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**RESPONSE TO EQUAL EDUCATION'S SOCIAL AUDIT**

**24 OCTOBER 2016**

## Response to Social Audit

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## 1. Introductory Comments

On 20<sup>th</sup> September 2016, Equal Education handed me a copy of a "social audit report", which they titled "Of Loose Papers and Vague Allegations".

This is my response. I shall deal with the various chapters contained in the 185 page report which I shall call "the Report".

I wish to preface my response by commenting on a few underlying issues that run throughout the report.

There are a few erroneous assumptions that are made by Equal Education, namely:

1. That the Western Cape Education Department ("WCED") and the MEC are unaware of and/or unconcerned about issues of school safety and sanitation at schools;
2. That there is no plan to address these issues;
3. That there is an unlimited budget available to address every problem in every school whenever it arises; and
4. That some issues pertaining to learner safety are the sole domain of the WCED, especially issues of safety of learners and teachers outside school property, which clearly falls within the domain of SAPS. SAPS is not under the control of the provincial government at all, and certainly not under the control of the WCED.

The issues raised in the report are important.

**I am especially concerned about the allegations around corporal punishment and sexual violence, and the lack of maintenance by schools of sanitation facilities, as this is an issue of human dignity.**

**The WCED takes such allegations of corporal punishment and sexual violence very seriously and investigates each case that is reported to us.** However, it is a concern that many learners have claimed to have experienced either corporal punishment or sexual violence which has gone unreported. I will address this later in my response.

Equal Education did, when handing over this report, also request the attendance of the MEC's for the Department of Social Development ("DSD") and Department of Community Safety ("DOCS"), as well as the SAPS. This appeared to be a welcome eventual acknowledgement that school safety is a broader societal issue. However, Equal Education's subsequent actions appear to have reverted to holding education solely accountable.

In this reply, we will only be responding to the education issues. We cannot comment on what actions SAPS is taking to address the levels of crime in the Western Cape, nor what DOCS and DSD are doing to address the underlying causes of gangsterism, which is responsible for much of the violence at and around schools.

**It is clear from the Report that much of the information therein comes from the WCED, so we are certainly aware of many of the issues raised.**

**Equal Education has filed 14 PAIA applications to the WCED for information over the past year. The information provided in terms of PAIA included 142 pages of information specifically on Safe Schools, and 1 927 pages of information on school budgets.**

Whilst we acknowledge the importance of access to information, the quantity of requests and the amount of information required by Equal Education on an ongoing basis requires many hours of our

officials' time. It is especially frustrating when they seem to ignore this information that we have provided, or ask us for the same information time and time again.

While we welcome interest in education by our NGOs, if every NGO involved in education requested the same amount of information, we would have no time for the job of running our 1 449 schools.

In addition, there have been numerous meetings lasting several hours each between our former HOD and Head of our Safe Schools Directorate to discuss our detailed plans and budgetary constraints with Equal Education, both in respect of safety issues as well as infrastructure issues. The last meeting our former HOD had with Equal Education was on 19 August 2016 at their offices in Khayelitsha.

Equal Education has been given a very serious hearing by the WCED and their concerns have been taken on board. They have access to my office as well as the office of the HOD for any issues that they want to raise. We are dealing with queries from the Equal Education Law Centre on a continual basis, and this engagement has, I believe, been a positive one. However, we cannot continue engaging in conversations with people within this organisation who simply refuse to acknowledge the economic and planning realities we face, and who raise the same issues over and over again whilst knowing that we are dealing with them as best we can.

**I sincerely hope that this feedback will provide clarity on some of the challenges we face as a Provincial Education Department when it comes to funding and budget allocations from National Treasury.**

**If Equal Education would like to assist our Western Cape Schools, then we would welcome their support in advocating for a more equitable distribution of funds by National Government.**

**While our budget is limited, the Western Cape Education Department spends our budget allocation responsibly each year. This is evident in the fact that we are the only Education Department, either Provincial or National, to achieve a clean audit over the last two years.**

## **2. Executive Summary Response**

The summary starts by acknowledging the action taken by the WCED after an Equal Education march in October 2014. I received a memorandum and we took what action we could to address issues raised therein.

The Wikipedia definition of "social audit" is "a process of reviewing official records and determining whether state reported expenditures reflect the actual money spent on the ground."

Nowhere in any of the documents submitted before this report or in this report is any allegation made that the money reflected in our records has not been spent on what we said it would be.

The constant refrain throughout the report is that more needs to be done. We agree.

But, unlike Equal Education, who seemingly think that everybody's needs (and sometime desires) should be provided by government immediately, we are a responsible government in the Western Cape and have to provide for many needs within the budget we have available.

**Unfortunately, we simply do not have the resources or capacity to provide for every demand that is put before us. Therefore we have to prioritise according to the direst needs. Detailed lists of**

**implementation plans are drawn up on annual bases which prioritise projects according to those needs and the available budget.**

An example of such implementation plans is the WCED's Infrastructure Report, known as the U-AMP, which is published each year. Equal Education is familiar with this document.

Despite repeated efforts by the WCED to explain to Equal Education how our funds are allocated, they continue on a crusade, which, if complied with, will result in bankrupting the state.

### **3. Flaws in the Methodology of the Report**

**There are crucial errors contained in the methodology of this audit.**

By their very nature, social audits rely on convenience sampling and/or purposive sampling.

Both sampling methods are not scientific and there is no systemic way of applying the findings beyond the areas in which they are found. Consequently such studies do not have the potential to inform policy.

When we look at the sample used, the following observations are vital:

- The audit suggests that the population for the study is 1693 schools. What is not specified is the fact that this total includes 236 Independent Schools that the WCED has limited jurisdiction in. At the time of this study there were 1 457 WCED schools.
- **While the population for the study was 1 693 schools, the number of sample schools for the audit was 244. It is not clear whether some or all schools were WCED schools or Independent Schools. The footnote on page 85 also shows that interviews were only conducted at 180 schools.**
- **The sample of learners for this study was 912 learners. This constitutes about 0.4% of the total learners enrolled in the sample schools and 0.08% of learners in the WCED schools throughout the Western Cape.**

Equal Education, however, refers to the "large size of the sample".

- According to the report, the WCED has categorised 22% of schools as "high risk". This translates to 320 schools in the province.

However, using a sample of 244 schools gives each high risk school a chance of about 76% of being chosen to be part of the sample.

- In the sample used, the ratio of NQ1 to NQ3 schools and NQ 4 and 5 is about 23 to 28.

This suggests that any sample that draws a majority of NQ1 to NQ 3 is by design flawed as the characteristics of lower quintiles will be overrepresented.

Independent schools are not classified into NQs. It is therefore not clear from the report whether this point was considered.

There are thus fundamental flaws in the report and the extrapolations made therefrom:

- The sample of this study is 912 learners in a total population of 1 097 509 learners of the WCED.
- The sample is not randomly chosen making the generalisation of the findings impossible.
- Further, the size of the sample is very small to attempt to extend it beyond the participants.
- In the report, percentages and proportions are used to explain the findings. This is not appropriate for this type of study because it creates an impression that such findings apply to the same proportionality in the full population.

Equal Education has nevertheless sought to widely publish percentages of schools in a manner that creates the impression that there are large percentages of schools across the province that are failing in a number of respects, based on a flawed methodology.

For example:



I will highlight some further examples of how the report's percentages and proportions are not appropriate in a few of the sections below.

#### 4. Response to issues on Safety and Security

Issues relating to Safety and Security are contained throughout the report.

**The statement that little effort is being made to create safe and secure physical environments is another generalisation and is not true in the Western Cape.** This will be outlined below.

On page 87, Equal Education also refers to the information that the WCED was not willing to share.

