

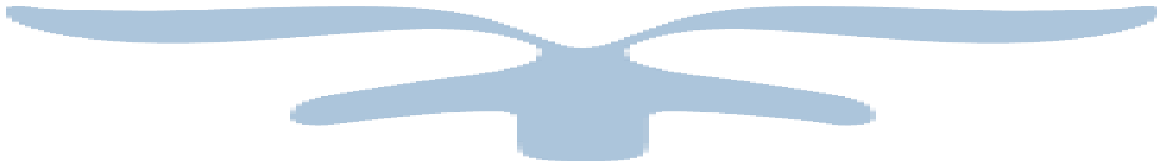


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**EXAMINING THE MANAGEMENT OF TEACHER DISCIPLINARY MATTERS BY  
PUBLIC SECONDARY HEADS IN NORTHERN EDUCATION DIVISION OF  
MALAWI.**

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**BY  
DAVID PHELEMERO KUMWENDA**



**A RESEARCH THESIS SUBMITTED TO THE FACULTY OF EDUCATION IN  
PARTIAL FULFILMENT OF THE AWARD OF MASTER OF EDUCATION (M.Ed.)  
DEGREE IN EDUCATIONAL LEADERSHIP AND MANAGEMENT OF MZUZU  
UNIVERSITY**

**MZUZU, MALAWI**

**MAY 2018**

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**MAY 2018**

# DECLARATION

I declare that this work is my own original effort and that of others has been dully acknowledged

DAVID PHELEMERO KUMWENDA

Med/12/2016

Signature \_\_\_\_\_

Date \_\_\_\_\_

# **APPROVAL**

This is to certify that this thesis by DAVID PHELEMERO KUMWENDA

Examining the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division of Malawi.

is submitted with my approval

Signed \_\_\_\_\_

Associate Professor Dr. V.Y. Momezulu

**SUPERVISOR**

Date \_\_\_\_\_

## **DEDICATION**

I dedicate this work to God the Almighty, ever living and ever loving, through whose spiritual intelligence I get inspired in all aspects of my life. His intelligence inspires me to apply counter intelligence in adapting to all forms of challenges that I meet in my life. He has equipped me with analytical intelligence for proper strategic planning, practical intelligence for easy adaptation, and creative intelligence for my personal motivation. Counter intelligence has made me to excel; spiritually, physically, psychologically, financially, professionally, and academically. His good health gives me limitless life. Through His intelligence I have sailed through during hard times.

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## **ABSTRACT**

This study sought to examine the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division in Malawi. Specific objectives were to; enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters. Investigate teacher perceptions if Head teacher follow procedures in teacher disciplinary matters. Examine challenges Head teachers faced in handling teacher disciplinary matters. Mixed methods explanatory sequential design was implored. Questionnaire and interviews were used as instruments of data collection. Quantitative and qualitative data were analyzed manually by formula of frequency of valuable over total frequency multiplied by hundred. Qualitative data was recorded, transcribed and coded and themes were confirmed. Bounded rationality theoretical framework and Pragmatics paradigm guided the study. Systematic, purposive sampling techniques helped to identify 50 public secondary school in Northern Education Division. Where 100 Teachers and 100 Head teachers responded to questionnaire, and 10 Teachers and 10 Head teachers were interviewed. The study found that Head teachers to some extent did not follow disciplinary procedures in handling teacher disciplinary matters because they took decisions which were outside prescribed disciplinary procedures, because they arbitrarily suspended, interdicted, and withdrew of privileges of involved teachers. Teachers perceived Head teachers to have behaved unethically by (i) favoritism (ii) abuse of power, and (iii) instituting disciplinary procedures to humiliate and demoralize teachers they regard as enemies, in handling teacher disciplinary matters. Head teachers faced following; Abuse of Human rights; Teacher personal connections in the system; Some teachers were threats to heads; Disciplinary process took too long to give judgment; and Heads lacked the knowledge to process complex disciplinary issues. The study agrees disciplinary procedures were established for the common good, to protect employees' specific rights against unethical decisions which discriminate and degrade victims. Managing disciplinary procedures is Constitutional and must be handled professionally. The Ministry of Education Science and Technology (a) should put deliberate sustainable funded policy for Leadership and Public Administration courses at Mpemba Staff Development Institute. To provide coaching, counselling, and mentoring to all current Head teachers and their deputies. (b) Should distribute MPSRs and the manual for administrative law a guide for ministers and senior civil servants for capacity building and motivation in all schools. (c) Future Head teachers must undergo educational curriculum that includes introduction to administrative or constitutional law in universities and

colleges. Further research on same topic to be done in all Education Divisions in the country.  
Explore the criteria used for identifying public secondary school Head teachers in Malawi.



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## **ABBREVIATIONS AND ACRONYMS**

DTED	Department of Teacher Education and Development
EDM	Education Division Manager
ESSUP	Education Sector Support Program
INSET	In-service Education Training
JCE	Junior Certificate of Education
MIITEP	Malawi Introduction of the fast-track in-service teacher Training Education Programme
MoEST	Ministry of Education Science and Technology
MP	Member of Parliament
MPSR	Malawi Public Service Regulations
NED	Northern Education Division
MSCE	Malawi School Certificate of Education
NICE	National Initiative for Civic Education
PSCR	Public Service Commission Regulations
SMIP	School Management Improvement Program

# 1. CHAPTER ONE

## 1.1. INTRODUCTION

### 1.1.1. Chapter overview

This chapter presents the background of the study by describing how unethical behaviors influenced public secondary school Head teachers not to follow disciplinary procedures when managing teacher disciplinary matters. The other aspects of the chapter include problem statement, research objectives and research questions, purpose, scope, justification, significance and rationale of the study.

### 1.1.2. Background information

The behavior of public administrators in Malawi has been labeled as unethical when managing disciplinary matters, more especially Head teachers in the Ministry of Education Science and Technology (G.Dzimhiri, 2016; Kayira, 2008). To be specific, Head teachers' decision making when managing teacher disciplinary matters, has been characterized with inconsistent and arbitrary actions which results into unethical decisions.

For example, (i) in the South West Education Division at Stella Maris Felix Mchana Mtwana vs Ministry of Education 1997 (Kanyongolo, 2006.p. 54-55; Wamala & Kasozi, 2005, p.181), Maxon vs. The Attorney General (Malawi Human Rights Commission, 2015.p.33-34) and (ii) in the South Eastern Education Division Lukongolo vs The Attorney General 1995 (Wamala & Kasozi, 2005, p.185).

It is observed that decisions from concerned Head teachers were made arbitrarily and unfairly. In other words, they behaved unethically against disciplinary procedures. Some scholars assume that legal quality of administrative decision making can be measured by judgments of the courts, specifically when the courts have interpreted the decision to be negative then the decision has no quality and is unethical. Unethical decisions may imply unfairness especially when concerned administrators look at the world from the point of view of their own interests. Eventually the public loses confidence with such public administrators (Gee, 2014; de-Graaf, Jans, Marseille & Ridder, 2007; United States Department of State, 2013).

Other scholars have claimed that some of the factors that may influence subjectivity in decision making are (a) Neo-patrimonial socio-political system that undermines meritocracy, equitable growth and nation building and (b) peaceful transformation during regime change transition of 1994 from dictatorship to multiparty democracy in Malawi (Anders, 2006; Cammack, 2004).

At times Neo-patrimonial socio-political thinking may influence Head teachers to act as conduit in teacher disciplinary matters decision making with the immense of victimizing the mass at the lower level and pleasing the top few due to political, tribal, ethnical power. On the other hand, during transition from dictatorship to multiparty democracy due to tolerance the transition was peaceful and those practicing dictatorial arbitrary and unfair public decisions were incorporated into the democratic practices. Otherwise, if change and transition was rough those in the old system would have been crushed and learnt the hard way such that they would not have dared to practice what had been voted against. “The transition to multi-partyism was negotiated between 1992 and 1994 and was a largely peaceful process. It was aptly described by one commentator as a ‘transition without transformation’ because many structures, systems and personalities did not change” (Chirambo, 2004; Cammack, 2004). The superficial is evident when these new people come to power and behave like those before them (Armah, 1968; Cammack, 2007).

In contrast to unethical behaviors in public administration in Malawi, Zambian public service has managed to be ethical because code and procedure for managing misconducts in the public service are deliberately put under the terms and conditions for the whole public service. This could possibly allow for transparency and accountability of public decision making. Ministry of Education, Science and Technology in Malawi has code of conduct for teachers and disciplinary procedures, published in book 6 of the Malawi Public Service Regulation (MPSR) used in the entire public service in Malawi. The connotation is that public decision makers ought to have knowledge of the content of the MPSR mentioned above as it plays the guiding role in public decision making. However, there could be instances where ignorance of such valuable guiding instrument led to compromised public decision making by public secondary school Head teachers (Beyani, 2013; Ng’ambi, 2010).

Kayira (2008) observes that the Malawian government through the Ministry of Education Science and Technology has always supported Head teachers by facilitation of the initial professional trainings and also conducting Secondary Education Projects, School-based Management Training, funded by the World Bank. However, some education studies in Rwanda by Garapayi, Nsengumukiza & Rutali (2008) report that further in-service trainings are very needed because sometimes the initial trainings of some Head teachers do not allow them to acquire enough knowledge in school administration and management and this inadequacy justifies the necessity of continuous training in decision making and legal accountability for secondary school managers.

Some scholars elsewhere have propagated for prescription of subjects of administrative law or constitutional law or introduction to both as one of the subjects in the course for public administrators. The basic knowledge of some law will help Head teachers become competent in Sound Management Decisions, Analytical Skills, and Personal Responsibility in performing in the public office especially when managing teacher disciplinary matters. The curriculum should introduce students to fundamental legal principles and the basics of the legal subjects they are likely to encounter. It should also engage students in critical thinking about legal rights and obligations and explore personal responsibility for promoting a rule of law. Promoting rule of law with a law-based course can not only contribute significantly to students' knowledge about their field but also better equip them for making sound decisions with real-world consequences for themselves and the public. In reality public secondary school Head teachers will be governed by public ethics laws, and they may be called upon to handle teacher disciplinary decisions (Roberts, 2009; Szypszak, 2011).



In that connection the Malawi government in addition to initial professional and in-service trainings further introduced the administrative law manual to help consolidate the rule of law in issues of public decision making in administrative justice in the public service. Importantly, Matenje & Forsyth (2007) enlighten that the administrative law manual has outlined a disciplinary hearing procedure for public servants with the view of avoiding unethical public decision making. The purpose of the manual is to equip public official inclusive Head teachers to be backed with some law knowledge. With the aim that they comply with disciplinary procedures when managing teacher disciplinary matters. Whenever there is an allegation of teacher disciplinary matter the procedures are as follows;

- Public secondary school Head teacher must report the allegation to the Principal Secretary.
- The Principal Secretary then through the same Head teacher conducts a preliminary investigation.
- The Head teacher in doing the preliminary investigation will need to ensure compliance with the duty to be procedurally fair imposed by section 43 of the Constitution. They will also need to give reasons in terms of the same section for the conclusion which they reach.
- If he or she concludes that there is no teacher disciplinary matter that would warrant the exercise of disciplinary control, he or she may take no further action or issue a reprimand or a warning. Nothing further is then done save that the reprimand or warning is entered into the teacher's personal file (along with the teacher's reply).

In instances where it has been established that there is a disciplinary matter then the MPSR gives three alternatives that Head teachers may choose;

- (i) give verbal or written warning at the public secondary school level,
- (ii) may write to the Principal Secretary through the Education Division to recommend for further disciplinary action in decisions of suspension, interdiction, transfers or
- (iii) Report the matter to Police if it is criminal in nature and after that inform the Principal Secretary as soon as possible.

In case of interdiction and suspension, the matter is forwarded to the Teaching Service Commission for hearing but through the EDM and Principal Secretary (Matenje and Forsyth, 2007; MOEST, 2014).

This study having established that Roberts (2009) Szypszak (2011) and Matenje & Forsyth (2007) all suggest Heads must have some law knowledge whether through in-service training or prescribed course to promote respect of the law and harmonious co-existence that will help attainment of SDGs 8: Promote inclusive and sustainable economic growth, employment and decent work for all. SDG 10: Reduce inequality within and among countries. SDG 16: Promote just, peaceful and inclusive societies (Osborn, Cutter & Ullah, 2015) and that failure to comply with ethics have made people to increasingly start demanding for an increasing number of rights from their own governments, intimate associations like places they work for, immediate communities and neighborhoods (Wamala & Kasozi, 2005).

Pragmatically, unethical decisions have effects in any organization. Unethical decisions breed effects of negative impact which ricochet as ripple effect in an organization. It is like when one throws a pebble into a pond, it makes ripples. The same holds true for the ripples that are made by the choices public Heads make (G. Dzimbiri, 2016; Promislo Giacalone & Jurkiewicz, 2016).

Teachers' diminished well-being impacts negatively on group, organization, and society as well. If Public Service continue to experience unethical decisions in Human resources management. Unethical decisions promote social injustice to involved Teachers and Heads then teaching and learning is derailed to the Malawian citizens. It thwarts the spirit of building a productive, competitive and resilient Nation because Teachers are denied their Malawi Constitutional Rights of dignity (Section 19), equality (Section 20) and right to development (Section 30).

As a result, litigations may call for heavy loss of tax payers money (L. Dzimbiri, 2016; G. Dzimbiri, 2016). Looking at the democratic progress Malawi has made the study would like to examine the handling of Teacher disciplinary matters by public secondary Heads to see how democracy has been sustained in human resource management in educational public service.

## **1.2. Problem statement**

The Malawi government in its effort to have vibrant ethical public decision making in the Ministry of Education Science and Technology has invested a lot of resources in training the public secondary school Head teachers through professional initial trainings, in-service trainings,

production of MPSR, Manual for Administrative law and workshops. Despite the Malawi government commitment to offering the above initiatives it appears decision making by Head teachers is still questionable.

For example, at Stella Maris Secondary School in the South West Education Division the case of Felix Mchana Mtwana vs Ministry of Education 1997 (Kanyongolo, 2006.p. 54-55; Wamala & Kasozi, 2005, p.181) Mr. Felix Mchana Mtwana was employed as a teacher in the Ministry of Education, Science and Technology and was based at Stella Maris Secondary School in the City of Blantyre. On 1<sup>st</sup> October, 1997, technically the Head teacher of Stella Maris Secondary School suspended Mr. Felix Mchana Mtwana from the said employment with immediate effect and the letter of suspension which was addressed to Mr. Felix Mchana Mtwana the applicant and copied to the Secretary for Education and the Regional Education Officer (S) and which was dated 1<sup>st</sup> October, 1997, from the Headmistress of the School read as follows (Appendix A, p.94):

"Dear Sir,

**Following the directive from the Minister of Education (name withheld) during the discussion which we had with you, I write to inform you that you have been suspended from your duties with immediate effect until the final decision is made.**

**Therefore you will not be expected to be seen in the School Campus until otherwise advised.**

Yours faithfully,

p.p. (name withheld) (SR)

HEADMISTRESS."

According to Matenje & Forsyth (2007) and MoEST (2014) the school Head teacher is supposed to report to the responsible officer through the division regarding the disciplinary matter.

Secondly, at Lisumbwi Secondary School Monkey Bay in the South Eastern Education Division, Lukongolo vs The Attorney General 1995 (Wamala & Kasozi, 2005, p.185). The teacher was a diploma teacher by profession and up to 5 May 1994, was teaching at Lisumbwi Secondary School in Monkey Bay in Mangochi District. Following a quarrel which the teacher had with a form IV

female student on 26 March 1994, he was dismissed by the Ministry of Education, Science and Technology. A brief account of the reasons for the dismissal was mentioned in a letter from the Ministry Headquarters dated 20 June 1994. Lukongolo disgruntled and dissatisfied by the way his case was handled at the Ministry Headquarters he applied to the Court for judicial review.

The information in court file shows that on 26 March 1994, soon after a film show for the school a form IV girl, by the name of (name withheld), booed at the teacher for having refused to let her look at a newspaper the applicant was carrying. The teacher was highly offended and failed to sleep over it. At about 1:20 am the teacher went out, picked up the discipline officer and the boarding mistress, took them both to the girls' hostel, woke up the girl and slapped her twice. The incident was reported to the Head teacher who on 28 March 1994 warned the teacher in stern written terms stressing drastic action being taken against him, should he repeat similar acts of corporal punishment. The teacher was not asked to make a report and continued teaching at the school.

On 5 May 1994, the Head teacher was directed to interdict the teacher telling him that he would later hear any final decision from the Ministry of Education. He got that final decision on or before 28 June 1994 whereby his teaching services were terminated with one month's notice, as a probational teacher.

The Head teacher had options of cautioning the teacher, or report the disciplinary matter to the responsible officer through the division (Matenje & Forsyth, 2007; MoEST, 2014). It should not be the Head teacher interdicting the teacher. Procedurally the Head teacher has no powers to interdict a fellow civil servant (L.Dzimbiri, 2016; Matenje & Forsyth, 2007; Kanyongolo, 2006; Wamala and Kasozi, 2005).

The court concluded that had the Ministry cared to hear both sides of the case, the factors behind unethical decision would have come to light. Mr. Lukongolo is an employee not of the Head teacher or the school but the Ministry. The Ministry has to protect the interests of all its employees including the teacher just as it would to the pupil in question. It could as well be that the Head teacher used the girl as a pander just for ill reasons. Certainly, the duty of the Head teacher is to safeguard the interests of both teachers and students and not one side (MoEST, 2014). This case

again raises questions as to the competencies of the school Head teachers with regards to making ethical decisions.

The above examples are just a few of many such cases that show that Head teachers regularly make unethical decisions in teacher disciplinary matters. Although the decisions are generally influenced by various factors but the fact remains that when it comes to accountability, it is the Head teachers who are accountable. This research considers teachers as victims of the questionable decision making on the part of school Head teachers. This study therefore wanted to examine the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division of Malawi.

### **1.3. Purpose**

The aim of this study was to conduct a descriptive survey into the public secondary schools within the Northern Education Division to examine the management of teacher disciplinary matters by public secondary school Head teachers. In connection to following procedures as stipulated in the administrative law manual a guide for ministers and senior civil servants and MPSR in public decisions (G.Dzimhiri, 2016; Matenje & Forsyth, 2007; Kanyongolo, 2006), the study has used Pragmatics paradigm. Because real behaviors of Head teachers may only be unveiled through gathering data from Head teachers the victors and from Teachers the victims who experience such behaviors. The study has interpreted findings by using Bounded rationality theoretical framework.

## **1.4. Specific objectives**

- 1.4.1. Enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters
- 1.4.2. Investigate Teacher perceptions if Head teacher follow procedures in teacher disciplinary matters.
- 1.4.3. Examine challenges Head teachers faced in handling teacher disciplinary matters.

## **1.5. RESEARCH QUESTIONS**

- 1.5.1. Are Head teachers in the public secondary schools in the Northern Education Division aware of the disciplinary procedures and regulations in the Civil Service?
- 1.5.2. What teacher disciplinary matters do Head teachers handle in the course of following disciplinary procedures?
- 1.5.3. What disciplinary decisions do Head teachers take in line with disciplinary procedures in handling teacher disciplinary matters in the Northern Education Division?
- 1.5.4. Do Head teachers use MPSR for guidance so that they follow disciplinary procedures in handling teacher disciplinary matters in public secondary schools in the Northern Education Division?
- 1.5.5. What perceptions do Teachers have towards how Head teachers handle teacher disciplinary matters in public secondary schools in the Northern Education Division?
- 1.5.6. What are the challenges that Head teachers faced in handling teacher disciplinary matters?

It should be noted that this research has deliberately considered research question (1.5.1.), (1.5.2.), (1.5.3.), and (1.5.4.) addressing specific objective (1.4.1.). While research questions (1.5.5.) and (1.5.6.) are addressing specific objectives (1.4.2.) and (1.4.3.) respectively.

## **DEFINITIONS**

**Unethical behavior** “means unfair action which is not conscientious, not principled, not correct, improper, and not law-abiding, otherwise shows some acts of corruption”.

**Bounded rationality** “decisions that are made through influence of external pressure as a result of excitement, despair, ignorance, subjective and intelligent trapped ideas”.

**Less-than- optimal** “fewer options relating to the solutions to the problem due to lack of enough information”.

**Arbitrary decisions** “decisions that are made because someone thinks because he has power can decide anything outside procedural rationality”.

**Procedural rationality** “lawfully gazette that has plethora of acts”.

### **1.6. Scope of the study**

Public decision making is a vast discipline where administrators are involved at negotiating contracts and managing a bidding process as well as making hiring, disciplinary, and termination decisions in the public service (Roberts, 2009; Szypszak, 2011). This study ventured into public decision making at disciplinary management by public secondary school Head teachers in teacher disciplinary matters. The focus of the study was to enquire the following of disciplinary procedures, investigate Teachers’ perceptions, and examine challenges faced by Head teachers in handling teacher disciplinary matters.

