

The Budgetary Review and Recommendation Report (BRRR) of the Portfolio Committee on Basic Education on the performance of the Department of Basic Education for the 2020/21 financial year, dated 7 December 2021

Annual Report on the Performance of the Department of Basic Education in Meeting its Objectives for 2020/21

The Portfolio Committee on Basic Education, having considered the performance of the Department of Basic Education and its entities, reports as follows:

1. Introduction

1.1 Purpose of the BRRR

In terms of Section 5 of the Money Bills Amendment Procedures and Related Matters Act, No. 9 of 2009 the National Assembly, through its Committees, must annually compile the Budgetary Review and Recommendation Reports (BRRR) that assess the service delivery performance of departments given available resources. Committees are also expected to provide an assessment of the effectiveness and efficiency of the Department's use of available resources, and may include recommendations on the forward use of resources. In this regard, the BRRR is a source document for the Committees on Appropriations when considering and making recommendations on the Medium Term.

1.2 The role and mandate of the Portfolio Committee

The Portfolio Committee on Basic Education as an extension of the National Assembly is mandated by sections 55 and 92 of the Constitution of the Republic of South Africa (Act 108 of 1996) and the Rules of Parliament to oversee the activities and performance of the Department of Basic Education and its two statutory bodies, namely, the Council for Quality Assurance in General and Further Education and Training (Umalusi) and the South African Council for Educators (SACE). In this context, the Portfolio Committee on Basic Education focuses its work within the five constitutional mandates of Parliament, which are to process and approve legislation, conduct oversight, ensure public participation, process international agreements and facilitate co-operative governance. In addition to performing these constitutional mandates, the Committee engages in various activities and programmes focussing on the development and delivery of quality public education to all South Africans. The Committee also deals with matters referred to it by the Speaker or the National Assembly.

1.3 Core functions of the Department of Basic Education

The Department of Basic Education (DBE) derives its mandate firstly from the Constitution of the Republic of South Africa (1996), which requires education to be transformed and democratised in accordance with the values of human dignity, equality, human rights and freedom, non-racism and non-sexism. The Constitution guarantees access to basic education for all, including adult basic education. Secondly, the National Education Policy Act, 1996 Act 27 of 1996 (NEPA), inscribes into law the policies for the national system of education, the legislative and monitoring responsibilities of the Minister of Education, as well as the formal relations between national and provincial authorities. In terms of the NEPA, the DBE's statutory role is to formulate national policy, norms and standards as well as to monitor and evaluate policy implementation and impact.

In line with its mandate, the Department has a vision of a South Africa in which all people will have access to lifelong learning, education and training opportunities, which will, in turn, contribute towards improving the quality of life and building a peaceful, prosperous and democratic South Africa.

In fulfilling its mandate over the next five years, the Department is guided by the 2019-2024 Medium Term Strategic Framework (MTSF) designed to reflect the actions outlined in the National Development Plan (NDP).

1.4 Processes followed by the Portfolio Committee in arriving at the report

In compiling its BRRR, the Portfolio Committee on Basic Education assessed the performance of the Department of Basic Education with reference to the following:

- The strategic priorities and measurable objectives as set out in the 2020/21 strategic plan.
- Expenditure trends drawn from the reports of the National Treasury;
- The 2020 State of the Nation Address priorities;
- The reports of the Auditor-General of South Africa and the reports on the 2020/21 Budget Vote;

- The financial statements and annual report briefings, in terms of Section 65 of the Public Finance Management Act No. 1 of 1999, which requires the Ministers to table the Annual Reports and financial statements for the Department and public entities before Parliament.
- Findings of the Portfolio Committee's oversight visits, including quarterly briefings.
- External sources assessing the performance of the Department.

The briefings on the annual performance and financial statements of the Department and its statutory bodies took place on 9 November 2021 in Parliament. The Portfolio Committee also met with the Auditor General on the audit outcomes of the Department, the Financial and Fiscal Commission (FFC) and the Audit Committee of the Department of Basic Education on 16 November 2021. The two entities Umalusi and SACE briefings on their annual performance and financial statement briefings were conducted on 23 November 2021. All the above meetings took place in a virtual meeting in Parliament.

2. Overview of the key Service Delivery Environment

In respect of the Legislative Mandate, the National Education Policy Act (Act 27 of 1996) (NEPA) inscribes into law the policies for the national system of education, the legislative and monitoring responsibilities of the Minister of Education, as well as the formal relations between national and provincial authorities. The statutory role of the Department was to:

- Formulate policy, norms and standards;
- Monitor and evaluate policy implementation and impact; and
- Lead the provision of the rights to basic education.

The delivery environment requires that the Department focuses on technical leadership, oversight, and the setting and maintenance of norms and standards in the basic education concurrent function.

3. Overview of the key relevant policy focus areas

3.1 The National Development Plan (NDP), Vision 2030

There are factors that influence the plans and activities of the Department and such plans are covered in the government mandates namely the National Development Plan (NDP), 2019-2024 Medium Term Strategic Framework (MTSF), and the Action Plan to 2030: Towards the Realisation of Schooling 2030.

3.2 The Medium Term Strategic Framework 2019-2024 Outcomes Education

The Department's Strategic Plan Outcomes are linked to the 2019-2024 Medium Term Strategic Framework outcomes. The MTSF 2019 – 2024 Education Priorities were as follows:

- Outcome 1: Improved school-readiness of children;
- Outcome 2: 10-year-old learners enrolled in publicly funded schools read for meaning;
- Outcome 3: Youths better prepared for further studies and the world of work beyond Grade 9;
- Outcome 4: Youths leaving the schooling system more prepared to contribute towards a prosperous and equitable South Africa; and
- Outcome 5: School physical infrastructure and environment that inspires learners to learn and teachers to teach.

3.3 State-of-the-Nation-Address (SONA) February 2020

In the February 2020 State of the Nation Address 2020, the Honorable President highlighted policy objectives pertaining to Basic Education as follows amongst others:

- The investments to be made in Early Childhood Development and early grade learning to yield great economic benefits in the next two decades and beyond.
- Introduction of the three-stream curriculum model, heralding a fundamental shift in focus towards more vocational and technical education.
- Introduction of technical vocational specialisations schools piloting the occupational stream.
- Plans for provision of issuing tablet computers to school students:
- Every 10 year-old needed to be able to read with meaning – and early reading programmes

- The Department would be introducing Coding and Robotics in Grades R to 3 in 200 schools, with a plan to implement fully by 2022.

3.4 Strategic Priorities of Basic Education for 2020/21 APP –

The detailed overview of the department Strategic plan 2020/21- 2024/25 sets the tone for key DBE priorities as outlined in the 2020/21 Annual Performance Plan (APP). The APP sets out what the Department intends to do, in the financial year and during the MTEF period to implement the Strategic Plan.

These priorities were approved by the Council of Education Ministers to lay a solid foundation for quality education, in support of improved reading and learning outcomes:

- Improving foundational skills of Numeracy and Literacy, especially reading which should be underpinned by a Reading Revolution.
- Immediate implementation of a curriculum with skills and competencies for a changing world in all public schools (Three Stream Model, Fourth Industrial Revolution, Entrepreneurship, Focus Schools, etc.)
- Deal decisively with quality and efficiency through the implementation of standardized assessments to reduce failure, repetition, and dropout rates and introduce multiple qualifications such as General Education Certificate before the Grade 12 exit qualification
- Urgent implementation of two years of ECD before Grade 1, and the migration of the 0 - 4 year olds from Social Development to Basic Education.
- Complete an integrated Infrastructure Development Plan informed by infrastructure delivery and regular maintenance which is resourced.
- Work with Sport and Recreation, Arts and Culture, Health, and South African Police Services to teach and promote Social Cohesion, Health and School Safety.

3.5 Programme Performance

The Annual Performance Plan summarises the priorities of the Department. The activities of the Department have been structured into five programmes.

- Programme 1: Administration;
- Programme 2: Curriculum Policy, Support and Monitoring;
- Programme 3: Teachers, Education Human Resources and Institutional Development;
- Programme 4: Planning, Information and Assessment; and
- Programme 5: Educational Enrichment Services.

3.5.1 Programme 1: Administration – The purpose of Programme 1 was to manage and provide strategic and administrative support services to the Department. The Department detailed 5 Performance Indicators as follows:

- **Percentage of valid invoices paid within 30 days upon receipt by the Department:** The planned target was 100 percent Quarterly. However, the Department's actual achievements were as follows:
 - Quarter 1 – 96.30 percent (1 561 of 1 621);
 - Quarter 2 – 98.98 percent (2 408 of 2 434);
 - Quarter 3 – 99.76 percent (4 712 of 4 723); and
 - Quarter 4 – 99.47 percent (5 448 of 5 477).

There was a negative deviation of 0.88 percent. The deviation was due to delays by project managers. The Financial Service Directorate will continue to engage project managers to ensure they comply to submitting invoices within 30 days as required by Treasury regulations.

- **Number of reports on misconduct cases resolved within 90 days:** The planned target was for four (4) reports Annually. The Department was able to achieve this target with no deviations.
- **Number of capacity-building programmes offered to the DBE officials:** The planned target was set at ten (10). The Department was able to achieve a total of 19 with a positive deviation of nine (9). The positive deviation was due to the fact that some of the training programmes were addressing training needs identified by officials that emanate from the Performance Management Development System (PMDS) as articulated in the Personal Development Plans.

- **Annual Performance Plan (APP) approved by 31 March each financial year:** The planned target was for the 2021/22 APP was approved by March 2021. The Department was able to achieve this target with no deviations.
- **Quarterly Reports submitted to National Treasury (NT) and the Department of Planning, Monitoring and Evaluation (DPME) 30 days after the end of each quarter:** The planned target was for four (4) Quarterly Reports submitted to NT and DPME 30 days after the end of each quarter. The Department was able to achieve this target with no deviations.

The Department reported on further progress made in the key focus areas in Programme 1 in respect of the following:

- Research Co-ordination, Monitoring and Evaluation (RCME);
- Government Information Technology Officer (GITO);
- Quality Learning and Teaching Campaign (QLTC);
- International Relations and Multilateral Affairs;
- Partnerships;
- Parliamentary and Business Processes;
- Intergovernmental and Technical Support;
- Secretariat Co-ordination and Secretarial Support;
- Internal Audit;
- Communication and Research; and
- Media Liaison.

3.5.2 Programme 2: Curriculum Policy, Support and Monitoring – The purpose of Programme 2 was to develop Curriculum and Assessment policies, monitor and support their implementation. The Department detailed 30 Performance Indicators as follows:

- **Number of Technical schools monitored for implementation of Curriculum and Assessment Policy Statements (CAPS):** The planned target was set at 18 schools. The Department was able to achieve this target with no deviations.
- **Number of learners obtaining subject passes towards a National Senior Certificate (NSC), including upgraded NSC per year:** The planned target was set at 60 000 learners. The Department's actual achievement was 60 063 learners – a positive deviation of 63 learners. The programme supported through four platforms i.e. face-to-face centres, broadcast, online and provision of study materials. The number of face-to-face classes from 90 to 133 centres throughout the country. Working in partnership with different entities, the Department introduced the WOZA Matric intervention that broadcast dedicated educational programmes to support Matric learners. The Woza Matric programmes were on SABC 1, DSTV Catch-up and DBETV Channel 122 on Open view broadcasted matric catch-up lessons in 11 high enrolment subjects to help learners revise. The Department also increased the distribution of its online study materials through the partnerships. Furthermore, the Department also provided hard copy study materials to more learners.
- **Number of Children/Learners with Profound Intellectual Disability (C/LPID) using the Learning Programme for C/LPID:** The planned target was set at 3 527 Annually. The Department was able to achieve only 3 423 with a negative deviation of 104. COVID-19 restrictions resulted in closing of special care centres and some learners remained at home even when special care centres were eventually allowed to operate by the DSD. In addition, some residential high care special care centres did not allow teams to have direct contact with the learners fearing that the learners may get infected with COVID-19. Therefore, outreach team members could not reach all the learners to provide the necessary services that enables these learners to use the Learning Programme for LPID. Some of the corrective actions included the following:
 - ✓ Some learners remain at home and some learners in residential high care centres cannot to be reached because centres management is protecting learners from getting infected with COVID-19
 - ✓ Remote support will be provided where and when necessary
 - ✓ DBE to ensure that PEDs provide appropriate PPEs to team members so that they continue providing services
 - ✓ DBE is working with DSD to assist Special Care Centres (SCCs) to comply with COVID-19 regulations so that SCCs are able to open and operate safely.

