from legal contracts between the state and other parties, as well as interviews with key actors. The contracts included service level agreements between the WCED, the school operating partner (SOP) and the school, and the memorandum of understanding between the WCED and the donor partner. The key actors interviewed included WCED representatives at various levels, principals from collaboration schools, SOP representatives, a donor representative and representatives from Equal Education Law Centre. Data was analysed through the lens of Newman's dimensions of accountability, asking the questions, 'accountability by whom, for what, to whom and by what means'. The study revealed several accountability issues, both within the contracts as well as in the on-the-ground experiences of key actors. These included a lack of clarity regarding fundamental roles and responsibilities of the different parties involved, insufficient mechanisms to hold parties accountable, significant imbalances of power between the parties involved rendering accountability difficult, democratic accountability deficits, the problematic expansion of the private sector into public education (further than implied in the model's conception) and a number of legislative issues. In summary, the collaboration school model has major accountability deficits. While the project is currently in its pilot phase and limited to a few schools, it should be noted that if the model is rolled out as the key documents suggest it will be, these deficits could have far-reaching political implications.

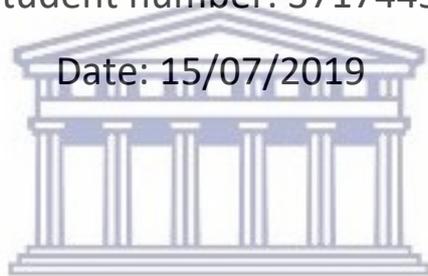
Declaration

I declare that *The Politics of Accountability in Collaboration Schools: Measures, Processes and Emerging Issues*, is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

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List of Abbreviations

WCED: Western Cape Education Department

CSPP: Collaboration Schools Pilot Project

CS: Collaboration School

PPP: Public-Private Partnership

SOP/OP: School Operating Partner

NGO: Non-Governmental Organisation

SASA: South African Schools Act

SGB/GB: School Governing Body

PSP: Public School Partnerships

DGMT: DG Murray Trust

SADTU: South African Democratic Teacher's Union

EE: Equal Education

EELC: Equal Education Law Centre

NPM: New Public Management

SLA: Service Level Agreement

MOU: Memorandum of Understanding

HOD: Head of Department

WCPG: Western Cape Provincial Government

CM: Circuit Manager

PD: Programme Director

PSO: Pilot Support Office

P: Premier

PME: Provincial Minister for Education

PAIA: Promotion of Access to Information Act

SEA: Schools Evaluation Authority

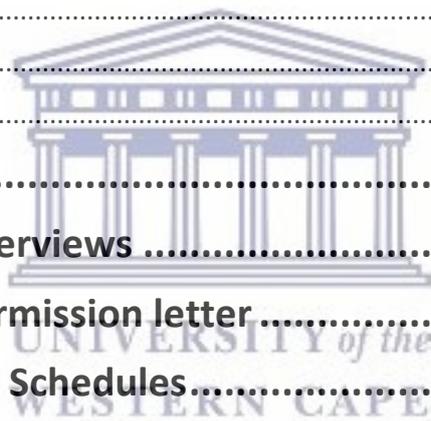
OFSTED: Office for Standards in Education



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Chapter 1: Introduction and Background

Background

This thesis seeks to shed light on how accountability is conceived of, practised and understood within the Western Cape Education Department (WCED)'s newly introduced Collaboration schools pilot project (CSPP)¹. The CSPP is a new public-private partnership (PPP) education model being piloted in a few poorly performing public primary and high schools in the Western Cape Province of South Africa. In this model, initiated at the beginning of 2016 by the Western Cape Education Department (WCED) and DG Murray Trust (DGMT), schools receive their ordinary government financial allocations as well as additional funding from a donor partner. Part of this additional funding goes towards supporting what the model refers to as a 'school operating partner' (SOP) -- a Non-Governmental Organisation (NGO). The SOP assumes a measure of governance authority and responsibility within the school (with 50% voting rights on the school governing body), and provides the school with various kinds of support. Schools targeted for inclusion into this project are all quintile one, two or three institutions as determined by the South Africa Schools Act (SASA). In other words, they are no-fee schools serving under-resourced communities.

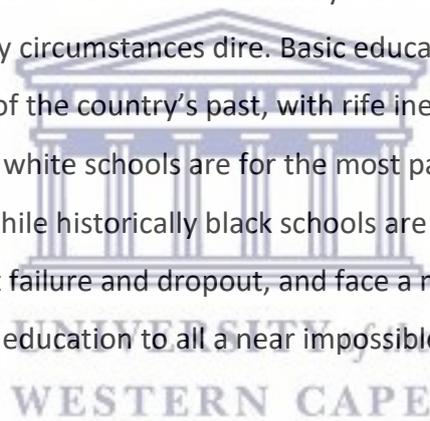
When the project began it included five schools -- three which had already been in existence and had been classified as 'underperforming', and two newly established as collaboration schools. Currently, at the time of writing, this number has increased to nine -- two of the initial cohort having dropped out of the programme, and six additional schools having opted in. Interestingly, in the Provincial Minister for Education Debbie Schafer's budget speech in March 2017 (Schafer, 2017) she indicated the government's aims to increase the number of

¹ The CSPP falls under the umbrella of the DGMT's public school partnerships (PSP), along with the Eastern Cape's version of this which is currently being implemented in eight rural schools.

schools participating in the programme to twenty by 2018 -- an aim which has not been realised.

One of the CSPP's most vocal proponents was the DA's Western Cape premier Helen Zille. In fact, the inspiration for the CSPP was seeded in Zille on a trip to England about two years prior to the project's implementation (Zille, 2016). On this trip she visited some of England's academy schools. This became the model for the CSPP (Zille, 2016). Zille has written quite prolifically about her views on the transformative potential of the collaboration school model (Zille, 2016), as well as sharply criticised those questioning it -- most significantly the South African Democratic Teacher's Union (SADTU) and Equal Education (EE) [an education advocacy NGO].

While the initiation of the CSPP has no doubt been contested, it has been sold almost as a silver bullet to the failures in South Africa's education system. And indeed the country's education realities are in many circumstances dire. Basic education in South Africa today continues to carry the legacy of the country's past, with rife inequality operating largely across racial lines. Historically white schools are for the most part, on par with or even exceeding global standards, while historically black schools are significantly sub-par, have astronomical levels of student failure and dropout, and face a myriad of challenges which make the delivery of a quality education to all a near impossible task (Spaull, 2012).



Education in South Africa Post-1994

Following the end of apartheid, extensive education policy reform was required to address the injustice and inequality propagated by the apartheid government in this sector. The apartheid education system was racially segregated, with the level and quality of education directly dependent on racial classification. Education was tactically used "to socialise young people into the existing status quo of inequalities" (Mncube, 2008, p. 77). Thus, after the fall of apartheid, there was heightened urgency for the government to implement a system to counteract this, ensuring access to equal education for all citizens (Sayed, 2002). This was especially important in the quest for nation-wide transformation as education is seen to have knock on effects into other rights and freedoms (Spren & Vally, 2006).

Prior to coming into power the new government already had many ideas regarding the changes that they wanted to make in the realm of education. In the 1980's when ANC liberation movements were at their peak, large-scale public participation was employed for the purposes of reaching collective consensus on priorities for education policy reform (Christie, 2006), with the goal of incorporating these priorities into implementable policy in the 'new South Africa'. The outcomes of this extensive consultation advocated for, among other things, lifelong learning opportunities, the incorporation of a culture of widespread participation within the education system, and radical transformation through resource redistribution (Christie, 2006). However these were largely absent from the new policies which instead prioritized economic growth through market strategies through the adoption of an explicitly neoliberal macro-economic growth plan (Christie, 2006). Among other things, this new direction "effectively put a cap on government spending" (Jansen, 2002, p. 12), thereby undermining many of the priorities of the liberation movement. In addition to this, certain strategies were implemented in efforts to counter 'white flight' and thus the flight of capital from the public education system. These strategies included allowance for the partial commodification of education through the introduction of user-fees, allowing former white schools (or ex-model c schools) able to collect high fees to maintain their privileged status (Sayed, 1998). Allowance was also made for the privatisation of schooling, which, although making up only a relatively small percentage of the country's schools, contributes similarly towards upholding inequalities (Motala & Dieltiens, 2008).

These institutional changes on a macroeconomic level, as well as the concurrent shift of the public sector towards the ideas of new public management (NPM), obviously affected the education policy. NPM is a governance framework that brings private management strategies into the public sector in order to increase efficiency of service delivery. Strategies include decentralisation of power and responsibility, reduction in size and expenditure of the public sector, and the employment of market mechanisms within the public sphere (Cameron, 2009). These reforms impacted the education sector in various ways.

Firstly, the cutting back of public expenditure meant that increased funds were not released for the transformation of education, meaning that "the distortions of apartheid's resources distribution in education continued to be reflected in the system" (Christie, 2006, p. 379). This lack of sufficient funding, coupled with the lack of any radical redistributive measures,

in many ways led to a maintenance of the apartheid status quo with “the minimum level of resourcing in disadvantaged schools... insufficient to level the playing fields between the advantaged and disadvantaged parts of the public schooling system” (Sayed & Motala, 2012, p. 685).

Secondly, as Sayed and Soudien (2005) argue, these shifts brought about significant decentralisation of power to the school as the unit of agency through the South African Schools Act (SASA)(RSA, 1996b) which assigns governance power to individual schools’ governing bodies. Among other things, the legislation authorises these governing bodies to determine the school’s language policy, administer the school’s property, develop the school’s mission statement and code of conduct, establish additional staff posts alongside government’s normal allocations, prepare, approve, present and implement the school’s budget (RSA, 1996b).

While the government hoped that this decentralisation would increase flexibility and thus responsiveness of “the local level (to) interpret the law in the spirit of the constitution, with its rights-based sensibility” (Sayed & Soudien, 2005, p. 118), in practice, this has largely not been the case, but has instead “served to take the struggle (for equity and redress in education) out of the public domain” (Sayed & Soudien, 2005, p. 124), leading to “new forms of exclusion” (Sayed & Soudien, 2005, p. 118). This exclusion has occurred through the implementation of measures such as “the levying of school fees, developing a school language policy, access policy and code of conduct for learners” (Sayed & Soudien, 2005, p. 118), that have largely acted to uphold the inequalities in the education system.

In the words of Sayed and Soudien (2005, p.117)

What has emerged, as a condition of the negotiated settlement, is a bifurcated state with concurrent powers held between a centre and its dispersed, decentralised provinces. The semi-federalist, decentralised Constitution involves different activities for and mechanisms of co-ordination between the centre and the sites. With respect to education, the national centre is responsible for funding the sites but is not involved in the management and control of schools within the sites. This, it is argued, is where the essential ambiguity in policy finds its first expression.

Thirdly and similarly, a perhaps unintended contributor towards the continued inequalities within the education system, has been the funding policy that permits some schools to charge learner fees. This policy can be found within the SASA (1996), and assigns public funding to schools according to their quintile as classified by “the physical condition... of the school” (RSA, 1996b, p. B-51), as well as the relative poverty of the surrounding community. The quintile of the school then determines its state funding allocation. The lowest quintiles (1, 2 and 3) receive the highest per-pupil state funding, but are not allowed to charge school fees, while the higher quintiles (mainly the ex-model c schools, but also private schools) receive less state funding but may charge fees. This has in many ways blurred the line between public and private – “private schools receive government subsidies and are subject to regulation, while almost 20% of public schools charge fees and have private benefits” (Chisholm, 2012, p. 81). While these measures were enacted to assuage “middle-class fear and flight” (Sayed & Motala, 2012, p. 685), and thus keep the resources of the wealthy within the public schooling system, many argue that this ‘commodification’ instead “eroded the notion of education as a public good that is fully and fairly funded by the state and a right for all” (Sayed & Motala, 2012, p. 673). Additionally, this policy does not redistribute the income generated, but keeps it within the schools of collection, allowing “fee charging schools (to) effectively buy important quality-related inputs such as additional teachers” (Sayed & Motala, 2012, p. 684). As the additional funding received from school fees far exceeds the additional state funding received by the lower quintile schools, the inequality between wealthy and poor schools is deepened. Thus, these policies, although supposedly intended to produce transformation, have in reality left the country with a highly unequal education system, demonstrating limited real change since apartheid’s demise.

Current State of SA Education

While South Africa spends a comparatively high (in relation to global averages) proportion of its budget on education (UNICEF, 2018) the vast majority of historically black schools are dysfunctional and “unable to impart the necessary numeracy and literacy skills to learners” (Spaull, 2015, p. 34). The 2015 Trends in International Maths and Science Study shows South Africa’s comparatively poor performance when compared with other participating

countries (Isdale, Reddy, Juan, & Arends, 2015; Zuze, Reddy, Visser, Winnaar, & Govender, 2015). While South Africa has achieved gross enrolment rate of 94.5% for primary education – this number is higher when ECD is excluded -- (StatsSA, 2016), this statistic alone does not give an accurate picture of the realities. Despite this high enrolment rate, just 57% of learners successfully complete Grade 12 (DBE, 2016). Important also when using country-wide statistics, is that due to the country's lack of homogeneity, "averages are uniquely misleading" (Spaull, 2012, p. 14), acting to "shroud the severe inequalities that plague all elements of South African life" (Spaull, 2012, p. 4). In reality, the outcomes of historically black schools are much worse than those that are historically white.

The challenges contributing to this are complex and numerous. They include among other things, classrooms that are overcrowded and under-resourced, teachers that are insufficiently qualified, poor parental involvement, the high rates of rape and abuse found in schools, and high levels of substance abuse and teenage pregnancy (Modisaotsile, 2012).



State of Education in the Western Cape

The Western Cape surpasses many of the national averages when it comes to education. Of all the provinces, it has the lowest percentage of people aged 25- 64 with no education (2,2%), the next lowest being Gauteng at 3,6%, and the highest being Limpopo at 11,2% (StatsSA, 2016). When looking at the percentage of people aged 25 to 64 that have been through secondary education, the Western Cape ties with Gauteng for first place with 70,7%. The Western Cape slightly surpasses the national average for upper secondary completion rate for individuals under 25 years, at 65,4% as compared to 64,8% (StatsSA, 2016). In terms of the National Senior Certificate pass rate, the Western Cape ranks at third place, achieving 81,5% as compared to a national average of 78,2% (DBE, 2018). Despite the province's relatively higher performance as compared to others, significant shortfalls remain, and the inequalities within the system remain pronounced. The nature of these inequalities spans financial, physical facilities and academic performance, and in fact "little evidence exists to show that such disparities are significantly less than they were under apartheid" (Lemon & Battersby-Lennard, 2009, p. 534).

Institutionally, the WCED is seen as a comparatively well-run bureaucracy with better ability than most provinces to implement top-down strategies (Cameron & Levy, 2016). However, the top-down implementation of performance management -- a significant focus in this department for some time -- has not translated into improvement in performance of under-performing schools (Cameron & Levy, 2016).

It is into this context that the CSPP has been established as a potential solution to address issues of funding and governance, and to bridge the gap between historically black and historically white schools.

Global context enabling emergence of PPPs

The emergence and rapid proliferation of public private partnerships such as the CSPP cannot be seen in isolation from the widespread neoliberal shifts in governance.

What is presently known as traditional public administration is said to have emerged in the late 1900 post-war period, in response to, *inter alia*, the pressing conditions of industrialisation, urbanisation and market failures (Bryson & Crosby, 2014). This approach took the form of 'the welfare state' where the government was the central actor in the provision of public services. Literature reflecting on traditional public administration highlights its tendency to be highly centralised and bureaucratic (Osborne, 2006), embracing hierarchical forms of accountability (Bryson & Crosby, 2014) tending to focus on processes and procedures (Page, Stone, Bryson, & Crosby, 2015).

In response to this, NPM emerged out of Margaret Thatcher's United Kingdom in the 1980's as an attempt to reform the public sector into a more efficient, responsive and flexible vehicle for public service delivery (Cameron, 2009). NPM sought to embrace a 'managerial regime' (Newman, 2004), central to which were performance management, decentralisation of power and authority, and reduction in the size of the public sector largely through increased privatisation of previously public services (Cameron, 2009; Osborne, 2006). At a time of waning public trust in the state, in tandem with a growing "belief in the efficacy and efficiency of markets" (Bryson & Crosby, 2014, p. 447), this approach to public sector reform was a leaf taken out of the book of private sector

management (Monkgol, 2011) embracing market mechanisms in the delivery of public services, in the hopes of creating a more efficient and accountable public sector.

In many places, governance today is overwhelmingly characterised by multi-sectoral collaborations in the delivery of public services, sometimes termed network governance. Where the state was once the central actor in service provision, this role is increasingly shared with actors from the private, NGO, and other sectors, the state regulating these parties through performance management techniques (du Gay, 2000). This introduces a complex and layered accountability dynamic. Actors remain accountable through hierarchies to government departments and officials (Newman, 2004), but additionally assume accountability responsibility to funders (Page et al., 2015), as well as (although sometimes in rhetoric alone) to recipients of services (Newman, 2004).

These forms of governance tend to embrace widespread collaboration of the state with various non-state actors (Osborne, 2006; Newman, 2004), hence the proliferation of PPPs. Notably, while the literature has broadly categorised these reforms under the umbrella term NPM, there is significant divergence in their manifestation and scope between countries (Pollitt, Thiel, & Homburg, 2007).



Introduction to Public Private Partnerships

The term 'public private partnership' covers a wide expanse of service provision models, all including both private (for-profit and/or not-for-profit) and state representatives partnering in some way in order to provide some kind of service.

McDonald and Ruiters (2006) categorise these all under the umbrella of privatisation, arguing that privatisation "must be seen as a continuum of public and private mixes", because "all privatisation schemes involve some form of public and private sector participation" (McDonald & Ruiters, 2006, p. 10). The authors offer a typology of privatisation, recognising that arrangements are not always clear cut, and are often a hybrid of types. The typology however, provides a helpful framework in which to analyse such arrangements. Their table is reproduced below.

Table 1: Different Forms of Privatisation

Full Divesture	Divestiture refers to a situation where a public utility or service has been fully privatised. Ownership rests with the private operator. The private operator is responsible for operation and maintenance, investments and tariff collection. The private utilities operate under the supervision of an independent public regulatory authority.
Service Contract	This is the least risky of all partnership types. The public authority retains responsibility for operation and maintenance of the service, but specific components of the service (for example operating water treatment works or billing) are contracted out to the private sector. Service contracts usually have a duration of one to two years, due to the fact that the problems they address may be unique and short-lived. The local authority does not relinquish any managerial functions.
Management Contract	The management contractor operates and maintains the service or parts of the service and may also undertake to reshape the system. The public authority monitors the private agent, but remains responsible for new investment. Management contracts tend to cover a time-span of two to ten years.
Lease or Affermage	The lessor rents the facility from the public authority, which transfers complete managerial responsibility for operating and maintaining the system to a private company. Such contracts generally have a duration in excess of ten years. The contract specifies reporting requirements and service standards. Payments are split into fixed and volume related amounts. (Affermage is the French term for 'farming out'.)
Concession	In this investment-linked contract the concessionaire has overall responsibility for the services, including operation, maintenance, and management as well as capital investments during the concession period. The concessionaire is also responsible for tariff collection and 'customer management.' The ownership of fixed assets is assigned to the local authority at the end of the contract. The contract, usually signed after competitive bidding, covers a period of 25 to 30 years. Regulation is by contract.
BOOT	Build, Own, Operate and Transfer contracts are generally used to construct new parts of a service system. The private operator builds the facility and assumes responsibility for operation and maintenance. After a predetermined time, the facility is transferred to the public authority. The length of a BOOT contract is typically 25 years.
Community/ NGO Provision	Community and nongovernmental organisation (NGO) provision - an often neglected form of privatisation - involves the transfer of some or all of the responsibility for service provision to the end user or a not-for-profit intermediary body. This is particularly common in low income, urban settlements in the South where local governments have asked community members and community organisations to supplement weak or non-existent facilities or resources with their own labour (e.g. digging wells, laying or repairing pipes). Women tend to carry the burden of this form of privatisation. NGOs play a key role as well, often taking on management and allocation responsibilities.

Source: McDonald and Ruiters (2016)

Similarly, within education, such arrangements can range from the private sector fulfilling ancillary roles -- such as being contracted to provide textbooks or laptops for schools -- all the way to the private sector providing the core service of education, and anything in between. According to the above categories, the CSPP would be most accurately described as a management contract, as school management functions are largely contracted out to private sector parties.

The perceived benefits of PPPs include their ability to leverage private sector resources (human, financial, skill-based, etc.) in order to improve the effectiveness and efficiency of public service delivery, as well as to improve accountability. However, the introduction of non-state partners in the delivery of public services is not without contention. Despite this, such partnerships have taken hold and continue to increase in various sectors including education. These education PPPs also vary greatly amongst themselves in terms of both conception and implementation, as well as the division of roles and responsibilities amongst the parties involved.



PPPs Internationally

In the United Kingdom provision for PPPs in education was first made through England's 1988 Education Act under Margaret Thatcher (Machin & Vernoit, 2011). Academy schools -- a type of education PPP in the UK of which there has been rapid proliferation -- were launched early in the 2000's (Machin & Vernoit, 2011). While the models differ slightly, academy schools are generally non-selective (in terms of pupil admissions), state-funded (although usually additionally matched with a private donor), and largely independent from government (Machin & Vernoit, 2011). These schools are governed by a board of directors and set up as non-profits. A significant selling point for the academies is their relative autonomy. Schools are not subjected to national rules for staff recruitment or curriculum, though they do require authorization by the national Department for Education (Barnum, 2017). While there has been much flurry around this model of schooling, evidence is not at all convincing that academies improve student performance (Eyles, Machin and McNally, 2017). Despite this, the model has been replicated and proliferated elsewhere.

Charter schools are the United States' version of these kinds of partnerships in education, and began in Minnesota after the passing of the first charter law in 1991 (Forman, 2007). While, again, these schools are not homogenous, for the most part they too are state-funded (funding is proportional to the number of students enrolled) and largely autonomous. Similar models have been established in various other countries around the world, such as free Schools in Sweden (Ron-Balsera & Marphatia, 2012), and concession Schools in Colombia (Barrera-Osorio, 2006) among others.

One of the ways in which this has manifested in South Africa is through the public school partnerships -- the umbrella under which the collaboration school model falls.

Justification of Research

As can be seen from the present state of South Africa's basic education as outlined above, schools continue to reproduce apartheid realities, sustaining severe inequality largely across racial lines. What is clear is that something needs to change. Less clear is how to bring about this change. The introduction of the private sector into the delivery of public education through the collaboration schools model is an attempt at a solution to bring about such change through addressing, among other things, issues of school governance and management, lack of resources in underperforming schools, and educator skill.

However, the introduction of the private sector into the delivery of public education is not without contention. According to Section 29 (1a) of the South African Constitution, "everyone has the right to a basic education" (RSA, 1996a). Naturally, the accountability for the upholding of this right lies with the government. When the private sector is incorporated into education delivery, the accountability lines become less clear. The government continues to carry the mandate for education provision (and the legislated specifications of this), yet the private sector carries out some or all of the service provision. As the private sector is not party to this mandate, the government must now find a way to hold them accountable to their new responsibilities. And for the citizen, accountability becomes indirect and more complex.

Despite this, PPPs are lauded by some as a means to improve accountability. This is generally tied to their potential to be held accountable for *outcomes* in a way that is often difficult for a government bureaucracy which has less room for manoeuvre. In practice, such accountability wins are less clear cut. Scholars have found that PPPs often diminish democratic accountability, as the responsibility of service delivery is moved further away from the citizen's realm of agency (Papadopoulos, 2007), that PPPs are often associated with diminished transparency as the private sector is not held to the same transparency regulations as the state (Shaoul, Stafford, & Stapleton, 2010), and that PPPs are often characterised by unclear division of roles and responsibilities between the parties involved, making accountability very difficult (Acar, Guo, & Yang, 2012; Willems & van Dooren, 2011).