### **1.7. Significance of the study**

The study anticipated exposing Head teachers’ compliance with disciplinary procedures, the Teachers’ perceptions and challenges faced by public secondary school Head teachers in handling teacher disciplinary matters, in order to come up with practical suggestions for planning and policy formulation in addressing social injustice in public decision making. At the same time findings were to help reduce social injustice due to rationality in terms of transparency, fairness that are advocated by study recommendations.

The availed information has to equip the researcher to engage with relevant policy makers to realize and make necessary adjustments so that relevant programs in public administration related to decision making in teacher disciplinary management can be improved with relevant initial and in-service trainings. At the same time the improvements may help regaining the lost public confidence towards unethical behaviors in public decision making.

The significance is that teaching and learning objective to the Malawian citizens will improve because findings will help the promotion to respect of the law and harmonious co-existence. So that Malawi may have inclusive and sustainable economic growth, employment and decent work for all. Reduction inequality within and sustained just, peaceful and inclusive societies.

## **1.8. Rationale**

The study had been influenced by the fact that the government has always put commitment to have vibrant ethical public decision making in the Ministry of Education Science and Technology by training the Head teachers and teachers through professional initial trainings, in-service trainings, production of MPSR, Manual for Administrative law and workshops (Matenje & Forsyth, 2007; MoEST, (2014; Kayira, 2008; Ng'ambi 2010). But Head teachers' decisions are still questionable and the Malawi government continues to waste more tax payer's money on litigations. Furthermore, the public continues to lose confidence due to Head teachers' unethical behavior when managing teacher disciplinary matters.

## **1.9. Conclusion**

The first chapter has introduced the concept of unethical decisions by Head teachers and background to the study in public decision making at both national and international level. The introduction has clearly indicated that Head teachers were influenced to behave irrational when managing teacher disciplinary matters in public secondary schools though the Malawi government has invested so much in the initiatives to improve. The problem statement has justified the necessity of the study. Further to that, the chapter has explained the purpose of the study, the research specific objectives and research questions. The scope, significance and rationale of the study have been articulated. The next chapter will focus on relevant and significant themes of literature from various scholars in several other countries on the management of teacher disciplinary matters by public secondary school Head teachers.



## 2. CHAPTER TWO

### 2.1. LITERATURE REVIEW

#### 2.1.1. Introduction

Chapter one has discussed the introduction and background to the study, the problems statement, purpose of study, research objectives and questions. The scope, significance and rationale of the study. This chapter 2 will give insight on the literature that the study has explored on available relevant significant literature about the management of teacher disciplinary matters by Head teachers in public secondary schools. The literature review will be guided by research objectives influenced by theoretical framework of bounded rationality. In that connection the focus will be on the disciplinary procedures, Teachers' perceptions and the challenges faced by Head teachers.

Many literature reviews have discussed the subject with their own depth depending on the location and intention. In Malawian constitution one of the fundamental principles is supremacy of the Constitution as mentioned by Section 5. Any law that will be inconsistent with the constitution shall be rendered invalid. This study has seen the gap where Heads come up with arbitrary speculated disciplinary offences which may end up with violations of procedures as stipulated by Malawi Constitution section 43 which says inform the defaulter what has been committed, where, when and how? So that the defaulter responds and also gets defense to allow fair trial for the interest of social justice.

The news is that this study will list the offences as stipulated by MPSR and even show the procedural rationality to Heads so that they do not fall in the pit of arbitrary decisions or abuse of power. In this case Malawian Heads may avoid procedure violations which are costly to litigations and that depletes public resources which would alleviate other necessary public development.

### 2.2. DISCIPLINARY DECISION MAKING

#### 2.2.1. Preamble

Teaching Service in Malawi is one of the largest employer consisting of people of different backgrounds with different aspirations, beliefs, values and ambitions. To achieve team work teachers have to interact with one another on a daily basis to fulfill their job-roles and to contribute

positively to teaching and learning. However, the difference in ambitions breeds unique attitudes, abilities, values and perceptions, which bring conflict at the school. Mostly, the conflict is a result of bounded rationality where Teachers and Heads make decisions influenced by excitement, despair, ignorance, subjective and intelligence trapped ideas. To resolve conflict between individuals and groups as well as individuals and organizational ethics, disciplinary procedures have to be applied to prevent escalation of bad behaviors and to maintain organizational peace (G. Dzimbiri, 2016; L. Dzimbiri, 2016).

So many scholars have done similar kind of study and have had findings suggesting so many ways to improve on the subject of handling teachers' disciplinary matters. However, this study believes that part of the contribution that can be made in relation to ethical handling of teacher disciplinary matters should have an impact on the sustenance of SDGs. For example, SDGs 8: Promote inclusive and sustainable economic growth, employment and decent work for all. SDG 10: Reduce inequality. SDG 16: Promote just, peaceful and inclusive societies (Osborn, Cutter & Ullah, 2015; MGDS III, 2017 - 2022).

With the aim of promoting respect of the law and harmonious co-existence in democratic Malawi in all public sphere work places where people including Teachers are increasingly demanding for their human rights from their own governments, intimate associations like places they work for, immediate communities and neighborhoods (Wamala & Kasozi, 2005). This study has deliberately outlined the disciplinary procedure, listed disciplinary offences to avoid speculations and staging of arbitrary disciplinary offences.

This study believes that unethical decisions have effects in any organization. Unethical decisions breed effects of negative impact which ricochet as ripple effect in an organization. It is like when one throws a pebble into a pond, it makes ripples. The same holds true for the ripples that are made by the choices public Heads make. Promislo Giacalone & Jurkiewicz (2016) emphasize that evidence demonstrates a relationship between unethical decisions and diminished well-being. Teachers' diminished well-being impacts negatively on group, organization, and society as well.

The purposed literature in this study aims at empowering Head teachers to know exact facts about the subject. So that unethical behaviors are deterred at all costs in the interest of sustaining

democratic principles and avoid democratic revolutions that may erupt into violent societies which may eventually derail effective educational public services.

### **2.2.2. Definition**

Administrative disciplinary procedure is an action taken by public secondary school Head teachers against an alleged teacher suspect to correct behavioral deficiencies and ensure adherence to established rules (de Ridder, 2007; G. Dzimbiri, 2016; L. Dzimbiri, 2016; Herweijer, 2007).

In Malawi just like South Africa, Zambia, Kenya, Ghana and Zimbabwe teachers are civil servant (Beyani, 2013; Essuman, 2009; Knight & Ukpere, 2014; Mulkeen, 2010; Nabukenya, 2007; Tshabalala et al., 2014). Decision making through disciplinary procedure should be taken in the economists' view where it will be treated as an investment. The aim is to help teachers who are involved in disciplinary matters change for the better so that teaching and learning is positively attained, not to be used to harass, embarrass, torture, or ill-treat the involved teachers (G. Dzimbiri, 2016).

### **2.2.3. Acts of teacher disciplinary matters in Malawian Public secondary schools**

L. Dzimbiri (2016) and Matenje & Forsyth (2007) point out that in Malawi public secondary school's teacher disciplinary matters include where Teacher: -

- (a) absents from his post without permission or excuse.
- (b) performs his or her duties negligently.
- (c) displays insubordination.
- (d) is incompetent or inefficient after having been warned to improve.
- (e) is working while under the influence of intoxication liquor or habit-forming drugs during normal hours of attendance.
- (f) is declared bankrupt.
- (g) suffers pecuniary embarrassment such as to interfere with his duties.
- (h) discloses information improperly or for personal gain.
- (i) makes private use of Government moneys or property.
- (j) fails to take reasonable care of Government property.
- (k) has a financial interest in the affairs of his department, without the consent of the

Minister does or permits to be done any act prejudicial to the administration, discipline or efficiency of the Civil Service.

- (l) is convicted of offences involving dishonesty such as theft, bribery, corruption or Fraud.
- (m) attempts to bring political influence to bear on his position.
- (n) willfully interferes with his duties as a Civil Servant.
- (o) makes a false claim against the Government.
- (p) accepts valuable present from those he meets in the discharge of his duties.
- (q) writes or speaks to the media about matters connected with the Civil Service (other than in discharge of his duties).
- (r) becomes a director of a company.
- (s) does not place the whole of his time during normal working hours at the disposal of the Government.
- (t) works outside the Civil Service for remuneration.

In Malawi, section 43 of the Constitution requires that the Head teachers follow the MPSR rules when handling teacher disciplinary matters. Head teachers should raise their managerial consciousness that they should not only think in terms of dealing with files, carrying out assigned tasks and enforcing rules. At the public secondary school decision making should not only be considered the responsibility of political leaders, or special organizations. Head teachers too are decision makers to varying extents and for different levels of issues (Matenje & Forsyth, 2007; United Nations, 1998).

#### **2.2.4. Disciplinary procedures in teacher disciplinary matters in Malawi**

Once public secondary school Head teacher has become aware of information suggesting that the teacher has been involved in a teacher disciplinary matter, he or she must follow all required steps of disciplinary procedure as stipulated by Matenje & Forsyth (2007) in section 1.1.2. pp. 4-5 in chapter one.

Despite the availability of disciplinary procedures Head teachers may behave unethically when managing teacher disciplinary matters because are falling short of omniscience. Omniscience is contributed by failure of knowing all the alternatives, uncertainty about relevant exogenous events,

and inability to calculate consequences. Head teachers must learn to indulge themselves in following set rules so that their behavior is rational because is an outcome of appropriate deliberation (Barros, 2010).

Appropriate deliberation may only be successful if Head teachers comply with rules of engagement by asking themselves the following questions;

- (a) Do I have the powers to do what I want to do? Am I acting within the power granted by the law?
- (b) Am I merely adopting a particular statutory interpretation, which happens to suit what I want to do?
- (c) Am I exercising the power for the purpose for which it was given?
- (d) Am I acting for the right reasons? Have I taken into account all relevant information and excluded irrelevant considerations?
- (e) Do I have sufficient and correct reasons for my decision or action?
- (f) Will I hear and consider the point of view of people likely to be affected by the decision? Have they been put in the picture sufficiently so that they have a fair opportunity to make representations?
- (g) Have I allowed in my timetable sufficient time for consultation and representations?
- (h) Have I made up my mind in advance or given that impression, or have I merely blindly followed departmental policy without considering the circumstances of the particular case? If I have followed a general policy in a particular case have, I made it clear when communicating my decision that I have carefully considered the individual application to see whether it deserved to be treated as an exceptional case?
- (i) Have I or anyone involved in making the decision, any conflicting interest which might lead someone to suppose that there is bias?
- (j) Are there any grounds for thinking I might not be acting fairly?
- (k) Have I led anyone to suppose that I will be acting differently from what is now intended?
- (l) Am I acting in a way which a court may regard as abusing my power or generally so unreasonable that it is likely to find against me or my Ministry or Department?
- (m) Have I followed the procedure, if any, provided for by the law which I am required to follow before making the decision? (Matenje & Forsyth, 2007, pp.86-94).

The above questions are very important to Heads for the guidance against making decisions influenced by bounded rationality. As noted, some Heads may come up with their own personal offences which are not part of the stipulated offences. The study would want to find out if Heads know the acts of disciplinary offences in the MPSR.

#### **2.2.5. Significance of procedure compliance**

They outline the principles, policies and actions which should be followed in teacher disciplinary matters, and must be in writing and readily accessible and available to all employees. To protect specific rights of employees, management at higher level may decide to have a review of a supervisor's decision to discipline an employee and may require higher level authorization before the disciplinary action is taken. The principle of "good faith", and thus protects the organization and its interests as well as protect offenders from unethical decisions (G. Dzimhiri, 2016; L. Dzimhiri, 2016; Knight & Ukpere, 2014; Mulkeen, 2010).

Such procedures provide uniform actions for all teachers with all the benefits without regard to race, color, creed, religion, national origin, gender, age, disability or political affiliation. When managing teacher disciplinary matters decisions have to be made within the framework of relevant laws, rules and regulations (Birzer, Gerald & Cliff, 2012; de-Graaf, Jans, Marseille & de-Ridder, 2007; Dimmock & Walker, 2005; L. Dzimhiri, 2016; Igbokwe, Okereke & Ogbonna-Nwaogu, 2009; Illinois Department of human services, 2011; International Labour Organization, 2012; Kanyongolo, 2006; Matenje & Forsyth, 2007; Răuță, 2014; University of Calicut, 2011).

#### **2.2.6. The Use of discipline**

In South African public secondary schools Knight & Ukpere (2014) assert that administrative disciplinary actions build certain level of trust and respect within the employment relationship, and once this is eroded, it may be difficult or even impossible to recover at a later stage. Beyani (2013) Stephen (2012) and Tshabalala et al. (2014) account that in Zambian, Ghanaian and Zimbabwean public secondary schools, respectively, discipline actually means to groom a person's behavior, etiquette and entire personality, correcting an undesirable conduct rather than simply on punishing the offender. This research would like to examine the intentions of decisions in managing teacher disciplinary matters.

### **2.3. TEACHERS' PERCEPTIONS ON HOW HEAD TEACHERS HANDLE TEACHERS DISCIPLINARY MATTERS.**

According to this study, Teachers perceived Head teachers not to have behaved ethically in handling teacher disciplinary matters. Unethical behavior means unfair action which is not conscientious, not principled, not correct, improper, and not law-abiding, otherwise shows some acts of corruption (Longman, 2009; Urdang, 1991). When Head teachers divert from disciplinary procedures that becomes unethical behavior (Grin, 2001).

Scholars such as G. Dzimbiri (2016) and Knight & Ukpere (2014) report that in Malawian and South African public secondary schools' teachers, as civil servants, perceive that they are deprived of organizational justice due to weaknesses associated with the disciplinary procedures in civil service. Teachers felt that one of the factors that influence Head teachers to make unprofessional and unfair disciplinary actions is that Head teachers too are employees, yet when handling teacher disciplinary matters would want to be harsh on teachers, but they also are subjected to same teacher disciplinary matters (Bennell, 2004; Nabukenya, 2007; Ng'oma & Simatwa, 2013).

Disciplinary procedures are there to control unfair and unreasonable treatment, as well as to afford the employer the opportunity of dispensing with the unsatisfactory employee. Long gone are the days where employers could simply punish an employee for any reason, proper rules and processes have to be followed in modernized times. On the contrary, Head teachers miss certain rules, and disciplinary procedures are not properly followed and such amounts to inconsistency fueled by favoritism, abuse of power, and instituting disciplinary procedures to harass some teachers they regard as their enemies.

Head teachers' unethical behaviors results into inconsistencies when handling teacher disciplinary matters. Consistency refers to the same set of rules being applied to all teachers within the same education sector, regardless of age, gender, position, seniority or any other criteria similar to this during handling teacher disciplinary matters. Unfortunately, this is not always the case within the workplace, as some teachers get off "lighter" than others for committing the same teacher disciplinary matter or breach of rule.

On the contrary, Head teachers' responsibility is to ensure that the procedure is fair, reliable and transparent when handling teacher disciplinary matters. If these are not present, not only will the

trust and relationship between Head teachers and teachers be breached, but there may also be major implications on the teaching and learning activities. As already mentioned, that there are basically three unethical behaviors that influence Head teachers to be inconsistent with disciplinary procedures when handling teacher disciplinary matter as explained below:

### **2.3.1. Favoritism**

Favoritism is when Head teachers divert from disciplinary procedures for a particular teacher to help or be kind to him or her (Longman, 2009). Results from studies in Turkey by Aydogan (2009) and (2012) reveal that in the Turkish Educational system Head teachers show favoritism in their decisions and practices. Participants believe that Head teachers behave and show favoritism when taking various administrative decisions in favor of those close to them through various relationships.

In Malawi just like in Turkish Educational System, inconsistency may come in because of favoritism where Head teachers want to protect their friends, fellow countrymen, and those having political views that align with their own (Aydogan, 2009).

In brief, many of the teachers perceive Head teachers to divert from disciplinary procedures because of favoring some teachers when handling disciplinary procedures because of nepotism, political affiliation, personal closeness (Beyani, 2013; Kayira, 2008). This study wants to examine issues that influence favoritism.

### **2.3.2. Abuse of power**

Teachers perceive Head teachers to have abused their power in handling teacher disciplinary matters. Abuse of power means to misuse power (Urdang, 1991). Abuse of power creates non-compliance to procedures. Teacher disciplinary procedures seems staked against the teacher, in public secondary schools where the Head teacher is not the employer; due to several other reasons. Head teachers may divert from disciplinary procedures by taking action beyond the legal powers. In other cases, unfairness starts being engaged at the reporting level which is the Head teacher's level of decision making in teacher disciplinary matters. Generally, such disciplinary procedures have been found to be unfair, as they are sometimes used by Head teachers to get at one another, while the written records have been used to block promotions for affected (L. Dzimbiri, 2016;



Kanyongolo, 2006; Matenje & Forsyth, 2007; Ntho & Lesotho Council of NGOs, 2013; Wamala & Kasozi, 2005).

In Zimbabwe results in a study conducted by Tshabalala et al. (2014) reveal that some Head teachers abused their powers and charged teachers even for minor offences to settle scores on non-professional issues. In Kenya study findings by Nabukenya (2007) and Ng'oma & Simatwa (2013) report that poor unprofessional leadership and supervision make Head teachers to take the law into their own hands. Bennell (2004) and Kayira (2008) argue that Head teachers abused power because they lacked trust with fellow teacher's management styles hence tended to be authoritarian with limited participation, delegation, and communication with respect to major school management functions. Teachers subjected to these types of management regimes feel like 'we are treated as children'. For example, Nabukenya (2007) Head teachers were asked "*Do you punish teachers who break the code of conduct and how do you do it?*" The Head teachers responded that "*It all depended on the heaviness of the offence and so we do punish them where necessary*". Head teachers agreed that sometimes they also give them suspension.

In Malawi public secondary school Head teachers have no mandate to suspend or interdict a teacher, otherwise this behavior is unethical because is unjustified. It is a diversion from disciplinary procedures (Kanyongolo, 2006; Matenje & Forsyth, 2007). This study wants to find out if Heads are still abusing power against teachers in disciplinary matters.

### **2.3.3. Institute teacher disciplinary procedure to humiliate and demoralize teachers they regard enemies**

Animosity between teacher and Head teachers could make Head teachers take wrong ways thinking he or she will finish the teacher when handling teacher disciplinary matters.

For example, results in a study by Kayira (2008) in Malawi reveal an issue of poor working relationship between teachers and Deputy Head teacher that led to negligence of duty. Having godfathers in political, education offices and provincial administrations made some teachers to neglect duty knowing they are well connected. As a result, whenever the particular teachers got involved in teacher disciplinary matters Head teachers felt that these particular teachers were habitual offenders and that there was no use in following proper procedure because they felt teachers looked down upon them (Kayira, 2008; Ng'oma & Simatwa, 2013).

In Zimbabwe in a study by Tshabalala et al. (2014) findings show that some Head teachers instituted disciplinary procedures against teachers even for minor offences to settle scores on non-professional issues. In Malawi in a study by Kayira (2008) findings reveal that in Central West Division the major contributing factors for Head teachers not to comply with disciplinary procedures is lack of confidence to closely supervise their staff and execute disciplinary measures on those who do not observe rules and regulation. As a result, whenever Head teachers want to show that they have the powers on their positions they will institute teacher disciplinary procedure to humiliate and demoralize teachers they regard enemies and that leads to non-compliance with disciplinary procedures.

Wamala & Kasozi (2005) give an example of a Head teacher who instituted teacher disciplinary procedure to humiliate and demoralize a particular teacher at Lisumbwi Secondary School in Monkey Bay in Mangochi District in 1994. The Head teacher warned and then interdicted the teacher because of animosity between the Head teacher and the teacher involved in the teacher disciplinary matter that had happened on the 26 March 1994 (Matenje & Forsyth, 2007; Wamala & Kasozi, 2005). In brief, when Head teachers institute teacher disciplinary procedure to humiliate and demoralize teachers they regard enemies is a diversion from disciplinary procedures. This study wants to find out reasons behind Heads harassing teachers when handling disciplinary matters.

In conclusion, the perceptions that teacher have on how Head teachers handle teacher disciplinary matters in Malawi and South Africa public secondary schools, are that there is no consistency of disciplinary procedure within the teaching service (G. Dzimbiri, 2016; Knight & Ukpere, 2014). In brief, unethical behaviors contribute to inconsistencies during disciplinary procedures. The evidence of unethical behaviors is that decisions made are reversed and have no impact on the involved teacher. Sometimes government ends up compensating teachers using tax payers' money (G. Dzimbiri, 2016; Kayira, 2008; Knight & Ukpere, 2014).

#### **2.4. CHALLENGES HEAD TEACHERS FACE IN HANDLING TEACHER DISCIPLINARY MATTERS**

There could be so many challenges that Head teachers face and influence them in handling teacher disciplinary matters. The following section will explain some of the challenges that Head teachers face;

### **2.4.1. Teacher connectedness to “powerful” politicians or authority in the system**

According to available literature guiding the study one of the challenges that Head teachers face in handling teacher disciplinary matters is teacher connectedness. The connections could be either political connection or connected to higher authorities within the system;

#### **2.4.1.1. Political influence**

Political influence could persuade Head teachers in public secondary schools to behave unethically when handling teacher disciplinary matters so that they appease politicians or relations of politicians. In this connection Head teachers may follow political directives against complying with disciplinary procedures for the purpose of realization of certain political goals, to the extent that they have found themselves in tight angles because they would want to favor teachers connected to politicians or official in higher authority (Cerar, 2009; de-Ridder, 2007; French & Raven, 1959; Polka & Litchka, 2008).