This is correct. We do not give out specific information regarding safety issues and safety measures at schools because it can put schools at risk. For example, when I release burglary and vandalism

statistics after school holidays, I refrain from giving the names of schools, unless widely reported on already, so as to avoid informing criminals of the safety risks and vulnerabilities at these schools.

Earlier this year, Equal Education made a PAIA application regarding WCED security infrastructure which was refused by the WCED. They then appealed to the Premier, who delegated the appeal function to me. After much thought, I decided to grant the appeal for this information to be released to Equal Education on the strict condition that Equal Education may not publicise it.

On the 1<sup>st</sup> of July 2016, Equal Education published what they claim was the social audit on their website. What was published was certainly not the document that was handed to me on 20 September 2016.

**What was included on the Equal Education website, was a table setting out names of schools with explicit detail of their security measures and whether they were effective or not, eg. whether a school had an operating alarm system or not. Some of this information was information that I had permitted to be given to them through the PAIA appeal subject to the condition that it would not be published, for obvious security reasons.**

**This action, apart from being a direct contravention of the condition on which I granted the appeal, placed the schools in serious jeopardy. All criminals needed to do was to look at the Equal Education website and see which schools were easiest to target.**

**It was a veritable shopping list for any criminal to see.**

I immediately addressed a letter to them on the 2<sup>nd</sup> of July 2016 (Annexure 1) demanding that they remove it within 24 hours.

Equal Education then did remove the names of the schools. This, unfortunately, shows how dangerous it can be to be too open with information.

I will however address safety issues contained in the report based on the headings provided by Equal Education in the key findings.

**a) Learners are unsafe at school and unsafe going to/from school.**

In Equal Education's "List of Demands", they make the demand that Safe Schools works closely with the police and the Department of Community Safety, among many other partners, including NGOs and community-based organisations.

The WCED does this already.

The safety of every one of our learners and teachers is of vital importance to us. We thus are always concerned if they do not feel safe or if they are not safe.

**The WCED Safe Schools is responsible for working together with various Government Departments and agencies, including SAPS, with whom we engage with on a regular basis both at district and Head Office level.**

**I have had a number of meetings recently with the Provincial Commissioner, General Jula, and his staff regarding better assistance from SAPS and they are committed to assisting us in addressing this problem. We are currently working together on a transversal strategy to address school safety. This shows our commitment to engaging with the necessary roleplayers and constantly reviewing how we address learner and teacher safety.**

Our Safe Schools programme has three key functions, namely:

1. Crime Control – to ensure that the physical environment of each school is safe
2. Crime Prevention – by equipping learners, parents and teachers with the skills needed to influence behaviour, resolve conflicts and promote diversity awareness, among others.
3. Building partnerships – to work with communities, government and civil society to deal effectively with crime and violence affecting schools, using a “whole of society” approach.

We have Safe Schools coordinators in every district who liaise with schools on safety issues.

We will continue to work with all concerned to ensure the safety of young people, both in school and after school hours, in line with our various responsibilities. However, as we have explained on numerous occasions, safety outside school premises is the primary responsibility of SAPS.

While there are undoubtedly serious problems regarding safety at some schools, Equal Education makes some misleading statements, as a result of their methodology:

- The statement that 1 in 6 learners feels unsafe gives an impression that approximately 175 601 learners feel unsafe in the entire WCED system. One cannot make such a generalisation. It is simply not accurate. The statement should have instead indicated that 152 learners, out of the 1 097 509 learners we have in this Province, feel unsafe.

Similarly, even though the report generally does refer to the numbers in the sample, the impression is created that these numbers are generalisable to the entire system. This is certainly what was presented on social media.

- The statement “1 in 10 learners in the sample have been personally assaulted” should be a total of 91 learners (of the 1 097 509 learners in this Province) have reported to have been personally assaulted.

**While any one case is a concern for the WCED, the impression provided in this report is that these figures can be extrapolated across the entire system and the proportionality in that extrapolation is over-stated in the report.**

**The timeframes within which learners experienced such violence or assault is also not clear. It is further not clear in which areas such assaults took place, whether they took place in schools or outside schools, or even if they took place in this Province.**

**Details such as this would at least assist SAPS and the WCED in identifying areas in which to target interventions. Unfortunately this has not been provided.**

On the issue of learners walking to school, I refer to the statement on p113 - “Our survey found 61% of learners walk all of the way to school”. This is precisely one of the vague allegations I have referred to.

Many children walk “all the way to school”.

The Social Audit fails to indicate, however, how far these learners have to walk and the reasons why they are taking this option, as opposed to public transport. In many communities, parents may prefer to send their child to a school within walking distance, rather than have to pay for public transport.



It is therefore a very broad statement to make.

It is also dependent on the environment in which a child lives. For example, a learner walking 4 km to a school could encounter no safety concerns, whilst a learner walking 80 metres across gang territory lines, may be at risk.

The report then states that "about half of learners take more than 15 minutes to get to school". Do these learners run, walk, stroll? Do they stop and chat with friends along the way? Again, this is a very vague statement to make.

Many learners, both in our rural areas and within the city, have to commute up to an hour each day depending on the distance, traffic or their mode of transport.

I am therefore unclear as to what this specific finding relates to and what we must do with this information.

And then there is a statement that more than one in five of the learners surveyed walk for more than 15 minutes unaccompanied. I would be concerned if any parent let their child of 6 years of age walk unaccompanied to school be it 100m or 2km from a school. Unfortunately, the reality is that many parents have to work and cannot physically take their children to school every day.

**Unfortunately, the Education Department cannot be responsible for the safety of all learners walking or travelling to and from school.**

**I do, however, welcome and support the Department of Community Safety's "Walking Bus" initiative in some neighbourhoods. This involves learners walking to school in a group accompanied by an adult. However, we need community and parental support to make such a system effective.**

In rural areas, any learner who has to walk more than 5km qualifies for learner transport, subject to the policy. We spent R277, 039 million on learner transport in the last financial year and this year we have allocated R359.724 million.

In Equal Education's "List of Demands", they make the demand that the WCED, together with the Department of Transport and Public Works and other relevant agencies, should make scholar transport available for learners attending afternoon classes and activities, not just for learners who go home straight after school.

Firstly, it is not quite clear if they are demanding transport for learners after school in all schools across the Western Cape, including areas where there are existing modes of public transport such as the Metro region, or only for schools that are already recipients of learner transport. If it is the former, then Equal Education should be well aware that learner transport is only provided to learners living 5km or more from a school, and where public transport is not available.

Regardless, either option is simply unaffordable.

The WCED is already spending R359 million a year transporting more than 50 000 learners to and from school every day. We do not have the funding to increase this budget any further. Additional routes after school hours will cost the Departments millions of rands.

We are, however, trying to expand access to hostel facilities in rural areas so that learners can participate in after school programmes which include afternoon classes and sporting activities.

This year we allocated R52.329 million to improving these facilities.

- b) Sexual Harassment and rape is taking place in schools; and
- c) Corporal punishment is rife in the Western Cape

**Sexual violence is unacceptable and a source of grave concern, as is corporal punishment. We can only act against these crimes if we have details of where and when they happen, to whom and by whom.**

Again, the audit fails to provide us with this information.

In this section (page 13) there are also some misleading statements made:

- The statement "At 16% of schools surveyed, at least one learner reported seeing someone being sexually harassed" is designed to create the impression that there is a likelihood that in 16% of WCED schools this is a common occurrence. This statement should have been that in 39 schools, a learner or learners reported having seen someone being sexually harassed. It is also unclear whether the alleged harassment was at school or out of school.
- The statement "Learners are beaten at 83% of the sampled schools" is of course alarming to say the least, giving the impression that this is a generalisable figure across all schools. This statement however should have been: "In 202 schools a learner or learners reported that they had been beaten. 202 is about 11% of the WCED schools."