Newman sums up these concerns succinctly:

The increasing emphasis on private and not-for-profit bodies in the delivery of services raises particularly sharp concerns about where accountability lies and how far public bodies can hold them to account. (Newman, 2008, p. 257)

In the light of these potential pitfalls, I believe thorough research into how accountability is conceived of and practised within the CSPP is essential, particularly at this phase of the project. While the project is currently still operating on a relatively small scale (nine schools), the WCED has plans to expand it to cover 10-15% of all public schools in the province. Prior to this proposed expansion, it is key that any accountability issues within the model are uncovered and rectified.

Even despite the CSPP being in its early stages, shifts in legislation have already taken place in order to legalise aspects of the project. The most important of these centres around the changes in school governing body (SGB) composition required by the collaboration schools model, which appear to go against the requirements of the SASA. Thus, the Western Cape Provincial Schools Education Amendment Bill was pushed through in 2018 after some contentious public hearings, making room for, among other things, the collaboration schools.

As of the present, the model has not been well studied and publicly available information is limited to a smattering of WCED communications, as well as various media coverage. This study seeks to close a portion of this gap, shedding light on where accountability lies within

the CSPP in terms of the model's construction as well as in terms of how these relationships of accountability play out in practice.

Various literature around this subject assisted me in thinking through the way that my research should be framed. Biesta (2004) and Newman (2007) unpacked the ways in which understandings of accountability have shifted according to how governance has been understood and practiced. This led me to use a framework which captures the multi-dimensional nature of accountability offered by Newman (2007). Newman highlights four dimensions necessary for understanding accountability in a given relationship: accountability for what, accountability of whom, accountability to whom, and accountability through what means. I will explain these further in the section on the theoretical framework.

What I also found in the process of unpacking the literature was that overwhelmingly research on accountability within PPPs focuses on a performance or outcomes-based accountability, i.e. accountability for results. Much less research looks at the democratic accountability within these partnerships. In light of this, Page et al (2015) helpfully differentiate between three forms of accountabilities that they believe to be necessary in the creation of public value. These include democratic accountability, procedural legitimacy and substantive outcomes. These provide an important lens which I pay attention to in the analysis of my findings.

Purpose of Research and Research Questions

This purpose of this research is to analyse how the collaborations school model addresses the question of accountability, both in terms of conception and implementation, as well as to get an understanding of some of the accountability issues that are emerging so far within this pilot project.

Main question:

- How does the collaboration school model address the question of accountability, and what are some of the issues emerging within this?

Sub questions:

- How are Newman's dimensions of accountability (accountability of whom, for what, to whom, and by what means) addressed contractually?
- How do Newman's dimensions of accountability (accountability of whom, for what, to whom and by what means) function according to the experiences and perceptions of different stakeholders?
- What are the wider implications of the accountability issues surfacing within the CSPP?

To get a broad picture of how accountability functions both conceptually and practically in the model's implementation, I plan to carry out this research through an analysis of the contracts between the state and the private sector parties, as well as through interviews with the stakeholders that were party to these contractual agreements.

Chapter conclusion

This introductory chapter has given some background to the research that I have undertaken, and set the scene for what is to follow. Chapter two contains the literature review which will pull out key strands from the body of literature speaking to education PPPs, notions of accountability, as well as the accountability successes and failures within education PPPs. Chapter three describes the study's methodology. Chapter four and five lay out and discuss the findings from the contracts and interviews respectively. Finally, chapter six pulls together the major findings and analyses thereof, and makes some recommendations both for further research and for a more accountable implementation of the collaboration schools project.

Chapter 2: Literature Review and Framework

One of the key concepts in this research is accountability. This chapter will therefore begin with exploring the literature on accountability, looking particularly at how it has been understood in the public sector in relation to PPPs and how this understanding has shifted over time within various governance regimes. I draw heavily on the policy analysis work of Janet Newman. The chapter will then briefly discuss some of the literature on contractualism (the major medium of accountability within PPPs) and some of the requirements for effective accountability through contracts. I will then unpack some of the literature on accountability within PPPs -- particularly education PPPs -- drawing out issues emerging from these arrangements. Finally, the chapter will conclude by synthesizing some of the key ideas from the literature discussed.

Shifting notions of accountability in the public sector

While the term accountability is frequently used in the public sector and beyond, carrying with it normative overtones and assumptions (Newman, 2008), it is in fact a term that has undergone many shifts in use and meaning over the years. This section will go on to trace some of the evolution in the ways in which the term accountability has been understood within the public sector, and in so doing, clarify different types of accountability as they have been defined by various scholars.

The 1980s and 1990s saw massive shifts towards managerialism and markets (Newman, 2008) within the realm of public administration, as the economy went into decline and international competition increased (Thiel & Leeuw, 2002). With these shifts in public governance came significant shifts in the ways in which accountability was understood and practiced. With the decentralisation of power and responsibility, performance measurement became a way for the centre to continue to exert control (Newman, 2005).

Accountability is not a new concept but has always existed in some form in the public sector, with government leaders of all kinds generally expected to account for their actions

and decisions to those that they serve (Newman, 2008). This is categorised as accountability “associated with the person” (Newman, 2008, p. 254).

This overlaps with what Biesta terms “a professional interpretation of accountability” (Biesta, 2004, p. 235), around which conversations about accountability were focused from the late 1970s to the early 1980s within the framework of traditional public administration. This type of accountability centres on professionals involved in delivering a service of some kind, and denotes a so-called ‘self-regulation’, where accountability is an “integral part of... professionalism rather than... merely an external demand” (Biesta, 2004, p. 235). This kind of approach was based on a democratic understanding of public service and an attempt to be answerable to the citizenry (Biesta, 2004).

In addition to such professional interpretations of accountability, the traditional public administration of the time tended towards accountability of a hierarchical ‘top-down’ and bureaucratic nature, with the subsequent tendency to focus on procedural legitimacy at the expense of results (Page et al, 2015).

The intrinsic accountability of professional self-regulation was replaced by an accountability demanded externally, which sought evidence of ‘good’ performance defined according to predetermined government standards (Biesta, 2004; Newman, 2004, 2005). Biesta has termed this a ‘technical-managerial’ form of accountability explaining that it “refers narrowly to the duty to present auditable accounts” (2004, p. 235). Previously this meaning was applied solely to the context of financial auditing, however, with the NPM reforms its scope has massively proliferated, with entire organisations and even departments required to measure themselves against certain predetermined performance standards.

With these shifts came the rise of audit and inspection, and a massive focus on performance management (Newman, 2008), and the government changed in its role from being a service provider to a service regulator. With NPM bringing with it an abundance of data supposedly measuring the success of service delivery, some laud it as a success believing it to have increased transparency and accountability in the public sector. However, many have critiqued this so-called ‘age of measurement’ (Biesta, 2017), highlighting the unintended consequences that have emerged from it (Thiel & Leeuw, 2002).

Page et al (2015) find that NPM's singular focus on performance measurement has compromised democratic accountability and significantly narrowed the scope for public shaping of service delivery decisions. Van Thiel and Leeuw (2002) highlight the ironic increase of bureaucratisation as a result of the increased demand for audit, as well as the high resource expenditure on measurement activities that is part and parcel -- "states spend more attention, time, and money on performance measurement in the public sector than ever before" (Thiel & Leeuw, 2002, p. 267). Biesta (2004) highlights the lack of democracy in the choosing of the standards that service delivery is measured against, and Van Thiel and Leeuw ask whether the chosen standards are the right things to measure in the first place. Finally, Ball (2000) highlights the unintentional consequences of this focus on measurement, including the use of tactics to manipulate measurement processes. He goes as far as to say that this attempt to increase accountability and transparency is conversely producing "a resistance of opacity" (Ball, 2000, p. 2).

Page et al (2015) reflect upon accountability shifts, and highlight three dimensions of accountability essential in creating public value within public service delivery and particularly more complex collaborative arrangements. These are democratic accountability, procedural legitimacy and substantive outcomes. Democratic accountability seeks to uphold values like transparency, and responsiveness to stakeholders, and can be understood in terms of its vertical and horizontal attributes. Procedural legitimacy evaluates the strategies, structures and processes that are in place, particularly in terms of their fairness, transparency, rationality and intentionality. The final dimension, substantive outcomes, considers performance, results and impacts in terms of values like effectiveness, efficiency and equity (Page et al., 2015).

Accountability through contracts

The evolution from a traditional Weberian public administration framework to NPM is underpinned by important shifts in the government's role in the service delivery. Instead of being responsible to deliver services, the state is now instead responsible to hold *others* accountable for this. Accountability relationships between the government and entities

responsible for service delivery are generally governed through contracts, often focused largely on outputs (McGuire, 2004).

While contractualism is held up as a silver bullet solving all service delivery issues through the introduction of market relationships into the delivery of public services (Sclar, 2000), in reality it can introduce a myriad of new accountability challenges (Johnston & Romzek, 2004). Various scholars expand upon these challenges and provide various guidelines necessary in overcoming them.

Johnston and Romzek (2004) explore the growing tendency for governments to contract out service delivery to different bodies -- whether they be governmental or non-governmental agencies -- and highlight variables key to assessing these contracts for accountability. These are grouped into three categories, namely “contract specifications... (clearly articulated responsibilities and reporting relationships)..., contract design issues... (the ease of collecting performance data, autonomy of contractors [or conversely, the extent to which contractors are dependent on other organizations as they deliver services], the extent to which risk has been retained by the state, and the introduction of new technologies associated with the service delivery and performance measurement)..., and accountability design issues... (hierarchical, legal, professional, and political)” (Johnston & Romzek, 2004, pp. 97–102).

According to Johnston and Romzek effective accountability through performance contracts depends on the *government's ability* “to assess contractor performance and the potential to hold the contractor responsible for that performance” (Johnston & Romzek, 2004, p. 96). Following from this, the ability to assess contractor performance is dependent on whether or not the government can “obtain timely and accurate reporting from the contractor and to use that reported information to evaluate performance and correct shortcomings” (Johnston & Romzek, 2004, p. 96). Similarly, McGuire (2004), highlights robust indicators, transparency and independent performance measurement as key to an effective performance contracting relationship.

A salient thread running throughout the literature is the importance of clear definitions of roles and responsibilities of parties involved in ensuring accountability within service delivery partnerships. MirafTAB states that any “definitional ambiguity can smudge the distinct agendas of the different stakeholders” (MirafTAB, 2004, p. 92), and Johnston and

Romzek emphasize that “contracts that lack clarity or that involve multiple stakeholders can complicate the accountability situation” (Johnston & Romzek, 2004, pp. 97–99).

Regarding the assessment of charter school contracts for accountability, Mead (2003) highlights five key issues to consider. These include “whether charter schools may charge tuition, what standards of health govern charter schools, what standards guide charter revocation and renewal decisions and whether charter schools may sue to enforce a charter contract” (Mead, 2003, p. 366).

Khouri et al (1999) highlight similar variables, including that charter contracts should speak to the topics of “education goals, curriculum standards, assessment measures, governance, and financing” (Khouri, Kleine, White, & Cummings, 1999, p. 23). The charter contract should also “clearly state its education goals, describe its curriculum and teaching methods in detail, specify its student achievement measures, and state the specific criteria by which it will measure success” (Khouri et al., 1999, p. 24). Similar to Mead (2003), Khouri et al (1999) also emphasize that contracts should “specify the conditions under which the authorizer may revoke a school’s charter” (Khouri et al., 1999, p. 24).

Thus, according to the literature, a successful contract should contain clarity regarding details of the service that is to be provided (accountability *for what*), clarity on who is responsible for providing the service, and to whom are they responsible (accountability *of whom* and *to whom*), as well as clarity on how performance will be measured and the procedures to be followed in the event of the contractual stipulations not being upheld (accountability *through what means*).

Accountability Issues in Education PPPs

The wide-spread adoption of NPM (or at least aspects of it) into the public sector has encouraged multi-sector collaboration and partnerships in public service delivery. This results in what has come to be known as ‘network governance’. Such reforms have further blurred the lines between public and private, making the question of accountability layered and complex. Various scholars have explored the particular accountability issues that these forms of governance create, some of which are explored below.

Unequal power distribution

Miraftab (2003) critiques the notion of 'partnership' in PPPs, arguing that it belies the power imbalances generally present in these relationships. While the term 'power sharing' is frequently used, "once the process is in motion the interests of the community are often overwhelmed by those of the most powerful member of the partnership — the private sector firms" (Miraftab, 2004, p. 89). Additionally, Miraftab highlights that this dynamic is often ignored in the literature where the focus remains largely on "the logistics and typology of PPPs" (Miraftab, 2004, p. 89). Three variables are considered necessary to ensure equity within such partnerships, namely: "rigorous definition of the partners' roles and responsibilities and also of what is meant by the public and the private sectors, the notion of associated action and how horizontal power relations among partners are to be ensured, and the mediating role of the state to enable and regulate the partnership" (Miraftab, 2004, p. 90). Regarding the last point, the author emphasizes the essential role of the state in mediating, enabling and regulating the partnership as well as in recognizing and addressing discrepancies in the partners' socio-institutional capacities, without which "equitable horizontal power relations amongst participants are not possible" (Miraftab, 2004, p. 93).

This can be complicated as the introduction of these partnerships means that the state is no longer accountable only to the citizen, but also to their non-state service delivery partners in whose favour this balance is often skewed (Page et al., 2015).

Lastly, Miraftab stresses the importance of noting the processes of a PPP's inception, stating that "how a partnership originates... (including details about "who initiated the process and sought partnership with the other sector") reveals much about the power relations that will emerge amongst participants" (Miraftab, 2004, p. 92).

Accountability issues and the expansion of private sector role in public education (largely UK experience)

Ball (2009) asks the question of who benefits from these forms of governance, particularly when it comes to the UK education sector. He shows that NPM's demands for performance accountability create space for various education businesses to profit from the public education sector. The fear of potential performance-related sanctions creates a gap in the

market for private services like 'school improvement' (Ball, 2009). Other service niches created from these new forms of education accountability include "test development and preparation, data analysis and management, remedial services and content area-specific programming" (Burch, 2006, p. 2702). Ball (2009) notes with suspicion that the lines between public and private are unclear to a point that private sector representatives form part of policy making communities. This creates a closed circle, where public policy is influenced by the private sector, and in turn opens up scope for the private sector to (perhaps indirectly) profit from the public education system, which then increases the private sector's involvement and influence in the provision of public education (Ball, 2009).

An important accountability issue relating to the involvement of the private sector in public service delivery involves failures of transparency and disclosure of information (Shaoul et al., 2010). Access to information is essential for the public to hold government accountable for their spending of taxpayer money and the delivery of public services. However, in their study of a PPP project in England called Building Schools for the Future, Shaoul et al (2010) found that the financial information that the private partners made available was very limited, making it impossible for the public to hold them to account.

This occurred for a number of reasons. Firstly, the financial reporting was very complex due to the many different income streams and private service providers. Secondly the state-mandated annual reports required very little financial information. Thirdly, England's Freedom of Information Act applies only to public sector organisations, and thus was not binding for these private partners. All of this resulted in a situation where due to a lack of transparency, citizens within a democracy were very limited in their ability to hold public service providers accountable for their use of public finances (Shaoul et al., 2010).

In Acar and Robertson's research into stakeholder experiences of accountability challenges in partnerships, similar issues emerged. Stakeholders expressed that the most significant accountability challenge that they faced related to "the availability of and access to information on partnership activities and/or performance" (Acar & Robertson, 2004, p. 331). This grouping of challenges included the inability or lack of capacity to actually gather or analyse data that did not already exist, as well as the inability to access data that did exist, due to a lack of transparency of the partnership organisations (Acar & Robertson, 2004).

Lack of reliability of partners in voluntary partnerships and blurred roles and responsibilities

Acar and Robertson (2004) raised an important accountability issue regarding voluntary partnerships. Stakeholders stated that this reality makes it very difficult to rely on the partner's consistent commitment to the partnership, making an example of the difficulty in relying on financial contributions of the private sector in the absence of a binding mandate to deliver (Acar & Robertson, 2004).

Some of the most frequently cited issues with present forms of accountability have to do with the complexity of new governance frameworks. Within such frameworks, "hierarchical authority and control is often absent" (Acar et al., 2012, p. 2) leaving a vacuum which is filled by other forms of often more horizontal accountability. Willems and Van Dooren (2011) highlight the increased complexity of accountability due to the disappearance of clear principal and agent roles. Additionally, the space of public service delivery is inhabited by numerous actors, embodying numerous different and often conflicting ideologies, values and even mandates (Acar & Robertson, 2004; Newman, 2005). This makes for accountability practices that are often extremely complex, even to the individuals within the system. Some of these dynamics are explored below.

Newman (2005) interviewed a number of stakeholders involved in public service delivery to shed light on their experiences of network governance. Many respondents referenced the tension between the government's moves towards collaborative arrangements and increased flexibility, and their intensification of centralised measures of control via audit and inspection, stating that these latter strategies were hindering progress (Newman, 2005). Another interesting finding was the varied ways in which respondents made sense of the mandates placed upon them by the New Labour government, and inserted their own values and agendas into this -- "doing what (they) want to do" while "satisfying politicians" (Newman, 2004, 2005, p. 728). Newman (2005) further finds that respondents tend to justify their own agendas through the utilisation or manipulation of New Labour policy discourse, whose "ideologically eclectic" (Freedon, 1999) nature allows room for such.

Jennings' (2010) highlights similar 'room for manoeuvre' in looking at the response of three principals to their new accountability realities. Each of the principals responded to the

accountability pressures very differently according to their varied interpretations of them, as well as their own values and senses of responsibility (Jennings, 2010).

While Newman's (2005) study alludes to the mixed ideologies and values present within the government of New Labour itself, Acar and Robertson (2004) refer to the variance of ideologies, understandings and values that play out within partnerships, and the effects that this can have on accountability. This was highlighted in the variations in interpretation of the term accountability for a business person as compared to an educator (Acar & Robertson, 2004).

Acar et al (2012) explored this dynamic further, through the lenses of 'accountability for what?' and 'accountability to whom?'. When asked the question, 'what is the partnership accountable for?', the emphasis of the respondents was on outputs and outcomes (Acar et al., 2012) -- a response that is generally in line with NPM's conception of accountability. Interestingly, when asked whom the partnership is accountable to, the most frequent response was 'the students' (Acar et al., 2012). While in some ways this too is aligned with NPM's 'customer first' mentality, in this case, the student has no direct way to sanction the provider for poor performance, thus the authors diagnose a possible accountability deficit.

The accountability deficit and shifting relations and identities

Papadopoulos (2007) digs into this issue of the democratic accountability deficit within network governance, recognising that in the flurry of research about performance accountability, this aspect has been largely ignored. He attributes this deficit to four characteristics of network governance, namely "the weak presence of citizen representatives in networks; the lack of visibility and uncoupling from the democratic circuit; the multilevel aspect; and the prevalence of 'peer' forms of accountability" (Papadopoulos, 2007, p. 470). He also emphasizes that the effectiveness of accountability structures hangs on the potential for sanctions to be implemented. This is often absent in network governance, and even when it is there, the sanctioning power generally does not lie in the hands of the citizen (Papadopoulos, 2007). While horizontal, 'peer to peer' accountability is present (although often toothless), public accountability is oftentimes reduced to 'customisation', or the "reliance on feedback by individuals as 'clients'" (Papadopoulos, 2007, p. 477). Furthermore, Papadopoulos (2007) argues that the

requirements of peer accountability can actually impede democratic accountability, as the peer instead of the public becomes the principal.

Willems and Van Dooren (2011) come to similar conclusions, exploring the 'accountability paradox' within PPPs. This paradox is characterised by an increased number of mechanisms to ensure accountability, co-existing with serious accountability shortcomings (Willems & van Dooren, 2011). This happens because despite new modes of governance having brought with them high levels of performance accountability, traditional notions of accountability have been eroded (Willems & van Dooren, 2011). The introduction of collaborators into the realm of service delivery blurred roles and responsibilities and erased clear principals and agents (Willems & van Dooren, 2011).

Where the legitimacy and democratic responsibility for service provision still lies with departmental ministers, in cases of PPPs these ministers often do not have direct control over certain aspects of service provision, resulting in the ordinary citizen having even less control and capacity to hold anyone accountable for service delivery (Willems & van Dooren, 2011). Similarly, Newman (2004) highlights "an absence of citizen participation as a form of accountability" (Newman, 2004, p. 31). Thus, while accountability mechanisms may have increased within the new modes of governance, they are generally limited to performance accountability, while "democratic and constitutional aspects are neglected and forgotten" (Willems & van Dooren, 2011, p. 522).

Writing about his research on the UK, Biesta (2004) also deals with this issue, highlighting the switch from an accountability that is about answerability, to a techno-managerial understanding of accountability, which narrowly refers to "the duty to present auditable accounts" (Biesta, 2004, p. 235). Biesta (2004) illustrates how this, changes the ways in which those within the system relate to one another and themselves. The relationship between the state and the citizenry is depoliticized, shifting from a political relationship, to an economic one, where the state is positioned as provider and the citizen as consumer (Biesta, 2004). He critiques the conflation of 'consumer choice' with democratic power, arguing that the citizen's invitation to 'have a say' is limited to feedback regarding services, and no longer extends "to the issue of what the citizenry in general would deem to be desirable" (Biesta, 2004, p. 238). This is the difference between what Biesta (2017) refers to as 'technical validity' and 'normative validity' (Biesta, 2017). He argues that "constant

emphasis on 'raising standards' is ultimately vacuous" (Biesta, 2004, p. 238) as democratic consultation and agreement regarding which standards society deems desirable, are absent.

In addition to shifting the relationship between state and citizen, these forms of accountability have also affected the self-perceptions and identities of education stakeholders such as principals and teachers (Biesta, 2004). Ball (2000) shows how these individuals are torn between professional or personal values, and the external demands of accountability, and end up remaking or fabricating themselves to satiate these demands.

Biesta (2004) concludes that there is a 'deprofessionalisation' of the student-teacher relationship, as teachers lose their professional agency in the face of centrally imposed control, and the dubious notion derived from market culture that 'the customer knows best' (Biesta, 2004). He argues that in its narrow prescriptions and demands, this "culture of accountability ultimately makes relationships of responsibility impossible" (Biesta, 2004, p. 250).



Conclusion

A review of the literature has shown that notions of accountability have shifted with government reforms. Traditional public administration was hierarchical and bureaucratic and the ways in which accountability was understood largely aligned with this, often focusing on inputs and processes. The NPM (and beyond) reforms have introduced a more decentralised governance arrangement which is multi-layered and networked, and in which the government steers rather than rows (D. Osborne & Gaebler, 1992) when it comes to service delivery.

This role of steering is enabled by contractualism where accountability for service delivery is governed through contracts between the state and the service delivery partner. The literature shows however that such mediums of accountability are not straightforward, highlighting several key considerations in ensuring the effectiveness of such an arrangement. These include clarity regarding roles and responsibilities of the various parties involved, clarity regarding the monitoring and measurement of performance, and clarity regarding steps to be taken in the case of parties defaulting on their contractual obligations.

Lastly the chapter reviewed literature speaking to accountability issues within PPPs. These issues include unequal power dynamics within PPP relationships, expansion of the private sector into the public sector, as well as democratic accountability deficits within partnerships. These deficits relate to various different factors including the lack of transparency within many PPPs, the exclusion of the citizen's voice within these arrangements, and the lack of clarity regarding roles and responsibilities of parties involved, disabling effective accountability.



Chapter 3: Methodology

My research aims to answer the question: How does the CSPP address the question of accountability, and what are some of the issues emerging within this? I have chosen to carry out this research as an exploratory study. Framing the research in this way makes sense because the area that I am studying is relatively unknown -- the collaboration school model has not been researched before. Additionally, the project is still in its pilot phase, having only been implemented at the beginning of 2016. Therefore, a study seeking to measure outcomes is inappropriate at this time. My goal here is not to be able to draw any concrete conclusions, but more to shed light on how the model is set up and functioning, as well as what issues are beginning to emerge, specifically relating to accountability.