- ✓ The closure of special care centres resulted in teams not conducting cognitive assessments whose results enables learners to be on-boarded onto the Learning Programme for LPID
 - ✓ The DBE will use the online tracking tool to monitor and support PEDs and ensure the necessary support, that enables learners to participate in learning and development, is provided.
- **A National Report produced on monitoring on the implementation of the Policy on Screening, Identification, Assessment and Support (SIAS) as a mechanism for early identification and intervention:** The planned target was set at having an approved National Report on monitoring of the implementation of the Policy on SIAS as a mechanism for early identification and intervention. This target was achieved with no deviation.
 - **Amend legislation to regulate the new ECD landscape:** The planned target was set at having a joint submission for determination on the ECD function shift was submitted to the Minister of Public Service and Administration. The actual achievement reported by the Department indicated that a diagnostic report had been approved. Draft determinations were not provided as this was dependent on the promulgation of the proclamations. The proclamations were not finalised by the end of 2020/21. The delay in signing the proclamations, which would enable the labour relations process to start, where DBE and DSD would negotiate the number of posts and staff to be transferred, delayed the finalisation of the submission for determination as it needed to include the resources in terms of posts, budget and assets that will be transferred. The President signed the proclamation on 30 June 2021, allowing for the finalisation of the submission for determination. The joint submission was submitted to the DPSA on 21 July 2021.
 - **Develop new funding models for ECD delivery:** The planned target was set at a report on investigation into the ECD funding models. This target was achieved with no deviation.
 - **Conduct and ECD census to inform the integration of ECD into the Educational Management Information System (EMIS):** The planned target was set at preparation for ECD census to be concluded. The Department reported the actual achievement as being a signed MOU between DBE and the Lego Foundation as well as South Africa ECD census 2021 request for tender provided. The Department indicated that the preparations for the ECD census was not concluded. This was due to delays in appointing a service provider and therefor the ECD census pilot was only conducted in June 2021. The pilot was successfully conducted and a pilot report was submitted to the Department on 5 July 2021.
 - **Develop and operationalise an ECD Human Resource Development (HRD) Plan:** The planned target was set at a report on ECD service delivery model and its workforce implications. The Department achieved this target with no deviation.
 - **Number of Districts monitored on implementation of the National Curriculum Statement (NCS) for Grades 10 – 12:** The planned target was set at eight (8). The Department achieved this target with no deviation.
 - **Number of provinces monitored on extra support classes to increase the number of learners achieving Bachelor level passes:** The planned target was set at three (3). The Department achieved this target with no deviation.
 - **Number of schools monitored for implementing compulsory entrepreneurship education:** The planned target was set at 90 (10 per province). The Department actual achievement was only 86 – a negative deviation of four (4). The negative deviation was as a result of the following:
 - The closure of schools due to COVID-19;
 - The delay in starting the monitoring of schools; and
 - The data collection process commenced on 24 September 2020 –10 March 2021. Instead of May 2020. The consequence being that in some provinces, the target of 10 was not achieved, and in some it surpassed the target of 10 as noted below:
 - Eastern Cape: 11;
 - Gauteng: 9;
 - Free State: 10;
 - KwaZulu-Natal: 9;
 - Limpopo: 11;
 - Mpumalanga: 10;
 - Northern Cape: 10; and

- North West: 9

- **An Annual Sector Report produced on the implementation of the General Education Certificate (GEC):** The planned target was set at an approved Annual Sector Report on the implementation of the GEC. Although the target was achieved, the Department indicated that the GEC Programme was not yet implemented. The GEC pilot study did not take place in 2021 due to the disruptions in schooling and the low school attendance among Grade 9 learners. The GEC pilot study has been scheduled for the 3rd and 4th school terms of 2021. The pilot study report will be consolidated from 9 PED reports.
- **An Annual Sector Report is produced on schools that are prepared to respectively implement and pilot the Technical Occupational Stream:** The planned target was set at an approved Annual Sector Report on Schools of Skills that pilot the Technical Occupational Stream in 2020/21. Although the target was achieved, the Department indicated that PED reports not provided to substantiate achievement by 31 May 2021. Reasons for the deviation was due to delays in submission of reports by PEDs. PEDs were chased and all reports were submitted to AGSA on 9 July 2021.
- **Number of schools monitored on the implementation of the reading norms:** The planned target was set at ten (10). The Department achieved this target with no deviation.
- **Number of schools monitored on the implementation of the Incremental Introduction to African Languages (IIAL):** The planned target was set at ten (10). The Department achieved this target with no deviation.
- **Number of underperforming schools monitored on the implementation of the Early Grade Reading Assessment (EGRA):** The planned target was set at ten (10). The Department achieved this target with no deviation.
- **Number of schools with Multi-grade classes monitored for implementing the Multi-grade toolkit:** The planned target was set at ten (10). The Department achieved this target with no deviation.
- **An Annual Sector Report produced on the implementation of the National Reading Plan:** The planned target was an approved Annual Sector Report on the implementation of the National Reading Plan. The Department achieved this target with no deviation.
- **An Annual Sector Report produced on the number of public schools monitored on the availability of readers:** The planned target was an approved Annual Sector Report on the number of public schools monitored on the availability of readers. The Department achieved this target with no deviation.
- **Number of schools per province monitored for utilisation of Information and Communications Technology (ICT) resources:** The planned target was set at 27 (three per province). The Department achieved this target with no deviation.
- **Percentage of public schools provided with Home Language workbooks for learners in Grades 1 – 6 per year after having placed an order:** The planned target was set at 100 percent. The Department achieved this target with no deviation.
- **Percentage of public schools provided with Mathematics workbooks for learners in Grades 1 – 9 per year after having placed an order:** The planned target was set at 100 percent. The Department achieved this target with no deviation.
- **Percentage of public schools provided with workbooks for learners in Grades R per year after having placed an order:** The planned target was set at 100 percent. The Department achieved this target with no deviation.
- **An Annual Sector Report produced on the learners provided with Mathematics and English First Additional Language (EFAL) textbooks in Grade 3, 6 and 9:** The planned target was an approved Annual Sector Report on the learners provided with Mathematics and English First Additional Language (EFAL) textbooks in Grades 3, 6 and 9. The Department indicated that two (2) PED reports substantiating the Annual Sector Report was not provided. The affected provinces submitted their reports in June and the Annual Sector Report was updated.

- **The number of schools monitored for home language in which Literacy Grade 1 – 3 Lesson Plans have been developed for Terms 1 – 4:** The planned target was set at ten (10). The Department achieved this target with no deviation.
- **Number of special schools with access to electronic devices:** The planned target was set at 140. The Department reported an achievement of 145 – a positive deviation of five schools. This was due to the rollout of electronic devices and connectivity to Public Special Schools funded by the Mobile Networks Operators (MNO) not the Department. Therefore, the rollout of the equipment is based on the availability of funding from the MNOs. It is in this regard that the number of schools provided with ICT resources exceeded the DBE target of 140 schools for 2020/21.
- **An Annual Sector Report is produced on the number of teachers trained on inclusion:** The planned target was an approved Annual Sector Report on the number of teachers trained on inclusion. The Department reported that three PED Reports not provided to substantiate achievements. The Department has written to the PEDs requesting them to submit reports on specific dates for 2021/22.
- **An Annual Sector Report is produced on the number of learners in public special schools:** The planned target was an approved Annual Sector Report on the number of learners in public special schools. The Department reported that PED Reports not provided to substantiate achievements. The Department has written to the PEDs requesting them to submit reports on specific dates for 2021/22. The PED reports were later submitted.
- **An Annual Sector Report is produced on the percentage of public special schools serving as resource centres:** The planned target was an approved Annual Sector Report on the percentage of public special schools serving as resource centres. The Department reported that four PED Reports not provided to substantiate achievements. The Department has written to the PEDs requesting them to submit reports on specific dates for 2021/22. The four PED reports were submitted.
- **An Annual Sector Report is produced on the establishment of Focus Schools Per Provincial Education Department (PED):** The planned target was an approved Annual Sector Report on the establishment of Focus Schools per PED. The Department achieved this target with no deviation.

The Department reported on further progress made in the key focus areas in Programme 2 in respect of the following:

- Mathematics, Science and Technology (MST);
- Enhancement of Programmes and Evaluation of School Performance;
- Rural Education;
- Reading;
- Quality Provisioning of Early Childhood Development (ECD);
- Curriculum, Implementation and Quality Improvement in Further Education and Training (FET) and General Education and Training (GET);
- Inclusive Education; and
- Second Chance Matric Programme (SCMP).

3.5.3 Programme 3: Teachers, Education Human Resources and Institutional Development –

The purpose of Programme 3 was to promote quality teaching and institutional performance through the effective supply, development and utilisation of human resources. The Department detailed 12 Performance Indicators as follows:

- **Percentage of School Governing Bodies (SGBs) that meet the minimum criteria in terms of effectiveness:** The planned target was set at 90 percent of 1 000 sampled schools. The Department achieved 96 percent – a positive deviation of six (6) percent. This was due to the experience of governors after 3-years in office.
- **Percentage of schools producing the minimum set of management documents at a required standard:** The planned target was set at 100 percent of 1 000 sampled schools. The Department achieved this target with no deviations.
- **Number of Funza Lushaka bursaries awarded to students enrolled for Initial Teacher Education:** The planned target was set at 12 500 Annually. The Department achieved a total of

13 085 – a positive deviation of 585. This was due to tuition fees being less than what was projected resulting in more bursaries being awarded.

- **Number of quarterly monitoring reports tracking the percentage of Funza Lushaka graduates placed within six months, upon confirmation that the bursar has completed studies:** The planned target was set at four (4) reports. The Department achieved this target with no deviation.
- **Number of quarterly monitoring reports indicating the number and percentage of schools where allocated teaching posts are all filled:** The planned target was set at four (4) reports. The Department achieved this target with no deviation.
- **An Annual Sector Report is produced on the number of qualified teachers aged 30 and below entering the public service as teachers:** The planned target was for an approved Annual Sector Report on the number of qualified teachers aged 30 and below entering the public service as teachers. Although the target was achieved the Department indicated that PED reports were not provided to substantiate the achievement. Reported figures for Limpopo and the Eastern Cape were different from the Annual Sector Report. The figures for Limpopo and the Eastern Cape have since been corrected.
- **A National Report is produced on monitoring the functionality of Provincial Teacher Development Institutes and District Teacher Development Centres:** The planned target was for an approved National Report on monitoring the functionality of Provincial Teacher Development Institutes and District Teacher Development Centres. The Department achieved the target with no deviation.
- **A National Report is produced on monitoring the implementation of Teacher Development Programmes by PEDs with special focus on English First Additional Language (EFAL), Mathematics, Physical Science and Accounting:** The planned target was for an approved National Report on monitoring the implementation of Teacher Development Programmes by PEDs with special focus on English First Additional Language (EFAL), Mathematics, Physical Science and Accounting. The Department achieved the target with no deviation.
- **Number of PEDs that had their post provisioning processes assessed for compliance with the post provisioning norms and standards:** The planned target was set at nine (9). The Department achieved this target with no deviation.
- **An Annual Sector Report is produced on the number of Grade R practitioners with at least a National Qualification Framework (NQF) level 6 and above qualification:** The planned target was for an approved Annual Sector Report on the number of Grade R practitioners with at least a National Qualification Framework (NQF) level 6 and above qualification. The Department achieved the target with no deviation.
- **Number of PEDs monitored on the Integrated Quality Management System (IQMS):** The planned target was set at nine (9). The Department achieved this target with no deviation.
- **Number of PEDs monitored on the implementation of the Education Management Service: Performance Management and Development System (EMS: PMDS):** The planned target was set at nine (9). The Department achieved this target with no deviation.

The Department reported on further progress made in the key focus areas in Programme 3 in respect of the following:

- Educator Performance Management and Development and Whole School Evaluation (WSE);
- Education Human Resources Planning, Provisioning and Monitoring;
- Placement of Funza Lushaka Graduates in 2020;
- Education Labour Relations and Conditions of Service;
- Education Management and Governance Development (EMGD);
- Continuing Professional Teacher Development (CPTD);
- Curriculum Research; and
- Teacher Development Implementation (TDI).

3.5.4 Programme 4: Planning, Information and Assessment – The purpose of Programme 4 was to promote quality and effective service delivery in the basic education system through planning, implementation and assessment. The Department detailed 18 Performance Indicators as follows:

- **Number of new schools built and completed through ASIDI:** The planned target was set at 24 Annually. The Department was able to achieve a total of 32 – a positive deviation of eight (8). COVID-19 proved to have had a positive impact on the ASIDI programme. After the closure of construction sites for the hard lockdown, contractors came back and put additional resources to catch up on the construction progress so that they can make up for the lost revenue. The introduction of MS Teams also introduced a platform where frequent meetings were organised. The Director-General instituted weekly meetings with the Heads of Implementing Agents so as to track on progress of projects under construction. For the last quarter of the financial year, the DBE Infrastructure Unit increased their site monitoring visits of projects under construction and this put pressure on the contractors and the implementing agents to finalise their construction. The 5 Built Environment Experts appointed in the DBE Infrastructure Unit in 2019 also proved to be a valuable factor in the over-achievement of the APP target.
- **Number of schools provided with sanitation facilities through ASIDI:** The planned target was set at 600 Annually. The Department was able to achieve only 298 – a negative deviation of 302. More than 300 additional sanitation projects could not be completed due to the impact of the COVID-19 lockdown, disruption by Business Forums and poor-performing service providers. An increased focus on Alternative Building Technology resulted in a legal challenge from role players in the industry, which caused a further delay in implementation. Corrective actions included the following:
 - All sanitation projects have been allocated to Implementing Agents
 - Increased focus on Alternative Building Technology to speed up delivery
 - Simplified designs and specifications
 - Limited the number of schools allocated per Contractor
 - Intensified the monitoring of Implementing Agent performance on all levels:
 - Weekly visits to construction sites by the Programme Support Unit
 - Regular visits to construction sites by the DG
 - Weekly meetings with operational staff of Implementing Agents
 - Weekly meetings with Executive Management of Implementing Agents
 - Weekly progress reporting to the Office of the Minister
- **Number of schools provided with water facilities through ASIDI:** The planned target was set at 100 Annually. The Department was able to achieve a total of 101 – a positive deviation of one (1). The deviation of 1 (one) was due to pressure exerted on the IA's to ensure that the targets are achieved and they complete as many of the projects as possible.
- **Number of schools served with emergency water supply:** The planned target was set at 3 000 Annually. The Department was able to achieve a total of 3 216 – a positive deviation of 216. The deviation of 216 (3216 –3000) was due to the additional need that was posed by provinces to Rand Water as a result of Covid-19 requirements.
- **Number of schools served with emergency sanitation:** The planned target was set at 1 300 Annually. The Department was able to achieve a total of 1 303 – a positive deviation of three (3). The deviation of 3 was due to the additional need that was posed by provinces as a result of Covid-19 requirements during the implementation of the programme.
- **Number of General Education and Training (GET) test items developed in Language and Mathematics for Grades 3, 6 and 9:** The planned target was set at 500. The Department achieved the target with no deviation.
- **Number of NSC reports produced:** The planned target was set at four (4). The Department achieved the target with no deviation.
- **Number of question papers set for June and November examinations:** The planned target was set at 292. The Department was able to achieve only 145 – a negative deviation of 147. The June 2020 SC/NSC examination was merged with the November 2020 NSC examinations. A total of 145 question papers for the June 2020 examination were used for the merged examination in

November 2020. Given the merged, the targeted 147 question papers for November 2020 were not set.