For example, Head teachers may divert from disciplinary procedures due to neo-patrimonial socio-political thinking which influences Head teachers to act as conduit in teacher disciplinary matters with the immense of respecting those above them and victimizing the mass at the lower level and pleasing the top few due to political, tribal, ethnical power (Anders, 2006; Chirambo, 2004; Cammack, 2004, 2007; Sturges, 1989; United Nations, 1998). This is mainly the influence of bounded rationality. For instance, at Stella Maris in 1997 the Hon. Minister of Education Science and Technology influenced the Head teacher to suspend Mr. Felix Mchawi on a baseless allegation.

In brief, teachers’ political connections may pose as a challenge when Head teachers handle teacher disciplinary matters because Head teachers may be influenced to divert from complying with disciplinary procedures (Anders, 2006; Cammack, 2004; Cammack, 2007; Chirambo, 2004; G. Dzimbiri, 2016; Matenje & Forsyth, 2007). This study wants examine the political influence on Heads decisions when handling Teacher disciplinary matters.

#### **2.4.1.2. Corruption**

Teaching Service in Malawi employs a large number of people of different backgrounds with very different aspirations, beliefs, values and ambitions in life. As such people connect to those that they feel have similar interests as theirs. Connections of various aims may also greatly contribute to corruption during handling of teacher disciplinary matters more especially in situations where the involved teacher is well connected in the system such that decisions made by Head teachers may be undermined by those that protect the teacher (G. Dzimbiri, 2016; Tshabalala, Muranda & Gazimbe, 2014).

Teachers get connected to various types of people in the system and end up having godfathers in political, education offices and regional administrations, and whenever these well connected teachers are involved in teacher disciplinary matters their cases meet great resistance to be professionally concluded because their connections protect them by corrupting the procedures (Kanyongolo, 2006; Kayira, 2008).

Studies by scholars such as; Khan (2005) Kayira (2008) Beyani (2013) and Humphreys (2014) in Pakistan, Malawi, Zambia and Nigeria respectively, reveal that according to disciplinary procedures Head teachers may recommended further teacher disciplinary actions such as interdiction, suspension and others, through the top next step authorities. However, in practice disciplinary sanctions are often applied in an ad hoc fashion. Results have been that there are hardly any cases of teacher dismissal, interdiction, and suspension in the public-school system. This arises from the fact that teachers often have political connections which allows them to stay or get transfers rather than be dismissed for gross teacher disciplinary matters. District officials have been known to block transfers and dismissals, thus undermining the professional code of conduct. Some teachers escape disciplinary procedures because matters are ignored or merely discussed without any serious consequences because of connections to higher and political authorities within the system.

In brief, corruption is a challenge that Head teachers face when handling teacher disciplinary matters and they feel betrayed because they are labeled powerless to such involved teachers and all is because the system becomes corrupt. This study wants to examine the influence of connections to politicians in decisions when handling teacher disciplinary matters.

#### **2.4.1.3. Threats from some teachers**

Generally, every human being be it on personal or official capacity has some physiological, sociological, psychological and economical fears. Such that any kind of fear as mentioned above may influence a kind of decision that one ought to make in fear of the consequences he or she may face as a result of reaction that recipient of the decision may exert on the safety of the decision maker. Socially Head teachers may live a compromised healthy and safety standard where after making some serious decisions against some violent teachers the repercussions may inflict various sanctions on their personal safety. As a result, some Head teachers have compromised by not taking any action against some violent teachers for fear of their lives. To some extent such kind of action amounts to compromise of disciplinary procedures.

For example, in Zimbabwe in a study conducted by Tshabalala, Muranda & Gazimbe (2014) results revealed that some teachers are too dangerous and violent and are threats to Head teachers. As a result, Head teachers fail to comply with disciplinary procedures for fear of their lives. This study will have to examine if Heads in Northern Education Division of Malawi get influenced by threats from teachers on decisions when handling disciplinary matters.

#### **2.4.2. Abuse of human rights**

The other challenge that Head teachers face in handling teacher disciplinary matters is the Abuse of Human rights as explained below:

Teachers are human beings and whenever they are involved in teacher disciplinary matters their rights have to be observed (Malawi Constitution, 2010). With the democratic dispensation in Malawi from 1994 Matenje & Forsyth (2007) remind that “It is important to note that some of these teacher disciplinary matters are so broad and vague that their validity could be challenged in court for being inconsistent with the Constitution’s guarantee of human rights (which teachers also have). As a result of this, the Government has initiated a process to review some of them in order to harmonize the provisions on teacher disciplinary matters with the requirements of the Constitution” (Matenje & Forsyth (2007, p117).

Matenje & Forsyth (2007) and Ng’ambi (2010) all agree that abuse Human rights may indeed influence Head teachers not to comply with disciplinary procedures partly due to an interpretation of the 1999 Employment Act, which incorporates human rights protections for due process that is overly in favor of teachers when they are involved in teacher disciplinary matters. For example,

teachers may be working at a second place other than the point of their deployment. As such when a teacher disciplinary matter is administered, they will say the teacher has the right to freedom of association and right to participate in economic activities as stipulated by Section 38 of the Constitution. As such these are challenges to the Head teacher in instituting teacher disciplinary matter. Even the courts have ruled in favor of human rights in some litigations. One significant example of right to employment was note during *Civil Cause No. 80 of 1997 (in the High Court of Malawi)* W.D. Bongwe and 11 Others (Plaintiff) versus Ministry of Education (Defendant). Head teachers may end up compromising disciplinary procedures by abusing power or instituting teacher disciplinary procedures to harass or humiliate such teacher because they interpret that teachers abuse Human rights (Matenje & Forsyth, 2007; Wamala & Kasozi, 2005, p.181-182).

The study wants to examine Heads abuse of Human rights.

### **2.4.3. Human resource considerations**

The third challenge that influence Head teachers to compromise disciplinary procedures when handling teacher disciplinary matters is human resources considerations as elaborated in the following sections;

#### **2.4.3.1. Shortage of teachers**

It is evident that trained teachers are in short supply in many countries including Malawian public secondary school. The problem of getting sufficient numbers of qualified teachers to staff classrooms is one of the most significant public policy issues facing many countries. The factors which are found to be most influential in the teacher demand and supply equation also vary from country to country. The demand for teachers depends on the following factors: school retention rates; student enrolments in schools; pupil-teacher ratios; teaching load of teachers; required learning time for students; preferences over elective courses and over educational programs; and, in the specific case of public school teachers, parents' preferences between private and public schools (Cobbold, 2015; Education for All Global Monitoring Report (GMR) & the UNESCO, 2015).

As a result, when Head teachers are handling teacher disciplinary matter by referring to top authorities for actions of interdiction, suspension. The top authorities may feel it is important to keep the teacher because they know that the particular education division has less qualified teacher in the particular subject such as Agriculture, Physical Science and many more. In the end they may

seem to have undermined Head teacher's recommendation for further action and concerned Head teachers may become frustrated and end up taking action such as ordering involved teachers to stop teaching in the next teacher disciplinary handling. The other situation may be where the Head teachers themselves may decide not to take action against the particular expert teacher who may be involved in teacher disciplinary matter because engaging such particular expert teacher may call for consequences such as losing the expert field teacher (Mlangeni, Chibaya, Malinda, Kapito, Kamundi, Kaperemera & Likupe, 2015).

In brief, Head teachers may divert from complying with disciplinary procedures influenced by shortage of teachers at the concerned school. The study wants to examine if such factors influence Heads decisions when handling disciplinary matters.

#### **2.4.3.2. Lack of continuous professional trainings**

Knowledge can be created by unobtrusive controls such as training, culture building and socialization (de-Ridder, 2007; Garapayi et al., 2008; Gee, 2014; Szypszak, 2011). It should be assumed that after attaining administrative professional knowledge, Head teachers must be able to follow disciplinary procedures in handling teacher disciplinary matters (L. Dzimbiri, 2016; Kanyongolo, 2006; Matenje & Forsyth, 2007).

Reports in studies such as studies done by Kadzamira (2006) Garapayi et al... (2008) Kariuki, Majau, Mungiria, & Nkonge (2012) and Tshabalala et al., (2014) in Malawi, Rwanda, Kenya and Zimbabwe respectively, revealed that most Head teachers failed to follow disciplinary procedures in handling teacher disciplinary matters because they lacked the necessary expertise of managing disciplinary procedures. They lacked the expertise due to lack of adequate training, unclear guidelines on their specific roles in administration of the school. As a result, Head teachers and Deputy Head teachers had adopted both professional and unprofessional strategies to tackle the challenges they face. For example, some scholars claim that in Malawi it is partly attributed to the poor preparation of teachers following the introduction of the fast track in-service teacher training education programme (MIITEP), which pays relatively little attention to professional ethics (Kayira, 2008).

On the other hand, Kayira (2008) reports that there have been some notable strategies employed by Ministry of Education through the Division Offices which have been used to redress unethical

behaviors to improve management of teacher disciplinary matters in public secondary schools and they were as follows;

#### **2.4.3.3. Organizing Divisional Professional Development Activities**

In-service Education Training (INSETs) and management meetings are supposed to be organized to strengthen the capacity of Head teachers in managing disciplinary matters. By organizing Head teachers' management meetings at specified periods and discussing issues like teacher disciplinary management, the division manager may be taking the right steps to improve Head teacher's ethical behavior in line with the management of teacher disciplinary matters. The orientations have to be based on the use of various documents such as; staff returns, class attendance registers, period attendance registers, punishment books, Log Book, Time Book, Malawi Public Service Regulations (MPSR), Teaching Service Regulations (TSR), The Handbook for Secondary School Administration, MOE Policy Guidelines on Discipline in Secondary Schools, Administrative procedures section 43 of the Malawi Constitution, Good Governance & Administrative Justice, Internal School Regulations, and Administrative manual a guide for ministers and senior civil servants as points of reference to ascertain lawful actions taken by the Head teachers in handling disciplinary matter (Kayira, 2008).

In brief, there is need for serious commitment by Education Division Management to facilitate continuous professional trainings to improve Head teachers' ethical behaviors in handling disciplinary matters. However, commitment and sustainability of managing in-service trainings may depend on the availability of sustainable funds. The study appreciates what has been so far but apart from these headship trainings wants to examine sustainability of such trainings.

#### **2.4.3.3.1. Programs to address training needs of Head teachers**

Basically, the Department of Teacher Education and Development (DTED) plans for some major programs to address the training needs of secondary school managers. For example, in the past there were two major programs which were aimed at improving managerial skills such as; The School Management Improvement Program (SMIP) funded by the African Development Bank (ADB). The program began in 2004 and was for Community Day Secondary Schools (CDSS). The aim of the program was to strengthen management skills of school managers (in CDSS) in relation to school improvement.



Then there was a program for conventional secondary schools under Education Sector Support Program (ESSUP) funded by the World Bank. This program was a continuation of where SEP stopped and started in July, 2007 and was targeted at Head teachers of conventional secondary schools who had not been trained before. This was planned to later be extended to Teachers Training Colleges (TTCs) under ESSUP 5. The target was to train three senior school staff from each institution in 15 cohorts. In July, 2007, first cohort of 60 school level managers was supposed to go for training.

In brief, the above initiatives were meant to cater for continuous professional trainings for public secondary school Head teachers to improve ethical handling of disciplinary matters. However, due to lack of sustainable planning and commitment these trainings have not continued thereby increasing Head teachers' unethical behaviors in handling disciplinary matters.

#### **2.4.3.3.2. Appointments of Head teachers**

One other Human resources consideration that may greatly affect management of teacher disciplinary matters is the way Head teachers are appointed in Malawian public secondary schools. The challenge is that Head teachers are appointed based on long years of service, an award of good teaching performances and sometimes on political affiliation to the government. Such being the case most of such Head teachers have had no formal training in management of school including handling of teacher disciplinary matters (Kalefya, 2014).

In brief, lack of consideration to train Head teachers in managing disciplinary procedures contributes to diversion from complying with disciplinary procedures. The study wants to examine if indeed the un-merited promotions influence Heads decisions when handling disciplinary matters.

#### **2.4.3.3.3. Insufficient institutional housing and transport logistical support**

Many scholars such as Bennell (2004) Ng'oma & Simatwa (2013) Tshabalala, Muranda & Gazimbe (2014) have reported that in countries like Kenya, Ghana, Uganda, Ethiopia, Botswana, Sierra Leone, Tanzania, Zambia, Zimbabwe and Malawi, human resources considerations in terms of work and living environments for many teachers are poor, and tends to lower self-esteem and is generally de-motivating teachers. Housing is a major issue for nearly all teachers. There are inadequate staff houses to accommodate all the teachers in the institutional compounds. Many commuted from far and that affected the reporting time for the teachers at various public secondary

schools. Teachers absented without leave, arrived late, finished early, and left their classes during the day thereby seriously caused negligence for duty.

In brief, the situation above has greatly contributed to high levels of teacher absenteeism, lateness and negligence for duty. Remarkably, for some teachers who meet such challenges for a long period of time become continuous defaulters. In the end Head teachers may be influenced to abuse their powers or instituting disciplinary procedures to harass or humiliate those they regarded as enemies just to show that they had powers to punish (Ng'oma & Simatwa, 2013; Global Monitoring Report (GMR) & the UNESCO, 2015; Cobbold, 2015; Mlangeni, Chibaya, Malinda, Kapito, Kamundi, Kaperemera & Likupe, 2015).

#### **2.4.4. Disciplinary process takes too long to give judgment**

##### **2.4.4.1. Head teachers have limited decisions**

According to the disciplinary procedures (section 1.1.2.pp.4-5) Head teacher may take action from three alternatives and these are; (1) warn the involved teacher; (2) refer to the responsible officer for further action; and (3) report to police if the disciplinary matter has some criminal nature and immediately inform the responsible officer. This deters them from taking actions of suspension and interdiction. Mostly, when cases are referred to higher authority for further action the review may not come in favor of Head teacher's recommendation (Matenje & Forsyth, 2007).

For example, Mulkeen (2010) reveals that teacher disciplinary matters in Anglo-phone countries processes take too long time, and is burdensome for Head teachers because Head teachers have limited powers. During the process, the teacher may cause tension in the school. In most cases, the teacher may continue to work while the case proceeds. In Malawi the teacher is suspended either on half pay or no pay at all, but may remain in the same area, causing discontent. A suspended teacher may even work in a private school, and be as well off as they were before suspension. The outcome is uncertain, and in many cases disciplinary cases are rejected, returning the teacher to the school and potentially doing further damage to relationships in the school.

In brief, Head teachers may be influenced to compromise disciplinary procedures by taking short cuts by abusing their powers to suspend or interdict or take away privileges from the involved teacher so that they get rid of him or her. However, this diversion from disciplinary procedures is unethical behavior.

#### **2.4.4.2. Delay in concluding referred**

It is believed that prompt disciplinary procedures bring effective results to involved suspect teachers. But due to the nature of the Malawian disciplinary procedures where decisions such as suspension, interdiction are not at the Head teacher's level and are supposed to be referred to higher authorities for consideration for action. The process takes too long time before considering such decisions and therefore, the impact is that the involved teachers may not appreciate the aim of the disciplinary action (Mulkeen, 2010; Stephen, 2012; G. Dzimbiri, 2016).

Regrettably, it is the Head teachers who feel challenged because they are the ones who are seeing the involved teacher suspect still hovering around the school and they feel betrayed that it might be interpreted that they are powerless. The end result is that Head teachers may later divert from following disciplinary procedures so that they deal with the involved teacher at their level by abusing their power or instituting disciplinary procedures to harass or humiliate concerned teachers.

Having looked at challenges that Head teachers faced in handling teacher disciplinary matters in public secondary schools. The next section looks at the theoretical framework that the study uses in resolving the issues in the topic under study.

### **2.5. BOUNDED RATIONALITY THEORETICAL FRAMEWORK**

Bounded Theoretical framework is the specific lens that this research has worn to achieve its purpose. Therefore, it is a logical structured representation of the concepts, variables and relationships involved in the research with the purpose of clearly identifying what is to be explored, examined, measured or described (Creswell, 2014; Mertens, 2005; Teddlie & Tashakkori, 2003; Terrell, 2012; Walliman, 2011).

As such Bounded rationality theoretical framework is guiding the study. The theory was first devised by Herbert Alexander Simon around 1947. Barros (2010) claims that Herbert Alexander Simon was the self-proclaimed and proclaimed, "prophet of bounded rationality". Herbert Alexander Simon and Barros assume decision making is the heart of administration (Heukelom, 2006; Simonsen, 1994).

Considering that decision making is the heart of administration Green (2002) and Fiore (2009) proposed that public secondary school Head teachers could make better decisions by selecting the

best alternative when managing teacher disciplinary matters by; (1) Recognizing the problem; (2) Brainstorming alternatives; (3) Evaluating alternatives; (4) Making the decision and (5) Taking action. However, there are often new problems that emerge as a result of the decision that has been implemented (Grin, 2001; Hammond, Keeney & Raiffa, 1998). Both Fiore (2009) and Leoveanu (2013) assumed that Head teachers settled for less-than-optimal solutions because of bounded or limited rationality.

The significant weaknesses of the bounded rationality theory are that basing on complexity of school social actions and interactions. Head teachers may lack adequate information because of the influence of despair, ignorance, subjectivity and intelligence trapped opinions. Diversion from following disciplinary procedures may be a direct result of acquiescing to external forces. This is largely because Head teachers are not knowledgeable enough to always generate all alternatives, correctly evaluate them, and implement the best possible decision as required by (section 1.1.2. pp.4-5). As a result, may rely on other ways of making decisions. Subjectively, norms and habits may guide much action, and once these take root Head teachers may not question them but use them to justify compromised public decision making (Ogu, 2013).

However, the strengths are that to some extent rationality may generalize assumption which may be compatible with any set of structural assumptions about the environmental setting in which the Head teacher is present. Head teachers as public decision makers may predict what course of action they have to take. Remarkably, what is required is to have an arranged structural based on appropriate deliberation consistently guided by section 43 of the Constitution (section 1.1.2. pp.4-5). Barros (2010) suggests that Head teachers could behave ethically by improving omniscience on management of disciplinary matters. Omniscience is contributed by failure of knowing all the alternatives, uncertainty about relevant exogenous events, and inability to calculate consequences. Head teachers must differentiate between searching for all possible mandatory alternatives and satisficing actions. Head teachers must learn to indulge themselves in searching for better action within disciplinary procedures. Head teacher's behavior is rational when it is the outcome of appropriate deliberation consistent with (section 1.1.2. pp.4-5).

Matenje & Forsyth (2007) assumes that appropriate deliberation may only be successful if Head teachers comply with rules of engagement by asking themselves some thirteen significant

questions about how they ought to engage see (section 2.2.4 p.16). The theory assume Head teachers may not follow disciplinary procedure because of the following factors;

- (i) **Subjectivity**; Former President of the Republic of South Africa Nelson Mandela claimed “that one of the problems the world is facing today is that it has people who do not look at problems objectively, but from the point of view of their own interests” (Gee, 2014).
- (ii) McRaney (2011) claim “poor decisions are made because people make **arguments out of ignorance**. When you are unsure of something, you are more likely to accept strange explanations”.
- (iii) Mortensen (2011, p.118) says “**Desperation** leads to poor decisions, forces unwanted choices, reduces options, and spawns regret”.
- (iv) Lastly, Altier (1999, p.6) claims “an ‘**intelligence trapped**’ Head teacher is someone who has been subterfuge in poor ideas because they can defend him or her well. . . . people who are very intelligent want to get the highest, quickest pay-offs from their intelligence. This is often found by attacking someone else”.

In brief, Bounded rationality theoretical framework was fit to guide this study because the research explored the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division. Subjectivity, ignorance, intelligence trapped and despair are the pressures that may influence Head teachers to behave unethically in handling teacher disciplinary matters.

## **2.6. Conclusion**

In summary the literature review in the study has looked at available relevant and significant findings on the management of teacher disciplinary matters by public secondary school Head teachers. The chapter has introduced administrative disciplinary decision making, then defined disciplinary procedures, followed by acts of teacher disciplinary matters and disciplinary procedures in Malawi. Significance of following procedure and the use of discipline have also been discussed. The second section of the literature has described some of the teacher’s perceptions on how Head teachers handle teacher disciplinary matters. The last section has explained the challenges that Head teachers face in handling teacher disciplinary matters. The chapter has also discussed in detail the theoretical framework of Bounded rationality.