In the light of this, my research will be qualitative, using both interviews and key documents to paint a picture of the ways in which accountability is operating within the collaboration school model. I chose to carry out semi-structured interviews, with my final research instruments containing specific questions to bring out specific information, but also leaving some room for other things to emerge as this is an exploratory study.



Research Methods

To answer my research question, I chose to study both primary data in the form of interviews with some of the key stakeholders involved in the CSPP, as well as secondary data in the form of the contractual agreements between the government (the WCED) and the different parties involved, as well as other supplementary documents.

I chose to work with both of these data sources because I felt that the contracts (and other key documents) would assist me in painting a picture of the way that accountability has been set up in the way that the model has been legally structured, while the interviews would give me an understanding of how these structures are working in practice, how different stakeholders are experiencing them, and what issues are emerging for the various parties involved.

In designing the study and considering the sample that I would use, I decided to focus the research on the five schools that had been part of the initial cohort of Collaboration schools when the project started in 2016. I chose to do this because these schools have been part of the project for the longest and therefore the people involved are more likely to have formulated opinions about the model and what is working and what is not. In terms of interview participants, I decided to limit my sample to the principals of these five schools, representatives of the school operating partners that were involved in the management of these schools, a representative of the donor group, representatives of the WCED at different levels, and the Premier of the Western Cape who had been involved with the initiation of the project. I chose to focus on these individuals because except for the Premier, they had all been signatories on the contracts that I had chosen to study, and therefore the logic was that by studying those contracts, and interviewing the people involved, I would be able to get a picture of how accountability is conceived in theory, and how it works out in practice.

In the end, my sample of interviewees was three of the five principals, two of the three school operating partners, the programme director for the CSPP representing the donor group, one circuit manager whose jurisdiction covered one of the collaboration schools, the provincial minister for education in the Western Cape, and the Western Cape Premier. I also did an interview with two lawyers from the Equal Education Law Centre to supplement my knowledge around the contracts that I was studying.

In terms of the document sample, I studied the service level agreements (SLAs) between the Western Cape Education Department (WCED), the school operating partners (SOPs), and the schools (represented by the principals) and the memorandum of understanding between the WCED and the donor group, with their corresponding annexures (the document containing the project plan, and the document containing the performance metrics). To supplement the information in these contracts, I chose also to include the Collaboration Schools Policy of the WCED in my sample. The donor (as employer) also has a contractual agreement with the SOPs (as employees) which I had hoped to include in my study, but unfortunately I was unable to get hold of these documents (which in itself raises potential flags regarding the transparency of these partnerships). Notably, none of the documents that I used in my sample are publicly available. I managed to get hold of them through a

contact in a civil society organisation who had acquired them through the WCED using the promotion of access to information act (PAIA).

Data collection

As stated above, I was only able to get hold of the government contracts and the collaboration schools' policy through an organisation who had already gone through a long process of using the PAIA to acquire them, and I was not able to get hold of the contracts between the donor and the SOPs. None of this documentation is in the public domain. In fact, it is very difficult to get hold of information about the CSPP in general. Minimal information exists on the WCED website. Within regard to the question of accountability (for which a basic requirement is transparency) this in itself is notable.

In terms of the interview participants, I was able to get hold of most of the people that I wanted to talk to, but there were a few that I struggled to meet up with despite reaching out via email, phone call and at times, in person. This is a limitation, however, this is an exploratory study and I am not trying to generalise the results or draw concrete conclusions. Therefore, the sample size that I was left with at the end seems sufficient for this purpose.

Analytical framework and data analysis

The analytical framework that I chose was integral to my data analysis. This framework takes the form of Newman's dimensions of accountability, which break accountability down into four separate dimensions, namely: accountability of whom, accountability for what, accountability to whom, and accountability through what means (Newman, 2008).

Under 'accountability of whom?', Newman asks the question, 'where does responsibility lie?'. Under 'accountability for what?' she asks 'what criteria are used in making judgements?'. Under 'accountability to whom?' Newman asks about the directional structures of accountability that are in place, and under 'accountability through what means?' she asks 'how are people to be held to account (and)... what sanctions may be exercised?' (Newman, 2008).

My analysis of both the interviews and the contracts were performed using these lenses. I read the documents and the interview transcriptions thoroughly, pulling out and categorising information that fell into any of these four dimensions. To avoid error, I went

through this process multiple times for each document. Once the information had been categorised into the dimensions of accountability, I analysed this, looking for gaps or imbalances or issues within any of the categories. The literature that I had reviewed prior to this, which had highlighted common accountability issues that can be found in PPP contracts and arrangements also assisted me in my analysis, providing frameworks through which to make sense of the gaps, imbalances and issues that I found. Below is a table explaining this in more detail.

Table 2: Framework for Data Analysis

Dimensions of accountability	Questions to consider within this
Accountability for what	Is there clarity of roles and responsibilities? <ul style="list-style-type: none"> - Is there clarity regarding the targets that parties are obligated to achieve (including specific indicators for this, and timelines for their achievement)? - Is there clarity regarding the measurement of these targets (what should be measured, when should it be measured, how should it be measured)? - Is there clarity regarding reporting (what reports should contain, how after they should be done)? - Etc.
Accountability of whom	Are the roles and responsibilities clearly assigned? <ul style="list-style-type: none"> - Who is responsible to achieve the targets? - Who is responsible to measure the targets? - Who is responsible to provide reports? - Etc.
Accountability to whom	Is there clarity regarding which parties are responsible to hold other parties accountable to their stipulated roles and responsibilities?
Accountability through what means	Is there clarity regarding steps to be taken in the case of breach of contract? <ul style="list-style-type: none"> - Are there guidelines for revocation and renewal? - Do the parties that should be holding other parties responsible have the power and means to do so? - Etc.

Source: Author compilation incorporating Newman (2008), Johnson and Romzek (2004), McGuire (2004), Mead (2003) and Khouri et al. (1999)

Limitations of study

The limited number of interviewees means that the results from this study are not generalizable. However, as this is framed as an exploratory study, generalizable results are not the goal, although even in exploratory studies higher numbers of participants do of course allow for a broader picture to be drawn.

Additionally the contracts between donor group and school operating partners are not included in the studies dataset. Studying these documents would have added an extra piece to this research. However, I was unable to get hold of these documents, which I believe in itself forms part of my findings. I recognise too that the voices and experiences of a few important groups are missing in this research. These groups include teachers, teachers' unions, parents and learners. I recognise that each of these groups are significantly impacted by the implementation of this model and have opinions and experiences which would add significantly to a research project such as this one, however, due to the nature of this project and its limited scope (being a master's mini-thesis) I decided to specifically limit interview participants to those represented within the contracts studied. I definitely however think that if further research is done on this topic, that the voices of these groups would be important to include. Although I do not see this as a limitation per se, I think it is important to recognise that the CSPP is still in its pilot stages, and this likely means that the model is still under review and subject to change. However, I think that this is actually an important stage in which to do research, so that hopefully the results can be fed into the project and be considered in these reviews and tweaks.

Lastly, as the implementation of this project has been relatively contentious, with various parties being clearly for or against the project, there is the potential that interviewees were not completely honest in their answers but give responses according to the camp that they find themselves in. However, my research design eliminates at least some of this danger by considering both primary data and secondary data, as well as interviewing a somewhat broad spectrum of stakeholders, both of which provide triangulation of the issues that I am studying. The research was strengthened by providing views from a combination of angles (objective contractual content, subjective stakeholder experiences and external organisational inputs), thus avoiding bias from a single-methodology.

Ethical considerations

The study was given the go-ahead by the University's ethics committee through its usual processes for ethical clearance. Clearance was granted on the conditions that informed consent was given by all interview participants. Each participant was given an information sheet explaining the basis of the study and the details of their commitment (a 30 to 60-minute interview), as well as the researcher's commitment to them in terms of ensuring their individual and organisational anonymity. It was also explicitly stated that participation was entirely voluntary and could be withdrawn at any point in the process. On these conditions, all participants gave their consent. Finally, the WCED granted permission for the interviews taking place on site at the schools.



Chapter 4: Unpacking the Contracts

This section will present and discuss the findings from the analysis of the contractual agreements. The chapter begins with brief descriptions of the various documents studied. It then goes on to present a layout of the ways in which the collaboration schools' model is structured according to the documents studied, specifically in relation to: model scope and scale, processes and procedures involved with implementation of the project, specifics of the model, goals of the model, and legislative framework underpinning the model. The chapter seeks to address the sub-questions introduced in the beginning of the thesis. The chapter then goes on to present the findings relating to the four dimensions of accountability, and ends with a section discussing the main findings.

Description of Documents

In this section I will give brief descriptions of the major documents that I have analysed in this study. These most significantly include the **service level agreement (SLA)** between the Western Cape Education Department (WCED), the school operating partner (SOP/OP), and the schools themselves, and the **memorandum of understanding (MOU)** between the WCED and the donor group, the WCED's **policy on the collaboration schools** as well as the other documents that represent addenda to the SLA, namely the **project plan** detailing key intervention points (termed Annexure A in the aforementioned document), and the document detailing the **performance metrics** against which success is to be measured (termed Annexure B in the aforementioned document).

Service Level Agreement (SLA):

The SLA contains several sections dealing with the roles of each partner, dispute resolution mechanisms and the performance criteria. Each school taking part in the CSPP has an SLA entered into by the WCED (represented by their Head of Department), the SOP (represented by the director of that organisation), and the school itself (represented by the chairperson of its governing body as well as its Principal). The initial SLAs commenced 'on

the first day of the school year of 2016' (SLA 2015, p5), and schools that have entered the pilot programme subsequently have commenced on dates 'determined by the Provincial Minister' as set out in the agreement (SLA 2015, p5). While the SLAs have a start date (or at least a directive giving the Provincial Minister authority to determine one) there is no mention of an end date, or guidance on how the agreement would be terminated.

Memorandum of Understanding (MOU):

The MOU is a contract between the Western Cape Provincial Government -- referred to as the WCED -- (represented by the Provincial Minister for Education) and the donor (represented by the Chief Executive Officer of DG Murray Trust).

According to the MOU,

The Donor represents a group of private foundations which are working together for the purposes of supporting the Collaboration Schools Pilot Programme so as to develop a sustainable model for improved education outcomes for learners from low income communities in the Western Cape Province, and which has indicated their intention to fund a pilot programme (MOU 2015, p2).

According to the document, the commencement date for this agreement was set to be 'the first day of the month upon commencement of the pilot as per the Project Plan' (MOU 2015, p3), thus January 1st, 2016. The document also specifies the date of termination of the agreement as 'five years after the commencement date' (MOU 2015, p7). Allowance is also given for early termination 'effective the end of any calendar year by written notice of either party to the other, provided that not less than six months' notice is given' (MOU 2015, p7), or in the case of breach of contract:

If either party commits and maintains a breach of any of the terms of this agreement, despite fourteen days written notice to remedy the aforesaid breach, then the non-defaulting party shall have the right at any time thereafter to terminate this agreement without penalty (MOU 2015, p9).

Additionally, the document makes space for (no more than five years) extension of the agreement, requiring a written application from the Donor 'at least fifteen months prior to the date on which the agreement period, as described in clause 6.1, will expire' (MOU 2015, p7). The WCED is the required to 'notify the Donor in writing within three months after receipt of such application for extension whether the application was approved or not and must give reasons if the application was not approved' (MOU 2015, p8) after which, in the

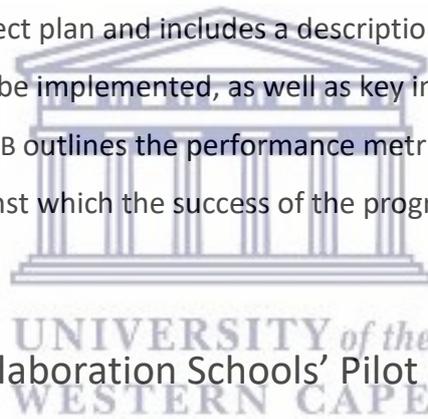
case of approval, 'an addendum to this agreement must be concluded between the parties incorporating all the terms of this agreement, or modifying the terms by mutual agreement' (MOU 2015, p8).

Policy on the Collaboration Schools Pilot Programme in the Western Cape

This is a policy of the WCED, signed by the Provincial Minister for Education. This document includes much of the information captured in the aforementioned agreements, as well as additional details regarding the collaboration schools' model itself which will be explored in the sections below. The policy includes a directive for review 'when the need arises or in the case of changed circumstances including changes to legislation and/or regulations and budgetary circumstances' (Policy 2015, p14).

Annexures A&B:

Annexure A represents a project plan and includes a description of the context into which the collaboration schools will be implemented, as well as key intervention areas that the project will address. Annexure B outlines the performance metrics for each of the schools participating in the CSPP against which the success of the programme will be measured.



Scope/Scale of the Collaboration Schools' Pilot Programme

According to both the MOU (2015, p5) and the Policy (2015, p3), the intention is for the CSPP to be implemented and tested in ten to fifty schools over a five-year period. The goal of the pilot is to demonstrate the model's (hoped-for) effectiveness, 'after which the model may be scaled to support 10% to 15% of the Province's public schools' (Policy 2015 p3).

Collaboration School Implementation (processes and procedures)

Section 12(1) of the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997) allows the Provincial Minister to 'introduce any type of school that she/he deems necessary for education' (SLA 2015, p2). In the light of this, 'the Provincial Minister has provisionally declared "Collaboration Schools" as a new type of public school' (SLA 2015, p2).

As the collaboration schools' governance model is not aligned with current legislation regarding school governing body (SGB/GB) composition (SASA, 25), the SLA outlines

processes to be followed to allow for the new governance structures to include the SOP along with the voting rights that the model assigns them.

In order to do this, the GBs are required to 'apply to the Head of Department to amend the composition of the governing body affording the operating Partner majority status, within 7 days after the commencement of the agreement' (SLA 2015, p4-5). Following approval, the GB are 'responsible for allowing the Operating Partner to exercise the voting rights on the governing body' (SLA 2015, p5)

The documents outline the process of appointing the SOP as follows: The Donor is required to identify capable operating partners, on the basis of their having the experience and capacity (with the support of the Donor) to improve education outcomes (MOU 2015, p5). Following this, the WCED HOD must 'approve the OP's appointment to form part of the composition of the governing body' (SLA 2015, p4), and finally the OP must 'accept the appointment to form part of the composition of the governing body... with the necessary voting rights' (SLA 2015, p4).

According to the SLA and MOU, it is the responsibility of the WCED to identify, select and approve the schools that will form part of the CSPP (SLA 2015, p2; MOU 2015, p6).

Regarding criteria for school selection, the MOU and the Policy highlight that:

The focus will be on turnaround secondary schools and their surrounding primary schools, as well as new or turnaround primary schools, representing the most pressing need and the most sustainable intervention point respectively' (MOU 2015, p5; Policy 2015, p8).

The policy expands on this by outlining the following five criteria to be considered in the selection of schools:

- a) Primary school focus, with secondary schools targeted where they have a special focus or where the targeted primary schools are their natural surrounding schools
- b) Limited to one or two districts to maximise expertise or learnings and also to keep schools geographically proximate to enable communities of practice, peer review and shared learning strategies by educators
- c) New schools
- d) Under-performing schools
- e) Target schools where the principal's position is vacant, filled in an acting capacity, or soon to be vacated by retirement or other reason (Policy 2015, p6-7)

As the collaboration schools' model includes a financial aspect with the donor committing a certain amount to the project per annum, the MOU details the procedures for the donation, acceptance and use of these finances. Firstly, it commits the Donor, made up of the group of private foundations, to establishing 'a collaborative non-profit funding entity' through which the support will be channelled (MOU 2015, p3).

The donor also commits to developing a project plan 'in conjunction/in consultation' (MOU 2015 p7/ p4) with the WCED, that should detail- quite specifically- how the donation should be used within the project. Finally, the WCED must accept 'the donation, on behalf of the school, on the terms and conditions set out in the project plan' (MOU 2015, p5).

Model Specifics

The policy defines the collaboration schools model as:



An institutional mechanism that partners under-performing schools and schools serving marginalised communities with a school operating partner committed to increasing the quality of teaching and learning in that school in order to substantially improve the school's educational outcomes (Policy 2015, p2).

The model essentially involves a collaboration between four major parties: the WCED, the donor group, the SOP and the school. While the school continues to function as a public school and receive all its normal funding and support from the WCED (staff salaries, Norms and Standards, pro-poor policy initiatives, infrastructure support etc. -- SLA 2015, p3), it also receives additional support (financial and other) from the donor partner. Furthermore, a SOP is appointed to provide direct expertise and support at the school level. This support is varied but includes governance support, teaching and learning support, leadership and management support among other things. The OP is also absorbed into the SGB where they are given 50% voting rights. In order for the OP to rectify shortcomings in learner education, the model also allows for 'flexibility in the delivery of the curriculum at the school provided it is not inferior to the standard as prescribed by the National Curriculum Statement Grades R-12' (SLA 2015, p3).

According to the policy, the additional support given to the CSPP through both the donor and the SOP 'has the following core elements:

- a) Placing additional skills, resources and capacity (in the form of school operating partners) into schools to empower governing bodies, school management and educators to develop structures, systems, cultures and capacities necessary to deliver quality education
- b) Integrating the school operating partner into the school in a manner that builds on the strength of existing governance and management structures
- c) Holding the school operating partner accountable through a clear mandate with concrete and specific educational outcomes that will be measured
- d) Providing the school operating partner with as much flexibility as possible and the ability to be effectively held accountable for educational outcomes (Policy 2015, p4-5)

As outlined in the MOU and the Policy, 'there will be two distinct funding models employed by the WCED in regards to turnaround and new schools respectively' (MOU 2015, p5). In turnaround schools, while the WCED will continue to maintain the payments of salaries, as staff leave and positions are vacated, these positions become SGB posts as opposed to WCED posts, and instead of paying staff directly,

The WCED will effect a transfer payment to the school in order to fill the vacant post or posts in accordance with the post provisioning model, so that new educators and non-educators will be appointed by the governing body and employed in terms of the Labour Relations Act, 1995 (Act 66 of 1995) (SLA 2015, p3).

In new schools, all the staff posts will be SGB posts from the start, thus the WCED will simply 'effect a transfer payment to the school, in accordance with the post provisioning model, and educators will be employed by the governing body' (Policy 2015, p13). In this model it becomes the responsibility of the SGB to determine staffing requirements, recruit, select and appoint all staff members (Policy 2015, p14).

Goals of CSPP

According to the MOU, SLA and Policy, the goal of the collaboration schools is to 'improve the quality of public education (and thus the 'school's educational outcomes'- Policy 2015,

p2) for learners from the low income communities and the lowest performing schools' (SLA 2015, p2; MOU 2015, p2). The model seeks to do this through:

Strengthen(ing) the quality of public schools, demonstrate(ing) effective models of public school management, strengthen(ing) public school governance models, develop(ing) educators, and implement(ing) interventions' (SLA 2015, p2; MOU 2015, p2, Policy 2015, p3). The Policy includes in this list the creation of 'an additional mechanism for accountability and continuing quality improvement in public schools' (Policy 2015, p5).

The policy also lists three potential indirect benefits from the introduction of the collaboration schools model, including:

- a) 'The introduction of a stream of innovation into the education system that could help improve parental participation, school governance and oversight
- b) The expansion of investments into the education systems from private sources
- c) The use of under-utilised school infrastructure in densely-populated areas helping to reverse the outflow of children from those areas' (Policy 2015 p6)

Legislative Framework

The policy highlights the National Development Plan as an important foundation to the introduction of the collaboration schools model, as it 'positions education as one of its five priorities for South Africa, and calls for national collaboration in achieving its goals' (Policy 2015, p3)

Foundational too is the Western Cape Provincial Strategic Plan 2014-2019 with its five strategic goals for the Province, the second of which is to 'Improve Educational Outcomes and Opportunities for Youth Development' through increasing 'the quality of education provision in poorer communities' (Policy 2015, p4).

Lastly, the WCED's five-year strategic plan 2015-2020 establishes three over-arching goals to which the goals of the CSPP are aligned, 'namely: an improvement in the level of language and mathematics in all public schools, increasing the number and quality of passes in the National Senior Certificate and increasing the quality of education provision in poorer communities' (MOU 2015, p2)

Dimensions of Accountability

Newman breaks down the dimensions of accountability into four categories: accountability for what, accountability by whom, accountability to whom and accountability by what means. In this section I aim to address each of these dimensions in the light of the content of the documents analysed. The first part will break down what each different party is accountable to in the different contracts addressing the questions of ‘accountability by whom’ and ‘accountability for what’. The next part will look at the means available to ensure that parties are held to what has been agreed to in the contracts, as well as the various parties that they are accountable to, addressing the questions of ‘accountability to whom’ and ‘accountability by what means’.

Who is accountable for what?

Table 1 details the broad categories of the roles and responsibilities of each of the different parties according to the contractual agreements. These categories will be broken down into specifics in the sections below.

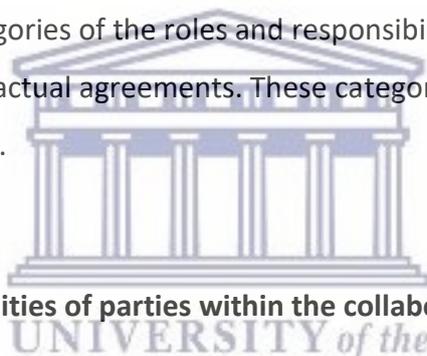


Table 3: Roles and responsibilities of parties within the collaboration schools model

Parties	Key Roles
WCED	<ul style="list-style-type: none"> - Broadly improve learner outcomes in the province - Facilitate the smooth implementation of the programme - Influence the direction of the project - Maintain supportive obligations to schools - Check, verify and hold parties accountable for progress
Donor	<ul style="list-style-type: none"> - Support the project, financially and otherwise - Provide direction to the project
Operating Partner	<ul style="list-style-type: none"> - Increase performance of the school through various support - Provide direction and governance to school as 50% of SGB (see roles of SGB)
Principal	<ul style="list-style-type: none"> - Facilitate smooth implementation of the project - Provide direction for the school - Implement the decided-upon interventions
Governing Body	<ul style="list-style-type: none"> - Facilitate smooth implementation of the project - Fulfil ordinary governing body functions - Fulfil human resource functions for SGB posts - Determine direction for the school

Source: Compiled by author using data from the contractual agreements

Western Cape Education Department

I have broken down the roles and responsibilities of the WCED into the following categories: to facilitate the smooth implementation of the programme, to influence the direction of the project, to maintain their supportive obligations, to check and verify progress of the project, to broadly improve learner outcomes, to ensure the financial sustainability of the project and to prepare and release any press statements or communications. Each of these categories are explored below:

Many of the WCED's roles and responsibilities fall into the category of facilitating the smooth implementation of the programme. Key to this is the responsibility of issuing any 'instructions, memoranda or other communications as deemed necessary to fully implement the pilot and facilitate smooth and efficient operation of the collaboration school (SLA 2015, p2; MOU 2015, p6)

Legislatively, the CSPP has not been straightforward as it functions out of alignment with some of the current legislation, particularly around public school governance. Thus a key role for the WCPG encapsulated in the MOU is 'to develop the regulatory framework under which the pilot programme will operate' (MOU 2015, p6) -- an initiative which is ongoing in the introduction of the Western Cape Provincial School Education Amendment Bill.

It also falls within the responsibility of the WCED to identify, select and approve the schools that will participate in the CSPP (MOU 2015, p6; SLA 2015, p2), as well as to 'liaise with the principal, the governing body and the district director regarding their roles and responsibilities (SLA 2015, p2; MOU 2015, p6).

