

DEPARTMENT OF PROGRAMS & PLANNING

NOTIFICATION

With the approval of the Competent Authority, i.e. the Managing Director, SEF, the policy for ‘Succession of Partners’ is hereby notified as under:

1. Title

Partner Succession Policy

2. Introduction:

Sindh Education Foundation is managing a diverse portfolio which is designed to address the challenge of educational access & quality in the province. Sindh Education Foundation engages Partners through a contract for operating schools & centers. The selection of a partner is an essential part of the planning process especially at the stage of founding an educational facility. As per the existing Partnership Contract, Clause 15.2, only in rare cases, in the interest of the students, the Foundation may consider the transfer of School to Successor after examining the peculiar circumstances. This shall be subject to the limitations provided in the clause 15.1 of the contract. In case of succession, the request may be considered / allowed as prescribed by the Foundation. Therefore, nomination of a successor is as equally important as selection of a partner. The succession process shall be regularized in peculiar cases and in the events and circumstances which are beyond the control of SEF or partner(s).

3. Objective:

The prime purpose of the ‘Partner Succession Policy’ is to regulate the cases of partner succession in SEF Schools.

4. Applicability:

Foundation Assisted Schools (FAS) run by an Individual as Partner (not an organization)

5. Circumstances & need for succession:

The Foundation may consider the need for a Successor to protect the interest of students,

either;

- i. In circumstances beyond the control of original partner (e.g. death or insanity) or as defined in the Partnership Contract, including any case resulting out of Force Majeure (Article 09), OR
- ii. In any other peculiar circumstances.

However, the Foundation is not obligated to consider / approve every request of succession.



6. Eligibility of successor:

In case of a peculiar circumstance where a partner has to withdraw voluntarily (including circumstances where a partner gets a government job) then he/she may immediately nominate a blood/close relative including wife/husband, brother, sister, father etc. who can fulfill the following criteria to be eligible for the successor.

- i. Successor must have a minimum qualification of graduation from a recognized institution.
- ii. Successor must have relevant experience of two to three years.
- iii. Successor must NOT be involved in any illegal/criminal activities.
- iv. Successor (in case of family member who is already in partnership with SEF in concerned district or other) must not be an ex-partner of SEF whose contract had been cancelled by the Foundation on account of serious breach of contract including any act of defamation, fraudulent activities, misappropriation or embezzlement of funds entrusted to such person in pursuance of contract executed amongst the parties.
- v. An individual shall be liable to disclose in writing to the Foundation any other facts which might give rise to a conflict of interest (if any) whether real or perceived. In such cases the decision of the Evaluation Committee shall be considered final and binding.

7. Considerations:

Any case of succession shall be subject to the limitations provided in Article 15 of the contract and the conditions given below:

- i. The prospective 'Successor' shall be duly evaluated for the capacity of running the School.
- ii. In case the death (due to any reason) then next of kin or legal heir of the partner, if already nominated, would be considered for the succession. However, the partnership contract would need to be signed and any liabilities (of the original Partner) would be transferred to the successor with his/her consent. For this purpose, a Partner may nominate a next of kin to SEF.
- iii. In case where a succession / transfer is required due to a Partner (Individual) getting a government job then;
 - a. It would be mandatory for the partner to have disclosed about his Govt. job prior to joining. Accordingly, a succession/transfer by the way of nomination of an eligible entity may be processed as defined in Section 8. The subsidy shall be processed/adjusted (start of subsidy) from the date of intimation (before joining of government job) for the Partner.
 - b. In case of a non-disclosure of a government job by the Partner, the Foundation would reserve the right to impose a penalty (financial and/or legal) in the following manner (any or all);
 - i. By terminating the contract and/or,
 - ii. By imposing deduction / adjusting (in part or whole) of subsidy of the non-disclosure period (i.e. from date of joining of the



- government job to the date of decision issued by the Foundation in the particular case),
- iii. By way of claiming damages and/or,
 - iv. By blacklisting the partner for future partnership(s).

8. The process of succession:

- i. Initiation of request (either by the Partner or the Region / District Concerned);**
 - a. A written request may be submitted at the concerned Regional / District office which shall be forwarded to the Head Office with recommendations. The Partner may also forward the same to the Head Office.
 - b. Succession requests may be accepted at any time of the year subject to the conditions which give rise to the succession.
- ii. Evaluation of the request:**
 - a. The concerned Regional Head shall forward the request with his/her recommendation (on eligibility and any other pertinent aspects) to the Deputy Director (concerned) via concerned Program Head at Head Office who shall submit the case to the Director, Programs & Planning for consideration.
 - b. The Director (P&P) or authorized personnel may interview the applicant to assess his/her eligibility / capacity.
 - c. The Director, Programs & Planning after due consideration and interview of successor shall submit his/her recommendation(s) to the Competent Authority for approval.
 - d. The decision of the Foundation as regards approval or disapproval of any request shall be final and binding upon the Partner.
 - e. The decision would be communicated to the Applicant/ Case initiator from the Head Office by the Deputy Director (Concerned).
- iii. Committee for redressal and grievances**
 - a. A Committee shall be notified with the approval of the Competent Authority (i.e. the MD-SEF) to consider succession related grievances and disputes. The decision of the committee shall be binding upon each party.
 - b. The Committee shall evaluate a case of grievances and/or dispute and file recommendations for the Competent Authority.
- iv. Checklist (Interview and document scrutiny):**
 - a. The aforementioned committee may call upon the 'successor' as well as the 'predecessor' for interview / evaluation of any facts or documents.
 - b. The document requirement-including liabilities or rent agreement of the school building or any other document shall be communicated to the successor (and if required the predecessor too) prior to the interview.
 - c. Recommendations must be firmed up with reason/decision to be recorded in writing for consideration of the Competent Authority, i.e. the Managing Director (SEF), within 07 days of the evaluation/interview.
 - d. The successor must submit a written undertaking (on bond paper as prescribed) that he/she/it will be responsible to clear any liabilities and pendency of the



predecessor towards the Foundation while the predecessor (if alive) must submit a written undertaking (on bond paper as prescribed) that he/she forfeits the right to any ownership or claim(s) arising out of the Partnership Contract and this Succession.

9. Contract Signing:

The approved Successor will be required to sign the Partnership Contract and an undertaking as prescribed by the Foundation.


(Abdul Kabir Kazi)
Managing Director

No. SEF/PSDU/075 / 2022


Karachi, dated 16th June 2022

A copy is forwarded for information to:

- i. The Secretary, School Education & Literacy Department, Govt. of Sindh
- ii. The Deputy Managing Directors, Sindh Education Foundation, Govt. of Sindh
- iii. The Directors (All), Sindh Education Foundation, Govt. of Sindh
- iv. The Deputy Directors (All), Sindh Education Foundation, Govt. of Sindh
- v. The Program/Regional/District Heads (All), Sindh Education Foundation, Govt. of Sindh
- vi. The Partners under FAS (All), Sindh Education Foundation, Govt. of Sindh
- vii. The Staff Officer to the Managing Director, Sindh Education Foundation, Govt. of Sindh
- viii. The Office File



SEF/PSDU/075/2022


(Mubashir Mirza)
Deputy Director (PSDU)