**Despite these inaccuracies it is still a concern that these incidents are taking place in our schools. On receipt of the documents delivered to our district directors earlier this year, and after meeting Equal Education, our former HOD sent out a circular on 19<sup>th</sup> July 2016 to all schools again drawing their attention to the unacceptability and illegality of corporal punishment.**

**It is therefore incorrect of Equal Education to state to the media that we have failed to respond to the initial documents provided to the District Directors in July 2016.**

We take action whenever an incident of corporal punishment is reported to us, and whilst any incident of corporal punishment is one too many, we do have the lowest percentage (4.5%) of corporal punishment in the country, according to Statistics South Africa's Household Survey (Data 2009-2012). The number of cases investigated, however, by the WCED compared to other Provinces is high. This is indicative of the seriousness with which we deal with cases of corporal punishment brought to our attention.

The WCED already applies a rigorous approach to investigations of allegations of corporal punishment, while also providing schools with training and continuous support on discipline and positive behaviour programmes.

**We encourage learners and parents to report incidents of corporal punishment for investigation. At the same time, we encourage schools and teachers to attend the positive behaviour programmes provided by every district, and to seek the advice of our specialists on managing and changing behaviour.**

**There is, however, clearly more advocacy work to do in this regard, and we will continue to look at ways and means to prevent such abuses of our learners.**

Educators have a special role to play in dealing with this problem, along with doctors, nurses and social workers. In fact, people in these professions are required by law to respond to signs of child abuse. It is a shared community concern.

In order to assist schools in managing child abuse and sexual offences against children, the WCED has made available to schools Guidelines called the "Abuse No More Protocol". These guidelines have recently been amended in consultation and collaboration with a number of Government Departments, SAPS, the NPA, and various other organisations and institutions, taking into account all relevant legislation.

This legislation highlights the responsibility of educators who may suspect or deal with disclosures of child abuse and sexual offences against children, and the educators' mandatory duty to report such incidents in the prescribed manner.

Copies of *Abuse No More: Dealing Effectively with Child Abuse* have been circulated to all schools, along with a training video. Learners may also phone the Safe Schools Call Centre if they are experiencing any form of abuse, for counselling and advice. I will comment further on the call centre below.

**d) Education on about rape, sexual assault, gender-based violence and issues of consent.**

In Equal Education's "List of Demands", they also make the demand that every teacher and learner should have proper education about rape, sexual assault, gender-based violence and issues of consent.

The Life Orientation curriculum deals with sex and sexuality appropriately for different grades. The curriculum deals mainly with personal safety in Grades R to 3. The curriculum for Grades 4 to 6 teaches respect for one's own body and those of others, and covers puberty and HIV/AIDS. The Grade 7 curriculum discusses personal feelings, community norms, values and social pressures associated with sexuality.

The WCED has introduced a programme for Grades 10 to 12 called "Today's Choices" that provides sexuality education for senior learners, in line with the Life Orientation curriculum.

Additional programmes on sexual abuse are also provided through our Safe Schools programme.

The WCED also implements an additional HIV/AIDS awareness programme that supports HIV/AIDS teaching in the classrooms. The department employs social workers and psychologists who provide counseling on sexuality, as required, along with the WCED's Safe Schools Call Centre.

**e) Lack of access to social workers and psychologists.**

In Equal Education's "List of Demands", they make the demand that the WCED, the Department of Social Development and other relevant departments must ensure that schools get better access to social workers and psychologists.

The WCED has a Psychologist and Social Worker in each district who are assigned to serve approximately 30 schools each. Ideally, if budget would allow, we would have a social worker or counsellor in each school. However, that is simply unaffordable.

**It is ironic, however, that Equal Education is opposed to the WCED's Collaboration Schools project, which, thanks to donor funding, allows for additional resources such as a school psychologist or counsellors at these schools.**

The WCED Safe Schools Directorate supplements the services of psychologists and social workers employed by the WCED with other Government agencies, such as the Department of Health, Social Development and NGOs.

Trauma intervention for schools should not be seen as just requiring social work/ psychological support. The genesis of the problem may be socio-economic/due to the effect of community dislocation and any analysis and intervention should include a systemic/preventative approach.

#### **f) Lack of Access Control**

**We also agree that access control at schools is important.**

**It is, however, impossible to provide the amount of funding required to ensure that all schools have the same degree of security infrastructure.**

Access to schools can be improved by the installation of fences and security access gates, which will be discussed further below. I have also asked that the WCED's infrastructure department considers the merits of limiting the number of access points to schools, but still keeping in line with safety regulations.

Metal detectors have also been seen as a measure to improve access control at schools.

The WCED has rolled out manual metal detectors to schools. An initial roll-out in 2009 saw 109 schools receive detectors. In 2011, we called on all schools that wanted the devices to contact the Department. 25 schools took up this offer. While we have seen some success in the use of detectors at schools, it is all dependent on school management and the frequency with which these devices are used. It is also extremely time consuming to scan every child every day and also in many schools it is difficult to find people who are willing to do it. In many cases they are afraid of the gangsters.

Regardless, we have found that people find other ways of getting knives onto school property, such as burying them just outside the fence and fetching them once they are inside the school.

#### **g) Fencing**

In this section (page14) another example of a misleading statement is made:

- 42% of schools had gaps and holes in the school fences. This creates an impression that about 711 schools have broken fences when in actual fact it is only 102 of the sampled schools which, as we have said previously, appear to be predominantly in our high risk school category.

**Fencing is a major concern to us for a number of reasons, particularly because of the costs involved in fencing large tracts of land, and the theft and damage to our fences.**

The WCED fences schools wherever possible according to a schedule, and in some cases, repairs fences on an emergency basis. It is, once again, dependent on budget.

**The Western Cape Education Department introduced a programme in 2013 to install and repair fences across the province.**

Since 2013 we have installed new fences at 96 of our schools. 40 schools have been selected for this financial year, the majority of which are “high risk” fences.

Unfortunately, many of the fences we have fixed or replaced are either damaged or stolen soon thereafter.

There is a perception that government has a bottomless pit of money to make such repairs and replacements to these fences. However, how many times does one repair a repeatedly stolen fence?

It is simply not possible to keep replacing fences that are continuously being vandalised.

The WCED does have various fences that we install according to security risks associated at a particular school.

For instance, in higher risk areas we use a sturdier fence than standard fences, however this comes at a price.

The breakdown is as follows:

1. R1,260.00 (incl. 14% VAT) per meter linear: Low Risk
2. R2,440.00 (incl. 14% VAT) per linear meter: Medium Risk
3. R2,640.00 (incl. 14% VAT) per linear meter: High Risk

**Given the extent of many of our properties, the cost of new fences, particularly “high risk” fencing is very high and can easily go into the millions for each school. On average, to fence a school with a high risk fence will cost between R1 - R1.5 million. While we are doing all we can to address any fencing backlogs, we simply cannot afford to address all fencing issues at the same time.**

We are however aware of where the needs are according to our own data and research, and these schools have been incorporated into the ongoing plan to upgrade or replace them.

#### **h) Security guards on school premises**

On page 14, Equal Education states that more than half of the schools surveyed lack a full-time security guard.

While this figure creates a generalisation, I am sure this figure wouldn't be too far off if we were to survey all our schools.

Again, while it may be most ideal to have security guards in each of our schools, Equal Education again fails to take into account the costs involved in hiring these services.

**The average cost for a full time security presence at a school is between R30 000 and R40 000 per month. This would include 2 security guards at night and a security guard during the day.**

**If we were to provide this kind of security at all of our schools, with the cost of R35 000 per school, then it would amount to nearly R51 million per year.**

The WCED Safe Schools Directorate, does, however, provide funding for additional security where they can to schools that are high risk and require assistance.