With regard to the SOP, the WCED is responsible to approve their appointment 'to form part of the composition of the governing body' (the HOD in particular -- SLA 2015, p4), to ensure that they have access to the school (SLA 2015, p2), to allow them access to the data, information and systems that they require to fulfil their obligations in the school (SLA 2015, p3), to work with them collaboratively to ensure the project's effective and efficient implementation (SLA 2015, p2; MOU 2015, p6), and finally to allow them 'flexibility in the delivery of the curriculum at the school provided it is not inferior to the standard as prescribed by the National Curriculum Statement Grades R-12' (SLA 2015, p3).

The SLA also mandates the WCED to address any barriers to the project's successful implementation, committing them to 'respond to matters raised by the governing body of the school, as soon as reasonably practicable' (SLA 2015, p3).

With regard to the donor, the MOU commits the WCED to prepare the groundwork necessary for them 'to complete the initial and subsequent Project Plan' (MOU 2015, p5), to work with the donor to develop the Project Plan (MOU 2015, p7), to 'approve the Project Plan in writing' (MOU 2015, p7) and to accept 'the donation, on behalf of the school, on the terms and conditions set out in the Project Plan' (MOU 2015, p5).

The WCED is also required by the MOU to respond to challenges experienced in the project, and agree on the way forward in collaboration with the Donor (MOU 2015, p8). Lastly, in the case of the donor applying for an extension to the MOU, the WCED is required to 'notify the Donor in writing within three months after receipt of such application for extension whether the application was approved or not and must give reasons if the application was not approved' (MOU 2015, p8).

The second category of the WCED roles is influencing the direction of the project. While this role falls largely to the Donor in its agency in creating the Project Plan, and the SOP in its role in the school's governance structures, the WCED also plays a role in influencing the project's direction.

This occurs on a macro level through the WCED's responsibility to 'develop the regulatory framework under which the pilot programme will operate' (MOU 2015, p6), and when needed to identify legislative precepts within which the project is to be administered (SLA 2015, p4), on a project-wide level through their involvement in developing the project plan (MOU 2015, p7), and at a school level through their responsibility 'to select the public schools participating in the pilot' (MOU 2015, p6).

The third broad category of the WCED's roles is to maintain supportive obligations (financial and other). This includes the continued 'payment of salaries for educators and non-educators on the school's staff (SLA 2015, p3; MOU 2015, p7) either directly to the staff themselves in the case of WCED employees, or to the school in the case of SGB employees (MOU 2015, p7; SLA 2015, p3), as well as the maintenance of all ordinary support such as 'the school's financial allocation as per the Norms and Standards for School Funding' (SLA

2015, p3; MOU 2015, p6), the 'pro-poor policy initiatives applicable to the school such as Learner Transport Scheme, National School Nutrition Programme and No Fee School' (SLA 2015, p3; MOU 2015, p6), and 'the school's infrastructure support as per the WCED's U-AMP (SLA 2015, p3).

The fourth category of WCED roles is the checking, verifying, and holding parties accountable for progress. The WCED have an oversight responsibility, and are mandated to 'hold the Operating Partner accountable for increased performance of the school' (SLA 2015, p4), as well as to 'check and verify progress ('and compliance' - Policy 2015, p10) of the project' (SLA 2015, p3) and 'submit a bi-annual report to the Provincial Minister of Education' detailing the findings of this (SLA 2015, p3). In order to do this, the MOU allows the WCED to perform audits and inspections of the collaboration schools (MOU 2015, p8).

Both the SLA and the MOU give the WCED the responsibility to prepare and release any 'press releases and public statements regarding' the agreements (SLA 2015, p6; MOU 2015, p9).

The WCED also has a responsibility to improve learner outcomes provincially. While the commitment 'to creating opportunity for all through improved education outcomes' (MOU 2015, p2) is a much broader responsibility of the WCED than simply encapsulated in the CSP, it forms the basis upon which the CSPP has been implemented. Aligned to this, the MOU also highlights the WCED's five-year strategic plan 2015 to 2020 which mandates the WCED to improve 'the level of language and mathematics in all public schools', to increase 'the number and quality of passes in the National Senior Certificate' as well as 'the quality of education provision in poorer communities' (MOU 2015, p2).

Lastly, as the collaboration schools model requires significantly more finances than an ordinary public school, the MOU also commits the 'WCPG to work with Donors to develop a sustainable financial model for scaling the pilot' (MOU 2015, p6).

School Operating Partner

In this section, I have broken down the roles and responsibilities of the SOP into four categories that will be discussed below, namely: providing direction for and governance of the school (this will be covered in detail in the section on the SGB roles and responsibilities),

increasing the performance of the school through various support, reporting on project implementation, and working collaboratively with the other parties in the project.

Firstly, the SOP is tasked with providing direction and governance in the school. This takes place through their 'appointment to form part of the composition of the governing body' (SLA 2015, p4) which grants them 50% of the voting rights on this governance platform. As a result, the OP plays a key role in all the activities in which the SGB is involved, details of which will be covered in the SGB section.

Perhaps the most important function that the SOP is mandated to perform is that of achieving 'increased performance of the school' (SLA 2015, p4) for which they must be held accountable by the WCED. The specifics of this increased performance are set out in Annexure B which details the performance targets for each school in the CSPP (SLA 2015, p4).

The SLA and Policy specify some of the pathways available to the SOP for the purpose of increasing the school's performance, namely 'increasing the quality of teaching and learning' (Policy 2015, p2) and empowering 'governing bodies, school management and educators to develop structures, systems, cultures and capacities necessary to deliver quality education' (Policy 2015, p4) through the extra support that they bring. In addition, the OP is mandated 'to identify and recommend to the relevant District Director measures of improving the quality of education at the school' (SLA 2015, p4).

The SLA also commits the OP to 'undergo the necessary training and upskilling where required' (SLA 2015, p4), although there is no indication of how or by whom what training and upskilling is indeed necessary will be determined.

The SLA also commits the OP to report monthly to the WCED and the project manager on 'the initiatives and interventions employed at the school', 'the intended outcomes of the initiatives and interventions', and the financials, 'reflecting amount paid in respect of the project' (SLA 2015, p4).

Lastly the SLA commits the OP to working collaboratively both with parties external to the school (district officials and WCED) as well as those internal to the school (the Principal, the

staff, the parents and the GB) 'to ensure efficient and effective functioning of all aspects of the pilot' (SLA 2015, p2 & p4).

Donors

In this section, I have broken down the roles and responsibilities of the donor into three categories, namely: the provision of direction for the project, the provision of support (financial and other) to the project, and abiding by various accountability mechanisms.

Within the CSPP, the donor has a significant role in providing direction in the development of 'a sustainable model for improved education outcomes for learners from low income communities in the Western Cape Province' (MOU 2015, p2). One of the ways in which this happens is through their role in identifying 'school operating partners who have the necessary experience and who demonstrate the capacity (with the donor's support) for a successful and sustained track record in improving education outcomes' (MOU 2015, p5), who, once appointed, will play key directional roles. The other way in which the donor provides direction for the project is through the project plan, a directive document 'developed by the donor in conjunction with the WCED' (MOU 2015, p7), which details how the donation must be used within the project's implementation (MOU 2015, p4).

The MOU requires the project plan to 'contain sufficient details to give a full and clear picture of all the activities pertaining to the execution' of the project, including, 'inter alia, costing of the project, time lines, areas to be covered and the intervention strategies' (MOU 2015, p4).

Secondly and perhaps most importantly, the Donor is tasked with providing support to the project, financially and otherwise (MOU 2015, p2; Policy 2015, p4).

In order to get the support where it needs to be, MOU commits the donor 'to complete and sign all such documents and perform all such other acts as may be necessary to complete the initial and any subsequent project plans and the delivery of the donation' (MOU 2015, p5).

The details of the donation and the donor support in general should be encapsulated in the project plan according to the MOU (MOU 2015, p3 & 4). This document however provides very little detail regarding the specifics of the donor's intended support, instead simply

providing broad categories of key intervention points, namely ‘academic deficit address’, ‘addressing behaviour, work ethic and life choices’, ‘governance’ and ‘parent body’ (Annexure A, SLA 2015, p11-13). Thus from these documents alone, it is impossible to get an understanding of the scope and specifics of the donor’s support.

In addition to financial support, the MOU mandates the donor with the responsibility to procure any ‘goods or services pursuant to this project’ falling outside of the WCED’s procurement obligations (MOU 2015, p5).

Lastly in terms of support, the donors are obligated to work in collaboration with the WCED ‘to develop a sustainable financial model for scaling the pilot’ (MOU 2015, p6).

Lastly, the donor’s responsibilities within the CSPP include abiding by the accountability mechanisms set out in the MOU. These include reports to the WCED and the donor, entailing ‘detail relating to the project milestones and financial statements’ (MOU 2015, p8), which are to be conducted by the project manager -- a person appointed by the donor, in consultation from the WCED ‘to manage and execute the project’ (MOU 2015, p8). This project manager is also required to participate in (at least) quarterly meetings ‘to discuss the project progress and any other matter pertaining to the project’ (MOU 2015, p8).

In terms of external accountability mechanisms, the MOU requires the donor to allow the WCED to audit and inspect the collaboration schools through either internal or external auditors (MOU 2015, p8).

Principals

In this section I have broken up the Principal’s roles and responsibilities into three broader categories, namely the facilitation of the project’s smooth implementation, the provision of direction for the school and the implementation of the decided upon interventions.

Part of the Principal’s role is to facilitate smooth implementation of the CSPP within their school. According to the SLA, the Principal is ‘to assist with facilitating the introduction and mediation of the school participating as a collaboration school in the pilot programme’ (SLA 2015, p5). Part of this role includes the task of co-operating with and supporting the new governing body of which the OP is a part (SLA 2015, p5), as well as that of working

collaboratively with all parties involved in the project's workings, in order 'to ensure efficient and effective functioning of all aspects of the pilot' (SLA 2015, p2).

According to the SLA, the Principal also plays an important role in determining the direction that the school will take. This is illustrated in the Principal's responsibility 'to finalise the school improvement plan and academic performance plan after consultation with the new governing body' (SLA 2015, p5).

Once the intended direction for the school has been finalised, it is largely the Principal's responsibility to make sure that this is adhered to. Thus they are responsible for implementing 'the interventions contained in the school improvement plan and the academic performance plan, as well as others determined by the governing body from time to time' (SLA 2015, p5).

School Governing Bodies

In this section I have broken down the roles and responsibilities of the SGB into four broad categories, namely facilitating the smooth implementation of the pilot project in the school, fulfilling the ordinary functions of a governing body, assuming staffing responsibilities for the school and providing direction to the school. When I speak about the old GB, I am referring to the GB prior to the onset of the CSPP and the inclusion of the OP. The new GB is the GB once the OP has been incorporated into it.

Part of the SGB's role is to facilitate the smooth implementation of the CSPP within their school. According to the SLA, the old GB is responsible for applying 'to the Head of Department to amend the composition of the governing body affording the operating partner majority status' (SLA 2015, p4-5) thus reconfiguring the governance structures to be in alignment with the collaboration schools model. Following the HOD's approval of this, the old GB is required to allow the OP to exercise their newly instated voting rights on the new GB (SLA 2015, p5).

The reconfigured GB must then 'receive the additional support, monetary or otherwise from the donor group' (SLA 2015, p5).

In addition to its duties particular to the CSP the new GB is also required 'to fulfil all the functions and duties imposed on the governing body by virtue of statute' (SLA 2015, p5).

Under the collaboration school model, the GB assumes increased agency in terms of human resource management. In turnaround schools, upon becoming vacant, posts become governing body positions, and instead of paying staff directly, the WCED transfers the payment to the school who then employs staff accordingly (Policy 2015, p13). In new schools, all posts are automatically managed by the GB. According to the Policy, the GB is responsible for: determining post allocations for the school, as well as selecting, recruiting and appointing staff (Policy 2015, p13 & 14).

Lastly the SGB's role includes determining the direction of the school. According to the SLA, the GB plays a consulting role to the Principal in the formulation of the school improvement plan and the academic performance plan (SLA 2015, p5). Additionally, the SLA authorises the GB to introduce interventions which the Principal is mandated to implement (SLA 2015, p5).

Accountability to whom and by what means?

In this section I seek to analyse the mechanisms available to ensure accountability as given in the contracts. In other words, I seek to answer the question, what mechanisms are available in the SLA and the MOU to hold the various parties accountable to the roles responsibilities, processes and procedures in the agreement? These mechanisms are summarised in the table below and will be explained in the following section.

Table 4: Mechanisms of accountability within the collaboration schools model

Legal agreements	Service level agreement between SOP, school and WCED	<ul style="list-style-type: none"> - Contains guidelines for dispute resolution - Requires the WCED (unspecified) to submit a biannual report regarding the project's progress and challenges to the Provincial Minister for Education - Requires the operating partner to submit a monthly report to the WCED and the project manager detailing interventions and outcomes, as well as financials
	M OU between donor and WCED	<ul style="list-style-type: none"> - Contains procedures for termination and disputes - Allows for WCED audits at the schools - Commits donor to creating a detailed project plan to guide the project's implementation - Requires (at least) quarterly meetings between project manager, donor and WCED - Requires reports detailing finances and project milestones from the project manager to the WCED

Directional documents	School improvement plan	- Provides a strategical framework for increasing school performance to which the operating partner's support must align
	Project plan	- Provides details to guide the collaboration school project's implementation
	Performance targets	- Provides targets against which the success of the project must be measured
	Code of conduct	- Document developed by a school's governing body to which the SLA requires the operating partner to abide
Legislation	Model to function within the allowances of national and provincial legislation	

Source: Compiled by author using data from SLA, MOU and Policy

While the SLA mentions neither a termination date upon which the agreement would expire, nor any processes to follow in order to enact a termination of the contract, the MOU includes both of these. The termination date is given as 'five years after the commencement date' (MOU 2015, p7) of the project, and two clauses give guidance for procedures relating to early termination.

Firstly, in the case of either the WCED or the Donor wishing to end the contract early for any reason -- rationale is unspecified -- the MOU gives allowance for it to 'be terminated effective the end of any calendar year by written notice of either party to the other, provided that not less than six months' notice is given' (MOU 2015, p7). Secondly, in the case of a breach of contract by either the WCED or the Donor which is maintained 'despite fourteen days' written notice to remedy the aforesaid breach' the agreement gives permission for the non-defaulting party to terminate without penalty (MOU 2015, p9).

In the MOU, the Donor agrees to allowing the WCED (inclusive of internal and external auditors) access to the Collaboration Schools for the purpose of performing audits and inspections to ensure compliance to the terms of the agreement, providing 'that any such audit shall not disrupt unreasonably the Donor's business operations and shall comply with reasonable security or confidentiality requirements' (MOU 2015, p8).

Both the SLA and MOU include guidelines for the procedures to follow in case of the need for dispute resolution. The MOU determines that the involved parties should firstly attempt to resolve any disputes 'deriving from the Agreement in hand or from subsequent

agreements issuing therefrom'. If they are unable to resolve the dispute within fourteen days, it must be 'taken to arbitration and be arbitrated in terms of the arbitration rules of the Arbitration Foundation of South Africa', the decision of which will be 'final and binding' (MOU 2015, p9).

The procedure outlined by the SLA is similar. Parties are first implored to resolve their disputes amicably, either amongst themselves, 'or by appointing a suitably qualified facilitator' (SLA 2015, p6). The procedure for this calls for the aggrieved party to notify the other party ('and any other party affected by the dispute' -- SLA 2015, p6) of 'the nature and extent of the complaint' in writing, within fourteen days (SLA 2015, p6). Then, within seven days of this notice, a conciliation meeting 'between the parties to the dispute must take place' (SLA 2015, p6) and 'the dispute shall finally be resolved in accordance with the rules of the Arbitration Foundation of Southern Africa by a single arbitrator appointed by the WCED' (SLA 2015, p7). In cases where the arbitrator's decision is pending and urgent resolution is required, the SLA allows for parties to seek interim relief 'from a court of competent jurisdiction' (SLA 2015, p7).

The MOU commits the donor to developing a project plan for the purpose of demonstrating how their donation must be used 'to achieve the purpose for which it is intended' (MOU 2015, p4). This document:

Must contain sufficient details to give a full and clear picture of all the activities pertaining to the execution of this mandate and without detracting from the generality of the foregoing which will include, inter alia, costing of the project, time lines, areas to be covered and the intervention strategies (MOU 2015, p4).

In the case of further development of the project plan, the document 'will be updated and incorporated into this agreement... by signature of the parties' (MOU 2015, p4).

The MOU prescribes quarterly (at least) meetings 'to discuss the project progress and any other matter pertaining to the project' (MOU 2015, p8). It is not explicitly said but these meetings appear to include the project manager, the donor and the WCED, with a prior sentence committing the project manager to reporting to and being held accountable by the WCED and the donor (MOU 2015, p8). No meetings are made mention of in the SLA.

The MOU commits the project manager -- someone appointed by the donor in consultation with the WCED -- to putting together reports detailing 'the project milestones and financial

statements' (MOU 2015, p8). These reports are to be given to both the donor and the WCED. The frequency of the issuing of such reports is unspecified. The MOU also allows for the donor to report to the WCED less formally regarding 'challenges encountered and/or delays in the execution of the project' that a way forward might be reached (MOU 2015, p8).

The SLA commits the WCED 'to submit a bi-annual report to the Provincial Minister of Education on the progress and challenges of the project' (SLA 2015, p3). The SLA also commits the OP to submitting a monthly report to the WCED and the project manager, containing information about 'the initiatives and interventions employed at the school', 'the intended outcomes of the initiatives and interventions', and the finances 'paid in respect of the project' (SLA 2015, p4).

The SLA positions national and provincial legislation as a layer of accountability, situating itself within a legislative framework, and stating that the OP must 'administer the project within the legislative precepts identified in the implementation plan and as determined by the WCED from time to time' (SLA 2015, p4). Thus the legal system comes into play to ensure accountability in the case of actions taken outside of the law.

As within ordinary public schools, a school improvement plan and an academic performance plan must be drawn up annually. This is the Principal's responsibility, in 'consultation with the new governing body' (SLA 2015, p5). These documents provide a means for accountability, allowing actions taken to be checked against the commitments made. According to the SLA, it is also the Principal's responsibility to 'implement the interventions contained in' these plans (SLA 2015, p5).

Another document which allows for similar means for ensuring accountability is Annexure B which details the performance targets for each school against which project success is to be measured. While the SLA calls for each of its signatories (outside of the WCED- i.e. the OP, the SGB and the Principal) to commit themselves to improving the school's performance outcomes in alignment with the targets laid out in Annexure B (SLA 2015 p4 & 5), the OP is the only party that should 'be held accountable by the WCED for increased performance of the school' (SLA 2015, p4), although there are no specifics as to what should happen in the case of failure to meet these targets.

Table 5 below outlines the targets specified in this document.

Table 5: Performance Metrics

Theme	Indicators	Frequency of collection (by school)	Responsible for data collection	Baseline	Target	Frequency of actual reporting
Enrolment	Current number of students on roll	Daily	School			Monthly
Enrolment	Enrolment as % of school capacity	Daily (calculated by SIS)	School		100%	Monthly
Student attendance	Pupil attendance rate	Daily (calculated by SIS)	School		95%	Monthly
Student attendance	Student persistent absence rate (% of students present <85% of the time)	Daily (calculated by SIS)	School		5%	Monthly
Teacher attendance	Teacher attendance rate	Daily	School		95%	Monthly
Pupil-teacher ratio	Average number of learners per class	Termly (calculated by SIS)	School			Termly
CPD for teachers	CPD sessions held for teachers per term/ number of lesson observations	Termly	School		1 CPD session monthly, and 1 lesson observation/ teacher/ month	Termly
Safe environment	Health and safety rating	Termly	District Officer		3	Termly
Community engagement	Community engagement rating	Termly	District Officer		3	Termly

Leadership quality	School management rating	Termly	District Officer		3	Termly
Student attainment	% achieving pass in English [primary school all grades, high school grade 9s])	Annually	WCED		40%	Annually
Student attainment	% of students achieving ANA pass (all subjects, all grades)	Annually	WCED		49%	Annually
Student attainment	Primary schools: Early Grade Reading Assessment indicator, High schools: % of students achieving Matric passes	Termly	WCED			Termly
Student attainment	% of students meeting promotion requirements	Annually	School			Annually
Student attainment	% of learners being progressed	Annually	School			Annually
Cost	Operating cost per child	Termly	SOP			Annually

Source: Annexure B – Performance Metrics

In addition to the guidance of legislation regarding behaviour of each of the parties within the model, the SLA identifies the governing body’s Code of Conduct as a document by which the OP must abide (SLA 2015, p4). However, while this can inform a person as to whether or not the OP is operating within the contract specifications, there is no direction regarding what can be done in the case of a breach of contract by the OP.

Discussion

In this section I will discuss some of the accountability issues within the contractual agreements. I have separated these issues into six broader categories, namely: issues of termination, OP accountability, vagueness of specifics, issues of transparency, power imbalances and issues of enforcement.

Termination Issues

In order for an agreement to be enforceable, it must carry standards that guide revocation (Mead, 2003). Such standards are not present within the SLA. This document does not include a termination date, or any information at all regarding termination of the agreement if this became necessary.

On the other hand, the MOU (2015) does include a termination date for the agreement (five years after the commencement date) as well as two clauses providing allowances for revoking or terminating the agreement prior to this date.

Section 12 (p9) allows for termination in the case of breach of contract. The second clause of section 6 (p7) gives either party (i.e. the WCED or the Donor) the right to terminate at the end of any calendar year providing sufficient notice is given (six months). However, no standards are given to guide under which circumstances such termination is allowed so seemingly no reason or justification is necessary. This allows the Donor to pull their funds from the project (with six months' notice) with no justification necessary, an action that would likely have significant implications for the schools involved.

Additionally, while this clause also allows the WCED to terminate the agreement, because of these implications, in reality it would be very hard for them to do so. Most likely the dependence of the project upon the support of the Donor, and the fear of what may happen in the case of the removal of this support, would keep the WCED from terminating the agreement, even in a case where they may have otherwise. In this kind of 'co-dependent' relationship, true accountability is unlikely.

OP accountability issues

While the SLA maintains that the OP must be held accountable by the WCED for the school's increased performance, little is said about the means available to the WCED to do so. As stated previously, no guidelines are given for terminating the contract even in the case of a breach. Guidelines are however given for dispute resolution as detailed above.

Vagueness of agreement specifications

Johnston and Romzek (2004) highlight the necessity of clarity of contract specifications for the possibility of effective accountability through contractual agreements. However, within the MOU and SLA, various aspects remain quite vague.

According to the MOU, the project plan

Must contain sufficient details to give a full and clear picture of all the activities pertaining to the execution of this mandate and without detracting from the generality of the foregoing which will include, inter alia, costing of the project, time lines, areas to be covered and the intervention strategies (MOU 2015, p4).

However, Annexure A identified in the MOU as the project plan (MOU 2015, p3) is extremely vague and makes no mention at all of costing or timelines, simply identifying four key intervention areas, namely academic deficit address, addressing behaviour, work ethic and life choices, governance and parent body. As such, holding the project and its parties accountable to this project plan would be impossible as there is not nearly enough detail given to do so.

Another area of vagueness is in the guidelines given to the donor in the MOU for the identification and selection of SOPs. The only criteria given are that the OP should 'have the necessary experience and... demonstrate the capacity (with the donor's support) for a successful and sustained track record in improving education outcomes' (MOU 2015, p5). No explanation is given for what this 'necessary experience' is, or how this capacity for successfully improving education outcomes should be demonstrated. This gives the Donor a significant amount of discretion in making this decision, which is a decision with far-reaching implications, given the amount of power that the OP holds within the model.