- **Percentage of public schools using the South African School Administration and Management System (SA-SAMS) for reporting:** The planned target was set at 98 percent. The Department was able to achieve 98.6 percent – a positive deviation of 0.6 percent. The positive deviation was due to Advocacy and Provincial circulars supporting collection of data via SA-SAMS.
- **A National Report is produced on the number of provinces monitored for implementation of Learner Unit Record Information and Tracking System (LURITS):** The planned target was for an approved National Report on the number of provinces monitored for implementation of LURITS. The Department achieved the target with no deviation.
- **A National Report is produced on learning outcomes linked to the National Assessment Framework:** The planned target was for an approved National Report on learning outcomes linked to the National Assessment Framework. The Department achieved the target with no deviation.
- **A National Report is produced on developing and operationalising a school readiness assessment system:** The planned target was for an approved National Report on developing and operationalising a school readiness assessment system. The Department achieved the target with no deviation.
- **Number of officials from districts that achieved below the national benchmark in the NSC participating in a mentoring:** The planned target was set at 33. The Department was able to achieve a total of 37 – a positive deviation of four (4). Mentees were supported on team building, leadership and analysis of results to enable them to make evidence-based decisions.
- **Percentage of school principals rating the support services of districts as being satisfactory:** The planned target was set at 75 percent. The Department was able to achieve only 57.2 percent – a negative deviation of 17.8 percent. The deviation was due to duplication of survey instrument; all survey questions not completed; data collected with 3 different google links and electronic survey instruments and hard copy survey instruments. To address this challenge, SISCOs and officials completed forms during the School Readiness visits February 2021. Not all schools were in the same geographical area as the identified school readiness schools. To further address the low response rate, the google form, link and sample were sent to Circuit Managers.
- **Percentage of District Directors that have undergone competency assessment prior to their appointment:** The planned target was set at 95 percent. The Department was able to achieve 100 percent – a positive deviation of five (5) percent. Administration of competency assessment for District Directors (SMS members) was now mandatory.
- **Percentage of underperforming schools monitored at least twice a year by district officials for support purposes:** The planned target was set at 75 percent. The Department was able to achieve only 13.8 percent – a negative deviation of 61.2 percent. Schools were visited, however some were visited during the first term of 2020 which falls outside the 2020/21 Financial Year. Due to school closure as a result of COVID-19, primary schools were not visited. Provinces that were hit hard by the pandemic, e.g. EC, issued Instruction Notes that prohibited visits to schools so as to contain the virus. The Technical Indicator Description (TID) will be revised to specify that visits will be done as per Academic year and not Financial Year. Monitoring Plans will be discussed with district officials.
- **Number of District Director forums held:** The planned target was set at three (3). The Department achieved the target with no deviation.
- **Number of districts in which teacher development has been conducted as per district improvement plan:** The planned target was set at 55. The Department was able to achieve 61 – a positive deviation of six (6). District Improvement plans were not signed by the District Directors and 14 did not indicate teacher development. Most districts value teacher development support

The Department reported on further progress made in the key focus areas in Programme 4 in respect of the following:

- Public Examination;
- National Assessment;
- Donor Grant Management;
- Educational Management Information Systems (EMIS);
- District-Level Planning and Implementation Support;
- School and District Incident Management and Support; and
- National Education Evaluation and Development Unit (NEEDU).

3.5.5 Programme 5: Educational Enrichment Services – The purpose of Programme 4 was to develop policies and programmes to improve the quality of learning in schools. promote quality and effective service delivery in the basic education system through planning, implementation and assessment. The Department detailed four (4) Performance Indicators as follows:

- **Number of schools monitored for the provision of nutritious meals:** The planned target was set at 115 Quarterly. The Department was able to achieve a total of 117 - a positive deviation of two (2) The target has been exceeded because monitoring was intensified in 2020 following the Gauteng North High Court judgement against the Minister and eight MECs "to feed qualifying learners whether attending school or not" during the COVID-19 lockdown.
- **Number of PEDs with approved annual business plans for the HIV/AIDS Life Skills Education Programme:** The planned target was set at nine (9) Annually. The Department was able to achieve the target with no deviation.
- **Number of districts monitored and supported in the implementation of the National School Safety Framework (NSSF), social cohesion, sport and enrichment programmes:** The planned target was set at 43. The Department was able to achieve the target with no deviation.
- **Number of learners, educators, parents, SGBs and other educations stakeholders reached through social cohesion programmes:** The planned target was set at 7 500. The Department was able to achieve only 3 745 – a negative deviation of 3 755. The matter of the deviation was as a result of TIDs not meeting the audit standards, which meant that the Department discards some of the data. The Department has now strengthened the TIDs for 2021/22 in anticipation of this.

The Department reported on further progress made in the key focus areas in Programme 5 in respect of the following:

- School Nutrition;
- Health Promotion;
- Safety in Schools;
- School and Enrichment in Education; and
- Social Cohesion and Gender Equity.

3.6 Overview and Assessment of Financial Performance

3.6.1 Allocation against Actual Final Expenditure Per Program for 2020/21 Financial Year

Programmes	Budget R'000	Expenditure R'000	Variance s R'000	% Spent
Administration	504 063	486 124	17 939	96.4%
Curriculum Policy, Support and Monitoring	1 844 561	1 741 903	102 658	94.4%
Teachers, Education Human Resources Development and Institutional Development	1 415 343	1 395 396	19 947	98.6%

Planning, Information and Assessment	11 708 938	11 375 084	333 854	97.1%
Educational Enrichment Services	7 922 067	7 902 118	19 949	99.7%
Total	23 394 972	22 900 625	494 347	97.9%

The budget allocation of the Department of Basic Education in 2020/21 was R23,39 billion which represents a decrease of R1,07 billion or 4.4% from the 2019/20. The majority of the budget (83%, amounting to 19,4 billion) consisted of transfers and subsidies mainly to provinces and municipalities. This means that the department had an available budget of R3,9 billion for compensation of employees, earmarked funds, office accommodation, departmental operations and other projects.

The actual expenditure in 2020/21 was R22,9 billion or 97,9% of the allocated budget compared to 97.5 % in 2019/20. The unspent balance of R 494,35million or 2,1% at the end of 2021 was less than 2019/20 when R600,13 million was unspent. Main contributors of the underspending in 2020/21 was program 2 that had spent 94,4 % or R102, 7 million and program 4, that had spent 97,1 % or R333,9million. Program one spent 96,4% and program three and program 5 spent 98,6% and 99,7% respectively. From the perspective of analysis, there is notably under expenditure in all 5 programs of DBE, which calls for room for improvement moving forward.

3.6.1.1 Reasons for Deviation in the above programs

- **Programme 1: Administration:** The reasons for underspending was due to delays in filling vacant positions due to the moratorium that was placed on the filling of posts whilst the organisational structure was being finalised, as well as less payments for the audit fees due to a lesser number of auditors sent to the Department due to COVID19 restrictions.
- **Programme 2: Curriculum Policy, Support and Monitoring:** Due to COVID-19 restrictions, physical monitoring of provinces could not take place as planned on a number of internal projects therefore this resulted in underspending. The Department withheld the last transfer payment for Learners with Profound Disability Grant to KwaZulu-Natal province due to noncompliance regarding reporting on the expenditure and progress.
- **Programme 3: Teachers, Education Human Resources and Institutional Development:** Underspending results from UNESCO foreign transfer due to lower exchange rate on the date of transaction.
- **Programme 4: Planning, Information and Assessment:** Underspending was due to School Infrastructure Backlog as construction had stalled since the built industry was closed during hard lockdown Alert Levels 5 and 4 of COVID-19.
- **Programme 5: Educational Enrichment Services:** Under expenditure was due to compensation of employees as well as internal projects such as events like SASCE that could not take place as gatherings were not allowed for the events to continue. The interprovincial monitoring in support of provinces could not take place as well due to the hard lockdown.

3.6.2 Final Economic Classification Expenditure 2021

ECONOMIC CLASSIFICATION	BUDGET R'000	EXPENDITURE R'000	VARIANCES R'000	% S P E N T
Compensation of Employees	547 905	497 659	50 246	90.8%
Goods and Services	1 723 321	1 825 402	(102 081)	105.9%
Interest and rent on land	42 663	42 661	2	100.0%

Transfers and Subsidies	19 441 623	19 417 579	24 044	99.9%
Payment for Capital Assets	1 638 382	1 116 500	521 882	68.1%
Payment of Financial Assets	1 078	824	254	76.4%
Total	23 394 972	22 900 625	494 347	97.9%

3.6.2.1 Reasons for Deviations per Economic Classification 2020/ 2021

- **Compensation of Employees:** the underspending is due to moratorium that was put in place due to structure change.
- **Goods and Services:** The overspending is on School Infrastructure on operational budget due to rental and hiring on mobile toilets for schools as a results of COVID-19.
- **Transfers and Subsidies:** due to non-compliance by the Learners with Profound Disability Grant in the KwaZulu-Natal province, the final transfer payment was withheld by the Department.
- **Payments for Capital Assets:** underspending was due to School Infrastructure Backlog as well as SAFE projects, as construction companies were not into operation due to COVID-19 restrictions.
- **Payments for Financial Assets:** the expenditure was due to theft and losses on write offs, no shows and accidents where officials were not found liable.

3.6.3 Preliminary Expenditure on Conditional Grants for March 2021

ECONOMIC CLASSIFICATION	BUDGET R'000	EXPENDITURE R'000	VARIANCES R'000	% S P E N T
Learners with Profound Disability Grant	242 864	225 761	17 103	93.0%
Maths Science and Technology Grant	332 862	332 862	-	100.0%
Education Infrastructure Grant	9 414 967	9 414 967	-	100.0%
National School Nutrition Programme	7 665 887	7 665 887	-	100.0%
HIV and Allocation Grants	187 095	187 095	-	100.0%
Total	17 843 675	17 826 572	17 103	99.9%

From the table above, the conditional grant expenditure approximates to almost 100% with the exception of Learners with Profound Disability Grant, at 93, % expenditure.

- **Reasons for Conditional Grants Expenditure for March 2021 - Learners with Profound Disability Grant:** Underspending was due to withheld funds for KZN PED due to non-compliance on reporting. Roll-over request will be submitted to National Treasury once the Province submits the supporting documentation.

4. Auditor-General Report

4.1 AGSA Presentation on Audit Outcomes for the Department of Basic Education and Entities

4.1.1 Introductory Remarks

In the opening remarks, the vision and mission of AGSA as well as its mandate and that of the Portfolio Committees was defined. As per Constitutional mandate, the role of AGSA is to reflect on the audit work performed to assist the portfolio committee in its oversight role of assessing the performance of entities, taking into consideration the committee's objective to produce a *Budgetary review and recommendations report* (BRRR).

The Portfolio Committee was briefed on the various AGSA audit outcomes and what was examined. AGSA also touched on the Basic Education auditees in respect of the Department of Basic Education (DBE), the Council for Quality Assurance in General and Further Education and Training (Umalusi) as well as the South African Council for Educators (SACE). In respect of the audit outcomes of the education portfolio over two years, AGSA indicated that following:

- The overall outcomes in the portfolio have improved when compared to the prior year. The DBE outcome improved from qualified to unqualified with findings, the department has addressed the previously reported findings on irregular expenditure and commitments.
- AGSA commended Umalusi, as the entity has maintained its achievement of an unqualified with no findings audit outcome.
- SACE obtained an unqualified with findings on compliance and predetermined objectives opinion, similar to the prior year.

4.1.2 Report on the audit of the financial statements: The audit outcome for the Department of Basic Education was an Unqualified Audit Opinion.

4.1.2.1 Matters of Emphasis

- Restatement of corresponding figures (note 36): The corresponding figures for 31 March 2020 were restated as a result of an error in the financial statements of the Department for the year ended, 31 March 2021.
- Irregular Expenditure: As disclosed in note 26.1 to the financial statements, the Department incurred Irregular expenditure of R3.209 billion. R2.797 billion of this amount relates to irregular expenditure identified in the current year relating to prior years.

4.1.2.2 Report on the audit of the annual performance report

- Introduction and scope: The AGSA has evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for Programme2 -Curriculum Policy, Support and Monitoring in the Annual Report for the year ended 31 March 2021.

4.1.3 Quality of Submitted Financial Statements – Umalusi submitted financial statements that did not contain material misstatements and AGSA commended them. The Department and SACE submitted financial statements that contained material misstatements, mainly affecting disclosure notes. DBE misstatements were mainly on the immovable tangible capital assets, capital commitments, accruals and payables not yet recognized and irregular expenditure and related parties while SACE misstatements were identified for revenue and related parties. The misstatements in the financial statements were due to inadequate review by the management. Accounting officer/authority should implement stringent controls to enhance the review processes on the financial statements.

4.1.4 Quality of Performance Reporting - In the current year, there has been an improvement in the quality of performance information submitted for auditing in the portfolio. The Department had no findings on the usefulness and reliability of reported performance information. This was due to implementation of the action plans to address the prior year performance information control deficiencies. SACE has regressed in terms of outcomes for performance reporting. There were material findings identified for a number of indicators due to a lack of accurate and complete records. Management did not ensure that sufficient controls were in place to prepare credible performance reports that are evidenced and supported by complete and accurate information. Umalusi has maintained the quality of performance reporting from the prior year which had no findings reported on the usefulness and reliability of reported performance information. In respect of the credible financial reporting, AGSA gave a detailed overview of the root causes analysis as well as recommendations. The Portfolio Committee was further briefed on the movement in qualification areas for 2018/19 as well as 2019/20

4.1.5 Credible Performance Reporting – The performance indicators and targets of the Department DBE and Umalusi were found to be useful and the actual reported achievements in the annual performance report were reliably reported. This provided a proper basis to facilitate oversight and decision making for both the entities and government. These entities were encouraged to continue

with ensuring that they sustain the culture of daily recording and the monitoring controls over performance reporting.

SACE needed to strengthen the processes relating to the preparation of the annual performance report by ensuring that reported targets were supported by credible underlying schedules and evidence. The entity also needed to strengthen monthly and quarterly controls to facilitate regular performance reporting whilst ensuring in-depth reviews.

4.1.6 Compliance with Legislation – In the current year there had been a stagnation in the audit of compliance with legislation. Two out of three auditees had material findings on compliance. In most instances, the noncompliance identified was similar to what was reported in the prior year and the nature was as follows:

- Annual financial statements: material misstatements in submitted AFS (DBE and SACE);
- Procurement and contract management:
 - Declarations of interest not submitted; and
 - Some quotations awarded without tax clearance certificate (DBE)
- Expenditure management: irregular, fruitless and wasteful expenditure not prevented (DBE)
- Consequence management: Lack of sufficient appropriate evidence that disciplinary steps were taken against officials who had incurred irregular expenditure. (DBE)

These auditees did not implement effective action plans to address significant internal control deficiencies relating compliance with legislation.

4.1.7 Irregular Expenditure over two years – The irregular expenditure incurred by entities in the portfolio were as follows:

- R 3 204 million (non-compliance in 2020/21); and
- R 818 million (non-compliance on 2019/20).