## **3. CHAPTER THREE**

### **3.1. METHODOLOGY**

#### **3.1.1. Introduction**

Chapter two has discussed literature from various significant scholars about relevant findings on the management of teacher disciplinary matters by public secondary school Head teachers. Throughout the discussion the outcry was that Head teachers do not follow disciplinary procedures due to several reasons influenced by favoritism, abuse of power and instituting disciplinary procedures to harass or humiliate particular teachers. This means that Heads are influenced by bounded rationality. In consideration, with the aim of this study, to examine Heads consistency with Section 43 of Malawi Constitution on the right to administrative procedure in the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division. This chapter three had focused on the methodology which was used to collect data in the targeted area. The specific objectives were to; enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters; investigate Teacher perceptions if Head teacher follow procedures in teacher disciplinary matters; and examine challenges Head teachers faced when handling teacher disciplinary matters.

Altogether the chapter explains in detail the research design and the paradigm that was used. Describes the geographical area, and the research population of the study. The procedures and methods used to identify site and population sample. Furthermore, it discusses what methods and instruments used for collecting data and how data was analyzed. Study limitations and delimitation are reported for future improvements of further research. The section explains how the researcher dealt with research ethical issues. The chapter was guided by research objectives and Bounded rationality theoretical framework.

#### **3.2. Research Design**

This study used mixed methods explanatory sequential design. Therefore, the first data was collected using quantitative method. After the analysis of quantitative data, the study went further to build on the results by conducting qualitative interviews to get more explanations in terms of breadths and depths through confirmatory process (Ary, Jacobs, Razavieh & Sorensen, 2006; Creswell, 2014; Mertens, 2005; Terrell, 2012).

The use of mixed methods was significant because it resulted into corroboration of findings through triangulation. Findings are more dependable when they were confirmed from several independent sources and by more than one “instrument” measuring the same phenomena (Cohen, Manion & Morrison, 2007; Creswell, 2014; Creswell & Plano-Clarke, 2007; Flick, 2002).

The combination of quantitative and qualitative methods brought full understanding of the research problem, which would not have been fully achieved by using one method. Furthermore, weaknesses of quantitative method were offset by the strength of the qualitative method and vice versa. Remarkably, data from Head teachers was counter checked by data from teachers because both were stakeholders of teacher disciplinary matters (Fraenkel & Wallen, 2008; Hatch, 2002; Mack, Woodson, Macqueen, Guest & Namey, 2011; O'Connor & Gibson, 2003; Terrell, 2012).

### **3.3. Research Paradigm**

The study’s philosophical assumption was Pragmatics paradigm. In that aspect the study dealt with the research problems in a sensible practical way, instead of following routines (Longman, 2009; Teddlie & Tashakkori, 2003). The researcher did not see the management of teacher disciplinary matters as an absolute unity. Significantly, implored mixed method to answer simultaneously confirmatory and exploratory questions. Moreover, the practicality of mixed methods provided stronger inferences through confirmation of quantitative data by qualitative interviews data that explains with depth and breadth to the research topic, and further more provided divergent data through expression of differing viewpoints (Batka & Mapula, 2009; Byers, Smith, Hwang, Angrove, Chandler, Christian....Onwuegbuzie, 2014).

In other words, Pragmatics paradigm allowed the use of mixed methods which were very beneficial for the provision of best understanding of a research problem (Creswell, 2014). The research targeted both Head teachers and teachers to be study respondents because there was need to have confirmatory process between teachers as victims and Head teacher as victors of the phenomenon respectively. Likewise, the study considered the premise that wide power differentials had to prevail in the study. In other words, the researchers wanted to exercise control over decisions made at the stages of research findings dissemination and utilization. In brief, both Head teachers and teachers had voice in the results (Cosby, Rogers, Kaiser, Kasper & Sawyers, 1993; Dominiko, 2016; Kavanagh & Borrill, 2013; Solutions Research, 2016; Son, 2014).

### **3.4. Study site and population**

The whole Northern Education Division (NED) was the study site for the study. N E D includes all the public secondary schools in Chitipa, Karonga, Likoma, Mzimba, Mzuzu City, Nkhata Bay, and Rumphi Districts of Malawi in the north.

All the Teachers and Head teachers of the above mentioned public secondary schools were the population for the study.

### **3.5. Research Sample and sampling techniques**

Fifty public secondary school closer to Mzuzu City for easy accessibility during data collection process were purposely sampled for issues of convenience and manageability. The consideration came out because of resources for mobility and time for the study.

#### ***3.5.1. Population Sample and sampling technique for quantitative data collection***

The first step the study did to sample respondents was to stratify the male and female groups to allow relevant representations on issues of gender consideration.

After stratification, respondents were purposely identified with more consideration to convenience from both male and female groups. For those public secondary school which had fewer female teachers or fewer male teachers purposely sampling dominated the process to achieve gender manageability. Otherwise, respondents were purposely identified for data collection.

One Hundred teachers and One Hundred Head teachers were systematically and purposely sampled for the first quantitative survey from the selected 50 public secondary schools. Head teachers included Deputy Head teachers. The purposely sampling was done by stratifying male and female groups of respondents especially for Teachers. This means that the fifty public secondary schools purposely and conveniently selected provided one Head teacher and one Deputy Head teacher each. The researcher through guidance from Head teachers from the fifty school purposely and conveniently sampled two teachers from each school. The sample was translated into a total of 100 Head teachers and 100 Teachers as respondents: About 100 respondents in each respondent's category was relatively large sample in quantitative studies that brought research credibility and trustworthiness (Kothari, 2004; Ritchie & Lewis, 2003; Terell, 2012; Walliman, 2011).



### ***3.5.2. Population Sample and sampling technique for qualitative data collection***

In the second qualitative phase the researcher used purposely sampling to identify respondents to manage convenience. It was important to use purposely sampling to achieve research manageability. Purposely sampling looked at issues such as, deployment records, or may relate to specific experiences, behaviors, and roles. Convenience was all about manageability. In other words, the researcher declared it as judgment sampling (Ritchie & Lewis, 2003; Walliman, 2011; Coenen, 2008).

During the qualitative interview phase data was collected from the sample size of 10 respondents from each category. It translated into 10 Teachers and 10 Head teachers. The small sample of 10 allowed rigorous interviews to the extreme depth of the raised issues. The deliberate choice of the sample was to allow the researcher meet selected particular elements from the population that informed about the topic of interest which was aimed at addressing the research questions (Coenen, 2008; Creswell, 2014; Mertens, 2005; Ritchie & Lewis, 2003; Walliman, 2011; Teddlie & Tashakkori, 2003; Terell, 2012).

The current study has three significant reasons that had justified the explanatory sequential to concentrate the interviews on Head teachers and Teachers as explained below;

Firstly, as already stated in section (1.2. pp.5-8) of chapter one, in the problem statement the research emphasizes that in terms of decision-making Head teachers were the ones who were responsible and accountable in managing teacher disciplinary matters.

Secondly, in section (2.3. pp.18-21), literature reviewed has remarkably indicated that teachers had made judgments of Head teachers' unethical behaviors during the handling of disciplinary matters. As such Teachers were to give judgment on what they had experienced.

Thirdly, triangulation had to allow the views of both victors and victims of the decisions to be heard.

Therefore, alluding from the above three reasons this study was justified to triangulate findings by collecting data from both Head teachers and Teachers.

### 3.6. Methods and Instruments for collecting data

To resolve the research problem the researcher considered the research questions as of prime importance and to effectively answer the research questions the researcher selected appropriate methods of data collection (Mertens, 2005; Creswell, 2014).

Different data collection methods and instruments were used in the quantitative and qualitative phases. See Table 3.1 for reference on methods and instruments preferred by the mixed methods below.

**Table 3.1. Quantitative, Mixed, and Qualitative Methods (Creswell, 2014)**

Quantitative Method	Mixed Methods	Qualitative Method
Pre-determined	Both predetermined and emerging methods	Emerging methods
Instrument based questions	Both open- and closed-ended Questions	Open-ended questions
Performance data, attitude data, observational data, and census data	Multiple forms of data drawing on all possibilities	Interview data, observation data, document data, and audiovisual data
Statistical analysis	Statistical and text analysis	Text and image analysis
Statistical interpretation	Across databases interpretation	Themes, patterns interpretation

#### 3.6.1. Methods and instruments for quantitative data collection

The first quantitative phase had capitalized on the use of questionnaire which had closed and open-ended questions (Appendix E, p.98). The questionnaire was administered to 100 Head teachers and 100 Teachers. A questionnaire is a collection of questions that are administered to respondents so that they respond to research questions by completing either by circling or ticking the responses on a well-designed questions and answers sheets that are aimed at controlling the variables for

easy generalizations regarding the topic at hand. Closed ended questions allow generalized answers, respondents' anonymity which facilitates valid answers. The significance of questionnaire is that it is straightforward and fairly standardized and requires relatively little effort and has few adverse effects from respondents (Coenen, 2008; Creswell, 2014; Mertens, 2005; Ritchie & Lewis, 2003; Terrell, 2012; Walliman, 2011).

The researcher constructed the questionnaire guided by research objectives and research questions.

#### **3.6.1.1. Validity and Reliability of quantitative research method and instrument.**

Questionnaire's content validity was guided by research objectives and research questions (Creswell, 2014). Research objectives equipped the questionnaire to have the ability to measure the study aims. The questionnaire was critically looked at and analyzed by independent judges to evaluate the content validity. Fellow students undertaking Master of Education degree program and the research supervisor helped to check the content validity of questionnaire.

The researcher conducted pilot testing which helped refining the instrument to be reliable for consistency of scores. Pilot testing was done at one of the public secondary schools that were not part of the research sample under study and it helped correct instrument deficits, but also learnt that the topic was sensitive and that questionnaires were to be administered by the researcher to maintain confidentiality and also to have 100% questionnaire turn over (Creswell, 2014; Terrell, 2012).

During the administration of questionnaire, the researcher made sure that in all the selected 50 public secondary schools under the study questionnaires were administered by researcher himself. The distribution and collection were done by the researcher. This was done by requesting for a large room where all selected respondents were called in. The researcher briefed respondents of the intentions and topic of the survey. Then requested for their consent, but also informed them of their engagement rights. Then distributed the questionnaires and waited for completion and finally collected them and thanked them for their participation.

#### **3.6.2. *Methods and instruments for qualitative data collection***

The second phase of qualitative method capitalized on administering one to one interview by using the interview guide which had open ended questions guided by research objectives and research questions (Appendix F, p.101). The interviews were recorded using digital recorder. An interview

is a technique aimed at collecting, for later analysis, discursive data that reflects the conscious or unconscious mind-set of individual interviewees (Creswell, 2014; Nieuwenhuis, 2007; Terell, 2012).

The use of interview helped the researcher in the study to collect detailed data from small sample of 10 Head teachers and 10 Teachers; explore more of the participants' views while also interacting with the participants on a personal level. During the interview sessions the researcher used the digital recorder to record data because, (i) the researcher needed to concentrate on face to face interaction with the respondents, (ii) helped to facilitate active interview at the same time gave the interviewer control of the session so that non-verbal communication from the interviewees could be noticed and be emphasized in the field notes, (iii) the use of digital recording machine also helped the researcher concentrate on probing more on the raised issues because there was no disturbance due to the need to write every data that came from the respondents (iv) and when respondents were explaining the digital recorder was not selective on what to record thereby allowing all data collected to be critically analyzed by the researcher (Hannan, 2007; Terell, 2012; Creswell, 2014).

During the interview sessions English, Chichewa and Chitumbuka were used to allow respondents express extremely deep. This also allowed issues to be probed and rigorously expressed.

#### **3.6.2.1. Trustworthiness of qualitative data**

The first step which was taken by the researcher to have trustworthy qualitative data was to have well planned objectives for the interview such as;

Interview questions were adjusted after the pilot study within the NED catchment area at a public secondary school which was not in the selected sample. Consultations were made between researcher and research supervisor on how to handle the topic interviews. Recommendations were made on the following issues;

The researcher had to prepare for the interview thoroughly. The participants were recruited purposefully for convenience and manageability. The digital recording machine was tested in advance to avoid failures during the interview time. A well furniture and lit room was used for interview space. Time management during interview was very crucial to avoid inconveniences. The researcher was very knowledgeable about the research topic, including anticipated questions

and was prepared to answer any questions from interviewees. Research commitment was demonstrated through personal commitment by, arriving on time, equipped with the recording equipment, interview guide, and notebook. The researcher was psychologically and physiologically prepared to conduct the interview.

Secondly the researcher had to interview participants thoroughly. During the interview session all questions on the research topics listed in the interview guide were exhausted. Follow-up questions were asked in order to elicit participants' complete knowledge and experience related to the research topic. Elaborations of participants' responses were probed. Interviewees dominated the conversation under researcher's guidance (Coenen, 2008; Cohen Manion & Morrison, 2007; Creswell, 2014; Mertens, 2005; Ritchie & Lewis, 2003; Teddlie & Tashakkori, 2003; Terrell, 2012; Walliman, 2011).

### **3.7. Data analysis techniques**

The researcher used various techniques of data analysis to fit the mixed methods design.

Quantitative data was analyzed manually by the researcher because he is the interpreter of the findings (Löfgren, 2013). Data was kept on the questionnaires because that is where respondents had given their answers. Upon collecting the questionnaires to a safe place, the researcher personally analyzed each and every single question that was intended to give data for interpretation in addressing research objectives. Each particular question was tallied manually using simple arithmetic of addition and subtraction as per categorized responses and the total number of responses were equated to percentages and then put in simple percentage tables. To come up with percentage tables the simple formulae was to divide a frequency of particular variable by total frequency of all variables and multiply the answer by 100%.

Qualitative data was managed by recording interviews using digital recorder. Data was transcribed word by word after listening to recorded files (Appendix G, p.103; Appendix H, p.105). The transcript was read over and over while being cross checked with field notes. Coding was done guided by research questions and objectives, bounded rationality theoretical frame work, explored literature review, raised interesting issues, recurring issues mentioned by respondents. The codes were grouped into various groups which formed sub-themes. The sub-themes were regrouped to form themes. The study confirmed some existing themes following the top down approach

(Mgomezulu & Kalua, 2013). The study also generated new themes following open coding (Löfgren, 2013). The confirmed and generated themes were the basis of arguments in confirming the variables in quantitative results in the principles of mixed methods explanatory sequential technique.

During transcribing process, the researcher verified what had been transcribed to the interviewees for authentication. Triangulation was done during transcribing but also with the field notes in terms of non-verbal actions during the interviews. Triangulation of quantitative and qualitative data during data analysis helped to bring qualitative data trustworthiness (Cohen, Manion & Morrison, 2005; Hatch, 2002; Kothari, 2004; Mertens, 2005; Teddlie & Tashakkori, 2003; Walliman, 2011).

In brief, the research results were truthful and generalizable because mixed methods had allowed corroboration of the findings through triangulation in terms of methods, data collection instruments, and sources (Cohen, Manion & Morrison, 2007; Hatch, 2002; Mack, Woodsong, Macqueen, Guest & Namey, 2011; O'Connor & Gibson, 2003).

### **3.8. Ethical consideration**

The researcher submitted the research proposal to the research supervisor who authorized that the topic was researchable. Then the researcher got research authorization letter from Mzuzu University to the Northern Education Division management (Appendix C, p. 96). The researcher went to the EDM NED seeking gaining entry into the field for data collection by presenting Mzuzu University research authorization letter. The NED management asked the researcher to write an extra student letter specifying the exact places he wanted to visit so that permission instructions were communicated to the chosen areas in advance. The researcher complied (Appendix, D, p.97) and NED management permitted the researcher to proceed with field work (Frost, 2011).

When researcher arrived in the selected places for data collection, he presented permission letter from the NED management to responsible Head teachers. The researcher identified himself and introduced the research topic that he wanted to address through the research data collection. After being allowed to proceed the researcher requested for the provision of necessities in terms of rooms for administering questionnaires and interviews, the convenient time for the data collection exercise to avoid disturbances. It was mutually agreed that break time was always the suitable time.

The researcher before conducting any data collection be it questionnaire or interviews made sure that he had introduced himself properly and also explained to participants that data collection was only meant for academic purposes. The researcher assured them that results were to be treated confidential. Participants were advised to use no names for anonymity purposes. Consent was sought from sampled respondents before participating in the study. The respondents were briefed on their rights during the data collection session such as; right to withdraw from the study at their will, and maintain silence when need be. In short, an informed consent statement was administered to the participants before data collection process (Frost, 2011; Terell, 2012).

The respondents were assured of individual's confidentiality during and after the study. Confidentiality was the protection of the privacy of the participants whereby the data handled and reported were reported without any personal association with the participants. Letters were used during reporting for individual respondents. The schools Head teachers and teachers were categorized in letters. Anonymity was important tool because it made participants provide honest responses.

Data will have to be kept for a reasonable period of time. The researcher ensured that writing was going to be free of bias towards any group (for example, age, ethnicity, sexual orientation, race, gender, and others).The details of the study were carefully explained within the actual report so as to allow readers the opportunity to judge the ethical quality of the study for themselves (Frost, 2011; Terell, 2012).

During the data collection process especially when doing interviews consent was sought when a digital recorder was to be used. And those participants had the right to choose what was to be recorded and what was to be deleted (Frost, 2011; Terell, 2012).

Finally, the researcher remembered to perform formal exit procedures after the process of data collection was completed (Frost, 2011; Ndengu, 2012; Terell, 2012).

### **3.9. Limitations of the Study**

During the data collection time the researcher faced a number of challenges such as;

The authorization letter from Mzuzu University was not stamped and the EDM mentioned that next time unstamped authorization letters may not be entertained.

When the researcher arrived in the sampled schools many respondents were mentioning issues of some money attachments such as, “we may participate with interest when you give us something”.

The researcher convinced them that the research was purely academic and that there was no funding for the research.

The topic under study was sensitive especially during the interviews but interviewees were assured that the study was only meant for academic purposes. The research supervisor was consulted and he played a big role in giving advice on how to deal with sensitive matters.

The research needed more time because rural areas were also supposed to be included in the study but time and financial costs could not allow.

Transcribing process was tiresome and at some point, when there was no electricity the recorded data could not be listened to as such transcribing became difficult. Patience and will, inspired the researcher to persevere and manage the transcribing process.

To collect data in all the ten sampled public secondary schools was not easy because it was important for the researcher to manage time properly as such, he had to use personal vehicle to reach all the targets. Fuel to move the vehicle needed money and this was financial cost implication. However, the researcher was committed to achieve his aim by putting available resources together and accomplished the data collection process (Creswell, 2014; Hatch, 2002; Terrell, 2012; Williman, 2011).

### **3.10. Delimitation**

The study significantly had to delimit by using purposely sampling for convenience and manageability of data collection. The delimitation also helped to further define the parameters of the research study by concentrating on the research objectives so that the research problem was addressed properly. The study collected data in 50 public secondary schools under the Northern Education Division using a sample of 100 Head teachers and 100 teachers in quantitative phase and 10 Head teacher and 10 Teachers in the qualitative phase (Mgomezulu & Kalua, 2013; Nthia, 2012).



### **3.11. Conclusion**

This chapter has explained the methodology that was used to collect data by the researcher. It has explained the study research design, paradigm, geographical location and the research population. Furthermore, the chapter has also discussed research site and population sample, and criteria used to identify them. Significantly, methods and instruments of data collection have been explained in details. Data analysis techniques, delimitation, limitation of the study have been well articulated in the chapter. Ethical considerations have been well illustrated. The next chapter will be looking at data presentation, discussion and interpretation.

## 4. CHAPTER FOUR

### 4.1. DATA PRESENTATION DISCUSSION AND INTERPRETATION

#### 4.1.1. Introduction

This chapter presents and discusses findings collected through the questionnaires administered to 100 Head teachers and 100 teachers and also interviews from 10 Head teachers and 10 Teachers. Data presentation starts with respondents' biographical data, followed by quantitative data then qualitative data guided by study objectives. Each and every objective will discuss and interpret its findings guided by Bounded rationality theoretical framework under Pragmatics paradigm philosophical assumption.

### 4.2. DATA PRESENTATION

#### 4.2.1. Respondents' biographic data

**Table 4.1: Category of respondents (N=100)**

Category	Frequency	Percentages
Head teachers	100	50
Teachers	100	50
Total	200	100

**NB:** Head teachers include Deputy Head teachers.

**Table 4.2: Respondents' age**

Years	Head Teachers		Teachers	
	Frequency	Percentages	Frequency	Percentages
20-29	05	05	10	10
30-39	39	39	20	20
40-49	39	39	30	30
50 ABOVE	17	17	40	40
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

In Table 4.2 results show that in the first quorum out of 100 Head teachers 05% were of the ages of between 20-29 years. Thirty nine percent of Head teachers fell in the age range of 30-39 years. Thirty nine percent fell in the age range of 40-49 years. Seventeen percent fell in the age range of 50 years and were in ages of above 50 years and above.

In the second quorum out of 100 Teachers Ten percent fell in the Age range of 20-29 years. Twenty percent fell in the age range of 30-39 years. Thirty percent fell in the age range of 40-49 years. Forty percent fell in the age range of 50 years and above.

In summary results show that 95% of Head teachers and 90% of Teachers are aged above 30 years.