Similarly, the documents give the WCED quite a significant amount of discretion in selecting the schools to participate within the CSPP. While the Policy and MOU give certain guidelines and criteria ('the focus will be on turnaround secondary schools and their surrounding primary schools, as well as new or turnaround primary schools, representing the most pressing need and the most sustainable intervention point respectively' (MOU 2015, p5; Policy 2015, p8), then the policy further limits this to schools in one or two districts, and suggests that schools in which the principal's position is vacant or soon to be so, should be targeted -- Policy 2015, p6-7), it is still unclear how schools would be chosen in a situation

where many schools fit these criteria. Thus, there are significant limitations regarding the possibility of the WCED being held account for their decisions for which schools should be included in the project.

Another area of vagueness is found in the MOU with regard to auditing. While the document permits the WCED to perform audits, it does not mandate them to do so, nor say how frequently such audits should be done. This is a worrying omission, as it is the WCED's mandate to ensure that the project is running smoothly and to hold private sector parties accountable to this.

Similarly, the MOU commits the project manager to submitting reports containing 'the project milestones and financial statements' (MOU 2015, p8). However, no specifications are given regarding the frequency of such reporting which makes accountability in this area very difficult.

Transparency Issues

While transparency is not equal to accountability, there is no possibility for accountability without it. The agreements contain some information about reporting in the project -- what reports should cover, who should write them, whom they should be addressed to, and in some cases their frequency -- however there is no mention of the reports being available for scrutiny by the public, implying little scope for the possibility of public accountability for the project. As this project exists within the public education system, this seems problematic. In my data collection, I was unable to get hold of any of these reports.

Power Imbalances

While much literature looking at PPPs exists, little examines the power relations inherent in these partnerships, and the implications thereof (Miraftab, 2004). In the absence of consideration of the power dynamics between the parties involved in such 'partnerships', it is very common for the weakest parties to be overwhelmed by the most powerful (Miraftab, 2004). I believe that in considering accountability within the CSPP, it is key to examine the power relationships, as accountability is very difficult when these are skewed.

One of the most notable examples of skewed power relationships within the CSP is that of the SGB, particularly in those instances where the Principal's post (and perhaps those of

other SGB members) is a governing body post. In these cases, not only does the OP have 50% of the voting rights on the GB, but they also (as majority members of the GB) act as the employer of other staff within the governing body. In GB decisions, it would be very difficult for members to vote against the OP when they are essentially their employer, thus checks and balances to ensure accountable behaviour by the SOP are almost non-existent. Similarly, it would be very difficult for the Principal (as a key party within the CS partnership) to hold the OP accountable when he or she is employed by them. Thus, in these cases (which are present particularly in new collaboration schools in which all posts are governing body posts) the OP in many ways has free reign within the school, belying the framing of the model as a partnership.

The school as a party within the CSP (represented by the Principal, school management team, other school staff etc.) is further disempowered within the model as the agreements leave them out of the loop in many of the accountability mechanisms. For example, the meetings made mention of in the MOU include only the project manager, the WCED and the donor (MOU 2015, p8), the project manager's reports are only given to the donor and the WCED (MOU 2015, p8) and the OP's reports are only given to the WCED and the project manager (SLA 2015, p4). The unawareness created by this omission is very disempowering for the school.

Miraftab (2004) also highlights the importance of the state partner's strong 'mediating and redistributive role' in levelling the playing field between parties involved in PPPs. In the case of the CSP however, the state itself is disempowered in various ways that have been touched on above and below. Firstly, in the absence of true means by which to hold the OP accountable (according to the agreements), and secondly, in their relationship with the donor, in which the donor holds the purse strings and therefore significant power. When the state is rendered all but powerless in their ability to mediate and level the power imbalances between parties, the most powerful parties can just about do what they like.

Enforcement Issues

According to Papadopolous (2007), the effectiveness of accountability structures hangs on the potential for sanctions to be implemented. While the MOU and SLA contain guidelines for various means through which some parties (this largely excludes the schools and

completely excludes the public) can be aware of the project and information regarding its implementation, information is scarce regarding sanctions available to the WCED in cases where parties are not meeting requirements or abiding by agreements. The wider public is further disempowered as they have no way of even finding out information regarding the project's implementation, thus have no hope of being able to act to ensure the enforcement of agreements. Considering the difficulty experienced in simply acquiring the agreements, most of the public will likely not even have access to those. This has significant implications for the democratic accountability potential of the project.

Additionally, while annexure A contains specific targets that the schools are aiming to achieve, as well as indicators for the targets, there is no clarity regarding timelines by which these targets must be reached, who must be held accountable for them being reached (although the SOP has most responsibility for this according to the documents), and what (if anything) happens if they are not reached. The absence of even a mention of consequences or sanctions dramatically diminishes the accountability potential, and seeing as performance accountability has been one of the top selling points for this model, this seems concerning.

In conclusion, within the contracts themselves and the ways in which the CSP has been conceived of and structured, there already exist significant accountability gaps. When such gaps are present even within the model's conception, it is likely that accountability issues will be present in the model's implementation; some of what the next chapter seeks to find out.

Chapter 5: Contested Perceptions - Views of Key Actors

This chapter contains the findings gathered from the interviews. It is grouped into sections by categories of interviewees, i.e. principals, school operating partners, WCED circuit manager, programme director (representing the funders), Western Cape Premier, Western Cape Minister for Education and Equal Education Law Centre Lawyers. Within each of these sections I have begun with a brief description of the participants, and then gone on to pull out the dimensions of accountability emerging from the interview data, and ended the section by unpacking some of the accountability issues that came out for each category of interviewees. Finally, the chapter ends with a discussion of some of the accountability issues that emerged from the interviews.

The School Principals



Principal 1 works in a no-fee high school of 620 learners. The school started in 2013 as a normal public school, and became a collaboration school in 2016 with the first cohort of the pilot projects. The school is currently partnered with its second operating partner -- the switch having taken place in 2018.

Principal 1 started at the school as the deputy principal in 2015, then was appointed as principal at the beginning of 2018. Important to note is that as this school was in existence before the CSP, it functions as a 'turnaround' school, or 'model 1' as laid out in the Policy. In other words, staff are employed by the WCED until they vacate their posts. In the case of such staff turnover, the vacant posts (and the finances to sustain them) are transferred over from the WCED to the SGB who is then responsible for filling and managing them. Principal 1 is presently a WCED employee (Interview 1, 3 Sept 2018).

Principal 2 works at a no-fee primary school. The school started in 2016 with the first cohort of the CSPP as a collaboration school. This school is also currently partnered with its second operating partner. Principal 2 has been at the school since its inception, first as its deputy principal, then stepping into the position of acting principal a year and a half into the project

when the previous principal resigned, and now as principal since September 2018. Important to note is that this school having begun as a collaboration school, is termed a 'new' school, and thus functions according to 'model 2' laid out in the Policy. Essentially this means that *all* staff in the school are SGB employees (with the OP making 50% of the SGB). This applies too to Principal 2, who is herself an SGB employee (Interview 2, 7 Sept 2018).

Principal 3 works at a no-fee high school that has been in existence for a long time. This school also became a collaboration school at the beginning of 2016 when the pilot project began. This school is currently partnered with its third OP. The first lasted only a matter of weeks, the second stepped in and remained until January 2018, after which there was no OP until June 2018 when the current OP was appointed. Principal 3 has worked at the school for over eighteen years, and has been the acting principal for two years -- the position which he currently holds. This school is a turnaround school and Principal 3 remains employed by the WCED (Interview 3, 7 Sept 2018).

Accountability of Principals: to whom, for what and how?

In this section, I will look at the ways in which each of the three Principals understand and interpret how accountability functions for them within the model in terms of whom they are accountable to, what they are accountable for, and how this accountability is concretised through processes and procedures.

Principal 1 identified her accountability to four different parties:

My key role and my key accountability is... to the OP, and to the WCED, and then to my staff and to the governing body (Interview 1, 3 Sept 2018).

She later clarifies whom she is accountable to specifically within the WCED.

I'm accountable to the WCED- my line manager there who is the IMG... the manager for under which district I fall... I would say that the WCED's circuit manager is my direct line/supervisor (Interview 1, 3 Sept 2018).

In terms of what she is accountable for, Principal 1 identifies her role as follows:

So as the principal it's about leading and implementing what we have agreed upon... So as principal I ensure that we as staff have buy in, that we agree as a team... what we want to do, and then ensure through monitoring that we do it. My main accountability is to ensure that it gets carried out (Interview 1, 3 Sept 2018).

In terms of the mechanisms for accountability, Principal 1 identifies various documents that her actions are held up against, as well as various mechanisms for monitoring, such as reports and meetings:

We are guided by our SIP (School Improvement Plan), guided by our mission and vision statement, guided by documents... I report directly to him (the Circuit Manager). And then the OP... has a head of schools who I report to as well... Its reporting in the following ways... you get visitation from your WCED person and then there's compliance issues and accountability there. And then I have a weekly meeting with the OP's head of school. So there's a weekly kind of monitoring and sharing and partnership... (Then) at the GB I will report on what is being done... we try to at least have three meetings per term. So there will always be a principal's report which covers quite a few things (Interview 1, 3 Sept 2018).

Principal 2 identifies her accountability responsibilities to three parties:

So I am accountable to everybody. To your OP, to your parent component, to the teachers (Interview 2, 7 Sept 2018).

She later adds on a fourth:

And also to WCED (Interview 2, 7 Sept 2018).

And a fifth:

It (the CS) is very accountable to the community it's in (Interview 2, 7 Sept 2018).

The roles that she identifies herself as being accountable for can be split into four categories, namely teaching and learning:

My responsibility is teaching and learning. That's what I need to focus on and that is my main responsibility (Interview 2, 7 Sept 2018).

Administrative activities:

As a principal I am still responsible for setting up the meetings and the notices (Interview 2, 7 Sept 2018).

Learner outcomes:

So if I for example... we set targets and then say for this year- I will make an example of systemics -, is let's say 50%, so everyone in grade 3 needs to have a 50% pass, grade 6's a 50% pass. And so I base my target on pass results (Interview 2, 7 Sept 2018).

And spending the WCED Norms and Standards money:

We also get norms and standards. So are you spending the money correctly? Have you got what the children need? (Interview 2, 7 Sept 2018)

In terms of accountability mechanisms, Principal 2 identifies meetings with the OP:

So I have weekly check ins with the OP... we have weekly check in meetings so they know exactly what the issues are if there are any issues... for a certain period (Interview 2, 7 Sept 2018)

Community meetings:

We have termly meetings for the entire community (Interview 2, 7 Sept 2018)

Financial audits:

We had the Grade R CA (Chartered Accountant) in the other day and they go through everything.

WCED is going to come and it's going to be auditing and finance matters (Interview 2, 7 Sept 2018)

And reports to the WCED and the OP:

Reports need to be submitted to WCED, guys let's use that information because we also need to do an analysis of results for the operating partner so let's combine the two (Interview 2, 7 Sept 2018).

Interestingly Principal 3 identified not only whom he is accountable to, but also whom he believes he is *not* accountable to:

I am accountable to my circuit manager. I am *not* accountable to them (the SOP) (Interview 3, 7 Sept 2018).

In terms of what he is accountable for within the Collaboration School, Principal 3 stresses that:

My role as a principal is still the role that I would perform without them (the OP) (Interview 3, 7 Sept 2018).

He adds to this that he is responsible for the WCED finances:

The WCED also puts money into the school as normal... (norms and standards) then as the school principal I am accountable for that (Interview 3, 7 Sept 2018).

Additionally, Principal 3 identifies that he is accountable for making sure that plans are implemented:

Once you are in a Collab school, all of the decisions are taken in the SGB. So once the decisions have been taken in the SGB I have to see to it that... we go according to those decisions (Interview 3, 7 Sept 2018).

Regarding the various mechanisms for ensuring accountability, Principal 3 identifies reports that must be given both to the parents and the SGB:

The monthly reports to the parents and the SGB, that is the responsibility of the principal. I have to report about everything that is going on at the school. I must... call a general parents meeting, and also report (Interview 3, 7 Sept 2018).

Principal 3 also shared two interesting stories about how the CS (including himself, his staff and the SOP) has been held accountable by the parents of the learners.

(At) our school, the teachers were not for collaboration, but the parents were for collaboration... With the last one (general parent meeting), we felt that as the staff we should end collaboration, but when we went to the parents, then they said no we can't, we can't do away. They said, we want our school to collaborate for the sake of our learners because we are unemployed, we are poor, we can't afford... our learners cannot afford some of the things that are there in some of the schools in the affluent areas. So for that they said no, they need collaboration schools... They (the parents) do (get a say in what happens). So much so that when we started with this overnight study they (the SOP) bought some food that the learners didn't like so the parents said no, you can't feed our learners, our kids with this, give them this, this and this. So they had to do it (Interview 3, 7 Sept 2018).

Accountability to principals: who, for what and how?

In this section I seek to unpack who is accountable to the principals within the CSPP, for what they are accountable, and how this works in practice.

While Principal 1 is still unclear about how this should work in practice (a concern that will be explored in the following section), she believes that within the model

The accountability (between herself and the OP) should be going both ways (Interview 1, 3 Sept, 2018)

In other words, the OP should also be accountable to her. Additionally, as part of the SGB, staff in SGB posts are also accountable to her:

Since 2016 any new employees at the school had to be SGB. They would all be accountable to (the) SGB (Interview 1, 3 Sept 2018).

Principal 2 was clear that the SOP is accountable to her for the delivery of the support promised:

And then their (the SOP's) accountability comes in when we look at; did you provide the necessary support that the teachers asked for? And was it timeously? Was it there so that it was able to make a positive effect on teaching and learning? (Interview 2, 7 Sept 2018)

Principal 3 identifies two parties:

The teachers are accountable to me; the SOP is accountable to me (Interview 3, 7 Sept 2018).

He elaborates regarding the SOP's accountability to him:

Everything we first discuss and we decide as the SGB- that SOP funds must be used this way and WCED funds must be used this way-... (if) the SOP deviates from those decisions, I have to call them and say, but we decided on this (Interview 3, 7 Sept 2018).

While all three of the principals mentioned that the SOP is accountable to them, none of them identified any concrete mechanisms with which they are able to hold them accountable.

Accountability issues that have presented themselves thus far

Principal 1 expressed that the model has increased the accountability pressure for her:

But I have accountability two ways- to the operating partner and to my line manager within the WCED. So it is a bit of more pressure on CS principals (Interview 1, 3 Sept 2018).

While Principal 2 experienced a similar thing, she has managed to find ways to streamline her accountability responsibilities so that they do not become too much of a burden -- although this in itself sounds like quite a task:

For me sometimes the one helps the other. Whereas before it felt like we were doing something three times, you've now gotten to a point where WCED is going to come and it's going to be auditing and finance matters, and so let's get it done so that if the operating partners need to submit their things, then we can use the same documents. Reports need to be submitted to WCED, guys let's use that information because we also need to do an analysis of results for the operating partner so let's combine the two. So I find that a lot of my time is checking to see what is coming up (in terms of reporting) ... so that you are also time managing and planning for the teachers so that it's not... people must never feel that I'm doing the same thing in five different ways (Interview 2, 7 Sept 2018).

Both Principal 1 and 3 expressed the challenges that they have experienced with regard to the lack of clarity around certain aspects of the project's implementation.

Principal 1:

You know, it's a grey area still, it's where we are still creating policy... Because of the pilot project, the lines and the rules and the boundaries are still not necessarily clear... There are challenges all the time. Because it's not an established process, and with a new operating partner comes new challenges, so for example the OPs themselves do not have the experience of this project, everybody's learning (Interview 1, 3 Sept 2018).

Principal 3:

We still don't understand it well, especially now that we had one SOP and it was changed, it's another SOP, and they do not operate the same way. So... we do have some questions here and there. Also... I have got circuit manager who is my supervisor, sometimes I would turn to him and ask about is it proper that I do this with collaboration people... then he would sometimes say, no, I don't have an answer. So because this was from head office to the school, so also in the district they don't understand it well (Interview 3, 7 Sept 2018).

One of the areas that Principal 1 has experienced this lack of clarity has been in the specifics of the different types of posts (WCED/SGB/donor-funded) that the CSPP makes allowance for:

Even the donor funded teachers or staff can in certain cases get medical aid and pension, but not always, because you might have a contract employee person. But with permanency they can be, but it's a bit of an iffy... (Interview 1, 3 Sept 2018)

Additionally, Principal 1 raises the issues of lack of clarity regarding mutual accountability leading to power imbalances:

And I think as principal if I had more written documentation around all of these things I would be able to guide better and hold them more accountable, but at the moment it's like *I'm* being held accountable (Interview 1, 3 Sept 2018).

In the case of Principal 3, an example is given regarding governing body composition legalities:

Last year we had a problem with the district where... the official who is responsible for... the school's finances, who monitors what is going on in our account and so on... she had a problem when the treasurer from the school was... from the SOP when the Schools Act says that the treasurer should be a parent of a learner at the school. So there was some confusion there. It was only clear this year that... the head of department, Mr Brian Shreuder... can modify or change that part, where...

the treasurer can be a person... who is not a parent of a child at school (Interview 3, 7 Sept 2018).

Principal 1 and 3 expressed ways in which they are times left out of the loop in the way that the model functions.

Principal 1 speaks about being left out of documentation and reporting loops:

I'm not as tuned up on all the documentation. The operating partner deals with the department around that. And I actually see that as a problem, in a sense that the principal is not in on... discussions at that level. Those kinds of agreements then have to be filtered down. And let's say, it's not always filtered down as efficiently as it could be, so one of my concerns is that when the OP meets with the WCED around whatever at the top level, the principals should be there as well. But at the moment the OP is dealing with the WCED and the donors and all of that. We are not right in the forefront there so we don't always get to know everything. And we don't always get documentation because we don't know what documentation is needed. All I've received is that SLA agreement. That's all I currently have (Interview 1, 3 Sept 2018).

Principal 3 expresses these sentiments in terms of the decision made to switch operating partners:

Up to now we don't clearly understand why they (the OP) had to be changed, but whenever we asked why is no more the other one, then they would say no it is the SOP and the donor's problem. So it was a problem between the SOP and the donors because the SOP answers to and reports to the donors (Interview 3, 7 Sept 2018).

Similarly, Principal 2 admitted not knowing the reasons for the shift in OP at her school:

To my knowledge it was a voluntary decision but I don't know (Interview 2, 7 Sept 2018)

Both Principals 1 and 3 expressed issues that they have experienced with the current SLAs. For Principal 1, the problem lies in the fact that she herself was not party to the agreement as it was signed before she assumed the position of principal, and yet she has to abide by it:

You see... I would say as a new principal there should be a new agreement. Because... When there is a change of principal there should be a new agreement² (Interview 1, 3 Sept 2018).

² As a side note, this is further complicated by the fact that the previous principal who did sign the agreement, is now in the position of head of schools in the organisation serving as the school's operating partner.

Principal 3's critique was more to do with discrepancies between the SLA and its implementation:

It (the SLA) is helpful to a certain degree. Because sometimes we do not follow it to the letter... Like for instance there is a paragraph there in the SLA that says that teachers- the SGB teachers- would be paid the amount which is equivalent to their counterparts in the WCED, and also receive annual increment, also have the medical aid and so on. Now they (the SOP) do not agree with that because they say they do not have funds for that. So like teachers who started in 2016... they have raised the question that they are still getting the same amount. Where is the annual increment as the SLA says? (Interview 3, 7 Sept 2018)

Principal 1 illustrates some of the power dynamics present within the accountability relationships of the CSPP, highlighting a perceived imbalance of power in favour of the OP, and her own experience of an uneven balance of power to responsibility:

Yes, it is a partnership between the school and the OP, but at the end of the day it is the principal who is accountable for everything in the sense of reporting and being held responsible to the WCED. Yes, the OP is responsible also in their ways but... I don't really know how I can hold them accountable.

The operating partner needs to take our guidance. So yes we are talking about working together in a partnership... And we as a SMT need to be listened to in that process. And I think as principal if I had more written documentation around all of these things I would be able to guide better and hold them more accountable, but at the moment it's like *I'm* being held accountable. But it shouldn't be like that, we are in a partnership, I must hold you accountable as well, if you're going to hold me accountable. And in any case I would be holding myself accountable too if they weren't there. I would be accountable to the GB, I would be accountable to the dept. So because I am going to be accountable, I need to hold people working on the school accountable.

But still the upper hand right now is the operating partner. It's not a fair kind of accountability. You understand? Because it's more we are all accountable there, to that side. But the accountability of the OP is being controlled probably by the WCED and the donors. But the school needs to also be able to hold the SOP accountable. Because we are also on the governing body. We also form part of the governing body. I mean educators are represented, students are represented, parents are represented and the principal is there. So we are 50 and the OP is 50. So there should be a mutual accountability (Interview 1, 3 Sept 2018).

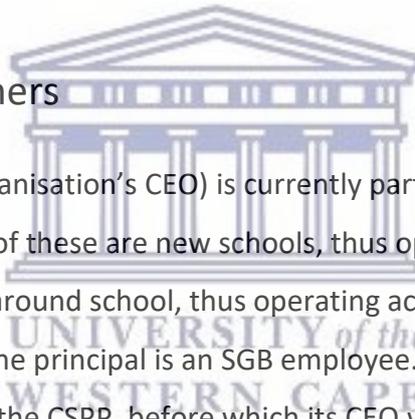
While dynamics seem to have shifted with the introduction of the latest SOP, Principal 3 raises some power imbalance issues (particularly regarding the spending of donor finances) that were present in the SGB with the previous SOP:

You see before when we started in 2016 and even last year with the old SOP, we were an SGB but sometimes when we would operate... they would operate as a SOP, and we would operate as the SGB. We would not regard them as part of the SGB. But this time we seem to... (be) at least working together as one SGB. Because also (now) the same SGB does have a say on the funds that are coming from the donors, how they must be used. But before, they (the SOP) would use (the funds) the way they feel they wanted to use the funds (Interview 3, 7 Sept 2018).

Principal 1 also raised the issue of a lack of transparency regarding, inter alia, finances, reporting and documentation, that she has experienced within the model's implementation:

I also want more transparency. I want to see the documentation, I want to see what the donors are giving, I want to see what the OP needs to be doing with their part of it and what we as a school can lead in the SIP. Because that will allow... less tension in a sense of having to have these difficult conversations with them. Because at the moment, I'm almost taking my guide from the OP which is not fair and which is not right, you understand? So if they want to pull the wool over my eyes, they can do so (Interview 1, 3 Sept 2018).

School Operating Partners



SOP 1 (represented by the organisation's CEO) is currently partnered with three different schools within the CSPP. Two of these are new schools, thus operating according to model 2 of the CSPP, and one is a turnaround school, thus operating according to model 1 of the CSPP. In each of the schools, the principal is an SGB employee. SOP 1 was founded in June 2016, specifically as a SOP for the CSPP, before which its CEO was working with a different SOP. In terms of skills and capacity, SOP 1's staff team includes a COO who is a chartered accountant, a head of education who has experience working across a network of 20 schools in the United States, a CEO who runs the organisation, as well as various teams, the largest of which is the education team, made up of five members and currently recruiting for five more (Interview 4, 3 Sept 2018).

SOP 2 (represented by the organisation's head of operations) is currently partnered with three different schools, and likely to add to this two more in the coming months. Their current schools include two primary schools and one high school, all of which are turnaround schools operating according to model 1 of the CSPP. Organisationally, the part of SOP 2 that is dealing with the CSPP is divided into an instructional team made up of members with previous education experience who implement professional development

with the school staff, and an operations team that works with the schools' finances among other things. SOP 2 is a faith-based organisation which is involved in various projects seeking to advance social development around Cape Town (Interview 5, 23 Aug 2018).

Processes and procedures

SOP 1 spoke about how the project came into being -- a process which according to them was initiated by the donor group:

The programme was founded by a group of donors... all doing different things in education... (none of which was) bringing large scale change into the system'. From this place the group asked themselves, 'What if we pool our funding together and create something that brings about systemic change?