The nature of the irregular expenditure was that the majority of irregular expenditure disclosed in the AFS, related to the ASIDI programme, which was as a results of non-compliances with SCM processes by the implementing agents for the contracts dating back to the 2012/13 financial period. Out of the R3,2 billion, an amount of R2,7 billion related to prior years and R412 million related to the current year expenditure.

4.1.8 Fruitless and Wasteful Expenditure over two years - The fruitless and wasteful expenditure incurred by entities in the portfolio were as follows:

- R 17 million (non-compliance in 2020/21); and
- R 84 million (non-compliance on 2019/20).

The total fruitless and wasteful expenditure had decreased from the prior year. The R17 million (100%) of the fruitless and wasteful expenditure related to the Department - this was mainly due to an advance payment made to an implementing agent for services not rendered. Out of the R17 million, an amount of R16 million related to prior years, and R1 million related to the current year expenditure. AGSA also touched on issues related to consequence management as well as supply chain management – with findings and possible recommendations.

4.1.9 Material Irregularities (MIs)

- **Learner material distributed to learners who did not qualify to be on the Kha Ri Gude programme as controls to verify learners registered for the program were ineffective:** Fruitless and wasteful expenditure was incurred relating to learner materials that were distributed to volunteer educators who were not eligible to benefit as such from the Kha Ri Gude programme, as controls to verify learners registered for the programme were ineffective. This was because the department did not maintain effective, efficient and transparent systems of financial and risk management and internal control, as required by section 38(1)(a)(i) of the PFMA. The Department has not implemented a programme similar to Kha Ri Gude after the phasing out of this programme during 2016-17.
 - **Status by the Department** - An investigation into the matter by the Departmental investigation committee was concluded during the 2016-17 financial year. The accounting officer instituted disciplinary processes against the officials responsible in October 2016 and recovered part of the losses during the 2017-18 financial year. The matter was subsequently referred to the South African Police Service (SAPS) in the 2017-18 to investigate and recover the remaining financial losses. The SAPS reported to the Department that the investigation was continuing.
- **Interest paid on payments not made within 30 days:** The Department did not settle an invoices of a professional service provider within 30 days, as required by treasury regulation 8.2.3. The service provider was appointed to provide professional services for the construction of 29 medium-to-large schools in the Eastern Cape as part of the accelerated schools Infrastructure delivery initiative (ASIDI) programme.

- **Status by the Department** - The Department was conducting an investigation into the matter. The investigation was currently in progress and scheduled for completion in March 2022.
- **Prepayment for goods not delivered:** The Department paid a service provider an amount of R78 million for purchases of bulk materials on 31 March 2017 for which the Department did not receive equivalent value of materials (calculated as the difference between quantities paid by the Department to service provider and the quantities of the goods that were actually received). The payment of R78 million by the Department was recognised as a prepayment made for goods which was not required by the contractual arrangement, this is in contravention of treasury regulation 15.10.1.2(c)
 - **Status by the Department** – The Department had since conducted a physical verification and noted that the actual delivered numbers of material differ from the invoiced materials. The Department has so far recovered R 16 million of unsubstantiated pre-payment and committed to finalise the recovery of the full extent of the financial loss by the 31 March 2022. Disciplinary steps will be taken against the person who caused the loss.
- **Payments not made within 30 days resulting in the withdrawal of the contractor from site and the cancellation of the contractual arrangement:** The Department failed to pay interim payment certificates within 30 days in contravention of Treasury 8.2.3. The Department eventually made payment on 28 August 2018 and 25 September 2018. However, this was after the contractor resorted to cancel the contract in terms of which cancellation was confirmed by order of the Court on 17 March 2019
 - **Status by the Department** – The Department was conducting an investigation into the matter and pending the outcome of the investigation steps would be taken to recover the financial loss and steps taken against person who caused the financial loss.

4.1.10 Education Sector Outcomes

- **Annual Financial Statements (AFS)** - The quality of financial statements submitted for auditing for most of the auditees in the sector was still poor. There was still high reliance on the audit process to identify errors. The main control deficiency that was dominant in the sector related to accounting of infrastructure assets due to inadequate project management as well as inadequate coordination of implementing agents. The preventive and detective controls were not institutionalised. For the Department the management of these implementing agents was currently driven by senior leadership i.e. to ensure accountability and delivery on commitments. This resulted in improvement of audit outcomes for the department. It is vital for these newly established best practices to be shared within the sector.
- **Pre-determined Objectives** – Inadequate systems to collect, collate, verify and store performance information resulting in incomplete, in-accurate and insufficient supporting evidence to validate reported achievements. Ineffective in-year monitoring and evaluation activities to validate reported performance achievements throughout the reporting period resulting in performance achievement reported not being reliable.
- **Compliance** - There was also inadequate consequence management across the sector as evidenced by the increased irregular expenditure that has not been dealt with. There was a need to strengthen and improve on the monitoring of controls relating to compliance with legislation. All instances of irregular expenditure should be investigated and transgressors acted upon decisively.

A summary of the three (3) root causes were as follows:

1. Lack of adequate monitoring of procurement processes, specifically those performed by implementing agents;
2. Management did not implement adequate and effective internal controls over the preparation and review of financial statements; and
3. Preventative controls over the key business areas were not fully implemented, such as procurement and expenditure management.

4.1.11 AGSA Recommendations to Entities:

- AGSA was encouraged by the improved audit outcome of the Department who had since improved on the monitoring and managing infrastructure projects performed by implementing agents. The good practice of managing the implementing agents needed to be shared across the sector.
- The interventions and monitoring by the senior leadership were noticeable and critical to ensure overall movement in audit outcomes with the support of governance and oversight structures.
- There was a need for the Department to:
 - Strengthen the processes relating to the preparation of the financial statements including supporting schedules as well as underlying evidence to facilitate credible reporting.

- Strengthen daily and monthly controls as well regular reconciliations whilst ensuring in-depth reviews. The systems and processes of collecting financial information from implementing agents remains an area that needs close supervision.
- Improve on the monitoring and controls relating to compliance with legislation. Noncompliance instances were still evident in a number of aspects. Some of these instances of non-compliance resulted in financial losses and likely financial losses for the department as evidenced by material irregularities.
- Proactively address irregular and fruitless and wasteful expenditure and instances of such possible expenditure for ensuring accountability.
- Overall the Department would benefit greatly from the implementation of preventative controls throughout the value chain.

4.1.12 AGSA Recommendations to the Portfolio Committee:

During the engagement, with the Portfolio Committee, AGSA recommended the following to improve the audit outcomes:

- Monitoring and regular follow-up must be done with the executive authority and the accounting officer/authority on following:
 - Progress on audit action plans put in place by the Department to further strengthen the controls around the management of the implementing agents.
 - Follow up with the Department to ensure that remedial actions as well as consequence management processes are implemented.
 - Follow up on the commitments made by the accounting officer on addressing the material irregularities reported.
 - Implementation of the preventative and detective controls.
- The culture of consequence management should be enforced in the portfolio.

4.2 Portfolio Committee Observations

- Members noted with concern the continued disruptions with construction activity, especially in respect of sanitation – and queried the mitigations in this regard, as well as the demands of business forums who continue to disrupt construction progress.
- Members alluded to schools in Bushbuckridge that had been damaged/destroyed by storm and flooding. Members noted that a year later, these schools had not been repaired or rebuilt; and queried whether the Department had not budgeted for such repairs.
- Members raised concern with the matrix used by the Department to set certain targets and queried what informed these targets set by the Department. It was important to be able to verify the impact of these targets at ground-level.
- Members sought more data and reporting on the number of teachers aged 30 and below that had been absorbed in the system.
- There was an issue raised around the percentage of principals not satisfied with the support received from the Circuit and District in their area. Members sought clarity on the location of these circuits and districts as well as reasons for the dissatisfaction of principals.
- In respect of Irregular Expenditure, Members queried whether the Department was able to implement consequence management against errand Implementing Agents as well as errand departmental officials.
- Members sought further detail on receiving and accessing the latest updated ASIDI reports from the Department.
- Members noted challenges with support to learners with disabilities and queried the type of support and assistance being given to such learners.
- In respect of the shortage of teachers, Members queried how the Department was addressing this challenge in collaboration with the Department of Higher Education and Training.
- Members also requested that the Department investigated possible misuse of Education Assistants (EAs) at certain school as this was a contravention of the purpose for the employ of EAs. A Member singled out a specific school which she requested the Department to visit and interview educators on the matter.
- A Member also raised challenges being faced at specific schools in the Free State where graduate teachers were struggling to find placement due to perceived policy guidelines from the provincial department. Members further queried the number of vacancies in the Free State and queries as to why these posts, if funded, could not be filled.
- Members noted with concern the poor monitoring of underperforming school by the Department. It was important that the Department had focussed and priorities plans in place to ensure underperforming schools received as much oversight and monitoring visits as possible.

- Although funds were being earmarked for certain conditional grants, Members queried whether any funds were specifically allocated to address issues of learner/teenage pregnancies.
- Members noted that the Department was silent on the delays with the BELA Bill and Members queried the current status of the Bill and the timelines for its tabling and processing. Members also queried the support from all relevant stakeholders. The Department needed to ensure strengthening of its stakeholder engagement processes.
- Members also queried whether the Department was considering any further surveys/research on issues pertaining to bullying, drop-outs, learner pregnancy and online education – could these be prioritised for possible research.
- Members noted a donation from the Chinese Government of R 1 million for a water tank initiative. Members queried the amount of water tanks that have been installed – and were these water tanks functional.
- Members were encouraged by the overachievement of the Department in building 32 school as opposed to the target of 24 schools. Members hoped that this could be replicated in future.
- With underspending on vacancies, Members queried why post were not filled - as well as posts within the Department that were vacant.
- Members noted the withholding of transfer payments to KwaZulu-Natal due to non-compliance in respect of Learners with Profound Disability Grant – Members sought further clarity on reasons for such non-compliance.
- It was also noted that the Auditor-General had recommended that the Department put in place a team of professional accountants to prepare financial statements. Members queried whether the Department was heeding the call from the AG.
- With many teachers lost to the system due to COVID-19 there was a shortage of teachers being experienced. Members queried how the Department was addressing this matter to recruit and return teachers back into the system.

4.3 Responses from the Department of Basic Education

4.3.1 Infrastructure – The Department was proud of the overachievement in respect of schools built. The Department alluded to the negative impact and constraints with the lockdown on small and medium contractors. It was the larger, more established contractors who were able to weather the storm and breach financial challenges. It was mentioned that the building industry had almost grind to a halt with severe shortages of building materials. Most did not plan for the COVID-19 emergency water and sanitation plans that were in put in place. The Department agreed that issues with business forums needed to be addressed urgently as there had been many threats on lives and intimidation. There was a move to ensure a more transparent tender process going forward.

4.3.2 Irregular Expenditure - The matters pertaining to the Irregular Expenditure was further explained as a disclosure over a 10-year period. The Department was looking to ensure focussed efforts on eradication of non-disclosure regarding procurement policies. The Department was exploring new initiatives to expand into the SAFE Programme. The Department was focussed on maintaining its Unqualified Audit Opinion.

In respect of the water tanks donation from the Chinese Government, the Department indicated that this initiative was located in the Northern Cape – the Department would submit a full report on the status of the installation of these water tanks. The Department would follow-up and investigate issues raised in respect of storm-damaged schools in Bushbuckridge as well as the school reportedly built on a wetland area - and submit a detailed report to the Portfolio Committee.

The Department also regularly reported on the ASIDI Programme to various forums and agreed to submit an updated report on the ASIDI Programme to the Portfolio Committee

4.3.3 Consequence Management - The Department continued to monitor errant Implementing Agents who fall foul of policies and regulations. The Department had received qualified audit opinion in the past due to failure to hold Implementing Agents accountable. The Department employed the necessary professional staff who were able to prepare financial statements. The Department had met with the Auditor-General who had commended them for moving to an Unqualified Audit Opinion during a difficult financial year. The Department was unsure whether it was necessary for new team to be appointed for preparing financial statements. The Department continued to implement consequence management against errand departmental officials with disciplinary action. Where Implementing Agents were errant, the Department ensured that no further projects were allocated to them.

- 4.3.4 Human Resources** – The Department noted the issues of EAs being abused at certain schools as raised by Members. The matter will surely be investigated. The Department would further submit a written response in respect of the data on teachers younger than 30-years currently in the system. The Department collaborated closely with the Department of Higher Education and Training in respect of any studies on teacher graduates. Approximately 20 000 teacher graduates completed their studies on an annual basis. With COVID-19, there were two adjusted budgets with cuts to Compensation of Employees which affected posts at provincial level. The Department did not see the full impact of these cuts due to COVID-19 and staggered schooling. The EAs were not employed to replace educators but to assist educators. The Department was of the view that there be a session with the Committee to engage in more detail on issues of EA's vacancies and filling of posts. Regarding other vacant posts within the Department, the Department was in the process of filling them with posts having been advertised and some at interview stage while other already filled. There were some posts that needed to be re-advertised but the Department was working to fill all vacant positions.
- 4.3.5 Withheld Transfer Payment to KwaZulu-Natal** – The Department explained the rationale for the withholding of transfer payments to KwaZulu-Natal due to non-compliance. The Department indicated that KwaZulu-Natal had applied for the roll-over of funds and subsequently there had been an improvement with KZN compliance. The Department mentioned that funds were transferred on a quarterly basis and these funds were monitored for utilisation for its intended purpose. Where there was non-compliance by provinces, the Department was empowered to withhold funds from the province concerned. The Department would submit a written report detailing reasons for the withholding of the transfer payment and what the non-compliance entailed.
- 4.3.6 Dissatisfied Principals** – The Department was able to gather the information provided by principals through its general surveys conducted. The data could be shared with the Portfolio Committee to identify specific districts/circuits as well as reasons for principal dissatisfaction. Currently, most of the dissatisfaction was based on the extent of support provided to schools by circuit and district officials. Officials were also not visiting schools on a regular basis or not at all. It was important that the Department looked at alignment of boundaries to make school visits more manageable.
- 4.3.7 Underperforming Schools** – The Department had produced a number of reports on the monitoring of underperforming schools by the Department during the year. Results were analysed to identify poor performance in subjects per district. The Department had put measures in place to support poor performing schools through mentorship programmes in specific districts. Many mentors had been appointed in the Eastern Cape and Limpopo.
- 4.3.8 Research** – The Department had different sources of research with reviews and refining of policies and programmes of the Department. Further to this, the Department was able to evaluate and monitor specific units being run within certain programmes and across sector outcomes. NEEDU unit also did research in respect of the value chain within the system which may affect quality teaching and learning. The Department also relied on its partners with respect to research, evaluation and analysis.
- 4.3.9 Target Setting** – The Department was able to address development targets of the country through sector plans. These pointed to areas for achievement in respect of growth and growth possibilities. Other targets needed to be dealt with in respect of needs as embodied in the sector outcomes. The Department also looked to analyse previous targets and evaluate performance on these targets.