**Table 4. 3: Respondents’ professional experiences**

	Head teachers		Teachers	
<b>Years</b>	<b>Frequency</b>	<b>Percentages</b>	<b>Frequency</b>	<b>Percentages</b>
O-5 YRS	08	08	05	05
6-10 YRS	30	30	30	30
11-15 YRS	18	18	36	36
16 YRS ABOVE	44	44	29	29
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

In Table 4.3 findings in the first quorum show that out of 100 Head teachers Eight percent represents those that have been working as Head teachers for less than five years. Thirty percent are those that have worked over six years to ten years. Eighteen percent are teachers who have worked over eleven years to 15 years. The category of Head teachers who have worked for more than 16 years is 44%.

In the second quorum out of 100 Teachers Five percent fell in the age range of 0-5 years’ experience. Thirty percent fell in the age range of 6-10 years’ experience. Thirty six percent fell in the age range of 11-15 years of experience. Twenty nine percent fell in the age range of 16 years and above experience.

In summary above 92% are Head teachers who have been working for over six years. And 95% are Teachers who have been working for over six years.

**Table 4. 4: Respondents’ professional qualifications**

<b>Qualification</b>	<b>Head teachers</b>		<b>Teachers</b>	
	<b>Frequency</b>	<b>Percentages</b>	<b>Frequency</b>	<b>Percentages</b>
CERTIFICATE IN EDUCATION	-	0	05	05
DIPLOMA	24	24	15	15
BACHELORS	71	71	71	71
MASTERS	05	05	07	07
UNTRAINED	-	0	02	02
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Table 4.4 first quorum shows that out of 100 Head teachers Twenty four percent represents teachers who have Diploma qualifications. Seventy one percent possessed Bachelors. Five percent represents Head teachers with Master degrees.

Second quorum out of 100 Teachers Five percent have Certificate in Education. Fifteen percent have Diploma. Seventy-one Teachers have Bachelors. Seven percent have Masters. Two percent were un-trained.

In summary 76 % of Head teachers possessed Bachelor’s degrees and above. Seventy eight percent of Teachers possessed Bachelors and above.

**Table 4. 5: Respondents’ gender**

<b>Gender</b>	<b>Head teachers</b>		<b>Teachers</b>	
	<b>Frequency</b>	<b>Percentages</b>	<b>Frequency</b>	<b>Percentages</b>
FEMALE	25	25	51	51
MALE	75	75	49	49
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

In Table results in the first quorum indicate that out of 100 Head teachers 25% are female teachers while 75 % are male Head teachers.

In the second quorum out of 100 Teachers 51% are female teachers while 49% are male Teachers. In summary this study had gender balance considerations.

**4.2.2. Objective 1. Enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters.**

In looking at objective 1 above this study will present quantitative data first followed by qualitative data and thereafter discuss and interpret the presented findings.

**4.2.2.1. Quantitative data presentation**

This objective was meant to find out whether Head teachers do comply with disciplinary procedures in dealing with teacher disciplinary matters in some selected public secondary schools. The views of Head teachers on procedure compliance were analyzed following some specific research questions that addressed the objective and the results appear in the following tables;

**Table 4.6: Responses to the question: “Are Head teachers in the public secondary schools in the Northern Education Division aware of the disciplinary procedures and regulations in the Civil Service?” (N=100)**

<b>Response category</b>	<b>Frequency</b>	<b>Percentages</b>
<b>YES</b>	100	<b>100</b>
<b>NO</b>	0	<b>0</b>
<b>NOT SURE</b>	0	<b>0</b>
<b>Total</b>	<b>100</b>	<b>100</b>

In Table 4.6 results show that out of 100 Head teachers 100% agreed that Head teachers were aware of teacher disciplinary procedures.

**Table 4.7: Responses to question: “What kinds of teacher indiscipline acts do Head teachers handle in the course of following disciplinary procedures?” (N=100)**

<b>Item</b>	<b>Teacher disciplinary matters from Malawi Public Service Regulation (Matenje &amp; Forsyth, 2007)</b>	<b>Frequency</b>	<b>Percentages</b>
1	Teacher absent from his post without permission or excuse	<b>81</b>	<b>47.4</b>
2	Teacher performs his or her duties negligently	<b>40</b>	<b>23.4</b>

3	Teacher is working while is Under the influence of intoxication liquor during normal hours of attendance	<b>28</b>	<b>16.3</b>
4	Teacher displays insubordination	<b>22</b>	<b>12.9</b>
	<b>TOTAL</b>	<b>171</b>	<b>100</b>

In Table 4.7 findings indicated prevalent teacher disciplinary matters that Head teachers handle in the course of following disciplinary procedures in 50 public secondary schools under study:

- (i) Teacher absents from his post without permission or excuse at 47.4%.
- (ii) Teacher performs his or her duties negligently at 23.4%.
- (iii) Teacher is working while is under the influence of intoxication liquor during normal hours of attendance at 16.3%.
- (iv) Teacher displays insubordination at 12.9%.

**Table 4.8: Responses to question: “What disciplinary decisions do Head teachers take in line with disciplinary procedures when handling teacher disciplinary matters in the Northern Education Division?” (N=100)**

<b>Response category</b>	<b>Frequency</b>	<b>Percentages</b>
<b>ORAL/WRITTEN WARNING AT SCHOOL LEVEL</b>	50	<b>50</b>
<b>WRITTEN WARNING TO THE RESPONSIBLE OFFICER THROUGH DIVISION</b>	30	<b>30</b>
<b>SUSPENDING</b>	10	<b>10</b>
<b>INTERDICTING</b>	10	<b>10</b>
<b>Total</b>	<b>100</b>	<b>100</b>

**NOTE:** A Division is the immediate next high office where Public secondary school Head teachers report issues concerning teacher disciplinary matters.

In Table 4.8 out of 100 respondents 50% agreed that Head teachers executed oral or written warning at school level. Head teacher’s execution of written warning to the responsible officer through division was rated at 30%. Head teachers executing suspension rated at 10%. Head teachers executing interdiction was rated at 10%.

**Table 4.9: Responses to question: “Do Head teachers use MPSR for guidance so that they follow disciplinary procedures when handling teacher disciplinary matters in public secondary schools in the Northern Education Division?” (N=100)**

<b>Response category</b>	<b>Frequency</b>	<b>Percentages</b>
<b>YES</b>	54	<b>54</b>
<b>NO</b>	16	<b>16</b>
<b>NOT SURE</b>	30	<b>30</b>
<b>Totals</b>	<b>100</b>	<b>100</b>

**NOTE:** MPSR stands for Malawi Public Service Regulation

Table 4.9 shows that out of 100 Head teachers 54% agreed that Head teacher use MPSR as guiding instrument. Sixteen percent disagreed that Head teachers use MPSR as guiding instrument. Thirty percent were not sure whether Head teachers use MPSR as guiding instrument.

#### **4.2.2.2. Qualitative data presentation**

**Responses to question:** “What teacher disciplinary matters do Head teachers handle in the course of following disciplinary procedures?”

Out of ten respondents the research results indicated that the majority of respondents agreed that the most common teacher misconduct is late coming. Explanations from most of them were similar to what Head Teacher of School “C” below mentioned.

**Head Teacher of School “C” revealed:**

*At this school one common teacher misconduct that is commonly handled by Head teachers is probably late coming, late reporting for duties. Some teachers are late for their duties. (Transcript H/Teacher: lines 60-62).*

**Responses to question:** “What disciplinary decisions do Head teachers take in line with disciplinary procedures when handling teacher disciplinary matters in the Northern Education Division?”

Out of 10 respondents the revelations during interviews showed that most of them agreed that Head teachers took arbitrary decisions. Most of the respondents were similar to what the following Head teachers commented.

**Head teacher of School “E” stated:**

*“I have ordered Mr. X to stop teaching at “P” Secondary School forthwith and that he should report to his new duty station, Katoto Secondary School, where he has been posted. He has been asked to vacate the house within the next 24 hours. I write to be advised what next step I must take.”(Transcript H/Teacher: lines 65-68).*

**Head teacher of School “H” revealed:**

*“If there is any opportunity of a teacher going out this one will not go, or if there is any opportunity of this teacher going to school. Sometimes some Head teachers have ever hidden the letters without showing that particular teacher ‘[punishing the teacher]’. So it’s like you are getting out the privileges of teachers just because of these other teacher disciplinary matters which you would have dealt with them but you are using powers more than-than you are supposed to do.” (Transcript H/Teacher: lines 70-75).*

**Head Teacher of School “G” had pointed out that;**

*“Normally, when it is reported that one member of staff has been-has misbehaved.... .The first step is to get a detailed report about the misconduct. Then from there you interview the owner. If he accepts that that’s what he did. If he accepts that indeed he committed that offence. If it is for the first time, normally it is common that you give a verbal warning. Should it happen second time,*



*that's when it goes to written warning, which could even be reported". (Transcript H/Teacher: lines 76-80)*

**Responses to question:** "Do Head teachers use MPSR for guidance so that they follow disciplinary procedures when handling teacher disciplinary matters in public secondary schools in the Northern Education Division?"

Out of 10 respondents' results showed that almost all other respondents agreed to what Head Teacher of School "B" said below.

**Head Teacher of School "B" reported:**

*But in most of the schools we don't have the MPSRs. But it is available for sale. You have to buy, like at this school I have not seen one. (Transcript H/Teacher: lines 48-54).*

### **Discussion and interpretation**

As seen by the data presented above quantitatively and qualitatively, this section interprets integrates and discusses findings with relevant literature using the Pragmatics paradigm guided by Bounded rationality theoretical framework. The objective "**Enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters**".

The aim of the objective was to enquire Head teacher's compliance with disciplinary procedures in handling teacher disciplinary matters. The respondents to the objective were Head teachers because they are the ones who are decision makers in handling disciplinary matters (see section 3.5.2.p.36). As a way of utilizing pragmatics paradigm philosophical assumptions Head teachers were asked four research questions that targeted to explain what disciplinary procedures were, when did Head teachers institute and follow disciplinary procedures, what decisions did Head teachers make in line with disciplinary procedures, and why were such decisions reached.

*Are Head teachers in the public secondary schools in the Northern Education Division aware of the disciplinary procedures and regulations in the Civil Service?*

Results in Table 4.6 show that 100% of Head teachers agreed that they were aware of teacher disciplinary procedures. During the confirmatory interview phase all interviewed Head teachers in their explanations showed that they agreed that they were aware of disciplinary procedures.

According to Matenje & Forsyth (2007) and MOEST (2014) disciplinary procedures are a set of rules that are supposed to be followed by Head teachers whenever there is an allegation of teacher disciplinary matter (see section 1.1.2 pp. 4-5). The disciplinary procedures are direct application and compliance of Administrative procedures from section 43 of the Malawi Constitution. In brief, whenever there is an allegation of teacher disciplinary act Head teachers must inform the responsible officer and after that the alleged teacher suspect must also be warned of what the allegation is all about. Then the alleged teachers suspect has to respond in writing of what he or she knows. The Head teacher may make decisions based on the disciplinary procedures depending on the weight of evidence he or she has gathered and report to the responsible officer of what action they have taken.

In line with following disciplinary procedures the question was when did Head teachers start following disciplinary procedures? According to disciplinary procedures Head teachers started following disciplinary procedures when teachers had committed disciplinary acts. In this case, the study went further to establish some of the teacher disciplinary matters that Head teachers handled in the course of following disciplinary procedures.

Considering disciplinary procedures as dictated by Section 43 under administrative justice in Malawi Constitution. In relation to the Right to Fair Trial. To exercise the right to Fair Trial is significant to social justice which eliminates unnecessary litigations. Disciplinary trial procedure may be quashed due to procedural irregularities. This ruling was made by Justice Kagaba Ag. Judge in Uganda. Where he presided over a case involving Kataryeba and other in the High Court on 15th December 1997 criminal Appeal No 30 of 1997(unreported). Justice Kagaba mentioned that at the commencement of any trial the charge and the particulars of the charge must be read to the suspect to inform him or her the alleged offence (Wamala & Kasozi, 2005pp. 130-135). In informing the defaulter exact stipulated charge within the laws must be read. That is the reason this study wanted to know if Heads know the stipulated offences.

***What teacher disciplinary matters did Head teachers handle in the course of following disciplinary procedures?***

Revelations in Table 4.7 show the prevalent teacher disciplinary matters that Head teachers handled in the course of following disciplinary procedures in 50 public secondary schools under study were topped by absenteeism at 47.4%, followed by negligence of duty at 23.4%, then, working while is under the influence of liquor or drugs during working hours 16.3%, and finally, insubordination at 12.9%. When interviews were conducted for the purposes of confirming generalization of results in Table 4.7 deeper explanations revealed that late coming for duty was also one of the teacher disciplinary matters that Head teachers handled in the course of following disciplinary procedures (see section 4.2.2.2.p.51).

The study results are evident that absenteeism has been rated as the most prevalent teacher disciplinary matter. Coincidentally, findings in this study are similar to results from various other studies such as; Bennell (2004) Ng'oma & Simatwa (2013) Tshabalala, Muranda & Gazimbe (2014) where it is reported that in African public secondary schools in countries such as, Kenya, Uganda, Ethiopia, Botswana, Sierra Leone, Tanzania, Zambia, Zimbabwe and Malawi there are very high levels of teacher absenteeism.

Head teachers lamented that some of the possible reasons that may have contributed to high rate of absenteeism could be factors such as lack of human resource considerations in terms of institutional housing, transport logistics. Many teachers who did not live in institutional houses at the same time used their own means of transport to come to school were prone to be absent, late, and negligent for duty. According to results from several other studies conducted by scholars such as; Ng'oma & Simatwa (2013) Global Monitoring Report (GMR) & the UNESCO (2015), Cobbold (2015) and Mlangeni, Chibaya, Malinda, Kapito, Kamundi, Kaperemera & Likupe (2015) in Kenya, Ghana, and Malawi, findings revealed that due to lack of human resource considerations in terms of institutional housing, logistical support such as transport contributed to teachers absenteeism without leave.

In the course of following disciplinary procedures what kinds of decisions did Head teachers make in handling disciplinary acts. On the contrary, this study also found out that Heads instituted arbitrary decisions of offences such as teacher student social distance. This is not a stipulated offence as compared to disciplinary acts listed in (section 2.2.3. pp. 14-15).

***What disciplinary decisions did Head teachers take in line with disciplinary procedures in handling teacher disciplinary matters in the Northern Education Division?***

In Table 4.8 out of 100 Head teachers, 50% agreed that they executed oral or written warning at school level. Written warning to the responsible officer through Division was rated at 30%. Then suspension was rated at 10%. Followed by interdiction rated at 10%. During confirmatory interview phase Head teachers confirmed that they indeed made all the decision mentioned in Table 4.8. Further comments pointed out that Head teachers ordered teachers to stop teaching and vacate institutional houses as well as withdrew teacher's privileges as a way of punishing alleged teacher suspects (section 4.2.2.2. p. 51; Appendix B, p. 95).

Why did Head teachers make unethical decisions by arbitrarily ordering teachers to stop teaching and vacate institutional houses as well as taking teacher's privileges as a way of punishing them despite the claim that they were aware of teacher disciplinary procedures? Throughout the analysis process Head teacher's responses not a single one of them did mention an aspect of reporting to the responsible officer when there was an alleged disciplinary act at their school prior activating disciplinary procedures. Practically, this study may interpret that Head teachers abused their powers by starting to institute disciplinary procedures prior reporting to the responsible officer. Further to that Head teachers abused their powers by making disciplinary decisions above their mandate such as suspensions, interdictions and withdrawal of privileges on their own on arbitrary offences that are not consistent with section 43 of the Malawi Constitution. When Head teachers abuse power and fail to follow technical rules of disciplinary procedures then they do not follow disciplinary procedures.

That is why this examination on the handling of teacher disciplinary matters concurs with Justice Kagaba that such arbitrary disciplinary charge founded on arbitrary offences may violate the procedure and law amounting to ultraviles. The defaulter has the right to equality and recognition before the law even in times of state of emergency, or any other circumstance (Section 45 subsection (g)). Where decisions are made without guidance from the law in relation to disciplinary procedures the end results are ultraviles (Matenje & Forsyth, 2007, p. 41). It simply means that power must be exercised within the limits imposed by the legislation under and for the purpose for which it is granted. This may conclusively be interpreted that Head teachers were making unethical decisions.

However, through confirmatory process it was found out that quantitative phase and qualitative phase findings have corroborated because in both phases the dominant view is that Head teachers

made arbitrary decisions as confirmed by such views from Table 4.8 and qualitative results in section 4.2.2.2. p. 51 where Head teachers agreed that they made decisions of suspending, interdicting and withdrawing teachers' privileges when managing teacher disciplinary matters. Arbitrary decisions are a type of decisions that are capitalized by failure to comply with technical rules and abuse of power behaviors. General comments from Head teachers indicated that some of challenges that influenced them to make arbitrary decisions were repetitive teacher disciplinary matters despite teachers being warned. Where lack of human resources consideration in terms of institutional houses and transport logistics influenced some teachers to continuously be absent, late reporting on duty. This signaled that the Teachers did not respect the Head teachers and school regulations, in the end the Head teacher may have interpreted such repetitive behaviors as insubordination. With the desperation and subjective influence Head teachers wanted to show off that he or she was capable to act within his or her Head ship position thereby compromising disciplinary procedures by abusing his or her power to make sure that the involved teachers were punished in one way or another (Altier, 1999; Gee, 2014).

Similarly, findings from other studies such as studies by Ng'oma & Simatwa (2013) in Kenya reported that Head teachers felt that there was no use in following disciplinary procedures because some teachers were habitual offenders. Head teachers felt that teachers looked down upon them. As such Head teachers made arbitrary decisions.

The revelations that Head teachers executed arbitrary decisions of suspending, interdicting, and withdrawing of privileges of teachers are similar to results revealed in studies elsewhere such as; Kanyongolo (2006) Kayira (2008) Matenje & Forsyth (2007) Tshabalala Muranda & Gazimbe (2014) in Malawi and Zimbabwe, where Head teachers flouted the laid down disciplinary procedures. Head teachers suspended, interdicted, and transferred teachers or ceased teachers' salaries because of culpable behavior and lack of administrative knowledge.

However, findings in this study have claimed that Head teachers were aware of disciplinary procedure and yet to some extent they were not following disciplinary procedures. Therefore, it is such circumstance that influences the study to interpret that Head teachers made arbitrary decisions contrary to disciplinary procedure on section 1.1.2. pp. 4-5 (Matenje & Forsyth, 2007) because of bounded rationality. The study wanted to know if Head teachers consulted MPSR to help avoid making arbitrary unethical decisions by asking the following question.

***Do Head teachers use MPSR for guidance so that they follow disciplinary procedures in handling teacher disciplinary matters in public secondary schools in the Northern Education Division?***

The study results in Table 4.9 show that out of 100 Head teachers 50% agreed that Head teacher used MPSR as guiding authority. However, during confirmatory interview phase Head teachers' general views were that almost all 50 public secondary schools had no MPSRs and therefore it implies that Head teachers never used MPSR as guiding authority (see section 4.2.2.2. p. 52).

According to the theory of Bounded rationality the study may assert that Head teachers were influenced to settle for less-than-optimal solutions such as suspending, interdicting and withdrawing of teacher privileges other than following disciplinary procedures. External pressures of desperation, subjective and intelligence trapped opinions had influenced Head teachers to settle for less-than-optimal solutions (Altier, 1999; Gee, 2014; Mortensen, 2011). Settling for less-than-optimal solutions breeds poor decisions which are mostly contributed by acquiescing to outside opinions that never would have occurred if the individual was able to comply with procedures in the decision-making process (Fiore, 2009; Leoveanu, 2013).

Guided by Bounded rationality the study may imply that Head teachers may have succumbed to outside pressures of ignorance (McRaney, 2011), despair (Mortensen, 2011) and intelligence trapped personal opinions (Altier, 1999).

The study suggests that Head teachers may only be able to behave ethically against ignorance, despair and intelligence trapped personal opinions if (i) they get to know all alternatives, (ii) are certain about relevant exogenous events, and (iii) have the ability to calculate consequences of not complying with the prescribed disciplinary procedures. As such they may defeat personal subjectivity by complying with Constitutional requirements of section 43 (Barros, 2010). Possibly, Head teachers should be well a braced with rules of engagement by asking themselves the following questions (Matenje & Forsyth, 2007);

- (a) Do I have the powers to do what I want to do? Am I acting within the power granted by the law?