In addition, Safe Schools provides either 12 or 24 hour security at identified schools during the school holidays.

**The WCED is thankful for the partnership we have with the City of Cape Town in terms of the School Resource Officer (SRO) project. A School Resource Officer (SRO) is a sworn Metro Police officer assigned to a school on a long-term basis to help make our schools safe learning environments.**

Currently we have 36 officers in 18 schools in the Metro. We would love to expand this project further, but again, we are restricted because of our finances.

I must also point out that having security guards on the school premises is not always guaranteed to be effective. The WCED had an incident in the first week of October whereby a learner who was allegedly a gang member was murdered, and there was a security guard at the school. Even when SAPS was there, the fighting reportedly continued. We have had many incidents whereby schools have been vandalised or burgled, with security guards on the premises. While it can act as a deterrent in some cases, it is not 100% effective.

**i) CCTV cameras**

The audit makes reference to their finding that more than three quarters of schools surveyed lack functional CCTV cameras.

The use of CCTV cameras as a deterrent has been tested.

In June 2008, a CCTV pilot project was launched to test the merits of CCTV equipment in our schools. The pilot ended in December 2009. The outcome presented mixed results. While there were a limited number of success stories, it was found that the majority of the cameras and supporting equipment are either stolen or vandalised. In many cases, the views or images have been deliberately obstructed during an act of criminal activity.

The outcome of the evaluation determined that an alarm response system was a more effective deterrent.

**j) The visibility of law enforcement around schools.**

In the report (page 14), Equal Education claims that more than half the learners feel that law enforcement is only visible around the school when something has already happened.

While this section is clearly directed at SAPS, and perhaps the municipalities, I would like to point out that SAPS response times to incidents at schools is sometimes unacceptable. On other occasions it has been good. We have also had some positive responses from SAPS when it comes to calls for assistance in terms of increased visibility around schools at times of increased violence or gang activity in a particular area. We have also been assisted a lot by the Metro Police in the City of Cape Town, and the stabilisation unit funded by DOCS.

However, response rates vary from station to station. I am however aware of the fact that SAPS is highly under-resourced in this Province.

According to Police Commissioner Jula (April 2016), the Western Cape is the most under-resourced province in South Africa with 85% of our stations being under-staffed. This could be as a result of the 2 392 posts that have simply not been filled.

Should all the granted posts be filled, it would mean approximately 20 additional officers on the ground at each station.

In my recent meeting with General Jula, he informed us of the progress he is making in addressing this issue. It would assist us immensely if SAPS were to receive the correct resource allocations.

We are, however, in constant communication with SAPS when it comes to police visibility around our schools.

**k) Discrimination is disturbingly common.**

Equal Education states that abuse is being carried out both by teachers and fellow learners, and is often on the basis of gender, race, sexuality, language and nationality.

**Unfortunately, we have not been provided with names of individuals who have experienced such abuse so it is not possible for us to follow-up and investigate.**

Any allegations of racism and discrimination are taken very seriously by the Western Cape Education Department (WCED).

The department applies the values and the requirements of the Constitution to all situations.

In terms of Section 9 of the Bill of Rights in the Constitution, "everyone is equal before the law and has the right to equal protection and benefit of the law".

Section 9.3 of the Bill says that the state may not discriminate unfairly against anyone on the grounds of sexual orientation, among others, including race, gender, religion, or ethnic or social origin.

**If there is discrimination of any kind, learners or educators are asked to report this to the WCED. The WCED will then investigate any allegations.**

School Codes of Conduct have to reflect the values of the Constitution. The recent national debate on this issue is a good opportunity for school communities to reflect on this issue.

**In September I called on all schools in the Western Cape to review their Codes of Conduct to ensure that they are in line with the values of the Constitution, and representative of the School Community. A circular to all schools has been issued to this effect.**

We need to build a society where all cultures are respected and valued, whilst still maintaining discipline and a sense of pride in oneself and ones' school. It is sometimes a difficult balance, but one that must be found.

**l) The WCED is placing the responsibility for school safety on principals, teachers and SGB's, but is failing to provide adequate support.**

In Equal Education's "List of Demands", they make the demand that the Safe Schools Programme needs more funding and more capacity.

We agree, however under the current financial climate, this simply isn't possible within the Western Cape Budget.

The safety of learners and educators remains a great concern for the WCED. It is an unfortunate reality that in the Western Cape, unlike most other provinces, we are faced with the scourge of

gangsterism and violence which is plaguing some of our communities. Intentionally or unintentionally, this often spills into our schools.

The WCED's Safe Schools Directorate has been designed to assist with this through Crime Prevention and behavioural programmes. We however, simply cannot do the job that the South African Police Service is required to do. Community Safety and Crime Control rests with the South African Police Service, as does Crime Prevention, in terms of the Constitution.

This year the WCED allocated R30, 430 million to the Safe Schools programme, which represents an increase of R1,8 million from the previous financial year. While this funding will not necessarily end violence in and around our schools it will be used to provide and reinforce targeted security infrastructure support to schools such as burglar alarms and bars, stone-guards, access gates and behavioral interventions.

School safety is also the responsibility of other roleplayers such as SGBs.

On page 148, Equal Education provides the case example of the "Hlayiseka Early Warning System" which includes, amongst others, a variety of steps including the establishment and strengthening of Safe School committees, the establishment of crime prevention workshops and links between schools and local police stations.

Many of these initiatives are currently being rolled out by our Safe Schools Directorate. They have developed a number of programmes that involve system-wide changes in the content or operation of the school i.e. Leadership & management training, organisational development training, community relations, effective governance, curriculum innovation, and identifying and assisting learners at risk.

The Procedures, Structures Development, Community Networks and Effective Partnerships include:

- The creation and training of safety committees at schools
- Effective networks with SAPS, schools, SGBs, community organisations, government departments and other stakeholders
- The development and communication of procedures to be followed by all schools in the event of gang violence or other incidents of violence
- The development of clearly defined roles and functions of all stakeholders
- Meetings are held with the safety cluster to implement safety plans, with links to local police stations.

Equal Education points out in their audit that there is a lack of educator training at some of the schools surveyed. They also point out that some schools still do not have established school safety committees.

**I wholeheartedly agree that every school in the Province should and must have a functional safety committee.**

**We welcome details regarding specific schools that do not have such a functioning committee so that we can address this via Safe Schools and the District officials.**

I would also encourage schools to contact our Safe Schools directorate and request such support if required.

**m) Learners currently don't use the Safe Schools call centre**

The WCED has a toll-free Safe Schools hotline – 0800 45 46 47 – which is operational from Monday to Friday, 07:00 to 16:00. The service is free and confidential.



The purpose of the hotline is to serve as a co-ordinating centre from which referrals are made to appropriate agencies and from which vital information is disseminated to the relevant parties, be it reports on burglary and vandalism, gang violence, advice on drug related matters, or reports of abuse and assault.

The service is in the three official languages of the Western Cape and professional counsellors are available to receive and provide online debriefing in crisis calls. In non-crisis calls, callers are directed, where necessary, to the counselling agencies of the Western Cape Education Department, Department of Social Development, non-governmental agencies and community-based organisations.

All abuse calls are handled sensitively. Initial counselling or guidance on the Abuse No More Protocol is given where necessary. The Call Centre responds to the following forms of abuse:

- Physical or emotional abuse
- Child neglect
- Sexual abuse and rape
- Sexual harassment
- Corporal punishment
- Substance abuse
- Racial discrimination
- Child trafficking or teenage runaways

**It does concern me that learners do not appear to use this resource much, although indications are that adults often use it on their behalf**

**While the WCED does provide signage to schools to advertise such a service, it is clear that more needs to be done to promote its services, as well as its confidentiality.**

**I have asked my HOD to review our communications strategy in this regard, so that more visible signage is being displayed at schools.**

**Equal Education could also assist us by publicising the Safe Schools hotline amongst their members and in schools where they are active.**

**n) Economic privilege is a major determinant of school safety.**

Equal Education makes the point, using information supplied to them by the WCED, that learners in urban township schools are the least safe in the province.