Dr Whittle indicated that the Department, through the Director-General, had sufficiently dealt with the issues around consultation with stakeholders at a previous meeting. There were regular meetings with stakeholders as coordinated by the DG and the Ministry. The Department also engaged with the Portfolio Committee in an earlier meeting around the issues pertaining to learner pregnancy as well as Gender Based Violence. There was agreement that during the COVID-19 period, there had been an increase in learner pregnancy as well as Gender Based Violence. It was important that the Department strive to ensure children are returned to school to create a normalised schooling environment for learners.




4.4 Portfolio Committee Recommendations

Based on the observations made from inputs received, the Portfolio Committee recommends that the Minister should ensure that the Department of Basic Education consider the following recommendations:

- In collaboration with the relevant Provincial Education Department investigate the following:
 - Reasons for storm-damaged schools in Bushbuckridge not repaired/rebuild more than a year later, within three months after tabling of the BRRR report
 - Issues of possible miss-use of Education Assistants at specific schools within 2 months after tabling of the report.
 - Challenges of graduate teachers not able to find placement due to perceived policy guidelines from the provincial department
- Ensure that there is suitable consequence management implemented against any errand Implementing Agents and official from the Department
- Ensure that learners with disabilities receive the necessary resources, support and assistance to ensure quality teaching and learning
- In collaboration with the PEDs, address the filling of vacant teacher posts – and also take steps to fill vacant posts within the Department as a matter of urgency.
- Focus on and prioritise the oversight and monitoring of underperforming schools with a view to support and assist these schools to better achieve on a quarterly basis.
- As per recommendation from the AG, that the department needs to attend to filling of vacancies to capacitate the financial unit which will address the misstatement as well as non-compliance as identified, within six months from tabling of the report.
- Submit written responses within two months pertaining to the following:
 - An update of the current status of the BELA Bill.
 - A report on the status of installation and functionality of water tank in the Northern Cape from the Chinese Government donation of R1 million.
 - Reasons for withholding transfer payments to KwaZulu-Natal due to non-compliance.
 - A report on the number of teachers aged 30 and below that had been absorbed in the system.
 - A latest updated ASIDI reports from the Department.
 - A report on the specific districts and circuits where there were dissatisfied principals – as well as reasons for their dissatisfaction.

4.5 DBE Progress report on the implementation of the Action Plan to address the AGSA audit findings

Issues and Questions Raised	Progress Made
Functionality of the water tankers in Ncape donated for R1million donated by Chinese <ol style="list-style-type: none"> 1) How many tankers were installed with the funding? 2) Are these water tanks working? 	RESPONSE FROM Ms JACA IS ATTACHED  NCDOE_CHINESE EMBASSY_WATER PR
Storm damaged schools in Mpumalanga <ol style="list-style-type: none"> 1. Why are these schools not being repaired? 2. Who is responsible for storm damaged schools? 	<ol style="list-style-type: none"> a) The MDoE has indicated that their implementing agent experienced procurement delays and this led to delays in implementing the programme. Subsequently, the DoE requested permission from EXCO to implement the projects in-house, which was recently granted and an accelerated implementation programme to rehabilitate the schools is being rolled out. b) Provincial Departments of Education are responsible, either on their own or through implementing agents for the rehabilitation of storm damaged schools.
Access to ASIDI report <ol style="list-style-type: none"> 1. Where can an updated ASIDI Report be accessed? 2. Can an updated report be forwarded to the PC? 	<ol style="list-style-type: none"> a) An updated report can be accessed via the EFMS. Access to EFMS can be requested and provided on certain conditions. A name list of PC members will have to be obtained. b) An updated report can be provided and forwarded to the PC on a monthly basis to the PC by DBE.

	 <p>Progress report to Portfolio Committee 1</p>
Educator Assistants <ol style="list-style-type: none"> 1. Investigate Bothlabatsati Primary School in Mamelodi, Luthuli Combined School in Limpopo where EAs are utilized for cleaning and washing of principal's cars. 2. Why are EAs not paired with teachers only used as cleaners and screeners? 	<p>The Department have requested the Province to investigate and provide a written response. The DBE is awaiting the response from GDE.</p>
Teachers <ol style="list-style-type: none"> 1. Report of how many teachers younger than 30 years have been absorbed into the system. 2. What plans are in place to address major shortage of teachers in system? 3. Is there a report on the shortage of teachers in the system? 4. What has DBE done to recover from vacancies caused by COVID? 	 <p>APPOINTMENTS AGED 30 AND BELOW</p>
Educator Appointments in Free State <ol style="list-style-type: none"> 1. Why is the Free State province not employing teachers who have a PGCE qualification? 2. How many vacant Foundation Phase posts are there in the Free State? 	<ol style="list-style-type: none"> a) Policy requires that all provinces consider teachers qualified through the PGCE for employment, including the Free State. However, applicants must meet all the requirements. b) The minimum entry qualification into a PGCE is an approved undergraduate Bachelor's degree (NQF Level 7 or 8), which includes appropriate and sufficient subject content knowledge to teach school subjects for a particular phase of schooling. c) During consideration of an application for employment the province must determine if the undergraduate Bachelor's degree submitted for entry into the PGCE include appropriate and sufficient subject content knowledge to teach school subjects for a particular phase of schooling. If evidence of sufficient subject content knowledge to teach school subjects for a particular phase of schooling is not adequate, then an appointment cannot be made.  <p>Free State vacancies.docx</p>
<p>Report on the reasons for the non-payment of the fourth tranche to KZN on the LPSID grant.</p>	<p>The non-payment of the last tranche was based on the following grounds:</p> <ol style="list-style-type: none"> a) Delays in the appointment of Transversal Itinerant Outreach Team members on a permanent basis as per 2018/19 Grant Framework. This has had a negative impact on the stability and continuity in the provision of services due to high turnover. The high turnover exacerbated under-expenditure. b) Appointment of social workers instead of psychologists. This has had a negative impact on the provision of services to learners in the targeted special care centres and schools. Among these is the delay in assessing learners' psycho-educational functioning that have resulted in learners not being directed to relevant support programmes.
<p>Support for Principals by district offices</p> <ol style="list-style-type: none"> 1. Is there a report on where dissatisfied principals are located? 	<ol style="list-style-type: none"> a) There is a national survey report produced on the school principals' satisfaction level of the support they received from district offices. The survey is

2. The reasons why they are dissatisfied with the support received?	<p>conducted using a random sample of schools selected from among the schools in each province. The findings are therefore not targeting respondents but are generalizable to all the schools in a province. Areas of dissatisfaction are spread across the sampled schools on Curriculum and Assessment; Management and Governance; Learner Health and Welfare; and COVID-19.</p> <p>b) Reasons for dissatisfaction range mainly from support for a) learner health and welfare; to b) implementation of ICTs in education; and c) overall adjustments for Covid-19.</p>
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5. Statutory Bodies and Other Entities

5.1 Financial and Fiscal Commission (FFC)

The role and function of the FFC, is to look at the infrastructure and educational outcomes as well as the policy and service delivery context.

5.1.1 Infrastructure and Educational Outcomes:

FCC puts emphasis that the quality of school infrastructure, especially in respect of the physical conditions of school buildings could influence attendance and drop-out rates. Good school infrastructure could also impact teacher motivation. Generally, in South Africa, social infrastructure such as schools, hospitals, housing were funded mainly by the government through different conditional grants. In the education sector, the Education Infrastructure Grant and the School Infrastructure Backlogs Grant were the key intergovernmental tools that fund basic education infrastructure.

5.1.2 Minimum Norms and Standards for School Infrastructure

The norms and standards stipulate the basic level of infrastructure that every school must meet in order to function properly. The norms and standards provide timeframes within which school infrastructure backlogs must be met. The regulations require the Provincial MEC to report annually to the Minister of Basic Education on plans to address backlogs at district level in the province and thereafter to report on its implementation. The regulations also specify that these provincial plans should include short, medium and long term plans with targets to reduce backlogs and the proper costing thereof. Based on the essential role that school infrastructure plays in addressing issues related to access and educational quality, the Commission's view is that regulations on norms and standards for school infrastructure will go a long way in enhancing teaching effectiveness and improving student learner outcomes.

5.1.3 Infrastructure Expenditure Trends – In respect of the policy and service delivery context, in November 2013, the Minister of Basic Education published legally binding regulations on minimum norms and standards for school infrastructure. These norms and standards stipulated the basic level of infrastructure that every school had to meet in order to function properly. The norms and standards provided timeframes within which school infrastructure backlogs had to be met. The regulations required the Provincial MEC to report annually to the Minister of Basic Education on plans to address backlogs at district level in the province and thereafter to report on planned implementation. The regulations also specified that these provincial plans should include short, medium and long term plans with targets to reduce backlogs and the proper costing thereof. Based on the essential role that school infrastructure plays in addressing issues related to access and educational quality, the Commission's view was that the regulations on norms and standards for school infrastructure would go a long way in enhancing teaching effectiveness and improving student learner outcomes.

5.1.4 Targets in respect of School Infrastructure

- **Implementation timeframe envisaged and the anticipated date per infrastructure type**

Dimension of Infrastructure	Implementation Timeframe	Anticipated Date for Achievement of Milestone
All schools built entirely from mud or asbestos or metal or wood	3 years from date of publication (end 2013)	2016

All schools that do not have access to any form of power supply, water supply or sanitation		
Availability of classrooms, electricity, water, sanitation, electronic connectivity, perimeter security	7 years from date of publications (end 2013)	2020
Libraries and laboratories for science, technology and life sciences	10 years from date of publication (end 2013)	2023
Compliance with all other norms and standards	before 31st December 2030 (end 2013)	

5.1.5 Progress in Respect of Targets on Infrastructure – In terms of access to basic infrastructure such as water, sanitation, electricity, improvements were noted. Whereas in 2018, the NIEMS reported 37 schools in the Eastern Cape had no sanitation facilities – since 2019 there were no schools without some form of sanitation. Quality of basic infrastructure required attention – 16 percent of schools in SA record pit latrines as their only source of ablution facility, although this had declined to 13.6 percent as at 2020. A majority of schools did not have laboratory and library facilities and to a lesser extent sports facilities. Continued neglect in the provision of this type of infrastructure would impact other outcomes e.g. promotion of healthy lifestyles, improving literacy levels and building of the skills required for the knowledge economy. The extent to which schools lack these facilities varies by province:

- In terms of sports facilities: 64 percent of schools in Eastern Cape and 54 percent of schools in KZN did not have any sports facilities
- In terms of laboratory facilities: 94 percent of schools in Limpopo and 93 percent of schools in Eastern Cape did not have laboratory facilities
- In terms of library facilities: 92 percent of schools in Eastern Cape, 92 percent of schools in Limpopo did not have library facilities

5.1.6 Accelerated Schools Infrastructure Delivery Initiative (ASIDI) – ASIDI was introduced in 2011/12 and aimed at:

- Eradicating inadequate, unsafe and poor physical infrastructure by using allocated funds properly;
- Eliminating backlogs in school infrastructure; and
- Upgrading schools to meet the standards prescribed by the Norms and Standards for School Infrastructure.

Funding for ASIDI flowed to the Department through the School Infrastructure Backlog Grant (SIBG) allocations which was established to be a high impact, temporary intervention. The SIBG was scheduled to end in 2017/18 and in 2018/19 to be merged with the Education Infrastructure Grant. However, the SIBG had been extended in order to complete projects underway/in the pipeline. The Grant was characterised by a complex delivery chain involving, DBE, PEDs, DBSA and contractors. Since inception, R16.2 billion had been allocated in respect of SIBG which was used to fund the ASIDI programme – on average 76 percent (R14.6 billion) of the allocated amount had been spent.

5.1.7 Challenges related to ASIDI – The SIBG was an indirect grant, i.e. it is spent by the National Department of Basic Education on behalf of Provincial Education Departments (PEDs). The Development Bank of Southern Africa (DBSA) and Eskom were the appointed implementing agents for the management of ASIDI projects. DBSA in turn utilised subcontractors, who in turn rely on numerous small, medium and micro enterprises (SMMEs) to roll out the school building project – this arrangement complicated and weakened the accountability chain and thus strong oversight was required. Some of the challenges arising due to the nature of indirect grants include:

- Poor joint planning, communication and sharing of information, disincentives related to implementing agents not being the owner of a project.
- Longer and more complex supply chain management processes, increase the risk for irregularity.
- Considering the poor performance of this grant alongside the money being invested to establish the requisite built environment skills within PEDs, it was time to reconsider this delivery model which relied heavily on Implementing Agents (IAs)

5.1.8 Education Infrastructure Grant (EIG) – The Education Infrastructure Grant (EIG) was introduced to:

- Accelerate the construction, maintenance, upgrading and rehabilitation of new and existing infrastructure in education;
- Enhance capacity to deliver infrastructure in education;
- Address damaged education infrastructure; and
- Assist in ensuring that targets set out in the minimum norms and standards for school infrastructure were met.

The EIG was a Schedule 4 conditional grant to provinces and was meant to supplement provincial allocations. Over the past few years the allocations to EIG had been cut due to fiscal consolidation efforts. Alongside this and due to a constrained education budgets, provincial allocations had also come under pressure - with the result that provinces were generally relying solely on the EIG and not allocating towards this item from their own revenue. As at the end of 2019/20, data showed that, of the total provincial education infrastructure spending, 86 percent came from EIG whilst 14 percent came from provincial contributions. The Eastern Cape allocated zero percent its PES, Limpopo and North West allocated 0.2 percent from PES and Northern Cape and Free State allocated 1.2 and 1.9 percent from PES respectively. At the other end of the spectrum, the Western Cape allocated 36.9 percent and Gauteng 24.4 percent of PES towards total infrastructure spending.