- (b) Am I merely adopting a particular statutory interpretation, which happens to suit what I want to do?
- (c) Am I exercising the power for the purpose for which it was given?
- (d) Am I acting for the right reasons? Have I taken into account all relevant information and excluded irrelevant considerations?
- (e) Do I have sufficient and correct reasons for my decision or action?
- (f) Will I hear and consider the point of view of people likely to be affected by the decision? Have they been put in the picture sufficiently so that they have a fair opportunity to make representations?
- (g) Have I allowed in my timetable sufficient time for consultation and representations?
- (h) Have I made up my mind in advance or given that impression, or have I merely blindly followed departmental policy without considering the circumstances of the particular case? If I have followed a general policy in a particular case have, I made it clear when communicating my decision that I have carefully considered the individual application to see whether it deserved to be treated as an exceptional case?
- (i) Have I or anyone involved in making the decision, any conflicting interest which might lead someone to suppose that there is bias?
- (j) Are there any grounds for thinking I might not be acting fairly?
- (k) Have I led anyone to suppose that I will be acting differently from what is now intended?
- (l) Am I acting in a way which a court may regard as abusing my power or generally so unreasonable that it is likely to find against me or my Ministry or Department?
- (m) Have I followed the procedure, if any, provided for by the law which I am required to follow before making the decision? (Matenje & Forsyth, 2007, pp.86-94).

In brief results show that to some extent Head teachers did not follow disciplinary procedures and are similar to results revealed from other several studies elsewhere such as; Kanyongolo (2006) Kayira (2008) Matenje & Forsyth (2007) Tshabalala, Muranda & Gazimbe (2014) where Head teachers flout the laid down disciplinary regulations because of culpable behavior and lack of administrative knowledge. Head teachers suspended, interdicted, transferred teachers or ceased their salaries. However, in this study it is claimed that Head teachers were aware of the disciplinary procedures but only that they lacked knowledge of Constitutional requirements of section 43. The

lack of Constitutional knowledge may have been influenced by lack of government commitment to distribute MPSRs, copy of Constitution. Lack of MPSR and Constitutional knowledge section 43 influenced unethical behaviors in handling teacher disciplinary matters. Such kinds of behaviors by public administrators are dangerous for the sustainability of democratic principles. Otherwise, the ripple effect caused by such social injustice will force people who feel the loss of confidence to start demanding and fighting for their Constitutional rights from their own governments, intimate associations like places they work for, immediate communities and neighborhoods. By conducting demonstrations in form of democratic revolutions to fight unethical public administrators (Wamala & Kasozi, 2005).

Results of the study are valid and trustworthy because biographical data in Table 4.2, Table 4.3, Table 4.4, and Table 4.5, indicate that out of 100 Head teachers participating in the study 95% are aged above 30 years. Above 92% are Head teachers who have been working for over six years. Seventy six percent of Head teachers possessed Bachelor's degrees and above. This study had gender balance considerations. Secondly, the study had conducted pilot survey which helped significant research adjustments. This enables the researcher to claim reliability and trustworthy of results because they are coming from matured, experienced, learned, and gender balanced participants.

Conclusively, the study may imply that Head teachers to some extent did not follow disciplinary procedures in handling teacher disciplinary matters because they took decisions which were outside prescribed disciplinary procedures. Head teachers made arbitrary decisions of suspension, interdiction, and withdrawing of privileges because of bounded rationality due to acquiescing to outside pressures of ignorance, despair, and intelligence trapped opinions. However, Barros (2010) and Matenje & Forsyth (2007) advise that Head teachers' behavior could only be ethical when the action they take is the outcome of appropriate deliberation in relation to disciplinary procedures in line with the Malawi Public Service Regulations.



**4.2.3. Objective 2. Investigate teacher perceptions if Head teacher follow procedures in teacher disciplinary matters.**

Like the above objective 1 above this objective 2 will also start with quantitative data presentation followed by qualitative data presentation and end up with discussion and interpretation guided by Bounded rationality theoretical framework and pragmatics paradigm.

**4.2.3.1. Quantitative presentation**

**Table 4.10:** Responses to question: “What perceptions do Teachers have towards how Head teachers handle teacher disciplinary matters in public secondary school in the Northern Education Division?” (N=100)

ITEM	Teachers’ perceptions	Frequency	Percentages
1	Favoritism	68	61.5
2	Abuse of power	27	24.5
3	Heads institute disciplinary procedure to humiliate and demoralize those they regard enemies	15	14.
	<b>TOTAL</b>	<b>110</b>	<b>100</b>

Table 4.10 results show that 100 Teachers agreed that items 1 to 3 are factors that influence Head teachers not to follow procedures when handling teachers’ disciplinary matters; Favoritism at over Sixty one percent was the biggest concern; followed by Abuse of power almost Twenty five percent; and Heads institute disciplinary procedure to humiliate and demoralize those they regard enemies Fourteen percent.

**4.2.3.2. Qualitative data presentation**

**Responses to question:** “What perceptions do Teachers have towards how Head teachers handle teacher disciplinary matters in public secondary schools in the Northern Education Division?”

**4.2.3.2.1. Favoritism**

Out of 10 respondents the study results showed that most of the respondents agreed with what the following respondents mentioned.

**Teacher of School “A” confirmed that;**

*“The other thing could be blood is thicker than water. So, if this particular Head teacher is in a way related to this particular teacher, he would actually deal with those things differently. So, procedures may not be the same as this one who is not a relation”.*  
**(Transcript Teacher: lines 267-277).**

**Teacher of School “C” stated that;**

*“Some cases have not been handled professionally. So, it depends on relationship which you have with members of staff, between the Head and member of staff. If it is not very good sometimes the Heads have what we call a carry-over effect. This is a troublesome teacher let me just finish him or her”.* **(Transcript Teacher: lines 179-189).**

**Teacher of School “B” acknowledged that;**

*“Head teachers also look at what they benefit from that teacher sometimes. If the teacher is hard working, they would try to protect that teacher. And they also look at the staffing position at the school. The school might have only five teachers so definitely you are looking at the repercussions of reporting the issue to the Education Division Manager. So, to avoid such issues sometimes Head teachers are in-consistent in the way they handle Issues.”* **(Transcript Teacher: lines 196-204).**

**Teacher of School “E” spelt that;**

*“At Likoma a certain teacher went to girls’ hostels and beat the girls. And because the Head was related to him; he said aaah..., ‘it’s because he was drunk’. That’s favoritism. So, we concluded that, because the Head is coming from the same area and they are related.”* **(Transcript Teacher: lines 329-334).**

#### **4.2.3.2.2. Abuse of power**

Out of 10 respondents the study revelations indicated that most of the respondents agreed with what the following respondents mentioned.

**Teacher of School “F” Public revealed that;**

*“Head teacher do have limits not beyond this; but because they don’t know, they can even go beyond. So, it is true some Heads teachers are just more than Head teachers. They feel they are running the school and they feel the school is their own, they feel the school is their farm. So, they are actually giving some sort of tense to the teachers if you do this, I will do this if you do this, I will do this”.* (Transcript Teacher: lines 499-505).

**Teacher of School “H” explained that;**

*“Some Head teachers felt they are under rated by some teachers then as a result, the punishment that they may give that teacher may not be good. For example, we say ‘if there is any opportunity of a teacher going out this one will not go, or if there is any opportunity of this teacher going to school’. Sometimes some Heads have ever hidden the letters without showing that particular teacher ‘**[punishing the teacher]**’. So, it’s like you are getting out the privileges of teachers just because of these other misconducts which you would have dealt with them but you are using powers more than than you are supposed to do”. Sometimes Head teachers abuse their powers ‘**[let’s finish it here because I am the Head Teacher and I can do it]**’.” (Transcript Teacher: lines 535-540 and 1363-1375).*

**4.2.3.2.3. Institute teacher disciplinary procedures to humiliate and demoralize teachers they regard enemies**

Out of 10 respondents the study results showed that most of the respondents agreed with what the following respondents mentioned.

**Teacher of School “E” mentioned that;**

*“This is that maybe they wronged somewhere with that teacher, and with little thing; now the Head now react in the abnormal way, trying to revenge. So these things happen.”* (Transcript Teacher: lines 544-546).

**Teacher of School “F” said that;**

*“Harassment can come in because of the way how certain Heads handle the issue.”* (Transcript Teacher: lines 553-557).

## Discussion and interpretation

The study objective 2 is “**Investigate teacher perceptions if Head teacher follow procedure in teacher disciplinary matters**”. This section interprets integrates and discusses findings with relevant literature using the Pragmatics paradigm guided by Bounded rationality theoretical framework and research objectives.

The respondents to objective 2 were Teachers because they are the ones who experienced and may judge the behaviors that Head teachers showed in handling disciplinary matters (see section 3.5.2. p.36). To address this objective 2 the study had asked the following research question;

*What perceptions do Teachers have towards how Head teachers handle teacher disciplinary matters in public secondary schools in the Northern Education Division?*

Results in Table 4.10 showed that out of 100 Teachers, over 61% agreed that they perceived item 1 Favoritism, 25% item 2 Abuse of power, and 14% item 3 Heads institute disciplinary procedure to humiliate and demoralize those they regard enemies as factors that had influenced Head teachers not to follow disciplinary procedures. During confirmatory interview phase, Teacher’s general views showed that they agreed that the above three mentioned factors may have contributed to Head teachers not following disciplinary procedures.

According to results in Table 4.10 item 1 the revelation was that teachers perceived favoritism as one of the factors that influenced Head teachers not to follow disciplinary procedures when handling teacher disciplinary matters. Qualitative interviews showed that favoritism contributed to an experience whereby Head teachers became inconsistent in the way they handled disciplinary matters. Head teachers favored some teachers due to nepotism. Some Head teachers preferred other teachers based on how the school benefitted from their expertise. Sociologically, some Head teachers favored teachers who acted as their spies (see section 4.2.3.2.1. pp. 60-61).

The results that some Head teachers favor some teachers in handling disciplinary matters are similar to revelations in several studies such as; Aydogan (2009) G. Dzimbiri, 2016; Knight & Ukpere, 2014) Turkey, Malawi and South Africa respectively. The studies observe that many of the teachers explained that they perceived that Head teachers make inconsistent administrative disciplinary procedures because of favoritism, nepotism, political affiliation, and personal

closeness. The study may interpret that Head teachers failed to be consistent at following disciplinary procedures because of bounded rationality. Head teachers were influenced to practice favoritism because of nepotism, teachers' expertise and personal closeness with some particular teachers because of desperation, subjective and intelligence trapped opinions (Altier, 1999; Gee, 2014; Mortensen, 2011).

Table 4.10 through item 2 revealed that teachers perceived that at times head teachers abused their power in handling teacher disciplinary matters. General comments from Teachers during the confirmatory interview phase indicated that they agreed Head teachers abused their powers in handling teacher disciplinary matters. Head teachers abused their powers probably because they felt that some teachers under rated them. As a result, Head teachers abused their powers because of desperation and ignorance as such they used their position probably to show that they had power. As such they did not know their power limits in that case, they felt they were running the school as their own farm (see section 4.2.3.2.2. pp. 61-62).

The revelation that teachers perceived head teachers to have abused their powers matches with revelations from several studies such as; L. Dzimbiri (2016) Kanyongolo (2006) Matenje & Forsyth (2007) Ntho & Lesotho Council of NGOs (2013) Tshabalala et al. (2014) and Wamala & Kasozi (2005) in Malawi, Lesotho, and Zimbabwe. Where Some Head teachers abused their powers and charged teachers even for minor offences to settle scores on nonprofessional issues.

According to Bounded rationality assumptions head teachers might have been influenced to abuse their powers due to ignorance and despair (McRaney, 2011; Mortensen, 2011). McRaney (2011) asserts that poor decisions are made because people argue out of ignorance. When head teachers are unsure of their power boundaries, they are more likely to accept subjective, intelligent trapped opinions and behave desperately (Mortensen, 2011). It is easy to succumb to mystical thinking when you compare what you know for sure to the vast expanse of things yet unsolved. If you are not up to date on the latest scientific research then despair will influence to act ignorantly.

Comparing results in Table 4.6 where 100% of Head teachers agreed that they were aware of teacher disciplinary procedures against Teachers to have perceived Head teachers to have abused their powers the situation is un-called for. Head teachers must have been the one who know the difference between realm of opinion and realm of knowledge. It is important to have

knowledgeable head teachers to avoid causing disorder by abusing power in the system (Mortensen, 2011; Stumpf & Fieser, 2003).

Study findings in Table 4.10 on item 3 revealed that teachers agreed that some head teachers were bent on humiliating and demoralizing them. During the confirmatory interview phase Teachers' general views were that indeed they had perceived Head teachers to have instituted disciplinary procedures to harass or humiliate those Teachers regarded as enemies. Head teachers were influenced to behave unethically because of some factors such as ignorance, fear of unknown. Some Head teachers may be keeping grudges against a certain teacher who seem to be well connected to some politicians or authorities within the system, and when the particular teacher gets involved in disciplinary act the Head now react in the abnormal way, trying to avenge. At times Head teachers wanted to institute disciplinary procedures against some teachers so that there is bad record in their files with the aim of blocking them opportunities for considerations for promotions (see section 4.2.3.2.3. pp.62).

The result that teachers perceived head teachers to aim dealing with those they regarded as enemies is supported by some scholars such as; L. Dzimbiri (2016) Kanyongolo (2006) Matenje & Forsyth (2007) Ntho & Lesotho Council of NGOs (2013) Tshabalala et al. (2014) and Wamala & Kasozi (2005) in Malawi, Lesotho, and Zimbabwe. Some head teachers charged teachers even for minor offences to settle scores on nonprofessional but also get written records that could be used to block promotions for affected teachers.

For example, Wamala & Kasozi (2005) depicts a case of a teacher at Lisumbwi Secondary School in Monkey Bay in Mangochi District in 1994 who was warned and then got technically interdicted by the head teacher because of animosity between the head teacher and the teacher involved in the disciplinary issue that had happened on 26 March 1994. The relationship that existed between the Head teacher and the teacher fueled the animosity and this probably influenced the Head teacher to make unethical decision of taking orders from higher authorities to suspend and interdict the teacher (Civil Cause No. 351 of 1994 in High Court of Malawi).

Despite Results in Table 4.6 under objective 1 showing that 100% of Head teachers agreed that they were aware of teacher disciplinary procedures, they tended to favor some teachers, abused their power and instituted disciplinary procedures to humiliate and harass those they regarded as

enemies. Guided by Bounded rationality theoretical framework the study observes that Malawian public secondary schools are generally made up of teachers who are interdependent, and work together to achieve organizational goals. On daily basis they interact with one another to fulfill their job-roles and to contribute effectively to the teaching and learning of students. However, these teachers enter the workplace with their own unique attitudes, abilities, values and perceptions, and this in itself can bring conflict in any organization (G. Dzimbiri, 2016).

These unique attitudes and ambitions make teachers view an organization with subjective construct and the meaning to their environment may be based on their own particular cultural interpretations. Such that the organization is like something else they have experienced. It may be deemed to resemble a family, or an impersonal system designed to achieve targets. It may be likened to a vessel which is travelling somewhere, or a missile homing in on customers and strategic objectives. Cultural preferences operating in various individuals influence the models people give to organizations and the meanings they attribute to them (Trompenaars & Hampden-Turner; 1998, p.170). These unique differences probably may have influenced head teachers to succumb to external pressures of favoritism, abuse of power and instituting disciplinary procedures to harass or humiliate Teachers they regarded as enemies, as such Head teachers ended up settling for unethical behaviors. The study implies that the above unethical decisions were greatly influenced by desperation, subjective and intelligent trapped opinions (Mortensen, 2011; Gee, 2014; Altier, 1999).

In summary, Head teachers behaved unethically by showing favor, abusing powers and instituting disciplinary procedures to harass or demoralize teachers they regard as enemies because they acquiesced to outside pressures of ignorance, despair, subjective opinions, and intelligence trapped opinions (Altier, 1999; Fiore, 2009; Gee, 2014; Leoveanu, 2013; McRaney, 2011; Mortensen, 2011). The Former President of the Republic of South Africa Nelson Mandela claimed that *“one of the problems the world is facing today is that it has people who do not look at problems objectively, but from the point of view of their own interests”* (Gee, 2014). Head teachers must look at professional issues of disciplinary matters in an objective way to avoid making decisions influenced by Bounded rationality. Subjective view of professionalism leads to despair and it influences Head teachers to save their personal interests (Mortensen, 2011). To avoid subjective

view of professional matters Head teachers must follow disciplinary procedures and satisfy technical rules of engagement (Barros, 2010; Matenje & Forsyth, 2007).

The study has examined the handling of teacher's disciplinary matters and found that Heads as public administrators continue to violate Teacher's constitutional rights. The violations continue to have effects in teaching and learning. Unethical decisions breed effects of negative impact which ricochet as ripple effect in an organization which fuels diminished well-being of Teachers. Teachers' diminished well-being impacts negatively on group, organization, and society as well (Promislo Giacalone & Jurkiewicz, 2016). Accordingly, people including Teachers will increasingly start demanding for an increasing number of rights from their own governments, intimate associations like places they work for, immediate communities and neighborhoods (Wamala & Kasozi, 2005).

Revelations are valid and trust worthy because evidence from biographical data in Table 4.2, Table 4.3, Table 4.4, and Table 4.5, established that out of 100 Teachers participating in the study 90% of Teachers are aged above 30 years. Above 95% are Teachers who have been working for over six years. Seventy eight percent of Teachers possessed Bachelors and above. This study had gender balance considerations. Secondly, the study had conducted pilot survey which helped significant research adjustments on data collecting instruments in both quantitative and qualitative phases. This enables the researcher to claim reliability and trustworthiness of results because they are coming from matured, experienced, learned, and gender balanced participants.

In brief, the results revealed that Teachers perceived Head teachers to have behaved unethically influenced by (i) favoring (ii) abusing their power, and (iii) instituting disciplinary procedures to humiliate and demoralize teachers they regard as enemies in handling teacher disciplinary matters. The unethical behavior may have been influenced due to succumbing from the pressures of ignorance (McRaney, 2011), despair (Mortensen, 2011) subjective opinion (Gee, 2014), and intelligence trapped opinion (Altier, 1999).

Conclusively, the study establishes that Teachers perceived Head teachers to have behaved unethically because of the influence of bounded rationality.



**4.2.4. Objective 3. Examine challenges Head teachers faced when handling teacher disciplinary matters.**

As per design illustrated above, this third objective too will start with quantitative data presentation. Followed by qualitative data presentation and finally discuss and interpret findings guided by bounded theoretical framework and pragmatics paradigm.

**4.2.4.1. Quantitative data presentation**

**Table 4.11: Responses to question: “What are the challenges that Head teachers face when handling teacher disciplinary matters?” (N=100)**

<b>ITEM</b>	<b>Faced challenges</b>	<b>Frequency</b>	<b>Percentages</b>
1	Abuse of Human rights	<b>32</b>	26
2	Teacher personal connections in the system	<b>30</b>	24.4
3	Disciplinary process takes long to give judgment	<b>27</b>	22
4	Some teachers are threats to heads	<b>18</b>	14.6
5	Heads lack the knowledge to process complex disciplinary issues	<b>16</b>	13
	<b>TOTAL</b>	<b>123</b>	<b>100</b>

Table 4.11 results show that Head teachers did face several challenges; topped by Abuse of Human rights at twenty-six percent; seconded by Teacher personal connections in the system at twenty-four percent; Some teachers are threats to heads at twenty-two percent was also a concern; followed by Disciplinary process takes long to give judgment at about fifteen percent; Finally Heads lack the knowledge to process complex disciplinary issues rated over thirteen percent.

#### **4.2.4.2. Qualitative data presentation**

**Responses to question:** “What are the challenges that Head teachers face when handling teacher disciplinary matters?”

##### **4.2.4.2.1. Abuse of human rights**

Out of 10 respondents the study revelations showed that most of the respondents agreed with what the following respondents mentioned.

**Head Teacher of School “B” said that;**

*“The main problem is because of democracy; also, there is misunderstandings of human rights it influences misconducts among the teachers because they might be I should say in-subordinate to their may be Head teachers in the name of human rights.” (Transcript H/Teacher: lines 690-695).*

**Head Teacher of School “F” revealed that;**

*“I think the ministry of education in the past has lost a number of cases in teacher disciplinary misconduct issues because of the human rights thing. Perhaps of late the other challenge it’s a bit sensitive, it’s dressing. Dressing, in MPSR the statement says decent dressing. It is not described.” (Transcript H/Teacher: lines 754-757 and 802-809).*

##### **4.2.4.2.2. Teacher personal connections in the system**

###### **(a) Political influence and corruption**

Out of 10 respondents the study results indicated that most of the respondents agreed with what the following respondents mentioned.

**Head Teacher of School “B” said that;**

*“Politics is experienced and of course I have one example. Where a teacher was posted away, but then the Member of Parliament came in to influence the Education Division Manager so that that teacher should be kept at that school.” (Transcript H/Teacher: lines 1102-1111).*

**Head Teacher of School “C” Public Secondary School Confirmed:**

*“Last term a student was forced into marriage by parents. And the person, who married this girl a fourteen years old girl, is a teacher. They took the case all the way to Victim Support Unit. When the case went there, instead of being resolved, it was trampled upon, because this teacher is highly connected. As a result, Heads fail to take action.”*  
**(Transcript H/Teacher: lines 570-582).**

**Head Teacher of School “F” Public Secondary School pointed:**

*“Some of the bosses are connected to these particular teachers. It could be political connections; it could be within the ministry hierarchy, somebody somewhere there is probably a relation to this particular person. So sometimes, you are told not to pick that issue further. It is a discouraging factor. So, Head teachers are discouraged like that.”*  
**(Transcript H/Teacher: lines 614-628).**

**4.2.4.2.3. Threats from some teachers**

Out of 10 respondents the study revelations indicated that most of the respondents agreed with what the following respondents mentioned.