And then they commissioned a research study with a consultancy firm, and they looked at what was happening in other parts of the world... and they said okay we think that this is the type of vehicle we would need to address this. So they entered into a MOU with the WCED in September 2015... that allowed for the Collaboration Schools Pilot Programme to exist (Interview 4, 3 Sept 2018).

Introducing the CSPP has also involved a process of developing new legislation -- the Western Cape Provincial School Education Amendment Bill -- that allows for the changed governing body composition that the CSM requires so that the programme can eventually evolve from its present pilot status.

The bill is currently being debated right, so we'll see. Huge unknown, we'll see. But if the bill passes, the pilot in itself is going to phase out. So at some point the pilot will end, but if we can prove that the model works, the collaboration schools will continue and they will build... So the pilot part of it will end but the programme will continue (Interview 4, 3 Sept 2018).

According to SOP 1, the process by which a school enters into the CSPP is as follows:

The WCED identifies schools that they think could be... eligible to become collaboration schools...- generally they have to be no fee schools, they have to be schools in township areas, they have to be schools that are struggling... Then they approach schools and basically ask them would you be interested in this programme?... They say yes and we (the SOP) would then come to the school and meet with them, and we would talk. And then if they're happy they'll take it to the SGB... they discuss the whole proposal with the parents... and then the parents would vote yes or no... If they say yes, the SGB signs an agreement... with us... The next step that the SGB then do is they send a letter to the head of the education department, requesting a change in the composition of the SGB... And the department then signs that and grants that request (Interview 4, 3 Sept 2018).

SOP 1 -- which interestingly was the first organisation founded specifically to function as a SOP -- details their process of becoming a SOP:

So... (SOP 1) was formed. We had to submit a proposal, and the proposal was... reviewed. There was then a whole series of interviews... with a panel of donors... and then (we were selected) based on that... They then put a proposal forward to the WCED- the head of... department- and he then has to say... yes/ no/ I have a question about these guys... So it is a mutual sign off. But most of the leg work is done by the donor group (Interview 4, 3 Sept 2018).

Although SOP 2 didn't speak as much into the selection processes, their entry into the CSPP began slightly differently as they were already an established organisation:

We were approached to do it and it was a lot quicker than (expected)... I think we thought we'd have a year to do a proper audit in the schools and a slower onramp, but it all just happened like... and I think they are pushing for us to have two more schools next year (Interview 5, 23 Aug 2018).

Accountability of SOPs: to whom, for what and how?

When asked whom they are accountable to within the project, SOP 1 identified both the donor group -- mostly through the pilot support office -- and the WCED.

SOP 1 identified the improvement of learner outcomes as the thing that they are ultimately accountable for.

We are closely monitored on results... The ultimate measure is student results improve... So do learner outcomes improve from pre-collaboration to post-collaboration school? (Specifically) we look at systemic results mostly, because systemics are standardised assessments that everyone (all learners in Grades 3, 6 and 9) in the province writes once a year... then we also look at matric results from all the schools that have matrics... So what we try and do from our side, is we put as much support in place to make sure that those results are achieved (Interview 4, 3 Sept 2018).

According to SOP 1, this support takes various forms including:

The set up... of the lab that runs the online literacy programme... (the implementation of) a numeracy programme... (the introduction of Community Keepers) a Non-profit organisation (with various professionals who)... help our learners and our teachers with psychosocial and emotional trauma... (at each of their schools, the) general upskilling of leadership, training and development of teachers,... (the investment into) safety and security of schools (and) infrastructure upgrades (Interview 4, 3 Sept 2018).

As it often takes time to see significant improvements in learner outcomes, SOP 1 is also held accountable for improvements in other performance measures:

We track teacher attendance, we track learner attendance- we have school management systems that we've implemented in schools... with a lot of data (Interview 4, 3 Sept 2018).

The school improvement plan (SIP) is one of the strategic guiding documents at the school level to which SOP 1 (along with other parties) is accountable to and must align their support with:

(We) work with the SMT (school management team) of every school every year, and we identify a SIP for the next year. That is basically like the strategy of that particular school for the next year (Interview 4, 3 Sept 2018).

The SOP is also accountable to the WCED and the donors through various reporting mechanisms, meetings and other monitoring systems:

We have proper quarterly reviews with donors, they are quite intense. We have to do a lot of reporting beforehand and then we sit down with them in a room for like two and a half hours and they drill us with some things that they're not happy with, and highlight some issues. And then there's also the WCED that also monitors us through normal monitoring systems that they do for the district. And they are in the process now of designing another report that we have to complete for them. The joint steering committee (... 'the decision making body of the project' led by 'the Head of the Education Department' and including 'all his directors in the sub-areas' as well as 'the donors', 'the pilot support office' and 'the SOPs') meets every quarter...(to discuss) problems that we are experiencing in the project... (and) report back on our schools and our progress made (Interview 4, 3 Sept 2018).

SOP 1 also spoke about being accountable to the donors through a legal agreement with them:

They (the Pilot Support Office) generally make sure that all the legal agreements get signed every year, that we are held accountable for what is set out in our donor agreement. So our donor agreement says you will report monthly on this, you will report quarterly on this, you will have annual statements... so they make sure that all those things happen and that we do that work and get those audits done (Interview 4, 3 Sept 2018).

Similarly, SOP 1 mentioned the SLA -- the legal agreement with the WCED and the school, to which they are party:

If they (the parents) say yes (to being a collaboration school), the SGB signs an agreement then with us. So there's four signatures on that agreement. It's us as

SOP, the chair of the SGB, the school principal and the head of the education department. So that then links us and that's an agreement that's binding us and the school, and the department (Interview 4, 3 Sept 2018).

SOP 2 also identified the WCED and the Donors as the parties that they are accountable to:

So the WCED are obviously oversight over all of this... (and) we are accountable to the WCED for the money that they send... And then we're accountable to the donors mostly, because the money that keeps our team going comes from the donors (Interview 5, 23 Aug 2018).

Again, SOP 2 identified learner performance outcomes as the main outcome for which they are accountable in the model:

Ultimately what we are trying to do is to increase numeracy and literacy and make a difference in the children who are at the schools... it all gets back to systemics... at the end of the day I think it is numeracy and literacy... the results of the children (Interview 5, 23 Aug 2018).

SOP 2 provides various kinds of support in order to achieve these improved learner results:

It's working into the finances, bringing accountability and proper procedures, putting those in place. Putting policies in place. Getting the SGB up and running. Making sure that the SGB actually are meeting and that things are being passed through the SGB, decisions are being made, people are being held to account, that meetings are being minuted, that there are proper HR policies in place, that the right teachers are being hired- that it is not just so and so's friend but that we've got qualified people in the right roles. Making sure that teachers are performance managed, making sure that everyone is paid on time... Mentorship and coaching of the head, teacher development and coaching (Interview 5, 23 Aug 2018).

SOP 2 highlighted some of the accountability mechanisms that are used within the model to ensure their accountability to the donors and the WCED for that which has been agreed upon. These mechanisms include various forms of reporting and auditing:

So we are accountable to the WCED for the money that they send, and there's reports that go to them every month... We also send donor reports every month on where that money's gone and what we've achieved... (and) yesterday I had an interview with Jet, an external auditing company that the donors have had to come in and do an audit on (the operating partner) and exactly what we've been up to (Interview 5, 23 Aug 2018).

SOP 2 also mentioned the SIP as a document guiding the support that they give to the schools to which they are accountable:

There's a SIP- a school improvement plan- at the beginning of the year, that kind of strategy document... that's where we say okay, what are we going to do to increase numeracy and literacy in the school? ... we'll decide then what programmes are going to support us achieving our goal in the school (Interview 5, 23 Aug 2018).

Accountability to SOPs: who, for what and how?

In terms of who is accountable to them, SOP 1 explains that while they do not necessarily hold teachers accountable, they hold the principal accountable who in turn holds the teachers accountable. In addition to this, as they make up half of the SGB in terms of voting rights, SGB posts are also technically accountable to them, and in a new school this includes all staff.

So the SOP doesn't hold the teachers accountable. The principal remains the manager of the school so the principal has to hold everyone else in that school accountable. We (are) in the unique position now where all three of our schools will have SGB principals... Their line manager is our head of education, so the principal manages everyone at the school, and we hold the principal accountable (Interview 4, 3 Sept 2018).

In terms of this relationship, SOP 1 largely holds the principals accountable for implementation of any agreed upon interventions and achievement of school performance targets.

The principal is also responsible for implementing the SIP, which is that annual strategy that they do at the beginning of the year. So... that is extremely specific about what we want to achieve and by when, and the principal has to implement all those things. It can be specific as our Grade 3 maths results must increase in 2019 from 47% to 53%. It can be that specific. And he must make sure that that happens (Interview 4, 3 Sept 2018).

Additionally, while SOP 1 provides various kinds of support, also guided by the SIP, the principal is accountable to making sure that the support is implemented:

I hold the principal accountable to make sure that he doesn't change the timetable, or make sure that the kids actually go to the lab... for making sure that the kids go to (their) periods and... they don't break early (Interview 4, 3 Sept 2018).

Similar to any employer-employee relationship, SOP 1 holds the principal accountable (along with the WCED circuit manager) through a contractual agreement which includes mechanisms for performance management.

We have a job description for every principal, so there's a job description and your contract, and then we implement the IQMS policy which is the same performance management policy that the WCED use, we use a very very similar one... then we run the performance management process with the principal. And then we, together with the circuit manager, sign it off... (In the case of) a WCED principal, the circuit manager runs the process and they lead it and we together with them sign it off (Interview 4, 3 Sept 2018).

In terms of who is accountable to them within the model, SOP 2 also spoke about staff that are on SGB posts.

That SIP money we will put into where we feel like there's extra posts that are needed, we'll bulk up the staff with that money. And then those posts...- they're called SGB posts...- go onto our payroll that we run... (Additionally) if anyone resigns from the WCED then that post automatically becomes an SGB post. So then the WCED give us money for... (those) teachers... So we've got teachers on our payroll that are funded by the WCED, and teachers that are funded by the donor (Interview 5, 23 Aug 2018).

Accountability successes

As transparency is essential for the possibility of accountability, SOP 1 speaks about the measures that they have implemented to improve communication with the parents of the learners at their schools as an accountability success.

Generally, we are quite active on Facebook- the schools are active on Facebook which we set up and support... at the moment we're developing websites at all the schools so the parents have another way of communicating, we've set up school management data systems which we are now linking with parents smses, so there's easier communication (Interview 4, 3 Sept 2018).

Similar to this is the importance of the implementation of processes and procedures that can allow for monitoring to happen, and thus allow for the potential of accountability. Thus SOP 2 identifies the following as accountability successes:

We have a payroll running smoothly- that's a system that we put in place-, HR- there's now a process that needs to be gone through-, finance- we've put policies and processes in place-, the SGB... rhythms of the SGB, that's been put in place (Interview 5, 23 Aug 2018).

Accountability issues?

Both SOP 1 and 2 have experienced some frustrations with some of the lack of clarity that comes along with being part of a pilot programme in which things are still in the process of being clarified.

It's a pilot programme, it's new, so there's constant challenges as we try and figure things out. There's a lot of trial and error... so... we have to be quite resilient, roll with the punches (Interview 4, 3 Sept 2018).

SOP 2 adds to this their frustration with the fact that parties involved do not always have the answers:

I think with being a pilot programme, they don't always have all the answers... We are developing... we like to say... we are building the plane as we fly it (Interview 5, 23 Aug 2018).

According to SOP 2, the SLA is often not helpful in clarifying some of these unknowns:

We are in the process now of saying lets actually really look at this SLA again and include a lot more information. We need clarity before we move into a new school (Interview 5, 23 Aug 2018).

SOP 2 also emphasized their experience of being left out of the loop with regard to important information required from the WCED.

I think one of the problems that we are experiencing at the moment is as an SOP we are getting a lot of our information through the school and that's going to be broken information and they (the schools) often try and hide things from us, whereas if we were getting it straight from the WCED and we had all the right logins to be able to check what the WCED has seen, then we (have)... almost more of an authority given by the WCED... We just sometimes get left out of loops (Interview 5, 23 Aug 2018).

SOP 2 spoke about how, in the face of significant dysfunctionalities within the schools in which they work -- most of which are tied to learner outcomes either directly or indirectly -- it is often difficult to decide where to put their focus, given their limited capacity and their rapidly increasing responsibilities:

I mean the school ran out of toilet paper last week because... that is something that the head needs to do... I think as the SOP we are more and more realising how much we are having to support, right down to that kind of detail... So we are really having to, as a SOP, say, okay given the limitations of our team, can we be ordering toilet paper in all schools?... What can we do, given the budget and given the capacity of our team? We can't do everything, so what is the offering that we can

give, given that they are scaling us up so quickly and we are having to take on new schools? (Interview 5, 23 Aug 2018).

WCED Circuit Manager

CM is a circuit manager in one of the WCED's education districts. He currently has one collaboration school in his circuit. This school is a turnaround school that was incorporated into the CSPP at the beginning of 2016 with the initial cohort of the pilot project. CM was involved with this school since its inception a few years prior to the introduction of the CSPP. The principal in this school is a WCED principal (Interview 6, 18 Dec 2018).

Accountability of circuit manager: to whom, for what and how?

In terms of what he, as a circuit manager, is accountable for within the CSPP, CM emphasizes that his role remains the same in comparison to what it would be in any other public school. Namely, this includes being accountable to the WCED for providing support to the schools under his jurisdiction, and ensuring their (the schools') accountability to policy and legislation governing public education in the province.

We will still provide the kind of support that we would normally provide to the school... As circuit manager, my role is to focus on school functionality, management and governance, and make sure that the school is operating within the policy framework of the education system. And it doesn't change just because it's a collaboration school. So my functions in the school will remain the same. There's still an accountability to all of those structures (Interview 6, 18 Dec 2018).

CM goes on to explain what does change when a school joins the CSPP, mainly emphasizing the shifting responsibilities and procedures when it comes to human resources management in the schools:

The changes come in where it comes to appointments of staff and those kinds of things. Collaboration (the SOP) becomes now part of the governing body... They represent 50% of the governing body and they now are responsible for employing the staff. So if there are existing staff that belong to the WCED they will remain, but any new appointments are now done via collaboration...- the SGB now has the right to employ directly... (which) means that they have direct control over that group of staff (Interview 6, 18 Dec 2018).

In terms mechanisms for accountability, CM makes mention of quarterly monitoring reports to the WCED.

Accountability to circuit manger: who, for what and how?

In terms of parties accountable to CM within the model, he mentions the principal, the SMT, the SGB and staff in general, but also highlights the complexity of this when it comes to SGB posts as well as an SGB whose composition is 50% SOP.

So if the principal is a principal at a public school there is still a responsibility to the WCED because we are in essence responsible for public school education... So the school principal has an accountability to the WCED, but there's also accountability to collaboration (the SOP) ... In terms of the accountability, right now I think that it's still in flux... Whether you're (an) SGB teacher or WCED teacher you're accountable to do what it is that you're required to do. So my engagement would be across all staff, it's just that maybe in terms of the administrative structure that the difference is highlighted... But with collaboration schools, I generally don't get engaged with the SGB (Interview 6, 18 Dec 2018).

Accountability issues

CM describes some of the complexities of the model regarding the different parties involved, and the sometimes overlapping nature of their roles and accountabilities. This happens with the principal being accountable both to the WCED and the SOP, SGB staff being fully accountable to the SGB (that is 50% SOP), and the SGBs themselves, whose accountability responsibilities are complex because of their composition within the model.

From my level from where I'm working there's still a little bit of a question around full accountability and where those accountability lines separate... The school principal has an accountability to the WCED, but there's also accountability to collaboration (Interview 6, 18 Dec 2018).

In terms of staff employed in SGB posts:

It means that they (the SOP) have direct control over that group of staff that are employed by the SGB... I generally don't get engaged with the SGB (Interview 6, 18 Dec 2018).

Although his is a WCED principal, CM recognises the potential of increased accountability complexity in the case of a principal in an SGB post:

So my principal is a WCED employee... so in that case I suppose it's a little less complicated. But in the other school that I spoke about earlier, that principal was an SGB appointed principal, and so they (the SOP) really have the control in terms of the employment part of that particular individual (Interview 6, 18 Dec 2018).

The CM seems to display a hesitancy to credit to the CSPP for potential improvements in school performance, expressing that it is difficult to isolate the interventions and parties responsible for improvement when multiple parties are involved:

I think it's also difficult to quantify and ascribe success to that entity (the SOP) or the WCED. Because it's a collective thing, you know, we haven't withdrawn our support as the WCED so it's kind of dovetailing and additional... so... to purely ascribe success for the project to collaboration, I think that's going to be difficult to quantify (Interview 6, 18 Dec 2018).

While he did not explicitly identify this as an issue, on a few occasions, CM expressed that there is various information relevant to the collaboration school under his care that he does not have access to at his level. This includes information about the contractual agreements entered into by the different parties which contain information about what they are responsible and accountable for.

So I can't talk to the higher level of agreements. I know that there are agreements in place between the head of education, the funders, the donors... I can't speak to it because it's beyond my pay grade... All I know is that the collaboration partner at the school... sign(s) agreements in terms of deliverables over a five-year period. I can't tell you what those agreements are, I can't tell you what the nature of it is in terms of actuals (Interview 6, 18 Dec 2018).

In addition, CM does not receive any of the reports that the SOP completes containing information about the implementation of the CSPP at the school. Instead, these reports bypass him to go straight to the WCED's head office.

Programme Director

The PD (known as the project manager within the agreements) leads the public school partnership, which is the umbrella organisation encompassing both the CSPP in the Western Cape, as well as a similar version of education partnerships in the Eastern Cape. The PSP was started by a group of funders made up of seven private foundations who banded together and came up with this model through which they would participate in public education. PD has been in her position since April 2018 -- a position which also provides oversight for the pilot support office as mentioned in the SOP interviews. Within the project, she represents

the funder group, playing a 'traffic controller/traffic director' role, as the contact point between the different parties involved in the project (Interview 7, 6 September 2018).

Processes and procedures

While the initial conception and implementation of the collaboration schools model took place prior to PD's entrance into her role as programme director, she spoke briefly about this process:

It's almost like a five-year journey... of a group of funders saying we are tired of throwing money into education with no results... I think there was a trip to the UK where the academies model was reviewed and... basically an understanding of how this could look in SA (Interview 7, 6 September 2018).

In terms of the processes at a school level, according to PD,

The WCED gives us a list of schools and says these are the schools that have indicated that they want to be part of the programme, and then there is a deep... consultative process with the SGB, there's a parents meeting for people to vote, and then a matching exercise happens to see if this operator and this school can actually work. So it's quite consultative (Interview 7, 6 September 2018).

Accountability of programme director: to whom, for what and how?

In terms of parties to which she is accountable, PD expressed that she is accountable to both the funder group and the WCED for the project at large. The accountability mechanisms underlying the relationship with the WCED include regular reports.

So I do the reporting in terms of the project to the WCED on a quarterly basis... In March, the focus is on the systemics from the previous year, then toward May/June we do a mid-year review, July we'll be looking towards the following year and sort of talk about where the learners are based on their June results, and then at the end of the year we're planning ahead for the following year (Interview 7, 6 September 2018).

Accountability to the donor functions in terms of an ordinary employer-employee relationship:

The funder group are my bosses. I've got to roll out their strategy and then support the SOPs to achieve that strategy.

Accountability to programme director: who, for what and how?

PD identifies the SOP as a party primarily accountable to her (representing the funder group):

They're fully accountable to the funder group via the PSO (pilot support office) (Interview 7, 6 September 2018).

The SOP is accountable for achieving various agreed upon targets and outcomes at the schools with which they are involved:

We've sort of got rough targets for the different years... and those targets are obviously linked to the broader funder group goals for the level of improvement that we're expecting to see in the schools for the amount of funding that's being invested (Interview 7, 6 September 2018).

The operating partner seeks to achieve these outcomes through the various support that they offer to their schools.

According to the PD, the fact that the SOP makes up 50% of the SGB, makes holding them accountable for such outcomes legitimate:

You can't point to anyone but the SGB when things you know are not moving along in the schools and that's why the school operator is represented on the SGB (Interview 7, 6 September 2018).

Mechanisms for accountability vary. Importantly, there is accountability via ordinary employer-employee agreements as the school operator is funded by the donor group.

Additionally;

The school operators... report to the PSO, (and) we have... strict... performance management systems that we've put in place to monitor what they're doing, how they're spending the money... we're doing governance reviews... to check their compliance with grant agreements... And I guess the ultimate accountability is through your performance reviews (Interview 7, 6 September 2018).

Another party that is accountable to the PD is the education support consultants, Ark. Ark is an education charity that among other things runs a network of 38 academy schools in the United Kingdom. According to PD, their responsibility is to

Capacitate the school operators to do this on their own without them (Interview 7, 6 September 2018).

This accountability is managed though reports to both the PSO and the funders.

Accountability successes and issues

In terms of successes of the project, PD highlights the increased accountability that the model facilitates -- particularly for the funders.

You know what's been happening... over the years... is that donors fund schools or... interventions within schools (where) there's very little traction and continuous assessment... so what makes this one unique is the fact that there is a strong sense of accountability (Interview 7, 6 September 2018).

Another accountability success that she identifies is the increased scope for monitoring performance that the model provides:

As much as this won't sound like a success, but the ability to fully recognise where learners are..., the ability to quantify the problem... is actually a success for me because then we can actually start addressing it (Interview 7, 6 September 2018).

PD also makes reference to the lack of clarity at present within the project, and how this 'looseness' has made people reluctant to participate:

I guess I'd say that some of the officials weren't very open to it initially but that's because... it's a pilot (and) some of it is still sort of a little loose, and people don't know what that means for their day to day job. So it's not a reluctance to help but its maybe it's a little bit of a gap in terms of creating regulations, and creating the environment (Interview 7, 6 September 2018).

PD also recognised the problem of various parties -- particularly principals -- being left out of the loop in terms of having access to meetings and reports about the CSPP, identifying this as:

One of the loops that we're looking to close (Interview 7, 6 September 2018).

WCPG Premier

P is the Premier of the province in which the CSPP is being implemented. P played a key part in the inception of the project, having visited the UK to see some of their academy schools (the model of public private partnership in education upon which the CSPP is based) a couple of years before the introduction of the CSPP, and being a vocal champion of the

project throughout. This interview was not done in person. Questions were emailed to P, and she responded to them with an emailed reply.

Processes and procedures

According to P, the idea for the CSP began to take shape in 2013. In considering the poor performance of public schools particularly in poor communities -- related largely to a lack of resources, as well as poor management and leadership -- P began to think about ways through which these issues could be addressed.

We thus had to find a way to tackle these related problems simultaneously, by seeking third party funding tied to processes of improving school governance and management for public schools... At the same time as we were considering these options..., the National Treasury had convened a meeting with the Dept. of Basic Education and about five provincial departments, together with some donors, to explore the possibilities of trying out new models of provision of basic education... It indicated its willingness to explore options, as did several of the provincial departments. As a result, a group of funders approached us to explore the idea of piloting public school partnerships, which are known as Collaborations Schools in the Western Cape (Interview 8, 24 Oct 2018).

Following this,

In 2014 and 2015 respectively, the National Education Collaboration Trust also convened two meetings of stakeholders (education department, trade unions, academics, funders) to discuss public school partnerships. The Funder Group also conducted a review of international public private partnerships, and identified opportunities and risks. Our initial approach was to pilot the model in specific schools, stress testing it before contemplating a systems-wide approach. Thus individual schools (SGBs, teachers and parents) were also consulted in the pilot process, which eventually led to a move away from the majority-say for school operating partners initially proposed for the SGBs, to a fifty-fifty partnership. It is instructive that this option was proposed by parent bodies, who wanted to ensure that there was sufficient parent control but at the same time were insistent that school operating partners could equally be held to account; hence the 'fifty-fifty' option (Interview 8, 24 Oct 2018).