It is a reality that violence and crime in South Africa is more prevalent in poorer areas, particularly in townships, as is reported by SAPS in the crime statistics.

Violence, particularly gang violence, has a tendency to spill over into our schools which is of great concern to us.

This kind of reality is a societal issue that needs to be tackled at a multitude of levels, including the home environment, the community and government and NGO's.

However, given that we are aware of this fact, the majority of our security and behavioural support is targeted in these areas.

It is also correctly acknowledged in the report that much of the violence at schools is perpetrated by other learners. Yet the statement that follows is that "it is inappropriate to blame children for the failure of the education system to create a safe learning environment".

We need to acknowledge that we are not in all cases dealing with “innocent children”. There are many, especially in high school, who are active in gangs, and this gang activity is then brought onto the school premises. There are also huge problems with substance abuse. Teachers are now expected to play police, social worker, parent, counsellor and drug tester, while they should be allowed to teach in peace. Their own lives are sometimes at risk from learners’ behaviour.

If it is unfair to blame children, then it is equally unfair to blame the education department for social issues that need to be dealt with across the board by numerous role-players in national, provincial and local spheres of government. The role of parents must also be highlighted. There are still far too many parents who neglect their parental responsibilities.

**Perhaps Equal Education could launch a parent responsibility campaign across the country to impress on parents the important role they play in creating the kind of culture that we all want to see.**

I think it is fair to say that we are all aware that there are security issues at a number of schools, and are concerned about the impact on the learners, as well as educators.

## **5. Infrastructure**

### **a) Sanitation**

The credibility of and motives for this whole audit are put into question by the statement on page 35: “An unacceptably high number of people in South Africa in general, and the Western Cape in particular, are not having their Constitutional Rights to a safe environment, as well as access to water and sanitation, realised.”

While the Western Cape has high levels of crime, the combating of which is primarily the responsibility of the National Government, the Western Cape has, according to the 2015 National General Household Survey, the highest percentage of households with access to piped or tap water, and the highest percentage of households that have access to improved sanitation.

On page 65, in the second paragraph it states: “According to a 2015 National Education Infrastructure Management System (NEIMS) report, 69111 schools (29% of schools) in South Africa have pit toilets or no sanitation at all.

Equal Education is well aware that there are no schools with pit latrines in the Western Cape.

What either of these statements and comments has to do with the report titled “Social Report on the safety and sanitation crisis in Western Cape Schools” is not clear.

Regardless, I will address some of the sanitation issues pertaining to schools.

#### **i. The methodology used**

On page 120- 124, the report addresses the “sanitation crisis” in Western Cape Schools.

Again, the methodology used is questionable. Here are a number of examples:

- Only one in four schools have sanitation infrastructure for disabled learners.
  - The statement “at 74% of sample schools there was no toilet for persons with disabilities” should have been “in 180” schools, instead of creating an impression that within the WCED 1253 schools do not have the facilities for disabled learners.

- The statement 1 in 5 learners going to NQ 5 whereas more than half of NQ1 reported lacking access suggests that 50% of all learners in NQ1 schools lack access when this could only be limited to the schools in question.
- There is distinct inequality along economic lines in access to decent sanitation.
  - The statement “half of learner toilet blocks at NQ 5 schools are in good condition while only 17% of NQ1 learner toilet blocks are” is not accurate as it suggests that of all NQ5 schools in the province, 50% are not working and of all NQ1 schools in the province only 17% are working.
- Lack of maintenance staff and funding is a likely contributing factor to poor access and conditions.
  - This is difficult to respond as it is pure speculation.

## ii. Plans by the WCED to tackle sanitation issues

**The WCED is well aware of our schools’ maintenance requirements, including sanitation, and has embarked on a major maintenance programme to address these issues.**

**The WCED surveyed all schools in 2014 to identify what needed to be done to meet minimum norms and standards for school infrastructure.**

**The survey included ablution facilities. The survey found that 12% of toilets were in a bad condition, and that 96 schools (6.6%) needed additional toilets.**

**The survey identified 499 schools where conditions needed improvement, including ablution facilities.**

The WCED is improving conditions at these schools in stages as part of its “width” maintenance programme.

**The department started by improving conditions at 50 schools in 2015, and 60 schools in 2016. The WCED plans to increase the pace of maintenance to 100 schools a year, subject to available budget.**

Unfortunately, the reality is that many of our school ablution facilities are targeted by criminals when burglary and vandalism occurs.

Criminals specifically target the copper piping in taps and cisterns, as well as other materials. (The WCED only uses copper where necessary, and are now using other materials that are not susceptible to vandalism and theft.)

In other instances, learners simply do not respect school property, and toilets have been vandalised by learners during the school day.

**We therefore have to play “catch-up” with regards to repair work. In addition, we are trying to address the backlogs of schools that require more facilities.**

**It is evident, however, that a plan is in place, contrary to what Equal Education portray to the media and their “Equalisers”.**

### iii. Maintenance of toilets and general ablution provisions

Equal Education has emphasised throughout their report that there is poor general maintenance of ablution facilities, and a lack of ablution provisions such as soap and toilet paper.

**Schools are responsible for day-to-day monitoring and maintenance of ablution facilities and the purchasing of essential items such as soap, and to ensure that they are made available in their schools, in line with the School Sanitation Guidelines.**

The WCED issues an annual Norms & Standards circular to section 21 and non-section 21 schools.

As per the circular, the WCED recommends a percentage split to be allocated between LTSM, local purchases, municipal services and maintenance – which includes the maintenance of ablution facilities and the purchases of items such as soap, toilet paper and sanitary bins.

It is suggested for 2016/17 that schools divide their available allocation as follows among the various expenditure categories:

- 30% for LTSM orders for 2017, of which 10% should be targeted for library material (Each learner must have a textbook for each subject. The stock of school library material should be augmented annually until the total number of items reflects the minimum international standard of 10 items per learner. See paragraph 3.1.1 below for the list of items included under LTSM.);
- 25% for municipal services (However, schools should budget for a larger percentage if expenditure tendencies necessitate this.);
- 25% for maintenance; and
- 20% for local purchases.

The WCED's School Sanitation Guidelines cover basic standards, roles and responsibilities of all concerned, cleaning and maintenance, and toilets for disabled learners.

In these guidelines it explains that School governing bodies are responsible for maintaining school buildings and grounds, including toilets, according to the South African Schools Act.

SGBs are supposed to appoint sanitation teams or committees responsible for inspecting toilets daily. The committees normally include SGB members, teachers and cleaning staff.

The WCED's guidelines also recommend the appointment of learners as toilet monitors.

According to the guidelines, learners have the right to clean, working toilets, but they also have the responsibility to use toilets correctly and leave them in clean, working order.

Teachers are responsible for teaching learners about basic health and hygiene as an integral part of the curriculum. They must teach learners how to use flush toilets and wash basins correctly.

**Cleaning and maintenance staff is responsible for cleaning and day-to-day maintenance of toilet facilities. They must report any problems to the principal or sanitation committee so that urgent repairs can be completed as soon as possible. The department allocates posts for support staff to schools, based mainly on learner numbers, including staff responsible for cleaning toilets.**

Our circuit teams inspect toilets regularly as part of their routine visits to schools and discuss any concerns with school management teams. However, it is the responsibility of schools to ensure that school toilet facilities are maintained and stocked appropriately.