**Head Teacher of School “B” Public Secondary School revealed:**

*“Certain teachers threaten us, because they have a good name in the community, or backing by the politicians and the like. So, when you take an action you have to be careful in the way you handle those issues. Sometimes some of these teachers they are even related to the officials, our higher officials like some of officers from the Education Division Manager office. And instead of looking at the issue positively you may end up being transferred away from the school as well as losing the headship.”* **(Transcript H/Teacher: lines 661-668).**

**4.2.4.2.4. Disciplinary process takes long to give judgment**

Out of 10 respondents the study findings showed that most of the respondents agreed with what the following respondents mentioned.

**Head Teacher of School “B” lamented that;**

*“When we take our issues to the Education Division Manager office it takes a long-long time before they make a final decision. So, you might be keeping the very same stubborn teachers or troublesome teachers within your compass and they might be more troublesome because they know that you have taken the issue to the Education Division Manager office.” (Transcript H/Teacher: lines 1057-1061).*

### **Discussion and interpretation**

**The study third objective is “Examine challenges Head teachers faced in handling teacher disciplinary matters”.** The respondents to objective were Head teachers because they were the ones who experienced the challenges in handling disciplinary matters (see section 3.5.2.p.36). The study wanted to know the challenges that Head teachers faced in handling disciplinary matters by asking the following research question;

***What were the challenges that Head teachers faced in handling teacher disciplinary matters?***

In confirming with results in objectives 1 and 2 where it was established that Head teachers to some extent did not follow disciplinary procedures and that teachers perceived Head teachers to have behaved unethically in handling Teacher disciplinary matters. The above question addressed objective 3 and results in Table 4.1 through items 1,2,3,4 and 5 showed that Head teachers agreed that they did face several challenges in handling disciplinary matters. Abuse of Human rights at 26%; seconded by Teacher personal connections in the system at 24%; Some teachers are threats to heads at 22%; followed by Disciplinary process takes too long to give judgment at about 15%; finally, Heads lack the knowledge to process complex disciplinary issues rated over 13% respectively. Guided by Bounded rationality the study discussed and interpreted results as follows;

Firstly, results of item 1 of Table 4.11 indicated that Head teachers agreed that abuse of human rights was a challenge that influenced them to compromise disciplinary procedures. During the second confirmatory phase of interviews Head teachers’ general views indicated that indeed this was a challenge that forced Head teachers to behave unethically in handling teacher disciplinary matters. Head teachers mentioned that teachers misunderstood the concept of human rights as such they were influenced to indulge in disciplinary acts repetitively and many seemed to be in-subordinate to their Head teachers in the name of human rights. Head teachers also explained that

in the past the ministry of education lost a number of cases in teacher disciplinary matters in favor of human rights (see section 4.2.4.2.p.69).

The results that abuse of Human rights was a challenge that influenced Head teachers to flout disciplinary procedures are similar to findings by Matenje & Forsyth (2007) Ng'ambi (2010) and Wamala & Kasozi (2005) where it was reported that teacher's claim of Constitutional rights got interpreted by Head teachers as abuse of Human rights may have indeed influenced compromised disciplinary procedures. Furthermore, an interpretation of the 1999 Employment Act, which incorporates human rights protections for due process that is overly in favor of teachers when they are involved in teacher disciplinary matters. Significantly, the courts in many cases have ruled in favor of human rights in some litigations.

As a result, Head teachers felt that following disciplinary procedures may only be a waste of time because at the end the outcomes favor teachers. Some scholars such as Bennell (2004) Ng'oma and Simatwa (2013) have argued that due to serious poor human resources considerations in terms of work and living environments for many teachers, in the end some teachers get engaged in working at extra employments contrary to disciplinary matter (t) section (2.2.3.pp.14-15) and they argued that it was their economical constitutional Human right (Matenje and Forsyth, 2007; Wamala & Kasozi, 2005). Due to lack of institutional houses and transport logistics many teachers reported late or absented due to various reasons such as rain, lack of transport money and when they were confronted by Head teachers, they claimed provision of institutional houses and transport logistics as their employment benefits. As a result, Head teacher interpreted such claims as abuse of human rights and concluded that teachers were in-subordinate.

Head teachers interpreted such behavior as abuse of Human rights. On the other hand, Head teachers may have been right to interpret that teachers abused Human rights because section 29 of the Malawi Constitution stipulates that *“Every person shall have the right freely to engage in economic activity, to work and to pursue a livelihood anywhere in Malawi”*. And has not mentioned that teachers may engage in more than one employments see item (t) section (2.1.3.pp.11-12). However, at times in the past courts have ruled in favor of human rights in some litigations such as *Civil Cause No. 80 of 1997 (in the High Court of Malawi)* W.D. Bongwe and

11 Others (Plaintiff) versus Ministry of Education (Defendant) (Wamala & Kasozi, 2005). Whereby Head teachers may have been influenced to end up flouting disciplinary procedures by abusing their powers or instituting disciplinary procedures to harass or humiliate involved teachers because they interpreted that teachers abused Human rights.

However, Head teacher should have known that Human rights have responsibilities and obligations too. Much as some teacher disciplinary matters may be in conflict with Human rights because of democracy Head teachers should still objectively follow disciplinary procedures in handling teacher disciplinary matters (Matenje & Forsyth, 2007). Otherwise the Malawi Constitution section 5 explains that any law that shall be inconsistent with the constitution shall be rendered invalid (Laws of Malawi 2010). In this case section 43 of the constitution directs how Human Rights are to be observed so that teacher disciplinary matter is handled fairly. The study interprets that Head teachers may have flouted disciplinary procedures due bounded rationality influenced by desperation, subjective and intelligence trapped opinions (Altier, 1999; Gee, 2014; Mortensen, 2011).

Secondly, through item 2 in Table 4.11 results indicated that Head teachers believed that teacher personal connections with others in positions of authority was a challenge that made Head teachers compromise disciplinary procedures. The study went further to confirm the generalization by conducting interviews with Head teachers who eventually supported the views that teacher personal connections in the system was a challenge that Head teachers faced in handling teacher disciplinary matters. The explanations were that some connections were political in nature while other connections were those within the education authority. The connections were able to corrupt the system such that teachers who were well connected were always protected by those in political or higher authorities as such their cases ended with natural death (see section 4.2.4.2.2. pp.69-70).

Studies conducted in public secondary schools, such as Khan (2005) Beyani (2013) and Humphreys (2014) in Pakistan, Zambia and Nigeria respectively, shared similar practices that there are hardly any cases of teacher dismissal in the public-school system. The situation arose from the fact that teachers often had political connections which allowed them to stay or get transfers rather than be dismissed for gross teacher disciplinary misconduct. Teacher unions are

known to back teachers who are being investigated for teacher disciplinary matters. District officials have been known to block transfers and dismissals, thus undermining the professional code of conduct.

In the case of Malawi, the emphasis of political or higher official connections are for teachers and not Head teachers. As such Head teachers became frustrated when their decisions were undermined by such connections. As a result, Head teachers may have compromised disciplinary procedures to show that they had powers at the institutional level as seen by such decisions as suspending, interdicting, withdrawing of teacher privileges and ordering teachers to stop teaching and vacate institutional houses (4.2.2.2. pp. 51-52; Appendix B, p. 95). The study interprets that the behavior of flouting disciplinary procedures because of teacher connectedness to politician and officials higher in authority was a result of bounded rationality of desperation, subjective and intelligence trapped opinions (Altier, 1999; Gee, 2014; Mortensen, 2011). Results have been slightly different where in literature review section (2.3.pp. 18-21) Head teachers acted as conduits by following political or higher authority orders while in this study Head teachers seem to block the conduit through defiance by flouting disciplinary procedures. Otherwise, teacher personal connections and disciplinary procedures are two different items. Head teachers ought to execute disciplinary procedures professionally and objectively by not being influenced by external forces.

Thirdly, results in Table 4.11 (item 3) further indicates that Head teachers generally agreed that another challenge that they faced in handling disciplinary matters was that some teachers were a threat to head teachers. Interviews with Head teachers supported the general views that threats from some teachers who were connected to authorities posed a challenge in handling teacher disciplinary matters. Head teachers lamented that some teachers threatened them because they were protected by the politicians and officials in high positions. So, Head teachers had to be careful when taking action against them because, instead of looking at the issue objectively they also had to consider their security. Otherwise they could be transferred away from the school as well as losing the headship (see section 4.2.4.2.3. pp.70).

The revelation that teachers who were connected posed as a challenge to Head teachers reflects findings by Tshabalala, Muranda & Gazimbe (2014) in Zimbabwe, where they report that some teachers are too dangerous and violent and are threats to Head teachers. Though the findings are somehow similar but in the Northern Education Division context threats are not of violence as

compared to Zimbabwean context. As mentioned in section (2.4.1.3.p.24) Head teachers may have had economic, sociological and psychological fear. Where they feared to comply with disciplinary procedures against connected teachers for fear of being demoted, or being transferred to other districts. Head teachers mentioned that being demoted meant economical and psychological as well as sociological downfall. The study interprets that Head teachers failed to institute disciplinary procedures against those teachers who were connected to politician or higher official because of fear of being transferred or demoted because of bounded rationality influenced by desperation, subjective and intelligence trapped opinions (Altier, 1999; Gee, 2014; Mortensen, 2011).

Item 4 in Table 4.11 indicates that another challenge that head teachers face was that disciplinary process took too long to reach conclusion. Interview results supported quantitative findings that another challenge Head teacher faced in handling disciplinary matters was that it took too long to arrive at judgment. The same was the case when Head teachers referred disciplinary matters to the Education Division Manager office. It took too long time to make a final decision. As a result, the school was keeping the very same troublesome teachers. Head teachers also lamented that they had limited powers on decisions in handling teacher disciplinary matter (see section 4.2.4.2.4.pp. 70-71).

Similar findings in several studies in Anglo-phone countries (G. Dzimbiri, 2016; Kayira, 2008; Tshabalala, Muranda & Gazimbe, 2014; Mulkeen, 2010) show that teacher disciplinary procedures were often seen as taking too slow to be of value. Sometimes delays in the processing of disciplinary cases also militated against the promotion of discipline among staff members. It becomes a setback to Head teachers because they are the ones who are seeing the teacher involved in the teacher disciplinary matters still around the school and they feel betrayed and powerless.

However, Head teachers being first line supervisors as well as controlling officers of the involved teachers, administratively and professionally they needed to know that the disciplinary procedures allow higher authorities to peruse referred cases to protect specific rights of employees, from a supervisor's decision to discipline an employee before the disciplinary action is taken. The scrutiny process allows the principle of "good faith", and thus protects the organization and its interests as well as protect offenders from unethical decisions (G. Dzimbiri, 2016; L. Dzimbiri, 2016; MoEST, 2014; Mulkeen, 2010). It appears that Head teachers compromised disciplinary procedures by



taking decisions such as ordering teachers to stop teaching and to vacate institutional houses, withdrawing of privileges, even interdiction by the influence of despair, subjective and intelligence trapped opinions (Altier, 1999; Gee, 2014). Head teachers made such decisions to make sure that suspect teachers knew that Head teachers had power over them.

Finally, findings in Table 4.11 (item 5) further pointed out that one other challenge that Head teachers faced in handling disciplinary matters was that they lacked the knowledge to process complex disciplinary issues. Interview findings also confirmed that Head teachers lacked the knowledge of disciplinary procedures. Lack of pre-training and in-service may have contributed to lack of knowledge to process complex disciplinary matters. Some of Head teachers got appointment through political influence or after long period of service, probably such Head teachers may have failed to be consistent with disciplinary procedures because of lack of knowledge hence they acted out of ignorance and desperation in handling teacher disciplinary matters. Qualitatively, Head teachers commented that many Head teachers were not appointed on merit but through political influence and long period of service.

The study revelation that Head teachers lacked the knowledge to process complex disciplinary issues are similar to several other studies such as studies conducted by scholars (Kanyongolo, 2006; Kayira, 2008; Matenje & Forsyth, 2007; Tshabalala Muranda & Gazimbe, 2014) in Malawi and Zimbabwe where Head teachers compromised the laid down disciplinary procedures because they lacked teacher disciplinary administrative knowledge.

However, through results in Table 4.6 the study established that 100% of Head teachers agreed that they were aware of teacher disciplinary procedures. This means that Head teachers were influenced by bounded rationality of desperation, subjective and intelligence trapped opinions to give a scape goat that they flouted disciplinary procedures due to lack of knowledge to process complex disciplinary issues (Altier, 1999; Gee, 2014; Mortensen, 2011).

Results are valid and trustworthy because evidence from biographical data in Table 4.2, Table 4.3, Table 4.4, and Table 4.5, established that out of 100 Head teachers participating in the study that 95% are aged above 30 years. Above 92% are Head teachers who have been working for over six years. Seventy six percent of Head teachers possessed Bachelor's degrees and above. This study had gender balance considerations. Secondly, the study had conducted pilot survey which helped

significant research adjustments. This enables the researcher to claim reliability and trustworthiness of results because they are coming from matured, experienced, learned, and gender balanced participants.

In brief, the results have revealed that Head teachers faced quite a number of challenges in handling teacher disciplinary matters. The following were revealed as challenges; Abuse of Human rights; Teacher personal connections in the system; Some teachers are threats to heads; followed by Disciplinary process takes long to give judgment; finally, Heads lack the knowledge to process complex disciplinary issues. Due to pressure of the above-mentioned challenges Head teachers to some extent behaved unethically in handling teacher disciplinary matters. The unethical behaviors were influenced by subjectivity, acting out of ignorance, being intelligence trapped and desperation. The study concludes that challenges Head teachers faced in handling teacher disciplinary matters influenced them not to comply with disciplinary procedures.

### **4.3. Summary of findings**

This study sought to explore the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division. In summary, through rigorous triangulation of methods and respondents the trustworthy and generalizable results are as follows;

The study may imply that Head teachers to some extent did not follow disciplinary procedures in handling teacher disciplinary matters because they took decisions which were outside prescribed disciplinary procedures. Head teachers made arbitrary decisions of suspension, interdiction, and withdrawing of privileges because of bounded rationality due to acquiescing to outside pressures of ignorance, despair, subjective and intelligence trapped opinions.

Teachers perceived Head teachers to have behaved unethically influenced by (i) favoritism (ii) abuse of power, and (iii) instituting disciplinary procedures to humiliate and demoralize teachers they regard as enemies, in handling teacher disciplinary matters. Head teachers succumbed to the pressures of ignorance, despair, subjective and intelligence trapped opinion.

Head teachers faced quite a number of challenges in handling teacher disciplinary matters such as; Abuse of Human rights; Teacher personal connections in the system; Some teachers were threats to heads; Disciplinary process takes long to give judgment; and Heads lack the knowledge to process complex disciplinary issues. The above challenges were the pressures that influenced Head teachers to behave unethically in handling teacher disciplinary matters. Subjectivity, acting out of ignorance, intelligence trapped and desperation influenced Head teachers to flout disciplinary procedures in handling teacher disciplinary matters.

## **5. CHAPTER FIVE**

### **5.1. CONCLUSION AND RECOMMENDATIONS**

#### **5.1.1. Introduction**

Chapter five concludes the study, provides recommendations and offers suggestions for future research.

#### **5.2. Conclusion**

The study was examining the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division. Specific objectives were to; enquire if Head teachers follow the disciplinary procedures in dealing with teacher disciplinary matters; investigate teacher perceptions if Head teacher follow procedures in teacher disciplinary matters; and examine challenges Head teachers faced in handling teacher disciplinary matters. The study interprets findings by using Pragmatics paradigm guided by bounded rationality theoretical framework. Data was collected using mixed explanatory sequential methods and analyzed manually and also by transcription by the researcher because he is the interpreter. This section concludes the interpreted results.

In relation to research objective 1 the study established that despite results claiming that Head teachers were aware of disciplinary procedures, but to some extent they did not follow disciplinary procedures. The study may conclude that indeed Head teachers were influenced to act corruptly due to subjective opinion where the majority of teachers were protected due to favoritism, nepotism because they were connected in some way or another. The few interdictions, suspensions and withdrawal of privileges were influenced by despair, ignorance and intelligence trapped opinions which also contributes to corrupt acts against integrity. Head teachers' intentions on referring some few cases to higher authorities were motivated by malicious intentions that written records should be used to block promotions for affected. Heads also arbitrarily dealt with teachers on arbitrary offences which are not in the stipulated list. In brief, Head teachers to some extent did not follow disciplinary procedures because of bounded rationality.

In connection with research objective 2 Teachers perceptions were that Head teachers did not follow disciplinary procedures in handling teacher disciplinary matters by behaving unethically. The unethical behaviors were evidenced through; favoritism, abuse of power, and instituting

disciplinary procedure to harass or demoralize those they regarded enemies during handling teacher disciplinary matters.

As regards, research objective 3 on the other hand Head teachers were influenced to behave unethically because of the challenges that they faced in handling teacher disciplinary matters. The challenges were as follows; Abuse of Human rights; Teacher personal connections in the system; some teachers were threats to heads; Disciplinary process takes long to give judgment; and Heads lacked the knowledge to process complex disciplinary issues.

The study used Pragmatics paradigm philosophical assumption to reflect social reality in the revelation from the selected school under study in terms of how Head teachers handled teacher disciplinary matters. The study believes that issues of social justice such as following disciplinary procedures are identified by the actions of those with responsibility. The Malawi Constitution in support of social justice in section 20 has put a provision that *“Discrimination of persons in any form is prohibited and all persons are, under any law, guaranteed equal and effective protection against discrimination on grounds of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, property, birth or other status or condition”*. The other fundamental principle of the Constitution on section 5 is that any law inconsistent with the Constitution shall be rendered invalid.

The study concludes by professing that the disciplinary procedures were established for the common good. In democratic principles rule of law must be complied with so that employees' specific rights are protected from unethical decisions. The procedure accentuates the principle of “good faith”, and thus protects the organization and its interests as well as protect offenders from unethical decisions. As established from study results that Head teachers to some extent did not follow disciplinary procedure due to influence of bounded rationality. Bounded rationality resulted into discrimination and degrading of the victims against Malawian Constitutional rights sections 19 and 20. The victims might have felt discriminated and degraded psychologically, sociologically and economically. They were victimized because the practice reduced their dignity contrary to section 19 of the Malawi Constitutional Rights. In summary, Head teachers' unethical behavior of being inconsistent through influence of favoritism, abuse of power, and instituting disciplinary procedures to harass or demoralize those regarded as enemies was discriminatory and degrading.

To address the practices of discriminatory and degrading behavior due to bounded rationality which were influenced by; subjectivity, acting out of ignorance, being intelligence trapped and desperation in public decision making. Head teachers just like Philosopher-King by Plato ought to be professionally trained (Stumpf & Fieser, 2003). Professionalism will help improve the handling of teacher disciplinary matters with compliance to disciplinary procedures.

### **5.3. Recommendations and suggestions for further research**

Just as the captain of the ship should be the one who knows the art of navigation and not the most “popular” person. Significantly, Head teacher must be the one who knows the difference between realm of opinion and realm of knowledge. It is important to have knowledgeable Head teachers to avoid causing disorder in the system. Competent qualified Head teachers would be the only solution to remove disorder of taking unethical behaviors in handling teacher disciplinary matters. Head teachers are public administrators who must be guided by the law of the land spearheaded by the Constitution. Therefore, at all costs they must learn to be consistent with the Constitution and not succumb to external forces (Stumpf & Fieser, 2003).

Basing on the study findings the Ministry of Education Science and Technology;

- (1) Should put deliberate sustainable funded policy for Leadership and Public Administration courses at Mpemba Staff Development Institute. To provide coaching, counselling, and mentoring to all current Head teachers and their deputies and some teachers.
- (2) Should distribute MPSRs and other relevant administration books such as the manual for administrative law a guide for ministers and senior civil servants in all public secondary schools. To help capacity building and motivation for Head teachers.
- (3) To equip and prepare the next generation of Head teachers for professional management including disciplinary procedures Educational curriculum at universities and colleges should include introduction to administrative or constitutional law or both because study findings have indicated that more than seventy percent of participants possessed Bachelor’s degrees and above, the implication is that public secondary school teachers go through colleges and universities.

The study further suggests that more research on the topic should be done as follows;

- (1) There should be a replication of this similar study in all other Education Division of the country to compare generalizations which may help policy formulation planning.

(2) Explore the criteria used for identifying public secondary school Head teachers in Malawi.

