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To: Deputy Directors-General, Chief Directors, Directors (Head Office and district offices), Deputy Directors, Circuit Managers, Heads: Inclusive Specialised Learner Education Support, District Officials, Principals and Chairpersons of governing bodies of public schools

Short summary: *Common understanding on the safety protocol for the management of violence against employees by learners and community members whilst on duty.*

Subject: Violence against employees by learners and community members whilst on duty

1. Purpose

The purpose of this circular is for the Western Cape Education Department (WCED) to formalise the process which is to be followed in instances of violence against employees at schools and to specify the responsibilities of role players in line with relevant legislation.

2. Legislative framework

- 2.1 Employment of Educators Act, 1998 (Act 76 of 1998), as amended.
- 2.2 Circular 05 of 2017, dated 17 February 2017, outlines the roles of the different persons in instances of violence and states that incidents of violence should be dealt with urgently.
- 2.3 Occupational Health and Safety Act, 1993 (Act 85 of 1993), provides preventative measures for instances of violence even though this is a daunting task in certain areas.
- 2.4 In terms of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act 130 of 1993), the employer must report occupational injuries and diseases and the causes of these to the Department of Employment and Labour.
- 2.5 Corporate Services Minute 03 of 2009, dated 24 February 2009, states that official Injury on Duty documents must be completed within seven days and forwarded to the Directorate: Service Benefits.

3. Rationale

- 3.1 School violence violates the right to basic education and learning for learners. Furthermore, it puts the safety of educators, other education workers and learners at risk which, in turn, hampers the quality of teaching, learning and wellbeing of all in the school environment.
- 3.2 An institutional environment, such as a school, may be subjected to a variety of forms of abuse by learners. Such abuse was historically relatively insignificant, but in recent years this has escalated to a level that increasingly poses a variety of threats to the physical safety, or even lives of employees and other learners.
- 3.3 The increasing prevalence of violence on employees is resulting in low morale. This compromises effective teaching and learning.

4. General

- 4.1 The attached safety protocol for the management of violence against employees by learners and community members whilst on duty includes the following:
- The role of the WCED and other role players in incidents of violence;
 - Process to be followed in incidents of assault on employees by learners;
 - Process to be followed in incidents of assault on employees by community members;
 - Applicable leave measures for employees who are victims of violence at schools; and
 - Definitions of abuse types.
- 4.2 Heads of institutions and/or relevant managers are required to inform all staff of the contents of this circular and the attached document: *Common understanding on the safety protocol for the management of violence against employees by learners and community members whilst on duty.*

SIGNED: B WALTERS

HEAD: EDUCATION

DATE: 2023-01-23