The WCED's Directorate: Operational Support provides technical advice and support; approves emergency repairs; and plans scheduled maintenance in collaboration with Education District Offices.

Other role players include Public Works and provincial and municipal health inspectors.

**Failure on the part of any of these role players can result in dirty toilets. Our challenge is to ensure that all concerned accept their responsibilities for ensuring clean toilets.**

Again, if Equal Education provides us with the names of schools that are not complying with these standards, our district will take this up with them.

#### **iv. Sanitary pad provision**

**Five years ago President Jacob Zuma committed to "provide services related to... sanitary towels for the indigent" during his 2011 State of the Nation address.**

**Unfortunately, no such programme has ever been established.**

Following President Zuma's commitment, the Department of Women, Children and People with Disabilities (now the Department of Women) announced that it would launch the "Sanitary Dignity Campaign" to hand out sanitary towels to women and girls who could not afford them.

If such a campaign indeed exists, the Western Cape has certainly not been a beneficiary of this as far as I am aware.

**I am sensitive to the plight of many young women who cannot afford sanitary pads, and am concerned how this affects their school attendance on a monthly basis, and thus their opportunities for a good education.**

**I have personally raised the issue of Sanitary Pad Provisioning for learners at the Council of Education Ministers.**

We cannot afford to carry the costs ourselves and this issue would rightly fall under DSD or the Department of Health.

Unfortunately, we have not been able to secure additional funding from the National Government to roll out such an initiative in the Western Cape, despite our requests and the need to do so.

**A campaign of this nature by Equal Education for funding from National Government would be welcomed and supported by the WCED.**

#### **b) General Infrastructure of Western Cape Schools**

Page 124 -126 addresses general infrastructure at Western Cape Schools – which includes inappropriate and partially inappropriate structures, libraries, computer labs and sportsfields.

**As Equal Education is fully aware, the Norms and Standards Regulations are the subject of litigation brought by their organisation and others against the DBE and all nine Provincial Education Departments. Therefore, I am not able to disclose details of our plans in this regard.**

What I can say is that the legislation provides for Norms and Standards to be complied with for existing schools "as far as reasonably practicable". We are satisfied that we are doing everything within our power, as far as reasonably practicable in the circumstances.

**Despite repeated attempts to explain this to Equal Education, they do not want to acknowledge the financial realities we face as a province (and as a country), and how unrealistic these targets are.**

75% of the WCED's budget pays for educator and non-educator salaries alone. The rest is allocated to other goods and services, infrastructure and LTSM and municipal services. It provides for Norms and Standards funding to schools, learner transport, security and maintenance.

We have to wonder how Equal Education thinks we can reach such a target under such circumstances.

Regardless, I have no doubt that Equal Education will continue to ignore this reality in the future.

**I can say, however, that since 2009, we have managed to replace 72 schools that have been classified as "inappropriate structures". 7 schools will be replaced or are in the process of being replaced this year.** This is something we are proud of and has, in some cases, only been possible with additional funding from the National Government as part of the ASIDI programme.

In addition, the WCED also has to budget for new schools and expansion of existing schools to keep up with the demand for schooling in various areas due to either inward migration from other provinces, or internal migration from within the Western Cape.

In Equal Education's "List of Demands", they make the demand that the WCED tell the public if there is or if there isn't a plan to replace container classrooms with proper classrooms.

As mentioned above, we have a plan in place to address the replacement of schools made with inappropriate materials. We also have a plan in place to build additional classrooms at existing schools.

**The WCED has built 553 additional classrooms over the last 6 years which include classrooms provided for the expansion of schools, relief classrooms as well as Grade R classrooms. This year we are building 108 Grade R classrooms to expand access.**

We have increased the budget for expansion and relief classrooms from R15 million in 2015/16 to R48 million in 2016/17 in order to increase the number of classrooms provided due to the ever increasing demand for access to schools in our metro and other growth areas.

However, we will continue to place mobile classrooms at schools where there is an urgent need.

As demand increases in some areas, especially when it is unexpected, the placement of mobile classes to accommodate children in need is essential.

In Equal Education's "List of Demands", they make the demand that the WCED needs to audit every school that does not have proper infrastructure for disabled learners and put together a plan to urgently provide this infrastructure.

As mentioned previously, the WCED surveyed all schools in 2014 to identify what needed to be done to meet minimum norms and standards for school infrastructure, including addressing the needs of disabled learners.

**While sanitation for our disabled learners is obviously important, and it is indeed addressed at all our new and Special Needs schools, the Norms and Standards regulations only refer to new schools being provided with disabled toilets.**

**If there are learners or educators who feel they are being discriminated against at a particular school for this reason, they must please contact the department.**

Again, our efforts are reliant on budget.

Equal Education is critical of the fact that the WCED targets infrastructure that is built on Government land, and not infrastructure built on private land.

While we acknowledge the need for infrastructure upgrades at some of these schools, it would be financially irresponsible to replace a school on private land, only for that lease to expire or be terminated a few years down the line. The WCED is instead looking at ways of either first procuring such land from private owners or finding alternative suitable accommodation for these learners, within the confines of the law.

**Expropriation is an option if necessary, but is a last resort.**

**The department has not excluded schools on private land, and will consider appropriate investment, depending on available funds.**

While owners are responsible for structural changes and the exterior of buildings, the department is investing in the internal maintenance of these schools, especially if the health and safety of learners and staff are compromised. The WCED is committed to ensuring that learners have access to basic education and that care is taken of their health and safety. However, infrastructure delivery, of whatever nature, is subject to available budget.

We are also fully aware that many of our schools do not have library and sportsfield facilities. Unfortunately, our priorities lie firstly with ensuring that there are enough classrooms and teachers at schools, to cater for the increasing number of learners in this Province.

We agree that these are important, but when one has to prioritise, classrooms and teachers must come first.

It is also unfortunate that many of the libraries refurbished by the Department are defunct a few years later if not properly administered by the school management. We do try and support schools where we can in this regard. Additional funding in both areas would be most welcome.

On page 19, Equal Education states that the majority of learners still report no access to a computer lab with internet.

**We are providing additional ICT equipment and upgrading computer laboratories at schools as part of our E-learning game-changer. The intention of the game-changer is, amongst other things, to narrow the digital divide between our wealthy and poorer schools.**

5 331 smart classrooms have been installed in our schools since 2014. A further 88 computer laboratories have been upgraded or installed and we have, since 2015, successfully rolled out and installed broadband to over 650 schools.

The plan is first targeting Quintile 1-3 schools and our poorer Quintile 4 schools.

We are also seeking to use computer laboratories more efficiently, which includes allowing better access to them after hours. If there are schools where there are existing facilities that are not made available by the school to learners when they are not being used, we will take this up with the school concerned.

With regards to all new schools built in this province, each new school is built according to the Minimum Norms and Standards and includes facilities such as libraries/media centres, computer laboratories, school halls and sportsfields.

Equal Education provided, together with their Social Audit, a separate booklet entitled “A visible crisis: Photographs” showing various infrastructure deficiencies. Not one of the photographs contain a date or the name and place of the school. We cannot even be sure that they are of schools in the Western Cape.

## 6. Department and School Budgets Analysis

### a) From National Transfers to School Budget Allocations

The WCED has had previous engagements with Equal Education to explain the allocation of our resources within our budget.

As mentioned previously, the WCED’S budget is R19, 2 billion for the 2016/17 financial year. While this does represent an increase from the previous year this increase does not even cover the cost of the increases pertaining to the Increases in Conditions of Service (ICS) negotiated by the National Government.

The effects of the ICS increases alone on our Department’s budget over the MTEF will be approximately R1.3 billion based on this year’s inflation figures. This pressure is likely to increase, and also does not take into account further cuts that have been required by National Treasury.