A total of R87.5 billion was allocated to EIG between 2011/12 and 2020/21. Relative to general spending performance of infrastructure conditional grants, EIG had performed well with actual spending averaging 95.7 percent over the period 2011/12 and 2020/21. There should be alignment between financial and non-financial performance, but there were unobservable idiosyncrasies e.g. North West with zero progress but over 100 percent spending. Reasons for underspending include:

- Capacity constraints in terms of project implementation, difficulties recruiting;
- Procurement delays;
- Poor planning and late payments to contractors;
- Delayed delivery due to poor contractor performance;
- Insufficient budgets to meet backlogs; and
- Vandalism.

Vandalism hampered the infrastructure grant delivery targets. A total of 397 schools were vandalised in 2021. Mpumalanga had the highest number of vandalised schools while Free State had the least. This called for improved security at schools.

5.1.9 Challenges with Existing Infrastructure Delivery Mode - The status quo for delivering most provincial infrastructure projects separated the planning, budgeting and implementation functions between sector departments and implementing agents, thus distorting incentives and weakening the accountability chain. Multiple planning and implementing agents complicates the delivery chain. Budget and time overruns were frequent because provincial departments of public works and other implementing agents appointed consultants to design and oversee infrastructure projects, but were not incentivized to properly manage them as the Auditor General does not hold implementing agents accountable for infrastructure spending. Accounting treatment runs contrary to what happened in practice – should be further considered by National Treasury and Accounting Standards Board. The analysis of the infrastructure value-chain revealed that a lack of oversight at key delivery points were increasing incentives to engage in fiscal misappropriation. The Commission noted the disconnect between using implementing agents, alongside financial investments to develop internal built environment skills in education departments (in line with the Infrastructure Delivery Management System).

5.1.10 Infrastructure Funding and Allocation Reforms – The slow pace of infrastructure grants implementation was slowly being overtaken by growing demographic shifts. The phenomenon of learner migration and subsequent school closures and merging left many of the refurbished ASIDI schools under-utilised. The Department needed to revise the list of targeted ASIDI to ensure alignment to demographic shifts. In 2016 the FFC recommended that both the National Treasury and DBE ensured that the Framework for Infrastructure Grants incorporates provincial spatial demographic patterns and forecasts when decisions to build, expand or maintain schools were made. SBIG needed to be incorporated into the EIG as per announcement made in 2017/18.

5.1.11 Expenditure Patterns in respect of Non-Infrastructure Conditional Grants – The largest conditional grant was the National School Nutrition Programme Grant which was allocated just over R7.7 billion in 2020/21. The smallest grant was the Learners with Profound Intellectual Disabilities Grant which was allocated R255.8 million in 2020/21. The Maths, Science and Technology Grant saw significant underspending in 2019/20 as 80 percent of schools did not have access to laboratory facilities. This grants thus played an important role in terms of providing support/resources to embed the use of ICT across the curriculum and grow maths, science and technology. Reasons for the underspending needed to be addressed. There was an improvement in spending with respect to

Learners with Profound Intellectual Disabilities Grant which demonstrated teething problems over the past two years. The dampened spending recorded for 2020/21 should be seen in the context of the Covid-19 pandemic and its impact on the sector.

5.1.12 Equity in Education - Equity in education could be two dimensional i.e.

- Equal treatment, fairness, social justice; and
- Equal opportunity, achievement – access to basic minimum standard of education

South Africa had achieved equality through no fee school and open school choice policies. Attaining equity remained a challenge because education policies and the funding framework did not fully address barriers to education potential. The South African Schools Act (SASA) required government to fund schools adequately and equitably. The National Norms and Standards for School Funding (NNSSF) intended to reduce resource disparities between affluent and less affluent schools. Poor schools continued to experience structural systemic challenges and some provinces were unable to augment NNSSF funding to support the under-resourced schools.

5.1.13 National Norms and Standards for School Funding – Through the National Norms and Standards for School Funding, a quintile-based funding approach had been implemented. A five-tiered system was used with Quintile 1 including the neediest schools whilst Quintile 5, the most affluent – learners in quintiles 1, 2 and 3 did not pay school fees. The approach aimed to achieve redress and equity through directing greater funding to needier learners. Each year the Department set the target per learner amount for each quintile, which PEDs had to adhere to. The 2020 threshold amounts for schools were retained/ unchanged in 2021. KwaZulu-Natal had been funding all quintiles at a level below the national threshold amount since 2014 while Mpumalanga was funding all quintiles below the national threshold level since 2016. The Northern Cape was funding Quintiles 1 to 3 below the national threshold level since 2015 and the Eastern Cape was displaying this below threshold level funding in 2021.

There were disparities in meeting the target NSSFF learner allocations across provinces, within districts and schools. Disparities were exacerbated by the faster growth in compensation of employees spending, the phenomenon of learner mobility and fiscal mismanagement. Small schools were adversely affected as NNSSF allocations was insufficient to meet total school operational costs. There were questions about the adequacy of the set target learner allocations as the set amount did not meet CAPS curriculum requirements.

5.1.14 Equity in the Distribution of other Education Resources – There was no comprehensive and holistic framework for resourcing poor schools and improving equity. Teachers were allocated to schools on the basis of the Post Provisioning model, not poverty. Funding for infrastructure was allocated differently from learners' subsidies and educators and this disproportionately benefited richer provinces. There was disregard for peculiar constraints affecting poor schools/learners (i.e. child headed households) and may jeopardise equity aspirations. There was a need for greater emphasis on completion rate and better attainment for learner with poor socio-economic backgrounds.

5.1.15 Implications of the MTBPS 2021 - Learning and culture was allocated on average 20 percent of the total consolidated expenditure – the largest allocations relative to other functional groups (health, peace and security, social development etc.). Over the 2022 MTEF period budgets of Basic Education, PSET and Arts, Culture, Sport and Recreation would again be under significant pressure – particularly in 2022/23 and 2023/24. One needed to ask how would departments manage, and which aspects of service delivery would be affected. Departments would have to inform Parliament about how they would deal with this challenge

5.1.16 FCC Recommendations

Non Infrastructure Grants:

- The Department of Basic Education and National Treasury looked to consider adjusting the allocation criteria for HIV/AIDS (Life Skills Education) grant from relying on PES education component shares - to available performance information as per expected outputs.
- The Department of Basic Education and National Treasury should consider incorporating the HIV/AIDS (Life Skills Education) grant into the Provincial Equitable Share and aligning planning and implementation with the community outreach component of the HIV/AIDS, TB, Malaria grant.
- The Department of Basic Education and National Treasury should streamline the reporting process for the Learners with Profound Intellectual Disability Grant, by reducing the number of expected

outputs and improve the linkage between the expected outputs and overall grant objectives (outcomes).

- The Department should consider revising the allocation criteria for HIV/AIDS life skills and incorporating into the provincial equitable share.
- With respect to equity, the per learner funding below national threshold amounts which persisted in some provinces, Provincial budgets needs to be adjusted to bring the per learner funding in line with national threshold amounts especially in the case of learners in quintile 1 to 3 schools.
- Equity in education also requires a holistic approach to deal with learning constraints in totality – hunger, language, family, health etc.

Infrastructure Grants

- With respect to infrastructure conditional grants, effective oversight is recommended over basic education conditional grants, especially in the case of infrastructure projects.
- The delivery model of the ASIDI programme should be reviewed within 9 months timeframe from date of tabling of this report.
- Ensure to meet implementation timeframes, as not meeting timeframes has a direct bearing on the division of revenue – as such outstanding targets should be quantified and further considered by the Education sector together with national and provincial treasuries.
- The reform must incorporate demographic shifts as overriding factors to determine targeting of schools.
- SIBG must be incorporated into EIG as per announcement.
- The department has to attend to performance challenges and uneven access to school infrastructure and other educational inputs
- The department should address the wide disparities in educational outcomes between rural and urban provinces, and between less affluent and more affluent schools as a priority for 2022/23 financial year.

5.2 Council for Quality Assurance in General and Further Education and Training (Umalusi)

5.2.1 Background and Mandate

The mandate of Umalusi was determined by Chapter 2 of the Constitution and the GENFETQA Act assigning Umalusi the responsibility for quality assurance of general and further education and training. The Council was responsible for qualifications registered on the general and further education and training qualifications sub-framework (GFETQSF) of the National Qualifications Framework (NQF). The Quality Council ensured that the providers of education and training have the capacity to deliver and assess qualifications and learning programmes and that they do so to expected standards of quality.

5.2.2 Reflections on 2020/21 - Implementation of the first Annual Performance Plan (APP) of the current five-year strategic plan was disrupted by the COVID-19 pandemic. Umalusi revised the APP and the Minister re-tabled it in Parliament in July 2020, as a result, not all 2020/21 targets were achieved. The presentation was based on the re-tabled targets. Despite the COVID-19 challenges, Umalusi managed to remain focused on their five-year strategic priorities.

5.2.3 Strategic Priorities – The Umalusi strategic priorities could be summarised as follows:

- Reviewing the quality assurance of assessment approach so as to accommodate new qualifications
- Evaluating and appraising new qualifications – e.g. General Education Certificate (GEC).
- Amending the founding Acts to accommodate new qualifications and desired extensions in the mandate of quality assurance.
- Intensify research on educational developments to innovate and advise the Ministers of Education.
- Intensify advocacy on qualifications within the sub-framework.
- Seeking an alternative funding model to increase revenue.

5.2.4 Audit Report – The report of the External Auditor (RAiN Chartered Accountants Incorporated) indicated that Umalusi achieved its second Unqualified Audit Opinion with no material findings (Clean Audit). This was possible because of the maintenance and improvement of Umalusi systems and controls.

5.2.5 Performance Information for 2020/21 – The overall Annual Performance stood at 94 percent achieved and only six percent not achieved. The status of achievement per programme indicated 100 percent for Programme 2 and Programme 3 and 75 percent for Programme 1.

5.2.5.1 Programme 1: Administration - Programme 1 covered the following sub-programmes:

- Strategy and Governance (S&G);
- Public Relations and Communications (PR&COMMS);
- Information Communication Technology (ICT);
- Human Resource Management and Development (HRM&D); and
- Finance and Supply Chain Management (F&SCM).

Programme 1 Performance

Performance Indicator	Annual Target	Annual Output
1.1.1: Number of advocacy exhibitions conducted	0	N/A This indicator was given zero targets for the rest of the year because no exhibitions could be held
1.1.2: Number of advocacy webinars conducted	4	4
1.2.1: ICT Network health score maintained at $\geq 95\%$	$\geq 95\%$	98%
1.3.1: Vacancy rate maintained at $\leq 10\%$	$\leq 10\%$	5%
1.4.1: Percentage of valid invoices of creditors and suppliers paid within 30 days	99%	92%

5.2.5.2 Programme 2: Qualifications and Research - Programme 2 covered the following sub-programmes:

Qualifications, Curriculum and Certification

- Ensuring and enhancing the status and quality of qualifications on the sub-framework, which Umalusi develops, manages and reviews;
- Evaluating curricula to ensure that these are of acceptable quality;
- The certification of candidate performance for all qualifications on the GFETQSF; and
- Verifying all qualifications Umalusi and its predecessor, SAFCERT, have issued since 1992.

Statistical Information and Research

- Conduct research that is informed by the emerging needs of the education system so as to engage stakeholders towards innovative thinking;
- Report on the key indicators of quality and standards in general and further education and training;
- Establish and maintain databases; and
- Lead research and analysis and provide statistical support and information across Umalusi.

Programme 2 Performance

Performance Indicator	Annual Target	Annual Output
2.1.1 Number of reports produced on the management of qualifications in the sub-framework	1	1
2.2.1 Percentage of error-free learner records for which a certificate is printed	100 %	100 %
2.3.1 Percentage of verification requests received that are completed in terms of the service Level agreement: two working days	90 %	92.1 %
2.4.1 Number of research reports completed in various formats	4	4

5.2.5.3 Programme 3: Quality Assurance and Monitoring - Programme 3 covered the following sub-programmes:

Quality Assurance of Assessment - This function entails the following:

- External moderation of question papers;
- External moderation of internal assessment;
- Verification of monitoring of the assessment system;
- Monitoring of the conduct, administration and management of assessment and examinations processes;
- Management of concessions, assessment and examination irregularities; and
- External moderation of marking processes.

Evaluation and Accreditation - Quality assurance of provision and assessment through evaluation and accreditation of private education institutions and private assessment bodies. This entails ensuring that:

- Standards of provision are determined, maintained and strengthened;
- Systems are in place to quality assure the capacity of the private education and training institutions seeking accreditation to implement qualifications registered on the GFETQSF through an accreditation and monitoring process;
- Systems are in place to quality assure the capacity of private assessment bodies seeking accreditation to assess qualifications registered on the GFETQSF.

Programme 3 Performance

Performance Indicator	Annual Target	Annual Output
3.1.1 Number of quality assurance of assessment reports published for qualifications registered on the GFETQSF	8	8
3.2.1 Percentage of question papers approved per qualification	100%	100%
3.3.1 Number of assessment bodies audited for their state of readiness to conduct examinations	12	13
3.4.1 Number of subjects for which verification of marking is conducted	70	85
3.5.1 Number of subjects for which moderation of internal assessment is conducted	85	180
3.6.1: Percentage of accreditation outcomes for private education institutions finalized within 12 months of the site visit	82%	94.8%
3.7.1: Percentage of identified private education institutions monitored after being granted accreditation	70%	87.4%

- **Reasons for Under-Performance** - The negative effect of COVID-19 on payments in the first quarter affected the overall performance. Umalusi will ensure that payments to service providers would be approved and processed electronically if hard lockdown was introduced due to the pandemic.

5.2.6 Human Capital Management (HCM) - The Council gave a detailed breakdown of the following:

- **Employment and Vacancies:**
 - 2019/20 number of employees – 136;
 - 2019/20 approved posts – 141;
 - 2020/21 approved posts – 143;
 - 2020/21 number of employees – 135; and
 - 2020/21 vacancies – 8 (percentage of vacancies was 6 percent).
- **Employment Changes:**
 - Employment at the beginning of the period – 133;
 - Appointments – 7;
 - Terminations – 5; and
 - Employment at the end of the period – 135.
- **Equity in Employment:**
 - Total Staff – African: 84 percent, Coloured: 2 percent, Indian: 5 percent and White: 9 percent
 - Males and Females: African Male: 45 percent, African Female: 40 percent, White Male: 4 percent, White Female: 5 percent, Indian Male: 1 percent, Indian Female: 3 percent, Coloured Male: 0 percent and Coloured Female: 2 percent.
 - Total Male: 47 percent and Total Female: 53 percent

5.2.6 Financial Information

5.2.6.1 External Audit Report (RAiN) - External private auditors were appointed with consent of the Auditor General of South Africa (AGSA) – RAiN Chartered Accountants Incorporate. The Audit was conducted in accordance with the international Standards on Auditing (ISAs). The final audit opinion for Umalusi was a Clean Audit (Unqualified Audit Report with no material findings). The financial statements compiled in GRAP present fairly, in all material respects, the financial position of Umalusi as at 31 March 2021, and its financial performance and cash flows. Umalusi submitted financial statements free from material misstatements and did not have any unadjusted audit differences for the 31 March 2021 final audit. There were also no instances of material non-compliance with requirements of applicable legislation. Overall the financial viability was assessed as good. Officials of the entity had the required skills and competencies.