In terms of how the model operates in practice,

At school level, the principal remains the effective 'chief executive officer' accounting to the SGB and responsible for the school management team. The school operating partner provides 'horizontal' support, but line management remains with the principal. The SGB is a fifty-fifty partnership between the school

operating partner and the school component (parents, teachers, staff - and students in high schools) (Interview 8, 24 Oct 2018).

P also highlights the project's alignment to policy, in particular the National Development Plan, in that it embraces partnerships in the delivery of services.

Accountability of the collaboration schools: to whom, for what and how?

With regard to the conception of accountability within the CSPP, P identifies both the parents of the learners at the school (through their ability to opt in or out of the programme) and the WCED (through their service level agreement with the SOP and the school) as the major parties to which the collaboration schools are accountable.

The first level of accountability is to the parents, who can choose whether or not they want Collaboration Schools. Only one school has chosen to opt out. The second level of accountability is of the school, through the SGB, to the WCED. This is in terms of a service level agreement between the school, operating partner and WCED which spells out roles and responsibilities. The SGB as a whole (both the operating partner and parent/teacher components) is held responsible for learner outcomes (Interview 8, 24 Oct 2018).

According to P, the project, along with all other policies and programmes:

Must be evaluated on one thing – and that is whether the learners have equal opportunity to participate fully in society and the economy (Interview 8, 24 Oct 2018).

Accountability successes

As the CSP operates at an individual school-level,

This model allows for greater flexibility in both staff complement and budgeting to ensure that resources are optimally used for the specific needs of each school. This level of variation is very difficult to support and monitor in ordinary schools, and schools end up being over-policed – focused on compliance and not learner outcomes (Interview 8, 24 Oct 2018).

P highlights the model's focus on performance accountability as opposed to school compliance as an accountability success. This is enabled:

Through the contractual agreements between the WCED, school and operating partner' in which 'both the school and school operating partner are held accountable for learning outcomes (Interview 8, 24 Oct 2018).

As another accountability success, P also highlights the additional mechanisms within the model which allow for monitoring and evaluation of various indicators, allowing for increased accountability. These indicators include:

(Not only) learner outcomes (but also) teacher and learner attendance, parent expectations and satisfaction, teacher involvement in development programmes (and) school enrichment programmes (Interview 8, 24 Oct 2018).

WCED Provincial Minister for Education

As the political head of education in the Western Cape Province, the Provincial Minister for Education (PME) is essentially responsible for the CSPP. She has also been involved in the project since its inception, and has been vocal in her defence of it throughout (Interview 9, 27 Nov 2018).

Processes and procedures

According to PME, the CSPP came into being as follows:

A group of funders approached us and said that they... were quite interested in trying to pilot a different model of education in schools and were we interested in having a look... We went to look at the UK academy schools model... (and) we had a meeting there with Ark Schools (organisation that runs about forty academy schools in the UK) and... decided to give it a go (Interview 9, 27 Nov 2018).

With regard to the Western Cape Provincial School Education Amendment Bill -- the piece of legislation that the WCED has been pushing to pass that will legitimate the collaboration school model;

It is through, it is passed, it is signed by the Premier, so it is now law. It's not enforced yet, until the Premier proclaims when it will be. So it is not enforced as yet because we have to still do regulations for various aspects of it (Interview 9, 27 Nov 2018).

According to PME, the implementation process of the CSPP has been a participatory one, with all major role players having been consulted.

Some don't agree with it but they were consulted. My HODs discussed it with all the unions and governing body associations (Interview 9, 27 Nov 2018).

Despite this process,

Some of them (the parties against it) are threatening to take us to court (Interview 9, 27 Nov 2018).

Believing the project to go against current legislation, although PME and some others believe that there is space in the current legislation allowing the model to operate lawfully.

In terms of the procedures for implementation at a school level, PME emphasizes that the WCED goes

Into communities first and... consult (s)... with the community (Interview 9, 27 Nov 2018).

Accountability of minister: to whom, for what and how?

When asked which parties she is accountable to, PME emphasized the voters:

I think the voters are ultimately who we are accountable to (Interview 9, 27 Nov 2018).

As well as her party and her officials. In terms of the mechanisms of public accountability, she describes the public's right to demand quality services:

If they (the schools) are not performing well then... the public can... demand that we do something about it (Interview 9, 27 Nov 2018).

Accountability to minister: who, for what and how?

In terms of who is accountable to PME, she mentions the funders who are accountable through:

A memorandum of agreement... to do a pilot for a certain period of time (Interview 9, 27 Nov 2018).

Additionally, she mentions the SOP being accountable to her and the WCED in general for results through the SLA.

With the contracts, we are accountable to each other- the donors and us- in that we have both committed to this project. So we are contractually bound. And the other one with the operating partners (the SLA) is with my HOD so it is not me specifically personally, but I am responsible for the department overall politically, and he is administratively, so it is kind of a team effort. And then... the operating partners are accountable for improving education. But it is a collaboration, so we are all accountable together to improve, and that's ultimately what we are wanting to do (Interview 9, 27 Nov 2018).

Regarding the model's accountability mechanisms:

I think there are good accountability mechanisms, public ones and the contractual ones, and there's a contract between my HOD and the partner (the SLA) so there's a three-way sort of accountability triangle really. And obviously parents if they are not happy, they will tell us. Make no mistake (Interview 9, 27 Nov 2018).

Other accountability relationships in the model

In terms of other accountability relationships, PME highlights the donors' relationship with the SOPs:

They (the funders) in turn have agreements with the operating partners, that they choose together with my HOD. So we've got both involved... We work together on which school is chosen and why and how and who is going to be there (Interview 9, 27 Nov 2018).

Regarding the roles of parties within the CSPP:

Obviously the funders fund, but they also have an oversight over who is appointed. They have also been working on trying to get more operating partners...- working together with ARK... to try and identify new people and develop new people who can become operating partners... The operating partners need to actually manage the school, or help to oversee and manage... But they ultimately must make sure that the principal is doing what he or she is supposed to do... the Pilot Support Office... deal with the day to day nitty gritty stuff... And then we (I mean it is still a public school) ... still have some involvement of the district (Interview 9, 27 Nov 2018).

One of the ways through which accountability is ensured is through a steering committee that meets regularly:

My HOD has set up a steering committee... they meet every two or three months- and obviously in between if they need to (Interview 9, 27 Nov 2018).

Accountability successes

One of the accountability successes identified by PME has been that the project and its monitoring systems within the school have picked up accountability issues within the public education system that the WCED was not aware of before, allowing them to develop more targeted performance management processes:

There are some schools that we have discovered through this process... have been underperforming for over 15 years, and teachers just simply don't go to school, they take days off all the time without proper processes... we wouldn't have picked a lot of those issues up unless we had actually started this process. And another thing we have managed to pick up is also a gap in our departmental people management processes, where we've developed a new module now especially for incapacity and poor performance processes (Interview 9, 27 Nov 2018).

Accountability issues

One of the emphases of the CSPP is its allowances for flexibility in the delivery of the curriculum so as to be able to address gaps in learner education. With regards to this, PME shared some frustration that:

The curriculum is set by the DBE so the provinces don't have as much flexibility as we might like'. While there is some space to 'influence curriculum... ultimately the DBE has to set the curriculum so that's a bit difficult sometimes (Interview 9, 27 Nov 2018).

Thus in this instance, curriculum flexibility has the potential to infringe upon accountability to national legislative requirements.

PME expressed that at times there is a lack of clarity with regard to what the department should be responsible for, and what the SOP should be responsible for, requiring some flexibility on the part of the WCED:

It's been a bit difficult in the beginning to ascertain what balance, you know, because they (the SOP) want to do their own thing but they also want our department to help when there's trouble, so we've kind of kept it open. If they need help we deal with it on a case by case basis, but they are there also as public schools and our officials also have the right to go and see what's happening there and investigate, and also help if necessary (Interview 9, 27 Nov 2018).

Equal Education Law Centre

Equal Education Law Centre (EELC) exists to provide their client, Equal Education (EE) who are a South African civil society organisation working towards quality education for all, with legal advice relating to their work. With regards to the CSPP, EELC's role has been assisting EE to understand the model, how it works, what it is aiming to achieve, and who the role players are within it. Within this interview, the two participants (EELC 1 and 2) expanded on some of their concerns with the ways in which accountability is constructed within the model. I have broken these concerns down into five categories -- namely: transparency issues, clarity issues, power imbalances, the questionable legality of aspects of the project, and the limited mechanisms available to hold the SOP to account -- upon which I expand below.

Part of EELC's role of trying to give EE a fuller picture and understanding of the collaboration schools' project included getting access to all of the official information regarding the CSPP. Considering that the project is within the public education system, one would assume that this information would be readily available, however this was not their experience in practice (Interview 10, 6 Sept 2018).

According to EELC 1:

Easy and getting hold of information should not be in the same sentence. It's actually been quite difficult for us to get information from them... To give you an idea we are now on our fourth PAIA request... And that doesn't include all the numerous follow up letters we've had to send... (Interview 10, 6 Sept 2018).

While some of these multiple requests have been fruitful, there are still many documents that EELC has been unable to access. Significantly, these include financial documents, the detailed project plan that is required from the donor in the MOU, as well as any audits or reports. EELC has also made requests to access monitoring and evaluation reports, however according to the WCED, these documents are:

Still being finalised... So in three years they've never finalised a M&E report apparently (Interview 10, 6 Sept 2018).

While EELC 2 extended the WCED some grace regarding their poor record in providing information, saying that:

It might not be that they don't want to provide it but it's not easily available to be provided (due to the fact that the project is still in its pilot phase) (Interview 10, 6 Sept 2018).

This however does not change the fact that the information is very difficult to access, significantly limiting its potential for democratic accountability.

One of EELC's major critiques of the contractual agreements that they were able to access was that these documents were vague and unspecific.

It says a lot but says little, if that makes any sense. So it talks about scaling but doesn't necessarily detail what that scaling is going to be... It speaks about the termination date... but then doesn't speak to how... they've told us they don't plan on ending the pilot, but then it doesn't speak to how is that effectively going to roll over, how they're going to negotiate new contracts, that sort of stuff (EELC1, Interview 10, 6 Sept 2018).

There's no detail for example about what kinds of interventions the SOP will make at the school, and how will they for example implement these in relation to the programme that the school is supposed to be running according to national policies or even provincial policies in relation to education (EELC2, Interview 10, 6 Sept 2018).

The EELC also spoke quite extensively regarding the likely imbalances of power within the collaboration school model, and how these imbalances are likely to impede the accountability potential within the model.

It seems as if the way the SLAs will operate in terms of accountability is under normal contractual principals where each party has rights and obligations and they will somehow hold each other to those rights and obligations, but... on a practical level... that is unlikely to happen (EELC2, Interview 10, 6 Sept 2018).

EELC 1 expanded on the likely reasons behind this:

I mean these are underperforming and poorer schools, so yes they have to follow dispute resolution mechanisms but where must they get the money to litigate against people who pay their salaries in essence... their bargaining power is completely diminished (Interview 10, 6 Sept 2018).

EELC 2 also makes the point that while both the school and the SOP are said by the SLA to have equal power on the SGB (50/50 voting rights), this assumption is realistically inaccurate.

The fundamental reason why SOP representation was supposedly needed on the SGB, was that the SGB is incapable of fulfilling some of its obligations and

discharging its powers... (Therefore) if you think about it practically... is the power relation the same? (Interview 10, 6 Sept 2018)

It is unlikely that a 'dysfunctional' SGB will be capable of holding the SOP accountable, effectively leaving the SOP to do as it pleases.

EELC 1 also draws attention to the skewed balance of power in favour of the donor group within the model.

I find it very interesting that like the donors have so much power. I mean they're the ones that identify the operating partners... they're the ones that can influence procurement within the WCED in terms of this policy... They've got a lot of power for a non-governmental entity, which I find very concerning (Interview 10, 6 Sept 2018).

Additionally, the way EELC 1 sees it is almost as if the WCED -- the party that should be holding the other parties to account -- is handing over its power in this regard.

The WCED is almost delegating their duty to run schools, manage schools, oversee schools, to a donor and an operating partner. So do you really think that they are holding them to account when these people... hold the purse strings... (Interview 10, 6 Sept 2018)

In addition, EELC 1 recognises the difficulty that the WCED would have in pulling out of the project, as the removal of resources and capacity from schools would likely have significant implications. This leaves the WCED quite disempowered when it comes to holding these parties accountable.

EELC 1 points out an important area of incongruence between the SLA and provincial legislation (the Western Cape Provincial Schools Education Amendment Bill). The CSPP started out giving the SOPs majority voting rights on the SGBs, but after significant contestation, decreased this to 50%. The amendment bill is in alignment with this, giving SOPs 50% voting rights on the SGBs, however, most of the SLAs still give the SOP a majority. Thus this contractual agreement is in conflict with the law. Significantly this conflict is not limited to the province as national government were not happy with external parties getting a majority say on a school's SGB.

In defence of EE's position as a party that has levelled critique of the CSPP at various stages, EELC 1 states that:

EE is of the belief that there does need to be some sort of innovation in education... (however) it must be innovation that's within the boundaries of our law, which this currently isn't (Interview 10, 6 Sept 2018).

EELC 1 expresses concern at the limited mechanisms that exist within the SLA to hold the SOP to account.

In the MOA there's a breach of contract clause, in the SLA there isn't which in itself is interesting. I mean it speaks about dispute resolution, like if there's an argument, but what about breach of contract, what do you do?... So the problem with the operating partners is that they need to be held accountable but I don't know how they are (Interview 10, 6 Sept 2018).

Importantly, this is not simply a theoretical discussion, but has already had practical implications within the limited period over which the pilot has been in operation.

There have been problems with the operating partners. There has been an operating partner that's been removed because of bad performance and financial mismanagement... (School 3)'s had huge issues with operating partners. They're on their third one now, they've just been appointed (Interview 10, 6 Sept 2018).

As can be seen from the interview with Principal 3, this disturbance in SOPs has not been without consequence and the school continues to suffer the effects.



Chapter 6: Rethinking the Model

This section will highlight and discuss some of the key findings around accountability within the CSPP, and conclude the research and its main findings and emerging issues with respect of Newman's dimensions of accountability.

Discussion

In this section I discuss the major accountability issues emerging from both the contract data and the interview data. I have categorised these into six headings, namely: lack of clarity, unclear/insufficient mechanisms for holding parties to account, power imbalances, democratic accountability deficit, private sector creep, and finally legislative issues. These headings provide a heuristic tool to analyse the emerging issues.

Lack of Clarity

According to much of the literature, a key accountability requirement for PPPs is clear roles and responsibilities for the different parties involved (Biesta, 2004), as well as clarity regarding how the model should function. While the SLA, MOU and Policy all attempted to spell out these roles, responsibilities and processes, these were often vague with minimal details or specifications.

One example of this vagueness is the MOU-stated responsibility of the donor to provide the project with financial support, but no details of the scope or extent of this support. This severely limits the accountability potential, as it means that while the MOU binds the donors to providing support, they are not bound to an amount or any specifics, making this a precarious relationship.

This vagueness is also found in much of the language used in the agreements. Parties are frequently mandated to 'work collaboratively', 'support', 'co-operate with' or 'facilitate the introduction of', with no specification of how this should look in practice. On multiple occasions within the stakeholder interviews, it can be seen how this lack of clear definitions has made it difficult for stakeholders to know exactly what is expected of them and what they can expect of others. An example of this is Principal 1 expressing the desire for more written documentation to guide the terms of her partnership with the SOP. Similarly, SOP 2

expresses confusion around the scope of their role, unsure of whether their responsibility should extend to ordering toilet paper in the schools. Principal 1 and 3's (with their experience of multiple SOPs) assertion that different operating partners operate very differently only exaggerates this lack of clarity in the agreements specifying roles and responsibilities. Granted, an over-specification of roles limits the scope for innovation, which is central to the collaboration schools model. However, this has to be balanced with the need for accountability.

In addition to much of the vagueness in the way that the agreements describe roles and responsibilities, we also see much overlap in the division of roles between different parties. For example, the SLA commits the SOP, the principal, the SGB and the parents to improving learner outcomes. While this makes sense in many ways (the responsibility for education cannot be ascribed to a single entity), it also makes it very difficult to hold any particular party responsible in the possible case of learner outcomes not improving. There is always the possibility of blaming someone else in the system.

Within the documentation, there is also a lack of clarity when it comes to the criteria used to identify and select schools (by the WCED) and SOPs (by the donors). With regard to school selection, some criteria are given, but these are broad and likely describe a far larger amount of schools than included in the programme. It is thus unclear then, how the schools would be selected from this pool. The selection criteria against which SOPs are selected is even less clear. In this respect, the SOPs are just required to have 'the experience and capacity (with the support of the Donor) to improve education outcomes' (MOU 2015, p5) -- a requirement which the donor has complete agency to determine. As these operating partners have a significant amount of power within the schools this selection process is particularly important, and the fact that there has been so many changes in operating partners (school 1 is on their second, school 2 on their second, and school 3 on their third) could be telling of its ineffectiveness.

Lastly, many of the stakeholders expressed an overall lack of clarity and lack of understanding regarding parts of the way that the model is supposed to function (although perhaps this is largely due to the project being in its pilot phase). Principal 3 expressed that 'in the district they don't understand it well' (Interview 3, 7 Sept 2018), while, in explaining that the model is still unclear and processes unestablished, Principal 1 stated that

‘everybody’s learning’ (Interview 1, 3 Sept 2018), and SOP 2 described it as ‘building the plane as they fly it’ (Interview 5, 23 Aug 2018).

Unclear/insufficient avenues for accountability

In order to ensure effective accountability, in addition to having clarity of roles and responsibilities, clarity of processes and procedures to monitor accountability and to hold people accountable are also necessary. Papadopoulos (2007) claims that accountability structures are only effective insofar as there is potential for sanctions to be implemented. Some definite examples of lack of clarity regarding possible sanctions and processes and procedures to follow in the case of accountability breaches, surfaced in both the contract analyses and the interviews.

One of the most important examples of this is found (or not found) in the SLA. In this agreement (the one and only) between the state and the SOP, there are no guidelines for processes or procedures that should be followed in the case of a breach of contract. The agreement contains neither a termination date nor any processes to enact a termination if this becomes necessary. In this regard, the WCED has very little concrete power to hold the SOPs to the terms of agreement. It is assumed that the donor (the SOP’s employer) has the ability to terminate their contract, but the fact that this power lies outside of the hands of the government is notable and perhaps concerning. Important to note also is that the contract between the donor and the SOP is not in the public domain.

Another process which is only vaguely covered in the MOU is that of audits of the schools by the WCED. While the MOU commits the donor to *allowing* the WCED to come and audit the schools, there is nothing which binds the WCED to *carry out* such audits, and nothing to say how frequently such audits must be undertaken and what their focus would be. It is unclear as to whether these would be normal audits which the WCED does anyway, or special audits particular to the CSPP.

Additionally, while an important aspect of the model, covered in the SLA and the Policy, is the allowance of flexibility in the delivery of the curriculum provided that this is not below the national standard, exactly what is meant by this flexibility and its extent, is unspecified. In addition, the documents do not show how the curriculum standards will be monitored at the collaboration schools to ensure that they are at least equal to DBE requirements.

Another area of concern is that the SLA states that the SOP is to be held accountable for the achievement of certain performance targets held in Annexure B, but does not specify how this will be measured and who will bear the cost and responsibility for this measurement. Perhaps shedding light on how this is happening in practice, the interview with SOP 1 showed that they have implemented monitoring systems and data collection processes at their schools which measure at least some of these indicators. However, if the SOPs are being held accountable for achieving certain outcomes, the fact that they are the ones measuring the progress of these outcomes may be a conflict of interest. In addition, in the case of these targets not being met, the agreement does not contain specifics regarding sanctions that are to come into play. Added to this is the difficulty of overlapping responsibilities as this muddies the water of even knowing who should actually be held to account. This comes up within the SLA in which all parties are assigned responsibility for school performance, as well as in the interview with PME in which she states that 'we are all accountable together' (Interview 9, 27 Nov 2018).

Concerning also is that while the agreements spell out the processes that parties should follow in the case of disputes which require arbitration or dispute resolution, there is no clarity regarding who would be responsible to pay for these processes. If the SGB of a no-fee school experienced a dispute with the operating partner of that school, it is unlikely that they would have the money to pay for arbitration, and yet the document makes no mention of what should happen in this case.

Some of this lack of specificity in accountability channels and mechanisms is evidenced too in the experiences of the various stakeholders. Principal 1 on multiple occasions emphasizes her frustrations in not knowing how she can hold the SOP accountable, wishing for more direction in this, both from the documentation and her manager in the WCED.

Power Imbalances

Miraftab (2003) writes about the importance of paying attention to relational power dynamics within PPPs, showing that many of these so-called 'partnerships' are significantly imbalanced generally in favour of the private sector partner. Such imbalances, if not mediated, regulated and corrected, have obvious implications for the question of

accountability. Within both the contracts and the interviews, several instances of potential power imbalances came to the fore.

Not surprisingly perhaps with their role in controlling the purse strings, the donor group has a significant amount of power within this model. Firstly, according to the MOU, they are responsible for putting together the project plan -- perhaps the most important document in terms of providing direction for the project and giving guidance on how the donation should be spent. Secondly, the donor is fully responsible for any procurement relating to the project that falls outside of the WCED's normal mandate. Thirdly, the donors are responsible for identifying and selecting the SOPs (although the WCED HOD must sign off on this), and (as mentioned above) because the criteria for this in the documentation are vague, they have a great deal of discretion in this decision. Fourthly, the donors actually employ the SOPs, who are then fully accountable to them. This is important because the SOPs themselves then have a significant amount of power within the schools that they are part of.

With regard to this power, firstly, as their roles and responsibilities according to the SLA are quite non-specific, this gives the SOPs a lot of agency in deciding how they will choose to operate in a school. This is magnified through the allowance for curriculum flexibility. Secondly, their position on the SGB also gives them a huge amount of power, particularly with the SGB's expanded role within the CS model. In this role on the SGB, the SOP provides direction for the school through consulting on the school improvement plan and the academic performance plan, as well as introducing any additional interventions into the school. They also have direct control (in terms of contractual agreements and performance management) over the group of staff that are on SGB posts. This is notable because it technically means that the private sector is in charge of spending government money in this regard. Lastly, the agreement also gives the SOP access to all of the school-level data that their role requires, without including any clauses regarding the protection of this data.

While the partnership assigns these two parties significant amounts of power, it also acts to disempower other parties in various ways. The community (parents, teachers etc.) is disempowered because its' SGB representation is shrunk by 50% with the inclusion of the SOP. The principals and the SGB are disempowered because they are barred from access to various meetings and reports which contain information about their schools. This is the

same for the circuit managers with reports involving their schools from the SOPs and the donor bypassing them and getting sent to more senior WCED employees. Principals are also disempowered by the implementation of a project plan in their schools on which they were not consulted, as well as because there is little clarity on how they can hold the operating partner to account ('But still the upper hand right now is the operating partner. It's not a fair kind of accountability' – Interview 1, 3 Sept 2018).

In the light of this situation where it seems like the model empowers some parties more than others, the role of the government is particularly key. Miraftab (2003) emphasizes the necessity of a strong government in addressing such discrepancies of power and mediating and regulating such partnerships. Despite this, it seems like the WCED has stepped back rather than forward in its responsibilities within the model. According to PME, they tend to leave the SOPs to their own devices (of course there is regular reporting within this) unless they require the WCED's assistance. In the same vein, CM mentioned that he doesn't get engaged with the SGBs at collaboration schools. While of course principals can liaise with their managers within the WCED if there is anything they don't understand or are unhappy with, both principal 1 and 3 expressed that their managers do not always know what to do when faced with these issues.

Therefore, it seems that the government is failing to carry out its role of adjudicating the power between parties within the CSM, and is itself somewhat disempowered within this relationship.