The shortfall that needed to be funded, over and above the provisions we had budgeted for, is approximately R450 million for the 2016/17 financial year. This year we were faced with a funding shortfall of approximately R224 million on personnel expenditure alone.

With having already cut costs in various areas of our budget and a R224 million budget deficit for personnel, we were looking at having to decrease our post basket this year. Through various measures within our personnel budget, we managed to maintain the current basket, however, the fact that we were unable to increase it further, is of great concern to us, given the increase in learners we have in this province owing to migration from other provinces.

75% of our overall budget is allocated directly to the Compensation of Employees, leaving us with only 25% for all other expenditure including goods and services, infrastructure, LTSM and municipal services.

The breakdown is as follows:

| Breakdown of Budget       | of  | Amount          | Percentage |                                                                                                                              |
|---------------------------|-----|-----------------|------------|------------------------------------------------------------------------------------------------------------------------------|
| Compensation of employees | of  | R14 351 980 000 | (74.5%)    | Educators and officials of the WCED are included in this line item                                                           |
| Goods and Services        | and | R2 085 661 000  | (10.8%)    | LTSM, local purchases and municipal services (Norms and Standards) of non-section 21 schools are included in this line item. |
| Non-profit institutions   |     | R1 753 089 000  | (9.1%)     | Norms and Section transfers to section 21 schools are included in this line item                                             |



|                                     |              |        |                                                                        |
|-------------------------------------|--------------|--------|------------------------------------------------------------------------|
| Buildings and other fixed structure | R984 171 000 | (5.1%) | The building and replacement of schools are included in this line item |
|-------------------------------------|--------------|--------|------------------------------------------------------------------------|

Equal Education is correct to state that, as a policy target, based on both local and international evidence, the National Ministry of Education has determined that the ratio of personnel : non-personnel spending in Public Ordinary Schools should be in the order of 80:20.

On page 131 Equal Education, while admitting that the Western Cape Province has been doing “a better job than most Provinces in striking a balance between personnel and non-personnel funding”, then go on to say that non-personnel expenditure in the Western Cape still does not constitute the 20% expenditure as set by the 80:20 rule.

**The ratio of personnel: non-personnel spending in Public Ordinary Schools in the Western Cape does remain at 86: 14.**

**However, while the total personnel allocation in PEDs’ teaching personnel costs should be targeted at 85%, in the Western Cape the ratio of expenditure between educators and public servants is 88: 12.**

The decrease in public servants, as opposed to educators, has been made in a concerted effort to ensure that we can maintain the basket of educators as far as possible as described above.

Despite explaining repeatedly the pressures we find ourselves in financially, Equal Education continues to “demand” additional resources to schools that are simply unrealistic given our budgetary constraints.

We could provide a shopping list of projects and items we would like to implement and purchase for all our schools right now, such as fencing, state of the art security and ICT equipment, and infrastructure, however, we have to work within a budget.

**We cannot however reduce the personnel: non-personnel expenditure any further – as we are already at risk in terms of our educator basket. In addition, more and more learners are entering our Province each year, adding to this pressure.**

We have shown above the choices that we have had to make and believe we have done so responsibly in extremely difficult circumstances.

#### **b) Norms and Standards for School Funding**

The relevance of this section to the Western Cape is a bit confusing.

The main problem with Norms and Standards for school funding is the Quintile System. Norms and Standards are based on a school’s quintile ranking which is based on the National Poverty Distribution Table. This list is determined by DBE and approved by the National Minister of Education.

Equal Education fails to acknowledge in their report that the Quintile system is an unrealistic assessment of poverty.

Many of our Quintile 4 and 5 schools are allocated in areas classified as wealthier schools, but they serve a learner population that is poor. They should be classified as Quintile 1-3, however, the National Poverty Distribution Table doesn’t allow for this. Therefore, it is essential that we continue to

support these schools with Norms and Standards funding and other allocations, as many are suffering in this economic climate.

On page 19 Equal Education state that the “WCED provides substantially more in funding to Quintile 4 and 5 schools than prescribed by the National Norms and Standards.” While the individual per learner targeted allocations are significantly less than Quintile 1-3 schools, the WCED does provide for additional funding for our poorer Quintile 4 and 5 schools which does affect the overall allocation.

The reason for this is to top-up the fees of schools whose school fees, combined with the prescribed targeted allocation for that quintile, is still less than the no-fee threshold. The WCED tops up the Norms and Standards allocation in order for the schools to at least have the same income base as a no-fee school and to remain financially viable.

Furthermore, 218 of our Quintile 4 and 5 schools, have been declared no-fee schools, and therefore charge no school fees. The WCED therefore provides them with a full Norms and Standards allocation – similar to that of any Quintile 1-3 school.

These two factors therefore push up the average of the Minimum Norms and Standards paid to Quintile 4 and 5 schools as published in our Annual Report.

**In 2016/17 a total amount of R371 401 468 was allocated to 788 NQ 4 and 5 schools. Of these schools 218 are “no-fee Quintile 4 and 5 schools” receiving 56.4% of the funds allocated to NQ 4 and 5 schools. In addition, this year, the WCED paid out R47.5 million to assist schools who are struggling to accumulate school fees.**

**It is therefore important to note that more than 97% of our schools are either no fee schools or have benefitted from compensation for fee exemption.**

This not only highlights the WCED’s commitment to assisting our poorer schools, but also our commitment to assisting our fee paying schools to accommodate poorer learners.

### **c) Are school budgets adequate?**

On page 131, Equal Education states that in order to establish if the current per learner allocations are adequate, more research into education costing is necessary to determine the amount needed to properly educate a learner.

We agree with this statement. However, in addition, more needs to be done to ensure that the Provincial Equitable Share is distributed fairly amongst provinces, and that the funding model adequately responds to learner needs and legal requirements.

Currently, the Western Cape does not get the funding allocations it deserves. The National Treasury acknowledges that we (and Gauteng) are in difficult circumstances as a result of being a “receiving” province.

In calculating the equitable share, Treasury does take into account learner numbers and census data.

However, census data is old, and policy states that, in order to ensure continuity in funding allocations and to cushion provinces against significant changes to the Provincial equitable share as a result of data updates, changes to the Provincial equitable Share are phased in over a three

year MTEF period. They say that the need to phase it in is to 'cushion provinces' against significant changes.

So while the WCED awaits National Treasury to 'phase in' the new provincial equitable share over the three year period, we are left to cover the cost of the learners who have migrated from other provinces without additional funding.

And, unless we are provided with more money, we cannot keep up with the demand that is being placed on this Province.

#### **d) Maintenance and Security expenditure**

Page 134 - 136 looks at maintenance and security expenditure at schools.

The maintenance budget of schools is determined by schools as per our annual Norms & Standards circular. Schools' allocations are on average increasing by between 5% and 6% annually. The cost of maintenance required could potentially put the maintenance budget under pressure and schools should therefore allocate a bigger budget for this activity.

**In terms of Provincial expenditure, our focus has shifted towards the maintenance of schools. This shift was not just about increasing the portion of the budget allocated to maintenance. It was also about fundamentally changing the way maintenance is conceived and executed.**

In the past, the majority of maintenance interventions were defect driven as opposed to being based on life-cycle analysis and maintenance. The plan envisages day-to-day maintenance by schools, therefore decreasing the need to repair defective infrastructure resulting from neglect.

**A priority list of maintenance needs has been compiled by the department. Since 2009, the school maintenance budget increased from R73 million to R373 million in 2016.**

Security, however, will always remain a challenge for the WCED.

It is correct to state (page 135) that the Safe Schools Programme is severely limited in its budget and role when it comes to ensuring security in schools.

However, if we spent every rand of our yearly budget on security infrastructure, it still would not be enough.