#### **5.4. Closing remarks**

The study was examining the management of teacher disciplinary matters by public secondary school Head teachers in Northern Education Division. Mixed explanatory sequential methods were used and data was collected from both victors and victims of disciplinary procedures limited to only 50 public secondary schools due to time and transport implications. Revelations were that to some extent Head teachers did not follow disciplinary procedures because they took decisions which were outside prescribed disciplinary procedures. Teachers perceived Head teachers to have behaved unethically influenced by (i) favoritism (ii) abuse of power, and (iii) instituting disciplinary procedures to humiliate and demoralize teachers they regard as enemies. Head teachers faced quite a number of challenges in handling teacher disciplinary matters such as; Abuse of Human rights; Teacher personal connections in the system; Some teachers were threats to heads; Disciplinary process takes long to give judgment; and Heads lack the knowledge to process complex disciplinary issues. Results have some public managerial implications of irrational decision making due to bounded rationality which results into Constitutional Human rights violations.

Economically, Bounded rationality is derailing development in public service. Recommended in-service training may seem easy but may require government commitment and facilitators who understand Human Resource Management principles. Introducing law courses might seem too much ambitions. However, the contemporary world of today, law based curriculum may introduce future Head teachers to fundamental legal principles and the basics of the legal subjects they are likely to encounter. For application of critical thinking about legal rights and obligations and explore personal responsibility for promoting a rule of law. That's equipping them for making sound decisions with real-world consequences for themselves and the public. Basically, they are governed by public ethics laws, as they may be called upon to negotiating contracts and managing a bidding process as well as making hiring, disciplinary, and termination decisions.

Sociologically and physiologically, public administrators may have been influenced to behave unethically in handling disciplinary matters for the purposes of being loyal to their superiors. However, it is the theoretical framework of Bounded rationality that emphasizes that basing on MPSR and section 43 of the Constitution, the law will interpret on technicality of rules of

engagement on the lawfulness of the decisions made in accordance with the principle of supremacy of the Constitution. Against environmental political circumstances that Head teachers might have succumbed to as external pressures. Section 5 of the Malawi Constitution defends against any other forces invalid and empowers Head teachers to follow disciplinary procedures in managing teacher disciplinary matters in public secondary school.

It is true to conclude that one of the problems the world is facing today is that it has people who do not look at problems objectively, but from the point of view of their own interests. Many public decisions are influenced by ignorance, despair, subjective, and intelligence trapped opinions. Just like Philosopher-King by Plato knowledgeable Head teachers may manage teacher disciplinary matters professionally. Gone are days when hiring and termination, disciplinary, promotions, transfers, contract were influenced by bounded rationality. Meritocracy has to be the way forward to remove disorder in public decision making. At all costs if all public administrators including Heads, continue to violate people's constitutional rights. The violations continue to have effects in public service delivery. Unethical decisions breed effects of negative impact which ricochet as ripple effect in an organization which fuels diminished well-being of citizens. Citizens' diminished well-being impacts negatively on group, organization, and society as well (Promislo Giacalone & Jurkiewicz, 2016). Accordingly, people including Teachers will increasingly start demanding for an increasing number of rights from their own governments, intimate associations like places they work for, immediate communities and neighborhoods (Wamala & Kasozi, 2005). Malawi may as well have political revolution soon to change all who violate Malawian Constitutional rights starting from personal, group, societal to national level. The aim will be to remove disorder from the public service through Constitutional means.



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# APPENDICES

## Appendix A

### IN THE HIGH COURT OF MALAWI

#### PRINCIPAL REGISTRY

#### MISCELLANEOUS CIVIL CAUSE NO. 82 OF 1997

#### BETWEEN

FELIX MTWANA MCHAWI.....APPLICANT

And

THE MINISTER OF EDUCATION,

SCIENCE AND TECHNOLOGY.....RESPONDENT

**CORAM: KUMITSONYO J.**

Mhango, Counsel for the Applicant.

The Attorney General, Counsel for the Respondent absent. Tembo (Mrs.), Official Interpreter.

Matekenya (Mrs.), Recording Officer.

#### RULING

The applicant was employed as a teacher in the Ministry of Education, Science and Technology and was based at Stella Maris Secondary School in the City of Blantyre. On 1st October, 1997, the Minister responsible for Education, Science and Technology suspended the applicant from the said employment with immediate effect and the letter of suspension which was addressed to Mr. F. Mchawi the applicant and copied to the Secretary for Education and the Regional Education Officer (S) and which was dated 1st October, 1997, from the Headmistress of the School read as follows

"Dear Sir,

**Following the directive from the Minister of Education Honourable B. Mpinganjira during the discussion which we had with you, I write to inform you that you have been suspended from your duties with immediate effect until the final decision is made.**

**Therefore you will not be expected to be seen in the School Campus until otherwise advised.**

Yours faithfully,

p.p. E. Dambo (SR)

**HEADMISTRESS.**"

**PRONOUNCED** in open court at Blantyre this 22nd day of January, 1999. **E. B. Z. Kumitsonyo** **JUDGE**

## **Appendix B**

Head teacher's letter to NED (Stating that he had ordered teacher to stop teaching and to vacate institutional house)

Ref. No.....

16th February, 2006

FROM: THE HEADMASTER, "P" SECONDARY SCHOOL, BOX P, MZUZU.

TO: THE EDUCATION DIVISION MANAGER (N), P.O. BOX 133, MZUZU.

DISCIPLINE: BREACH OF SOCIAL DISTANCE (MR.X-TEACHER VS Y-FORM 1)

I write to report that Mr. X, a member of staff here, but on posting to Katoto Secondary School, took a Form 1 girl, Y, to his house last night between 6:30 and 7:00 pm as contented in the attached student's report. I was on duty, and while patrolling the school I met the student on her return from Mr. X's house and interrogated her about where she had been and what had been subjected to while on their way to and from Mr. X's house, and in his house. Mr. X was summoned to appear before the school's management committee this morning between 8am and 9am. He agreed having taken the girl from her class to the backyard of the staffroom where it is dark at the mentioned time to interrogate her about what he alleged was her relationship with boys who come for tuition for University Entrance examinations at his house. Mr. X's behavior and the available evidence testify and implicate him for all the other previous allegations which he has always vehemently rejected for lack of evidence. This time round the evidence is loud and clear. This is total lack of professional ethics in breach of social distance between a male teacher and a female student.

In respect of the above development, I have ordered Mr. X to stop teaching at "P" Secondary School forthwith and that he should report to his new duty station, Katoto Secondary School, where he has been posted. He has been asked to vacate the house within the next 24 hours. I write to be advised what next step I must take.

SIGNED BY HEAD TEACHER AND STAMPED.

## Appendix C

### MZUZU UNIVERSITY RESEARCH AUTHORIZATION LETTER



**MZUZU UNIVERSITY**

DEPARTMENT OF EDUCATION AND TEACHING STUDIES

Mzuzu University  
Private Bag 201  
Luwingu  
Mzuzu 2  
MALAWI

Monday, 10 April 2017


#### TO WHOM IT MAY CONCERN

This is to testify that **Davie Kumwenda** is a bonafide student of Mzuzu University currently pursuing a Master of Education (M.Ed.) Degree Programme in the Faculty of Education.

As a partial fulfillment for the award of the M.Ed. Degree, he is required to do a small scale research on an educational issue in schools or colleges culminating into a thesis. The title of his research is: *"Exploring teacher's perceptions on how head teachers handle teacher misconducts in public secondary schools in Malawi: A case study of Northern Education Division."*

I should be most grateful if you can assist him accordingly.

Yours faithfully,

  
Dominic M. Ndengu (PhD)

**PROGRAMME COORDINATOR AND SENIOR LECTURER**

Tel.: (265) 01 320 575/722

Fax: (265) 01 320 568

E-mail: registrar@mzuni.ac.mw

**Appendix D**

**STUDENT LETTER SPECIFYING TARGETTED SCHOOLS**

David P. Kumwenda  
MEDLM/12/16  
Mzuzu University  
Private Bag 201  
Luwinga  
Mzuzu 2  
Malawi  
24<sup>th</sup> April 2016

The Education Division Manager (North)

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P.O. Box 133  
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Mzuzu  
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May you please  
assist him accordingly.  
DPO  
FOR: EDM

EDUCATION DIVISION  
MANAGER NORTH  
24 APR 2017  
P.O. BOX 133, MZUZU

Dear Madam,


**REQUEST FOR PERMISSION TO COLLECT DATA FOR ACADEMIC RESEARCH  
IN PUBLIC SECONDARY SCHOOLS WITHIN MZUZU CITY EDUCATION**

I write apply for the above requested application which is self-explanatory. I would like to do my research in the above mentioned public secondary schools under your jurisdiction because distance is convenient for me. I am a student at Mzuzu University doing Master of Education and currently doing my research.

The data which will be collected will be sorely used for academic purposes and will be treated with confidentiality. School names will not be mentioned in the research findings. For the purposes of learning experience your office may get a copy of results.

Your consideration will be highly appreciated.

Yours faithfully,

  
DAVID PHELEMERO KUMWENDA (MEDLM/12/16).

+265888172477.

## Appendix E

### QUESTIONNAIRE FOR QUANTITATIVE PHASE

#### QUESTIONNAIRE FOR BOTH HEAD TEACHERS AND TEACHERS

##### Follow instructions:

Names must not be used in this questionnaire instead any number or letter must be used for names

Participants you have rights to withdraw from the exercise any time you feel so

Right of silence in any question that has conflict of interest may be exercised

##### If your consent to participate is granted then you may start

Tick where appropriate and applicable, and where applicable fill blank spaces

##### AGE

20-29	
30-39	
40-49	
50 ABOVE	

##### YEARS IN EXPERIENCE

0-5	
6-10	
11-15	
16 ABOVE	

##### PROFESSIONAL EXPERIENCE

CERTIFICATE IN EDUCATION	
DIPLOMA	
BACHELORS	
MASTERS	
UNTRAINED	

##### GENDER

FEMALE	
MALE	

(1) Are you aware of the disciplinary procedures in the Civil Service?

YES	
NO	
NOT SURE	

**(2) Does your school experience acts of misconduct by teachers?**

YES	
NO	
NOT SURE	

**(4) What kinds of misconducts do teachers at your school get involved in?**

**Any teacher who;**

- (a) Absent from his post without permission or excuse
- (b) performs his or her duties negligently
- (c) displays insubordination.
- (d) Incompetent or inefficient after having been warned to improve
- (e) under the influence of intoxication liquor or habit-forming drugs during normal hours of attendance
- (f) declared bankrupt,
- (g) suffers pecuniary embarrassment such as to interfere with his duties
- (h) discloses information improperly or for personal gain
- (i) makes private use of Government moneys or property
- (j) fails to take reasonable care of Government property
- (k) has a financial interest in the affairs of his department, without the consent of the Minister does or permits to be done any act prejudicial to the administration, discipline or efficiency of the Civil Service
- (l) is convicted of offences involving dishonesty such as theft, bribery, corruption or fraud
- (m) attempts to bring political influence to bear on his position
- (n) willfully interferes with his duties as a Civil Servant
- (o) makes a false claim against the Government
- (p) accepts valuable presents from those he meets in the discharge of his duties
- (q) writes or speaks to the media about matters connected with the Civil Service (other than in discharge of his duties)
- (r) becomes a director of a company
- (s) does not place the whole of his time during normal working hours at the disposal of the Government
- (t) or works outside the Civil Service for remuneration.

**(3) How do heads deal with teachers who commit acts of misconduct in your school?**

ORAL/WITTEN WARNING AT SCHOOL LEVEL	
WRITTEN WARNING TO THE RESPONSIBLE OFFICER THROUGH DIVISION	
SUSPENDING	
INTERDICTING	

**(5) What are major challenges that heads experienced in handling teacher disciplinary issues?**

- Heads lack the knowledge to process complex disciplinary issues
- Some teachers too dangerous and violent and are threats to heads
- Disciplinary process takes long to give judgment
- Teacher personal connections in the system
- Abuse of Human rights
- Any other-----

**(6) What are the general perceptions on how heads professionally handle teacher disciplinary misconducts?**

- Inconsistency
- Un-ethical
- Favoritism
- Abuse of power
- They institute disciplinary procedures to humiliate and demoralize those they regard enemies
- If others mention-----



**(7) Do criteria for heads appointment affect knowledge in dealing with teacher disciplinary misconducts?**

YES	
NO	
NOT SURE	

**Explain-----**

**(8) Does professional training, in-service trainings have impact on Head's competence in conducting effective and efficient teacher disciplinary misconducts?**

YES	
NO	
NOT SURE	

**(9) On what aspects can Knowledge of law equip heads in handling teacher disciplinary misconducts?**

- Respect of human rights
- Analytical thinking before getting various external influences
- To respect the rule of law
- To follow established procedures
- Allow due process of disciplinary procedures be followed.

If more-----  
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**(10) Do you think that heads are able to follow stipulated teacher disciplinary misconduct procedures as stipulated in the MPSR when handling teacher disciplinary misconducts?**

YES	
NO	
NOT SURE	

**IF YES EXPLAIN-----**  
-----  
-----

**IF NO EXPLAIN-----**  
-----  
-----

**THANK YOU VERY MUCH FOR YOUR PARTICIPATION**

## Appendix F

### QUALITATIVE PHASE

#### INTERVIEW GUIDE USED FOR INTERVIEWING HEAD TEACHERS AND TEACHERS

DATE: \_\_\_\_\_ EXPECTED TIME FROM \_\_\_\_\_ TO \_\_\_\_\_

#### INTERVIEW GUIDE WITH FIELD NOTES

My name is David Phelemero Kumwenda, pursuing Master of Education Degree (Educational Leadership and Management) at Mzuzu University. I am conducting a study on experiences on handling teachers' disciplinary misconducts in public secondary schools in Malawi by Head teachers. I kindly require your consent to participate in the study through interview. The interview will be recorded using a digital recorder. The information provided will be treated for academic purposes only. Confidentiality will be considered. No names will be mentioned on the data collected.

#### Consent and declaration signature by respondent:

Time: \_\_\_\_\_

Place school \_\_\_\_\_

Date: \_\_\_\_\_

#### RESEARCH QUESTIONS

##### Interviewer:

- (1) Explain what normally happens when you have identified teacher disciplinary matters in our schools and who is responsible for dealing with teacher misconducts at your institution?
- (2) What actions do you take at the end of the procedure?

##### Response/data

Field notes/observation

- (3) What would you explain in terms of how teachers perceive how Head teachers handle teacher disciplinary matters in terms of the following?
  - (A) Un-ethical behavior
  - (B) In-consistency
    - (i) Favoritism

- (ii) Abuse of power
- (iii) Recommend teacher disciplinary misconducts to harass your enemies
- (iv) Recommend teacher disciplinary misconducts to deal with your competitors

**Response/data**

Field notes/observation

(4) Head teachers what challenges did you face when handling of teacher disciplinary matters?

- (I) Heads lack the knowledge to process complex disciplinary issues
- (II) Some teachers too dangerous and violent and are threats to heads
- (III) Disciplinary process takes long to give judgment
- (IV) Teacher personal connections in the system
- (V) Abuse of Human rights

**Response/data**

Field notes/observation

(5) Any other comments on factors that influence type of decisions that you take in handling teacher disciplinary matters?

**Response/data**

Field notes/observation

Any personal question related to the just discussed topic?

THANK YOU FOR YOUR PARTICIPATION

## Appendix G

### AN EXTRACT OF THE TRANSCRIBED INTERVIEWS WITH HEAD TEACHERS

**RESEARCHER:** Explain what normally happens when you have identified teacher disciplinary matters in our schools and who is responsible for dealing with teacher misconducts at your institution?

#### **RESPONDENTS:**

**Head Teacher of School “G”:** “Normally, when it is reported that one member of staff has been misbehaved.... The first step is to get a detailed report about the misconduct. Then from there you interview the owner. If he accepts that that’s what he did. If he accepts that indeed he committed that offence. If it is for the first time, normally it is common that you give a verbal warning. Should it happen second time, that’s when it goes to written warning, which could even be reported”.

**RESEARCHER:** What actions do you take at the end of the procedure?

#### **RESPONDENTS:**

**Head teacher of School “E”:** “In respect of the above development, I have ordered Mr. X to stop teaching at “P” Secondary School forthwith and that he should report to his new duty station, Katoto Secondary School, where he has been posted. He has been asked to vacate the house within the next 24 hours. I write to be advised what next step I must take.”

**Head teacher of School “H”:** “If there is any opportunity of a teacher going out this one will not go, or if there is any opportunity of this teacher going to school. Sometimes some Head teachers have ever hidden the letters without showing that particular teacher; *kumupanisa* “[punishing the teacher]”. So it’s like you are getting out the privileges of teachers just because of these other misconducts which you would have dealt with them but you are using powers more than you are supposed to do.”

**RESEARCHER:** What challenges did you face when handling of teacher disciplinary matters? In relation to the following; *Teacher connectedness to “powerful” politicians*

#### **RESPONDENTS;**

**Head Teacher of School “B”:** “Politics is experienced and of course I have one example. Where a teacher was posted away, but then the MP came in to influence the EDM: so that that teacher should be kept at that school.”

**Head Teacher of School “C”:** “Last term a student was forced into marriage by parents. And the person, who married this girl a fourteen years old girl, is a teacher. They took the case all the way to victim support, and reported it. When the case went there, instead of being resolved, it was trampled upon, because this teacher is highly connected. As a result heads fail to take action.”

**Head Teacher of School “B”:** “Certain teachers threaten us, because they have a good name in the community, or backing by the politicians and the like. So when you take an action you have to be careful in the way you handle those issues. Sometimes some of these teachers they are even related to the officials, our higher officials like the some of the officers from the EDM office. And instead of looking at the issue positively you may end up being transferred away from the school as well as losing the headship.”

**Head Teacher of School “F”:** “Some of the bosses connected to these particular teachers. It could be political connections; it could be within the ministry hierarchy, somebody somewhere there is probably a relation to this particular person. So sometimes, you are told not to pick that issue further. It is a discouraging factor. So head teachers are discouraged like that.”

***Teacher disciplinary matter takes too long to be concluded***

**Head Teacher of School “F”:** “Slowness of referred cases can influence head teachers decision making. If you report then there is no response. The challenge which comes in that may be the officer who is reported. Might start saying you see my head just hates me. But at that time when it is held and then felt you feel that one was not okay. Then may be the response comes in it has an impact. It will help to curb other situations which would flag out.”

**Head Teacher of School “B”:** “When we take our issues to the EDM office it takes a long-long time before they make a final decision. So you might be keeping the very same stubborn teachers or troublesome teachers within your compass and they might be more troublesome because they know that you have taken the issue to the EDM office.”

**Head Teacher of School “A”:** “Slow processing of referred cases.”

**Head Teacher of School “E”:** “Referred cases taking long. Negative final review of disciplinary misconduct findings by higher authorities also affects the discipline in school. The head knows everything. If that one rejects that information it means that the head maybe now is being down looked at. So it means that that one may affect the head carrying out his or her duties.”

## Appendix H

### AN EXTRACT OF THE TRANSCRIBED INTERVIEWS WITH TEACHERS

**RESEARCHER:** How do you teachers perceive Head teachers on how they handle teacher disciplinary matters?

IN-CONSISTENCY

**RESPONDENTS:**

**Teacher of School “A”:** “Some cases have not been handled professionally. So it depends on relationship which you have with members of staff, between the head and member of staff. If it is not very good sometimes the heads have what we call a carry-over effect. This is a troublesome teacher let me just finish him or her”.

**Teacher of School “B”:** “We also look at what we benefit from that teacher sometimes. If the teacher is hard working you would try to protect that teacher. And you also look at the staffing position at the school. You might have only five teachers at the school so definitely you are looking at the repercussions of reporting the issue to the EDM. So to avoid such issues sometimes we are in-consistent in the way we handle Issues.”

**Teacher of School “B” stated that;** “Some cases have not been handled professionally. So it depends on relationship which you have with members of staff, between the Head and member of staff. If it is not very good sometimes the Heads have what we call a carry-over effect. This is a troublesome teacher let me just finish him or her”.

**Teacher of School “B” acknowledged that;** “We also look at what we benefit from that teacher sometimes. If the teacher is hard working you would try to protect that teacher. And you also look at the staffing position at the school. You might have only five teachers at the school so definitely you are looking at the repercussions of reporting the issue to the Education Division Manager. So to avoid such issues sometimes we are in-consistent in the way we handle Issues.”

**Favoritism**

**Teacher of School “E” spelt that;** “At Likoma. A certain teacher went to girls hostels and beat the girls. And because the Head was related to him; he said aaah.. , ‘it’s because he was drunk’. That’s favoritism. So we concluded that, because the Head is coming from the same area and they are related.”

**Teacher of School “H” confirmed that;** “There are some teachers who come and give you may be information ‘[a certain teacher was gossiping about you]’. So to such teachers and at one time if they do the mistakes or the misconducts; it becomes difficult to give a judgment so in that case sometimes the Head teacher can show some favor.”

**Teacher of School “A” pointed out that;** “It might be there but not to that big extent.”

**Head Teacher of “B” Public Secondary School explained that;** “Nepotism sometimes can come in. I have seen some Head teachers doing that, protecting the status of the teacher because they are related.”

**Abuse of power**

**Teacher of School “B” Public pointed out that;** “For instance, at this school I might use my position probably to further my political aspirations.”