URhulumente weNtshona Koloni

ISebe leMfundo leNtshona Koloni
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Inombolo yefayili.: 3/3/4/2/2
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Umhla wokuphelelwa: Awukho

Iya: KumaSekela Balawuli-Jikelele, kuBalawuli abaziiNtloko, kuBalawuli (kwaNdlunkulu nakwii-ofisi zezithili), kumaSekela-Balawuli, kuBaphathi beeSekethe, kwiiNtloko zoQuquzelelo neNgcebiso ngeze-*ISLES*, kuMagosa eZithili, kwiiNqununu nakooSihlalo bamabhunga olawulo ezikolo zikarhulumente

Isishwankathelo esifutshane: *Injongo yale setyhula kukwazisa iMigaqo engokulawulwa nokunikwa kwengxelo ngezenzo zokuziphatha kakubi ngokwezesondo, 2023*

ISihloko: IMigaqo engokulawulwa nokunikwa kwengxelo ngezenzo zokuziphatha kakubi ngokwezesondo

1. **Intshayelelo**

1.1 Izenzo zokuxhatshazwa nokungcungcuthekiswa ngokwezesondo ezijoliswe kubafundi nakubaqeshwa zibohlutha ilungelo lendalo lokulingana nabanye abantu nelokuba nesidima komntu kwakunye nelokufumana indawo ekhuselekileyo nenempilo njengoko limiselwe kuMgaqo-siseko weRiphablikhi yoMzantsi Afrika,1996.

1.2 ISebe leMfundo leNtshona Koloni (iSebe i-*WCED*) liyayiqonda into yokuba wonke umntu okwicandelo lezemfundo unendima ekufuneka eyidlalile ekukhuseleni abafundi nabaqeshwa kwindawo yokusebenza. Ngenxa yesi sizathu , kuqulunqwe olu xwebhu lwemigaqo lunye ukunceda iinqununu/iisuphavayiza/abaphathi baqinisekise ukuba ziyaqwalaselwa ngokufanelekileyo nangexesha zonke izenzo zokuxhatshazwa nokungcungcuthekiswa ngokwesondo, njengoko oko kungumsebenzi oyimbophelelo ngokomgaqo-siseko ngaphakathi kwindawo yokusebenza.

1.3 Uxwebhu lwemigaqo luqhotyoshelwe apha njengesiHlomelo A.

2. **Injongo**

Injongo yale setyhula kukuqaqambisa iingongoma ezifanelekileyo zemigaqo engokulawulwa kunye nokunika ingxelo ngezenzo zokuziphatha kakubi ngokwesondo, nezishwankathelwa ngolu hlobo lulandelayo:

(a) kukwenza ukuba bonke abaqeshwa beSebe i-*WCED* babe nolwazi, ngokungqinelana nemigqaliselo esemthethweni kazwelonke echaphazelekayo nemimiselo yomgaqo-nkqubo, malunga nokuba yintoni na ebandakanya izenzo zokuxhatshazwa nokungcungcuthekiswa ngokwesondo emsebenzini kwakunye noxanduva lwabo ekuthinteleni nasekulawuleni izehlo ezilolu hlobo;

(b) kukubonelela ngesikhokelo malunga nenkqubo yokujongana nezityholo zokuxhatshazwa nokungcungcuthekiswa ngokwesondo; kunye

(c) nokuzama ukuqinisekisa ukuba amaziko emfundo, nokuba azizikolo okanye iindawo zokusebenza, abe ziindawo ezingekhoyo kuzo zonke ezi ntlobo zokuxhatshazwa nokungcungcuthekiswa ngokwezesondo.

3. **Ukunika ingxelo nokuxela okunyanzelekileyo**

3.1 Kukho umsebenzi oyimbopheleleko noyimfanelo oluxanduva lomntu ngamnye onolwazi ngomba wokuziphatha kakubi ngokwezesondo, wokuba awuxele ngokukhawuleza umba onjalo kwiSebe i-*WCED* ngokoMgaqo-nkqubo othi Phantsi ngeMpatho-gadalala yaBantwana weSebe i-*WCED*, 2014 (*Abuse No More Protocol of the WCED, 2014)*, nakwiNkonzo yamaPolisa aseMzantsi Afrika, njengoko kuchatshazelwe kuMthetho we-*Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007*), ofakelwe izilungiso nguMthetho 13 ka-2021.