As mentioned earlier, this year, we invested over R30 million in the Safe Schools programme. While this funding will not necessarily end violence in and around our schools it will be used to provide and reinforce targeted security infrastructure support to schools such as burglar alarms and bars, stoneguards, access gates and behavioral interventions.

On page 135, Equal Education cites one positive case regarding school security infrastructure from the "sample" of schools that they surveyed.

They state that this particular school spent R97 000 on security. They then go on to say that this was as a result of a grant from Safe Schools Programme to assist with their security expenses.

They then state that this needs "to become the rule and not the exception."

Firstly, they are not the exception. The WCED selects over 50 schools each year that receive funding for improved security infrastructure. The value of these funds differs according to the needs of the school, however, the support is provided in terms of upgrades and installations.

Secondly, it is clear from the information provided in this response, that this kind of infrastructure and funding is unaffordable for every school every year.

If we had to spend R97 000 on each school for security upgrades we would need to allocate an additional R140 million to Safe Schools this year, for these upgrades alone, never mind the behavioural interventions that also need to be implemented.

**But, to reiterate the point, the amount of money we invest in security will all be in vain if we do not have the support of other stakeholders such as SAPS and the communities in which our schools are situated.**

#### **e) WCED Subsidy Allocations and Expenditure**

On page 136, Equal Education, as a result of their sample audit of 32 schools with regards to their expenditure in relation to the Government subsidy, states that poor and no-fee schools struggle to raise additional revenue from voluntary contributions and fundraising.

**They also indicate that insufficient subsidies can leave schools unable to fulfil their education responsibilities without running a budget deficit.**

**The WCED is well aware of this. It is, however, unfortunate that Equal Education fails to see that the same applies with the Department's budget.**

**A pro-active approach for Equal Education to take would be to assist poor schools with fundraising activities.**

Equal Education also made the statement that maintenance of infrastructure is a costly exercise.

Again, it is no less so for Government.

On page 137 Equal Education lambasts the WCED for warning schools to stay within their budgets in terms of Norms and Standards allocations, and points out that the WCED's investment in maintenance is insufficient and needs to be increased.

**We have to ensure that our schools, as well as the Department, remain financially responsible. Fiscal prudence should be welcomed not shunned!**

**If all schools were to spend in excess of their budgets, we would find ourselves in even more serious financial difficulties than we already are.**

The WCED has issued to schools an annual Norms & Standards circular which recommends how funds should be split and allocated. We also provide training to SGBs in this regard.

We are currently investigating the example referred to by Equal Education of Gauteng's "manual on how to budget and plan sufficiently for day to day maintenance".

I would like to thank Equal Education for this suggestion and I have asked my Department to provide feedback to me in this regard and whether it provides any additional information that could assist our schools in their planning as opposed to the circular that we have issued to schools.

#### **f) Personnel Expenditure in school budgets**

On page 138 and 139, Equal Education comments on the personnel expenditure of some schools using their NNSSF allocations. While this is prohibited, Equal Education states that schools find this

necessary to do so owing to an inadequate number of educator and non-educator personnel at schools.

As mentioned previously, we were looking at having to decrease our post basket this year due to the ICS and other funding challenges. Through various measures within our personnel budget, we managed to maintain the current basket, however, the fact that we were unable to increase it further, is of great concern to us, given the increase in learners we have in this province owing to migration from other provinces.

Perhaps this gives Equal Education some idea of the complexities involved in budgeting for education in a constrained fiscal environment.

## **6. Recommendations**

- a) Equal Education recommends that both the DBE and WCED conduct adequacy studies to verify each input factor of the overall per learner allocation and whether the current allocations are adequate.**

While we agree with Equal Education on the need for such a study, we unfortunately do not have the capacity to do so. As mentioned previously, our educator: non-educator ratio is 88:12, which is below the recommendations, in order to ensure more educators within the system. Therefore, our capacity at Head Office and the Districts is already stretched.

- b) The WCED needs to provide additional subsidy support towards maintenance allocations as well as provide guidelines to schools on how to accurately budget and plan for maintenance.**

Since 2009, the school maintenance budget has increased from R73 million to R373 million in 2016.

We cannot stretch this budget any further at this stage, without it being at the expense of other areas that are equally important.

We have acknowledged Equal Education's recommendation regarding guidelines on how to accurately budget for maintenance.

- c) There needs to be regular and additional subsidy support from both DBE and WCED, targeted at high risk schools.**

The WCED would welcome any financial support from DBE or National Treasury to support safety initiatives in our schools. We are currently targeting schools identified as high risk, within the budget that we have.

- d) The WCED needs to provide additional funding for quintile one to three schools to close the gap on maintenance and security expenditure between quintile 1-3 and 4 and 5 schools**

There is no argument that the gap between quintile 1-3 and some of our quintile 4 and 5 schools is large. However, that is not the case in all schools. As explained previously, some of our Quintile 4 and 5 schools which serve poor communities struggle to survive on the funding allocations that they receive. While they are classified as fee-paying, they cannot generate fees that even come close to exceeding the Norms and Standards for Quintile 1-3 schools without additional assistance.

The problem lies with the Quintile system. While I, and my predecessor, have advocated at National level for the Quintile system to be reviewed on a number of occasions, there has been no change to this system.

DBE is finally considering a change to this system, however, we have already been warned that financial constraints will limit such a change.

The WCED will however continue to support our poorer schools and prioritise them in terms of maintenance and other needs.

- e) The WCED is encouraged to annually raise per learner allocations above, or at least at, the financial year's inflation rate.**

Again, the financial realities are missed by Equal Education. How can we possibly do this when our own allocations do not cover the cost of increases in conditions of service?

As mentioned previously, while our overall budget for education has increased from the previous year this increase does not even cover the cost of the increases pertaining to the Increases to Conditions of Service (ICS) negotiated by the National Government.

**The effects of the ICS increases alone on our Department's budget over the MTEF will be approximately R1.3 billion based on this year's inflation figures. This pressure is likely to increase in the outer years.**

**Given this, the WCED could only provide for a 2.5% inflation increase in the Norms and Standards in 2016 from that paid in 2015.**

**We would welcome greater allocations from the National Government in order for us to commit to this recommendation.**

- f) The WCED must ensure that all schools in the Province are supplied with an adequate number of educator: non educator personnel.**

It is easy to make broad statements such as this; however, we have to spend within a budget. Equal Education's advocacy at National Government for a more equitable share at Provincial level would be welcomed as this would assist us financially.

## **7. Conclusion**

The WCED is always open to constructive critique and analysis of how we operate and how can improve the lives of learners in the Western Cape.

This critique and analysis should, however, be grounded in realism.

**The WCED has exhaustively and repeatedly spelt out to the Equal Education leadership what programmes we have in place and what budget is available to implement such plans.**

Allegations of any kind of violence against our learners or teachers can only be dealt with if we have specific details. None have been furnished in this report.

While we acknowledge the important role Government plays, the complex issues dealt with in this report require all role-players to assist in addressing them.

**As an NGO, we believe Equal Education could play an important role in assisting us in the following areas:**

- **Advocating for a more equitable distribution of funds by National Government.**
- **Publicising the Safe Schools hotline amongst their members and in schools where they are active.**

- **Campaigning for responsible and involved parenting across the country.**
- **Lobbying National Government for funding for sanitary pads.**
- **Assisting poor schools with fundraising activities to supplement their budgets.**

These are just a few suggestions emanating from our response.

It is also clear from this response that we have plans in place to address all the infrastructural issues raised, and are working with SAPS and other roleplayers to improve learner safety.

**Whilst we would love to have every school fully equipped with excellent infrastructure and equipment, our financial realities preclude us from doing so. However, we have plans in place to address these issues incrementally.**

**D Schäfer**

**24 October 2016**