5.2.6.2 Statement of Financial Position

Table 1: Statement of Financial Position (1)

As at 31 March 2021	2021	2020
Figures in Rands	R	R
Assets		
Current Assets		
Receivables from exchange transactions	5 070 915	5 326 330
Pre-payments	1 550 064	1 822 445
Cash and cash equivalents	44 781 996	43 232 315
	51 402 975	50 381 090
Non-Current Assets		
Property, plant and equipment	56 718 838	60 298 872
Intangible assets	5 896	13 119
	56 724 734	60 311 991
Total Assets	56 718 838	60 298 872

Table 2: Statement of Financial Position (2)

As at 31 March 2021	2021	2020
Figures in Rands	R	R
Liabilities		
Current Liabilities		
Payables from exchange transactions	18 167 448	14 943 233
Non-Current Liabilities		
Operating lease liability	163 233	40 577
Employee benefit obligation	8 929 000	7 820 000
	9 092 233	7 860 577
Total Liabilities	27 259 681	22 803 810
Net Assets	80 868 028	87 889 271

Table 3: Statement of Financial Position (3)

As at 31 March 2021	2021	2020
Figures in Rands	R	R

Reserves		
Revaluation reserve	34 804 310	34 804 310
Accumulated surplus	46 063 718	53 084 961
Total Net Assets	80 868 028	87 889 271

Table 4: Statement of Financial Performance (1)

	2021	2020
Figures in Rands	R	R
Revenue		
Revenue from exchange transactions		
Accreditation fees	3 407 919	7 754 892
Certification fees	2 633 061	2 075 881
Verification fees	7 896 846	12 388 030
Rental income	601 923	903 541
Sundry income	3 188 594	4 635 967
Interest received – investment	2 172 487	4 532 233
Gain on disposal of assets	2 735	20 377
Total revenue from exchange transactions	19 903 565	32 310 921
Revenue from non-exchange transactions		
Government grant & subsidies	136 404 000	134 634 000
Total Revenue	156 307 565	166 944 921

Table 5: Statement of Financial Performance (2)

	2021	2020
Figures in Rands	R	R
Expenditure		
Actuarial losses	112 000	2 467 000
Depreciation and amortisation	6 051 742	3 578 279
Employee cost	85 571 123	81 449 835
Other operating expenses	17 266 377	16 821 200
Moderator and verifier costs	32 026 281	39 125 152
Travel and accommodation	6 229 991	17 282 233
Certificate expenses	9 177 439	9 714 642
Printing and stationery	1 001 306	1 635 634
Bad debt written off	1 115 909	0
Communication expenses	680 366	1 450 866
Consulting and professional fees	3 793 287	3 071 402
Covid-19 (PPE expenditure)	302 987	0
Total Expenditure	163 328 808	176 596 243

Cash Surplus – In respect of committed funds, Umalusi approved a tender amounting to R40 million for the renovations of 41 Van Reyneveld Street – Thuto-Mfundo Building, adjacent to the current building. The Department assisted with the request to retain the cash surplus to be utilised as set out above and this has been granted by National Treasury.

5.2.7 Portfolio Committee Observations

Members engaged Umalusi on their respective presentation and, welcomed the quality of report and commended the entity for considerable work in improved performance. The Committee raised the following observations:

- Members requested that Umalusi intervened in a case where a learner was having difficulty with receiving her certification – and applications being rejected due to her not having the necessary certification.
- With a decrease in Umalusi's budget allocation, Members queried how the Council was able to cope with the budget cuts and how realistic the projections were with such limited resources. It was noted that there had been no decrease in targets.
- In respect of vacancies, Members queried whether the Council had been able to fill all vacant posts, if not, what were the challenges with filling these posts.
- Members sought clarity on the type of improvements made by Umalusi, the costs of such improvements as well as the timeline for the implementation of the improvements. Similarly, with respect to ICT improvements.
- Regarding certification backlogs, Members queried what the status of the backlogs were and whether there were challenges with managing the backlogs.
- With the high unemployment rate in the country, Members queried whether the Council was considering the National Senior Certificate for Adults as a qualification in the near future. What was the progress and current status with this new qualification – and how soon would it be implemented.
- Regarding the deregistration of many Independent Schools, Members queried how many had deregistered and closed down. Members also sought a report on the number of Independent Schools that have applied for registration with Umalusi – and the timeline for processing such registrations.
- In respect of rebates to schools with less than 30 learners, Members queried how many rebates had been applied for and how many had been granted by Umalusi.
- In respect of the Early Childhood Development (ECD) migration, Members queried the role and involvement of Umalusi in the process – and whether ECDs needed to be registered with Umalusi.
- Regarding programmes for Learners with Special Education Needs, Members queried the number of special programmes approved/registered with Umalusi.
- Members sought clarity on the research projects being planned by Umalusi in respect of the impact of COVID-19. Members also queried the type of resources required by Umalusi for such planned research activities.

5.2.8 Responses

The Council thanked Member for the commendations with the clean audit and promised to work hard not to regress. Although examinations were running smoothly, it was the Department that needed to be commended for the security of question papers – Umalusi only played a monitoring role. Umalusi would look into the matter of the specific student struggling with certification and try to resolve the matter speedily. The budget had decreased and Umalusi also struggled as an entity. The scope was not adequate due to the budget constraints and wished the scope could be expanded for Umalusi to pronounce with confidence. Umalusi indicated that, in fact, some of the performance indicators and targets had to be adjusted due to budget cuts. They had also found alternative and innovative ways to reduce running costs and adapt accordingly. Issues of ICT were critical and required additional funding and resources to ensure an adequate security network.

Umalusi had to freeze some posts during the pandemic and had not created any new positions. However, Umalusi would approach Council for additional new post in the new year. Umalusi was appreciative of the extra R 20 million made available by National Treasury through the efforts and engagements of the Department and Portfolio Committee. The Council also gave a detailed explanation regarding some of the output values of indicators and the adjusted re-tabling of the Annual Report. Output values on indicators were adjusted after the re-tabling of the Annual Report. Umalusi tried to keep staff motivated to do better and senior managers also signed pledges to ensure a clean audit. Staff needed to always adhere to policies and work in an ethical manner. Executive managers had monthly meetings to ensure accountability for targets agreed to and set. The Portfolio Committee was further briefed on the issues of certification backlogs with regular meetings on the topic. Since the last engagement with DHET, it was established that the backlogs had been reduced to around one percent.

Umalusi and DHET was planning to implement the National Senior Certificate for Adults in June 2022. There were some delays with outstanding documents pertaining to the Curriculum and Assessment. In respect of ECD migration, Umalusi has yet to receive information from the Department on the role and involvement of Umalusi in the process. The only special programme for LSEN learners was the introduction of South African Sign Language to the Curriculum. Other than this, learners continued to

also use Braille. Umalusi also alluded to some of the research studies commissioned and completed – all research reports could be accessed from the Umalusi website

5.2.9 Portfolio Committee Recommendations

Based on the observations made from inputs received by Umalusi the Portfolio Committee recommends that the Minister should ensure that the Department of Basic Education consider the following recommendations:

- Ensure that Umalusi resolves a case brought to the attention of the Council in respect of certification challenges experienced within two months of tabling this report.
- Ensure that Umalusi was able to fill vacant posts within the Entity – depending on the budget availability.
- Ensure that the Council was able to manage and finalise all certification backlogs, in a timeframe of 6 months after the tabling of the BRRR report.
- Ensure that Umalusi was able to finalise, introduce and implement the National Senior Certificate for Adults as a qualification by end of 2022/23 financial year.
- Ensure that Umalusi in collaboration with the Department decided on the role and involvement of Umalusi in the ECD migration processes two months prior the migration takes place.
- Ensure that Umalusi prepare and submit written responses within three months after tabling this report, to the following:
 - Umalusi Improvements: *type of improvements, costs of improvements and timeline for the implementation of the improvements. Similarly, with respect to ICT improvements.*
 - Independent School: *Number of deregistration Independent School, number of Independent Schools closed down, how many applied for registration and the timeline for processing such registrations.*
 - Rebates: *How many schools applied for rebates, how many rebates had been granted.*

5.3 South African Council for Educators (SACE)

5.3.1 Background and Mandate

The South African Council for Educators (SACE) is a Schedule 3A public entity, established in terms of Act No. 31 of 2000, as amended, to enhance the status of the teaching profession. The Basic Education Laws Amendment Act (2011) has amended the South African Council for Educators Act No. 31 of 2000 to enable the Council to manage the Continuing Professional Teacher Development System, and to allow the Council to request for additional funding from the public fiscus when necessary.

The South African Council for Educators is accountable to the Department of Basic Education (DBE) and fits into the Minister of Basic Education's Delivery Agreement and Action Plan towards schooling 2030, which speaks to "improving the quality of teaching and learning" through the improvement of teacher capacity and practices.

The key business of SACE is to promote professionalism, empowering educators through development and ensuring that educators are committed to the teaching profession such that they adhere to the ethos as enshrined in the Constitution of the Republic of South Africa.

5.3.2 Annual Performance Plan 2020/21

The Annual Performance Plan 2020/21 summarised the priorities of SACE as outlined in the Strategic Plan 2020-2025. The activities of SACE have been structured into five programmes as follows:

- Programme 1: Administration;
- Programme 2: Registration;
- Programme 3: Ethics
- Programme 4: Continuing Professional Teacher Development Management (System); and
- Programme 5: Professional Standards.

5.3.3 Overview of the Service Delivery Environment and Context

This Annual report signalled the first year of implementing Council's 2020 – 2025 strategic plan. It was also the last Annual Report for the outgoing 2017-2021 Accounting Authority. The period under review experienced unprecedented COVID-19 pandemic and steep learning curve in

navigating and understanding the dynamics and complexities of regulating the teaching profession under the pandemic. Council had been able to service its members, although under limited conditions. Therefore, it acknowledged that some of the service and performance standards affected by the entity's inadequate systems and oversight during the national lockdown periods, may not be at the desired levels as reflected in the AGSA presentation to the Portfolio Committee and APP programmes. Consequently, poor performance has been observed in programmes such as, the Professional Development and Ethical Standards, for some internal reasons and those that were beyond Council's control. Through the developed remedial action plan and oversight processes, Council was committed to draw lessons from the period under review and improve its services to the teaching profession and business operations systems for the better.

An additional 4 (15%) indicators out of 27 were partially achieved at 90% level and above and 9 (33%) out of 27 indicators were not achieved during the period under review. The 2020/21 performance decline of 12% as compared to 2019/2020, could be attributed to the effect of COVID-19 pandemic disruptions in the schooling sector that had the ripple effect on Programme 3 (Ethical Standards) and Programme 4 (Professional Development) in particular, along with some of the internal systems and processes that were not adequate to mitigate the situation.

Overall, 60 285 registration transactions of provisionally registered student teachers, newly qualified educators updating from provisional to full registration status and other categories of registration, were conducted as compared to 79 084 in 2019/2020. While professional registration of educators, student teachers and college lecturers were achieved, the situation was not the same for Programme 3 (ethical standards) and Programme 4 (professional development). These two programmes experienced the lowest performance of their time in areas where schools, teachers and learners were required to achieve the targets. The situation was particularly aggravated by the negative audit findings in Programme 4, which were being addressed and monitored closely through Council, Internal Audit and Risk Committee and Department of Basic Education.

Council received an unqualified audit report; however, the audit was not clean. The misstatements identified in the audit report and reflected in the AGSA presentation were being addressed through the Council-approved remedial action plan and close Council oversight process. Some of the key remedial actions include the following:

- Organisational reflective and planning session to:
 - Review the overall organisational performance and learn from the audit findings
 - Use the lessons to review the APP 2021/2022 and develop the 2022/2023 APP
 - Develop the remedial action plan
 - Heighten systems and processes for credible and reliable performance information in line with the DPME / National Treasury Frameworks
- Orientation and Re-orientation of the 2021 – 2025 Council and Council Committees members on their oversight role in September / October 2021
- Reviewed 2021/2022 APP to address some of the issues that led to the audit findings in terms of the wording of targets and Technical Indicator Descriptors in the 2020/2021 APP.
- The revised APP has been submitted to the DBE on the 31st October 2021, with relevant amendment Addendums, for the Minister's approval.
- Dedicated and focused extended management quarterly report review sessions in line with the performance information framework and external audit standards.

5.3.4 Programme and Sub-Programme Plans

For the 2020/21 pre-determined objectives, SACE had a total of 27 indicators of which 14 were achieved (52 percent). The performance indicators not reached were as follows:

Performance Indicator	Annual Target	Annual Output	Difference
Number of research reports produced	3	2	-1
Percentage of employees assessed through performance development system	100%	52%	-48%
Number of research-based seminars/ conferences conducted	1	0	-1

Percentage of employees assessed through performance development system	100%	52%	-48%
Percentage of invoices paid within 30 days	100%	90,9%	-6,8%
Percentage of educators applying through the online system for professional certification	50% (12 500)	17% (10 096/60 285 x100)	-33% (2 404)
Percentage of investigations on new cases finalised	50%	0.9% (4 finalised out of 443 cases received)	-49.1
Percentage of investigations on roll-over cases finalised	50%	13.1% (60 cases finalised out of 456 rolled-over cases)	-36.9
Percentage of disciplinary hearings on new cases finalised	30%	0.6% (3 cases finalised out of 443)	-29.4
Percentage of disciplinary hearings on roll-over cases finalised	40%	11% (52 roll-over cases finalised out of 456 cases)	-29
Number of analysis reports produced on sanctioned educators	2	1	-1
Percentage of selected practicing signed-up educators verified for the continuing professional development uptake	40%	7.36% (1626/22 104 X100)	-32.64%
Number of educators supported on professional matters	50 000	-	-

5.3.4.1 Programme 1: Administration – This was a new Programme for the 2020 – 2025 strategic plan and Council was reporting on it for the first time. The purpose of the Programme was to implement and manage the policy directives and priorities of the Council to ensure the functional proficiency of SACE through appropriate support services. Sub-Programmes for Programme 1 included the following:

- Executive and Governance;
- Planning, Monitoring & Evaluation Reporting and Research;
- Corporate Services;
- Financial Management;
- Communication and Stakeholder Relations; and
- Information and Communication Technology.