Democratic Accountability Deficit

While supporters of education PPPs laud these models for the increased accountability that they promote, others have countered this notion with assertions that although these models may increase outcome-related accountability -- although even this has been shown to not necessarily be true -- (Wells, Vasudeva, Holme, & Cooper, 2002)-- they often compromise democratic accountability (Biesta, 2004; Papadopoulos, 2007; Willems & van Dooren, 2011).

In these models, the public are often positioned more as consumers who have the power either to take or leave the 'product' (although when it comes to education, even this has been shown to be much less clear than it sounds), rather than citizens who actually are

involved in the process of shaping or deciding on how the 'product' should look in the first place (Biesta, 2004). The CS model can be seen in this regard. While P did speak about a consultative process prior to the CS implementation with some of the parents that would be involved in the pilot, this did not stretch to the wider public. Aside from this example, public accountability in the CS model equates either to political processes (i.e. elections, through which the public can express their satisfaction or dissatisfaction with a party) which are likely insufficient for effective democratic accountability, or the fact that the parents at a collaboration school get to vote to opt in or not, prior to the implementation, and then if they wish to leave the project at any time they are able to vote to opt out. While this gives the CSP more public accountability than some education PPPs, it is still more of a consumer type of accountability, and (aside from their role in the SGB -- which is severely diminished in the CS model) there is no public consultation for the purpose of actually shaping the model.

Also, while the model may contain more accountability mechanisms than ordinary public schooling (in terms of meetings, reporting, monitoring and evaluation etc.), many of these mechanisms sidestep the public (and sometimes even the WCED in the cases of reports from the SOP to the donor). This occurs with regard to reports about the donor finances which are not publicly available, and thus the public is not party to information regarding how money is being spent in their schools. This also happens in the case of the SOPs who play a key role within the schools, yet their main accountability is to their employers, the donor group, and the public have no way of *directly* holding them accountable.

The literature is also replete with examples of transparency issues within PPPs -- particularly on the part of the private sector partner -- (Acar & Robertson, 2004; Shaoul et al., 2010), once again leading to deficits in democratic accountability. If the public are unable to access information about what is going on within a partnership, then holding parties accountable for their actions is impossible. In line with this, both the contractual agreements and the interviews -- as well as some of my own experiences carrying out this research -- showed up some transparency issues within the CS model. In my own experience doing this research, a lot of the information I needed was very hard to find. Much of the key documentation that I acquired was through EELC who had used the Promotion of Access to Information Act (PAIA) to get hold of the agreements and other various documentation. None of this

documentation (including the collaboration schools' policy) can be found online. Even following the PAIA procedures, EELC had to wait long periods (months) before getting documentation from the department, and they are still waiting for some documents that they requested. Important to note is that these are records that are in the WCED's possession. Getting hold of documentation belonging to the private sector parties would likely be exponentially more difficult, if even possible at all. Although I asked various stakeholders that I interviewed for copies of reports, or contracts between the SOP and donor, I was left empty handed at the end of it all. In line with this, there is nothing in the contractual agreements and the other documents studied, mandating any of the reporting to be made publicly available.

Principal 1 addressed this issue of transparency, stating that she does not get to see the SOPs reports or financial statements, expressing her worry that they could very easily 'pull the wool over her eyes' (Interview 1, 3 Sept 2018). While it could be argued that since the donor's money is essentially private money they should not be required to make their financial reports public, they are operating within a public school and thus it seems necessary that all that goes on in it should be publicly accountable.

Another transparency concern that I came across in this research was when I contacted JET, the NGO that the donors commissioned to carry out monitoring and evaluation of the project, to request their framework for the monitoring and evaluation of the collaboration schools project and they refused to share it with me. It seems troubling that the public are not privy to information regarding how the project (operating within the public education system) is being evaluated.

Despite the above assertions of a democratic accountability deficit within the CS model, the case of Principal 3's school was very interesting. In my interview with him, he spoke of three occasions where the community (either represented by the SGB, the parents, the learners or a combination) rose up and made demands, in what could be seen as taking ownership of what they believed their rights to be. The first case of this was when the teachers wanted to pull out of the CSPP as they were not happy with it, but the parents demanded that they remain within it. The second case was when the third SOP did not want to contribute as much money to the matric ball as the previous SOP had done, but then the SGB demanded that they do so (and they did). The third case is when the students wanted a safe place to

study overnight for the matric exams, and so they demanded that the SOP provide them with overnight security and provisions to allow them to study overnight in the school hall. Additionally, in this example, when the food provided by the SOP for the students was not up to scratch (according to the learners and their parents), the parents demanded of the SOP that different food be provided. Principal 3 made an interesting comment about this, saying that as the SOP is there because of the parents, they have to do what they say. However, this was the only example of such public democratic accountability action that I came across, and I would say it happened *despite* the ways in which accountability is conceptualised in the model, rather than in the following of them.

Private sector 'creep'

Ball (2009) cautions of education set ups under these new forms of governance making space for what could be seen as a suspicious expansion of the private sector's involvement and influence into the public sector. This 'private sector creep' is often outside of the bounds of the particular set up itself (in this case the CSP), the set up simply acts as an inroad to facilitate an increase in private sector involvement. Often scholars are so focused on the project of study itself that they miss the spaces where this is happening. This can happen through the involvement of the private sector in the creation of public education policy, and potentially through this, the creation of a market for various school-improvement services or training and development that the private sector can profit from (Ball, 2009). I think it is key to be aware of any examples of this within the CSP as this is still an initiative in its early stages, and I believe that there are a few.

Notable firstly I think is the case of Ark. Ark is an organisation that runs 38 academy schools in the UK and has involvement in various other educational ventures. While none of the documentation that I studied made mention of them, Ark came up on several occasions in the stakeholder interviews. Ark's involvement in the CSPP began very early on when P and PME went on a trip to the UK and were shown some of their Academy schools there. This played a major part in the inspiration for the CSPP. Following this, Ark went on to play a consultative role for the donors and the SOPs (on the payroll of the donors) in the implementation of the CSPP. In this role, they also assist the donors in the capacitation and development of the SOPs. Additionally, Ark has now set up a training facility in Johannesburg through which various individuals within the CSP have taken ('expensive' --

Interview 9, 27 Nov 2018) leadership and management courses -- and the increase of this is envisioned.

Important too I think is the expanded (and perhaps expanding) role of the private sector within monitoring and evaluation activities within the CSP. As previously mentioned, the donor group has contracted JET education services to conduct assessments of the project, and they had actually carried out an interview with SOP 2 the day before I spoke to her. In addition, the initial report assessing other education PPP models was commissioned by the donor group and played a key role in shaping the CS model. While this may be speculation, the Western Cape's new education amendment bill that introduces a Schools Evaluations Authority (SEA -- based on the UK's OFSTED model), has the potential (as it did in the UK) to create significant monitoring and evaluation scope for the private sector in public education, as well as scope for other private sector interventions assisting public schools to avoid the (formal or informal) sanctions created by this system, such as school improvement services (Ball, 2009; Burch, 2006).

While the CSPP emphasizes that it is a non-profit venture, it may be creating other for-profit potential within the public education system.

Legislative issues

In South Africa as with most countries, legislation and the courts and legal system as a whole, play a key accountability role. The first accountability of any new project or intervention should be to the law of the country. With regard to this the CSPP also finds itself on some shaky ground. The initiative has faced significant opposition because the new governing body composition that it introduces goes against the requirements of the SASA -- national legislation to which all schools are required to comply.

One of the roles and responsibilities of the WCED within the CSPP is to create the necessary legislative framework into which the project can be implemented. In the light of the legal precariousness in which the project is currently operating, this in some ways seems like a case of putting the cart before the horse. As the law functions as a protection for a country's citizenry, it seems to make sense that any projects initiated should adhere to the law, rather than the law be moulded to fit the requirements of a certain pre-specified project. Of course

if there is an issue with the law then the law should be changed, but this should not happen simply as a means to push something through.

Many of the individuals interviewed made mention of the confusion emerging from the gaps in legislation surrounding the project. Such a situation is particularly difficult for circuit managers, whose role is to make sure that the schools under their jurisdiction operate within the bounds of the policy and legislation governing public education. Thus when the entire project (that has been spearheaded by individuals high up within the WCED) is operating outside of these bounds, the circuit manager's role becomes confusing.

Conclusion

A few stakeholders mentioned some accountability successes that they have seen in the model's implementation. Perhaps most importantly is the increased monitoring and evaluation that the model has facilitated. This has led to an increased ability to quantify the problems at hand, to continually monitor various factors such as teacher and learner absence, and to pick up broader accountability issues that exist within the public education system at large.

Another accountability success mentioned was the fact that processes, procedures and structures that were not in existence before have now been put into place to assist in things like governance, human resource management, parent communication, and monitoring and evaluation.

Lastly, one of the participants highlighted the model's increased accountability for donor money. This happens through multiple reports to the donors, as well as regular meetings with them.

While some accountability positives are present, the findings have shown that numerous accountability deficits exist both in the model and in the ways that it is currently being experienced by some of the stakeholders involved. I will go on to summarise these deficits within the framing of Newman's dimensions of accountability.

Accountability of whom for what?

The major issues within this section (which has grouped together two of the dimensions -- accountability for what and accountability of whom) are those related to vagueness and lack of clarity regarding certain aspects of the model and the way that this manifests. There are various examples within the contractual documents of unhelpful lack of clarity. The project plan which is supposed to be the key guiding document for interventions within the model, containing all kinds of detail specified in the MOU, in reality contains none of this detail and provides no clarity around implementation. The criteria for selection of the SOP by the donor is also very vague, leaving the donor with significant autonomy in making this decision. Additionally, the contract with the donors contains no information regarding the amount of funds that they commit to donate to the project. The contracts are also very unspecific about what should happen after the pilot ends, what the 'interventions' provided by the SOP should consist of, what the different kinds of staff are within the model, and the specifics of how remuneration should work.

This vagueness found in the contracts has had multiple practical implications. When they have required clarity on an issue, some of the principals have struggled to get answers from their supervisors within the district because they also do not understand the model fully. SOPs have experienced similar unknowns relating to the scope of their responsibility among other things. This confusion has also been present within the WCED, where it is not clear to the department what is their responsibility as opposed to SOP responsibility.

The findings also showed some issues around overlapping roles and responsibilities -- particularly in the case of improving learner outcomes -- leading to difficulty in holding anyone responsible.

Ultimately, these problems of ambiguity and lack of clarity require theoretical and conceptual exploration, since they are not atypical in the policy scholarship (Newman, 2005).

Accountability by whom and by what means?

The issues summarised in this section relate to mechanisms available to hold parties accountable to contractual agreements, and some of the barriers within the model which make such accountability difficult.

Firstly, various unequal power dynamics exist within the way that the model is set up, and where such power chasms are present between parties, it is unlikely that the disempowered party can hold the empowered party accountable. Within the model, in many ways the power is largely in the hands of the donor and the SOP. The donors hold the purse strings, get to choose the SOPs, and are responsible to draw up the project plan which is supposed to give a detailed account of the interventions to be deployed in the model. The SOPs have significant power as 50% of the SGB. This power is greatly increased in new schools in which all staff are SGB employees. On the other hand, parties disempowered within the model include the WCED (in some ways) and the school (including the principals and SGBs). The WCED is disempowered because they are dependent on the donor for the additional finances, and additionally, the ability to hold the SOP to account is taken out of their hands in the model. The SGBs already come to the table disempowered through a lack of resources and diminished governance capability, and this state is magnified through the handing over of 50% of their power to the SOP. The principals are disempowered because they have no concrete ways in which to hold the SOPs accountable, yet they themselves are accountable to the SOPs through meetings, reports and performance management through contractual agreements. The schools are further disempowered through being left out of the loop in terms of various meetings and reporting channels.

Of course having the relevant information is key in ensuring accountability, and this issue of parties being left out of information loops has been a theme running throughout the project. As mentioned, principals are left out of the loop in terms of meetings and reporting channels (seen in the contracts and experienced in practice). In addition, when there is a changeover of SOPs, the principals are not given any information about this. The SOPs also complain about getting left out of loops of information regarding the state of the schools that they are working with. Finally, the circuit managers get left out of information loops regarding the goings on at the collaboration schools over which they have oversight.

Reports go over him to parties higher up in the departments, and he does not have access to the CSP's contractual agreements.

In line with this, information about the collaboration schools is largely inaccessible to the general public -- a significant impedance to democratic accountability. Contractually, the agreements contain no requirements for any information or reporting to be made public. In practice as experienced by EELC, accessing any of these documents is extremely difficult and time-consuming, and even after multiple processes attempting to get access, many documents are still unavailable.

In addition to this, while accountability potential rests on the possibility of sanctions being implemented in the case of poor performance, such sanctions are limited within the CSPP. While there are requirements for reporting and monitoring of performance, there are minimal specifications for consequences of underperformance. As the interview with EELC showed, there have been no monitoring and evaluation reports finalised within three years of the project's implementation. Also contributing towards this issue, while specific performance targets are specified for the model's success, no timeline is given for this, leaving it very open-ended, and thus with very diminished potential to hold parties to account.

Lastly, while national and provincial legislation should be a very concrete accountability mechanism for any project, this has also been shaky within the CSPP. Firstly, the model gives room for flexibility of curriculum delivery. While the policy states that this flexibility must not compromise national curriculum standards, there is no mention of how this standard is going to be measured and ensured. Findings also show a discrepancy between the SLA and the Western Cape Provincial Schools Education Amendment Bill when it comes to SOP representation on the SGB. While the bill limits the SOPs representation to 50%, the SLA gives the SOP majority voting rights. Lastly -- and perhaps legislatively most importantly -- the CS model functions out of alignment with the SASA's requirements for SGB composition, giving voting rights to an outside party. If the model is not accountable to national law, its potential for other accountability is already limited. In conclusion, the collaboration school model has important accountability deficits. While the project is currently in its pilot phase and limited to a few schools, if the model is rolled out as the key documents suggest it will be, these deficits could have far-reaching implications.

Recommendations

Further research should include voices that are missing from this study. Importantly these should include teachers, teachers' unions, parents, learners and other relevant parties.

Additionally, research exploring the financial aspect of this project would be very interesting and important. This could look at procurement, and scrutinise which companies are benefitting from the project, as well as staffing and human resources within the project, asking the questions who is benefitting and who is losing out?

This particular model of PPP is very dependent on voluntary donations, so research looking at the practicalities of scaling this model is important. If financing such an intervention the way it is currently being done is found to be unsustainable, it is possible that the WCED may begin to explore other models of funding, such as charging learner fees or voucherisation -- each of which has significant implications.

As this research has highlighted legislative discrepancies between the SASA and the collaboration schools model, it is recommended that these discrepancies are dealt with as soon as possible. If the current law does not allow for SOPs to have 50% voting rights on the SGB, the model shouldn't either.

As the CSPP employs multiple interventions, including significantly supplementing the school's finances, SOP representation on the SGB, teacher training etc., at the end of the pilot, it will be impossible to tell which interventions have made an impact. To assess this properly, it would be helpful for different interventions to be given to different schools. For example, some schools could just get additional finances, some schools could just get leadership training for the school management team, some schools could get intensive teacher training, some could give governance authority to a SOP. This differentiation would allow for outcomes to more easily be associated with interventions, which could assist in developing more targeted and intentional innovations for the public school system.

In addition, it is recommended that roles and responsibilities of different parties should be made much clearer and more specific. In line with this then, mechanisms for ensuring performance, and sanctions for poor performance, should be clearer and more specific.

In line with best practices around contractual accountability, the SLA must also contain guidelines for termination, as well as a termination date, with possible criteria for renewal. To improve the potential for public accountability, it is key that the WCED has more oversight over the SOP. For this to happen, it might also be important for the WCED to be a signatory on the contract between the donor and the SOP, so that the donor is not the sole party able to hold the SOP to account.

It is recommended that the transparency issues are sorted out as a matter of urgency. Ideally the WCED should create some kind of centralised public forum where all the information regarding the CSPP is held and easily accessible to members of the public. This information should include financial reports as well as monitoring and evaluation reports and any other information that the public should have access to.

This study has highlighted major accountability deficits within the collaboration schools pilot project. While the recommendations presented may assist in improving accountability dynamics within the model, it is unlikely that they will fully address the more fundamental issues which are of concern. One of these relates to the democratic ideals held in education that is imagined as a public good, as the collaboration school model seems to have diminished the voices of parents and community members, particularly as it relates to the school governing bodies but also in the actual conceptualisation of the model. Another fundamental issue relates to the power imbalances present when the private sector is given increased weight in public education. The findings of this study suggest that in the collaboration school model as it is currently operating, an imbalance of power in the favour of the private partners is evident. A final issue of concern is how the model alters (and has the potential to further alter) the relations between citizen and state. The collaboration school model increases the distance in the accountability relationship between the citizen and the state, with the operating partner almost playing the role of a buffer between the two. Thus we see that this decentralised model is not politically neutral, and has profound implications for citizen engagement and democracy. It is essential that we grapple with these deeper questions before unquestioningly adopting models that have not even conclusively improved education outcomes elsewhere.

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Appendix 1: List of Interviews

1. Principal 1: 3 September 2018
2. Principal 2: 7 September 2018
3. Principal 3: 7 September 2018
4. SOP 1: 3 September 2018
5. SOP 2: 23 August 2018
6. Circuit Manager: 18 December 2018
7. Programme Director: 6 September 2018
8. Western Cape Premier: 24 October 2018
9. Provincial Minister: 27 November 2018
10. EELC: 6 September 2018



Appendix 2: WCED Permission letter

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Private Bag x9114, Cape Town, 8000

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REFERENCE: 20180315–483

ENQUIRIES: Dr A T Wyngaard

Ms Thandiwe Gamedze
307 Milborough Flats
70 Upper Mill Street
Vredehoek
8001

Dear Ms Thandiwe Gamedze

RESEARCH PROPOSAL: THE POLITICS OF ACCOUNTABILITY WITHIN THE COLLABORATION SCHOOLS: MEASURES, PROCESSES AND EMERGING ISSUES

Your application to conduct the above-mentioned research in schools in the Western Cape has been approved subject to the following conditions:

1. Principals, educators and learners are under no obligation to assist you in your investigation.
2. Principals, educators, learners and schools should not be identifiable in any way from the results of the investigation.
3. You make all the arrangements concerning your investigation.
4. Educators' programmes are not to be interrupted.
5. The Study is to be conducted from **02 April 2018 till 28 September 2018**
6. No research can be conducted during the fourth term as schools are preparing and finalizing syllabi for examinations (October to December).
7. Should you wish to extend the period of your survey, please contact Dr A.T Wyngaard at the contact numbers above quoting the reference number?
8. A photocopy of this letter is submitted to the principal where the intended research is to be conducted.
9. Your research will be limited to the list of schools as forwarded to the Western Cape Education Department.
10. A brief summary of the content, findings and recommendations is provided to the Director: Research Services.
11. The Department receives a copy of the completed report/dissertation/thesis addressed to:

**The Director: Research Services
Western Cape Education Department
Private Bag X9114
CAPE TOWN
8000**

We wish you success in your research.

Kind regards.

Signed: Dr Audrey T Wyngaard

Directorate: Research

DATE: 16 March 2018

Appendix 3: Interview Schedules

Questions for WCED

- **Rationale for the introduction of the collaboration schools**
 1. What are the problems in the Western Cape's public education system that the collaboration schools seek to address?
 2. In your view, what makes the collaboration schools model different from and better than other solutions that have been tried in the past?
- **Conceptual architecture of the collaboration schools model**
 3. How does the collaboration schools model address the problems mentioned above?
 4. In this model, how are the roles and responsibilities split between the partners involved (who is responsible to whom, for what)?
 5. Which internal measures are used to measure success?
- **Process of development of the collaboration schools**
 6. Which parties were consulted in the development of the collaboration schools, and how did this consultation shape the process?
- **Implementation of the model**
 7. How are the project partners selected?
 8. How are the participating schools selected?
 9. What have been the successes of the pilot project so far?
 10. So far, have there been any challenges with the implementation of the collaboration schools? What have these entailed? How have they been dealt with?
 11. What are your thoughts regarding the project's sustainability and scalability? In your opinion, how feasible is the longer term goal of 10-15% of public schools in the Western Cape?
- **Accountability in the collaboration schools model**
 12. How have parents responded to the collaboration schools' initiative?
 13. By what means are the collaborations schools accountable to the wider Western Cape public?
 14. Have you experienced any resistance to this initiative, and where has this come from?
 15. Are the progress reports available?

Questions for SOP

- **Rationale for the introduction of the collaboration schools**
 1. What are the problems in the Western Cape's public education system that the collaboration schools seek to address?
- **Conceptual architecture of the collaboration schools model**
 2. How does the collaboration schools model seek to address the problems mentioned above?
 3. In this model, how are the roles and responsibilities split between the partners involved?
 4. Which measures are used to determine the success of the initiative?
- **Implementation of the model**
 5. How were you selected as the school operating partner?
 6. What interventions have you introduced in the school since you began there?
 7. Where there are more applicants than spaces, how does the school select its students?
 8. How does the governing body function in the model, and what are the relations like between the different parties?
 9. Have you ever had to use your majority status on the SGB, and if so, what were the circumstances?
 10. What have been the successes of the pilot project so far?
 11. So far, have there been any challenges with the implementation of the collaboration schools? What have these entailed? How have they been dealt with?
- **Accountability in the collaboration schools model**
 12. Are you familiar with the contract between the SOP and the WCED, as well as the collaboration schools' policy?
 13. Who are you accountable to, and how does this work in practice?
 14. How are the collaborations schools accountable to the communities that they are in?
 15. Are the progress reports available?

Questions for Principals

- **Rationale for the introduction of the collaboration schools**
 1. What are the problems in your school that the collaboration school initiative seeks to address?
 2. What other solutions have been tried to address these problems, and how is the collaboration school model different?
- **Conceptual architecture of the collaboration schools model**
 3. How does the collaboration schools model seek to address the problems mentioned above?
 4. In this model, what are your roles and responsibilities as school principal?
 5. How does accountability work within the collaboration schools model at your school?
- **Implementation of the model**
 6. How does your school select its students?
 7. What have been the successes of this initiative so far?
 8. So far, have there been any challenges with the implementation of the collaboration schools and how do you deal with these?
- **Accountability in the collaboration schools model**
 9. Are you familiar with the collaboration school documentation (contract, policy)?
 10. As the principal, for what and to whom, are you accountable?
 11. Do you think that this collaborations school is accountable to the community that it is in, and how?
 12. Are the progress reports available, and to which audiences?

Questions for Donor

- **Rationale for the introduction of the collaboration schools**
 1. What are the problems in the Western Cape's public education system that the collaboration schools seek to address?
 2. What sets the collaboration schools model apart from other solutions that have been tried?
 3. What made you decide to give funds to this initiative?
 4. How much are you giving, and for how long are you planning to do this for?

- **Conceptual architecture of the collaboration schools model**
 5. How does the collaboration schools model seek to address the problems mentioned above?
 6. In this model, how are the roles and responsibilities split between the partners involved?
 7. How is success measured within this model?
- **Process of development of the collaboration schools**
 8. Which parties were consulted in this process of creating the collaboration schools project, and how did this shape the process?
- **Implementation of the model**
 9. As the donor, what are your roles and responsibilities within the project?
 10. What kinds of support have you provided the schools with so far?
 11. How and by whom are the partners in the project selected?
 12. How and by whom are the participating schools selected?
 13. What was the process of, and who was involved in, formulating the project plan?
 14. What have been the successes of the project so far?
 15. So far, have there been any challenges with the implementation of the collaboration schools? What have these entailed? How have they been dealt with?
 16. What are your thoughts regarding the project's sustainability and scalability? In your opinion, how feasible is the longer term goal of 10-15% of public schools in the Western Cape?
- **Accountability in the collaboration schools model**
 17. By what means are the collaborations schools accountable to the communities that they are in?
 18. By what means are the collaboration schools accountable to the wider public?
 19. What is each partner accountable for, and how?
 20. Are the project plans and reports available?