3.2 Iinqununu/iisuphavayiza/abaphathi mabasikhusele isidima samaxhoba. Zonke iingxelo zezenzo zokuxhatshazwa nokuxelwa kwazo kufuneka zisingathwe ngenkathalo enkulu, ngovakalelo yaye makuthathelwe ingqalelo ukuba yimfihlo kweenkcukacha ukuqinisekisa ukuba amaxhoba akhuselekile kuye nawuphi na umothuko omkhulu ngokweemvakalelo, nokuxhatshazwa nokuncinwa kwamaxhoba ngemibuzo ngokungeyomfuneko malunga nokuba semthethweni kwezityholo.

4. **Imisebenzi eyimbophelelo yomqeshi**

ISebe i-*WCED*, njengomqeshi, linoxanduva lokuthatha amanyathelo ayimfuneko okuphelisa izenzo zokuziphatha kakubi ngokwesondo emsebenzini njengoko linokubekwa ityala ngenxa yezenzo zokuziphatha kakubi kwabaqeshwa ababandakanyeka kwizehlo zokuxhatshazwa nezokungcungcuthekiswa ngokwezesondo.

5. **Ukuba yimfihlo kweenkcukacha**

Ngokungqinelana nemigqaliselo yoMthetho woKhuseleko lweNkcukacha zoMntu (*Protection of Personal Information Act*), ka-2013 (uMthetho 4 ka-2013), zonke izikhalazo kufuneka ziphononongwe yaye, apho kuyimfuneko, makuthathwe amanyathelo oluleko ekufuneka alawulwe ngeyona ndlela iyimfihlo ngokungqongqo ngelixa kuqinisekiswa ukuba athathelwa ingqalelo amalungelo omntu ochaphazelekayo (abantu abachaphazelekayo) kunye/okanye ommangali.

6. **Inkxaso emalunga neemeko ezichaphazela ingqondo nezentlalo yomntu**

Abasebenzi abafumene okanye abasandul' ukufumana iimeko zokubandezeleka noxinzelelo ngokwasemoyeni, ngokwasemzimbeni okanye ngokwasengqondweni ngenxa yokuxhatshazwa ngokwesondo, bayakhuthazwa ukuba baqhagamshelane ne-*Employee Health and Wellness Programme* ukwenzela ukuba bafumane inkxaso kunye noncedo. Esikolweni, umfundi olixhoba lokuphathwa kakubi ngokwezesondo uya kunikwa inkxaso ngunontlalontle ovela kwi-ofisi yesithili echaphazelekayo.

7. **Ukutshekishwa nokungqinisiswa kweenkcukacha nezimo zawo onke amagosa adibana nabafundi**

Kucelwa nithathele ingqalelo iSetyhula 0001/2023 yomhla we-03 Matshi 2023, engokufakelwa kwezilungiso kwinkqubo yokutshekishwa nokungqinisiswa kweenkcukacha nezimo zawo onke amagosa ngokweRejista kaZwelonke yabanamaTyala ezeSondo, esebenza kuwo onke amagosa kumaziko emfundo akwiSebe i-*WCED* adibana nabafundi.

8. Ukungathotyelwa kwale miqathango yemigaqo kungakhokelela ekubeni kuthathwe amanyathelo okujongana neziphumo zoko.

9. Ziyacelwa iinqununu/iisuphavayiza/abaphathi babazise bonke abaqeshwa ngokuqulethwe kule setyhula.

10. Bonke abaqeshwa abatsha mabaziswe ngale setyhula kwakamsinya bakuqeshwa kuwo nawaphi na amaziko emfundo eSebe i-*WCED*.

ISAYINWE: NGU-B WALTERS
INTLOKO YESEBE LEMFUNDO
UMHLA: 2023-04-06