Within this programme, SACE had 8 performance indicators as follows:

Planned Target (2020/21), Actual Achievement (2020/21 and Deviation

- **Number of Council and EXCO meetings** - The planned target was set at 10 meetings and the SACE actual achievement was 14 – a positive deviation of four (4) meetings.
- **Number of quarterly performance reports submitted to DBE** - The planned target was set at four (4) reports. The SACE actual achievement was four (4) reports with no deviation.

- **Number of research reports produced** - The planned target was set at three (3) reports. The SACE actual achievement was on two (2) reports – a negative deviation of one (1) report.
- **Number of research-based seminars/ conferences conducted** - The planned target was set at one (1) seminar/conference. The SACE actual achievement was zero (0) seminar/conferences – a negative deviation of one (1).
- **Percentage of employees assessed through performance development system** - The planned target was set at 100 percent but the SACE actual achievement only stood at 52 percent – a negative deviation of 48 percent.
- **Communication strategy developed and monitored** - The planned target was set at one (1) and this was achieved with no deviations.
- **Percentage of invoices paid within 30 days** - The planned target was set at 100 percent but the SACE actual achievement only stood at 90.9 percent – a negative deviation of 6.8 percent.
- **Approved ICT policy** - The planned target was set at one (1) and this was achieved with no deviations.

Actual Achievement (2019/20), Actual Achievement (2020/21) and Comments

- **Number of Council and EXCO Meetings** – For the 2020/21 FY the actual achievement stood at 14.
- **Number of quarterly performance reports submitted to DBE** - For the 2020/21 FY the actual achievement stood at two (2).
- **Number of research reports produced** - For both the 2019/20 and 2020/21 FY the actual achievement stood at two (2).
- **Number of research-based seminars/ conferences conducted** - For the 2019/20 FY, the actual achievement was nine (9) and the 2020/21 FY the actual achievement was zero (0) – a decrease of nine (9).
- **Percentage of employees assessed through performance development system** - For 2020/21 FY the actual achievement stood at 52 percent.
- **Communication strategy developed and monitored** - For 2020/21 FY the actual achievement was one (1).
- **Percentage of invoices paid within 30 days** - For 2020/21 FY the actual achievement was 90.9 percent.
- **Approved ICT policy** - For 2020/21 FY the actual achievement was one (1).

5.3.4.2 Programme 2: Registration – The purpose of this programme was to register qualified educators and create sub registers for special categories; maintain and update educator database; and enhance the quality of the registration of teachers by introducing standards. Sub-Programmes for Programme 2 included:

- Sub-programme 2.1: Registration of Educators and Lecturers; and
- Sub-programme 2.2: Data Management.

Within this programme, SACE had three (3) performance indicators as follows:

Planned Target (2020/21), Actual Achievement (2020/21) and Deviation

- **Number of educators registered** - The planned target was set at 25 000 and the SACE actual achievement was 60 285 – a positive deviation of 35 285.
- **Percentage of educators applying through the online system for professional certification** - The planned target was set at 50 percent (12 500) and the SACE actual achievement was only 17 percent – a negative deviation of 33 percent (2 404).
- **Number of statistical reports produced on the status of the profession** - The planned target was set at two (2) reports and this was achieved with no deviation.

Actual Achievement (2019/20), Actual Achievement (2020/21) and Deviation

- **Number of educators registered** - For the 2019/20 FY the actual achievement stood at 79 084 while for 2020/21 FY the actual achievement was 60 285 – a decrease of 18 799 (23.22 percent).
- **Percentage of educators applying through the online system for professional certification** - For the 2020/21 FY the actual achievement stood at 17 percent (10 096 / 60 285).
- **Number of statistical reports produced on the status of the profession** - For the 2020/21 FY the actual achievement stood at two (2) reports.

SACE presented on some of the Programme 2 highlights and challenges in respect of the following:

- Programme 2 ensured that all the 60 285 registrants were fit-to-practice into the profession through the screening and vetting process – SAPS police clearance and Department of Constitutional Development's National Register of Sexual Offences.
- Only 13 applicants were found to have criminal records in terms of the following areas:
 - assault, murder, theft / fraud, substance abuse, shoplifting, drunken driving, and others.
- While pandemic challenges decreased the number of registration by 18 799 (23.22%) as compared to 79 084 in 2019/2020, Council managed to exceed its target by 35 285.
- Upon reflection, there has been under-targeting of the indicator due to the historical figures, as well as inconsistent and fluctuating teacher education graduate outputs, particularly due to the initial teacher education distance mode which accounts to 60% of the country's output.

SACE experienced slow turn around turn in cases where:

- The office was unavoidably closed on different occasions due to national lock down;
- Applications submitted through private agencies who fail to fulfil their promises to educators;
- Incomplete documents on the online application system
- Educators preferring to apply through the SACE offices walk-in centres over the online registration system
- Higher Education Institutions academic year that ended on the 31st of March 2021 and delays in graduations
- Slow postal services; and
- Delays in the issuing of the police clearance certificates by the SAPS

Strategic collaborations with the following institutions assisted in facilitating the registration processes:

- South African Police services gazetted providers;
- Department of Justice and Constitutional Development;
- Department of Home Affairs;
- Umalusi; and
- Higher education institutions.

5.3.4.3 Programme 3 – Professional Ethics - The purpose of this programme was to promote and maintain ethical standards in the profession. Sub-Programmes for Programme 3 included the following:

- Investigations;
- Disciplinary Hearings; and
- Sanctions

Within this programme, SACE had five (5) performance indicators as follows:

Planned Target (2020/21), Actual Achievement (2020/21) and Deviation

- **Percentage of investigations on new cases finalised** - The planned target was set at 50 percent but the SACE actual achievement was only 0.9 percent (4 finalised out of 443 cases received). A negative deviation of 49.1 percent.
- **Percentage of investigations on roll-over cases finalised** - The planned target was set at 50 percent but the SACE actual achievement was only 13.1 percent (60 cases finalised out of 456 tolled-over cases). A negative deviation of 36.9 percent.
- **Percentage of disciplinary hearings on new cases finalised** - The planned target was set at 30 percent but the SACE actual achievement was only 0.6 percent (3 cases finalised out of 443). A negative deviation of 29.4 percent.
- **Percentage of disciplinary hearings on roll-over cases finalised** - The planned target was set at 40 percent but the SACE actual achievement was only 11percent (52 roll-over cases finalised out of 456). A negative deviation of 29 percent.
- **Number of analysis reports produced on sanctioned educators** - The planned target was set at two (2) reports but the SACE actual achievement was only one (1) report. A negative deviation of one (1) report.

Actual Achievement (2019/20), Actual Achievement (2020/21) and Deviation

- **Percentage of investigations on new cases finalised** - For the 2020/21 FY the actual achievement stood at 0.9 percent (4 finalised out of 443 cases received).

- **Percentage of investigations on roll-over cases finalised** – For the 2020/21 FY the actual achievement stood at 13.1 percent (60 cases finalised out of 456 tolled-over cases).
- **Percentage of disciplinary hearings on new cases finalised** - For the 2020/21 FY the actual achievement stood at 0.6 percent (3 cases finalised out of 443).
- **Percentage of disciplinary hearings on roll-over cases finalised** – For the 2020/21 FY the actual achievement was only 11 percent (52 roll-over cases out of 456 cases).
- **Number of analysis reports produced on sanctioned educators** – For the 2020/21 FY the actual achievement was one (1) report.

SACE presented on some of the Programme 3 highlights in respect of the following:

- Generally, Programme 3 performed poorly, due to disruptions in the schooling system and lack of access to the children as witnesses in the main.
- This denied justice to the same children and escalated the number of roll-over cases into the new financial year by 440.
- Council received 443 cases of misconduct against educators divided as follows:
 - Quarter 1 – 42 cases;
 - Quarter 2 – 106 cases;
 - Quarter 3 – 40 cases; and
 - Quarter 4 – 255 cases.
- As reflected, 56% (255 out of the 443) cases of the educator misconduct cases were received at the end of February 2021 (Case dumping).
- Just like in 2019/2020, the top three categories of cases of professional and unethical misconduct against educators during the period under review are –
- Corporal Punishment and Assault;
- Sexual misconduct, rape, indecent assault, sexual assault and sexual harassment; and
- Verbal abuse or use of improper language, victimization, harassment, defamation and others.

5.3.4.4 Programme 4: Continuing Professional Teacher Development (CPTD) System

The purpose of this programme was to ensure that educators engage in life-long learning to improve their professional competence. Sub-Programmes within Programme 4 included the following:

- Continuing Professional Teacher Development Management System;
- Member Support; and
- Quality Management.

Within this programme, SACE had six (6) performance indicators as follows:

Planned Target (2020/21), Actual Achievement (2020/21) and Deviation

- **Percentage of selected practicing signed-up educators verified for the continuing professional development uptake** - The planned target was set at 40 percent but the SACE actual achievement was only 7.36 percent. A negative deviation of 32.64 percent.
- **Percentage of signed up final year initial teacher education students** - The planned target was set at 65 percent but the SACE actual achievement was only 25.7 percent. A negative deviation of 39.3 percent.
- **Number of educators supported on professional matters** - The planned target was set at 50 000. There was no actual achievement on this target.
- **Percentage of professional development providers approved** - The planned target was set at 70 percent and the SACE actual achievement was 100 percent. A positive deviation of 30 percent.
- **Percentage of professional development activities endorsed** - The planned target was set at 80 percent and the SACE actual achievement was 100 percent. A positive deviation of 20 percent.
- **Percentage of endorsed activities monitored** - The planned target was set at 60 percent. There was no actual achievement on this target.

Actual Achievement (2019/20), Actual Achievement (2020/21) and Deviation

- **Number of educators supported on professional matters** - For the 2019/20 FY the actual achievement stood at 10 000 with the 2020/21 FY not achieved – decreased by 10 000.

This programme also performed poorly, particularly, in areas performance indicators that deal with educators, mainly due to their unavailability and their focus on curriculum recovery with the little time that they had. Student teachers who studied online throughout the academic year, could not be accessed easily for the orientation on and sign-up for participation in the CPTD-System upon graduation. The challenges with the programme performance was escalated by the audit findings against this programme's outputs. While some work has been done, the challenges around unclear data, inadequate record keeping and evidence, and activities that cut across two financial years. The remedial action plan referred to earlier on, covers Programme 4 extensively.

Equally, the trend of underspending on this programme has been taken seriously by Council and measures to monitor quarterly spending on the programme have been heightened. The last two quarters of 2021/2022 have seen some reasonable improvement in terms of overachieving some of the indicator targets and aligning with the performance information framework.

5.3.4.5 Programme 5: Professional Standards - The purpose of this programme was to improve and maintain the status and image of the teaching profession and ensure the quality of initial teacher education and ongoing professional development through quality assurance mechanisms and standards. Sub-Programmes within Programme 5 included the following:

- Initial Teacher Education;
- Newly Qualified Educators; and
- Practising Educators

Within this programme, SACE had six (6) performance indicators as follows:

Planned Target (2020/21), Actual Achievement (2020/21) and Deviation

- **Development of the teacher professionalization policy** - The planned target was a draft policy produced. This target was achieved with no deviation.
- **Policy framework registering student educators from year 1** - The planned target was for development and consultation of the policy framework. This was achieved with a Draft Policy framework for registering student teachers from year one being available.
- **Development of the Professional Certification Framework and Policy for educators registering with Council** - The planned target was an approved Research Report on Professional Certification. This was achieved with no deviation.
- **Development of the teacher designation** - The planned target was for an approved teacher designation. This target was achieved with no deviation.
- **Development of re-certification framework** - The planned target was a draft framework developed. This target was achieved with no deviation.

5.3.5 Annual Financial Statements

Table 1: Statement of Financial Position

	2021	2020
Assets		
Current Assets		
Receivables from exchange transactions	996 568	588 216
Receivables from non-exchange transactions	354 159	374 441
Cash and cash equivalents	105 626 344	107 894 193
	106 977 071	108 856 850
Non-Current Assets		
Property, plant and equipment	77 636 387	63 528 667
Intangible assets	2 660 676	2 145 128
	80 297 063	65 673 795
Total Assets	187 274 134	174 530 645

Liabilities		
Current Liabilities		
Payables from exchange transactions	10 800 244	14 037 453
Unspent CPTD Grant	3 763 639	3 836 832
	14 563 883	17 874 285
Total Liabilities	14 563 883	17 874 285
Net Assets	172 710 251	156 656 360
Accumulated surplus	172 710 251	156 656 360

5.3.5.1 Notes: Financial Position:

- Total assets increased by 7.3% (property, plant and equipment and cash equivalents); from R174 530 654, during 2019/20 to R187 274 134 in 2020/21, there is increase of total assets by 7.3% % from 2019/20.
- Non-current assets increased by 22% (due to acquisition of Limpopo and KZN offices);
- Current liabilities, there is 18,5% decrease, whilst in 2019/20 there was an increase of 28,1 % increase. (Decrease of Accrued expenses 31.03.2021);
 - Accumulated surplus increase of 10% of accumulative surplus compared to 2019/20
 - 3,4% increase of the surplus. The biggest increase compared to previous year is 2020/21.
- (Unspent CPTD grant and Unspent operating expenses due to covid-19 interruptions);
- Financial position of SACE is favourable

Table 2: Statement of Financial Performance

	2021	2020
Revenue		
Revenue from exchange transactions		
Registration and reprints	9 195 207	9 971 198
Recoveries	19 755	-
Other income	9 318	41 956
Interest received	2 003 222	4 629 426
Gain on disposal of property, plant and equipment	-	4 785
Total revenue from exchange transactions	11 227 502	14 647 365
Transfer revenue		
Government Grants	12 951 193	18 832 932
Membership Fees	79 464 717	77 730 525
Fines	640 616	798 000
Total revenue from non-exchange transactions	93 056 526	97 361 457
Total revenue	104 284 028	112 008 822
Expenditure		
Employee benefit costs	(58 435 915)	(56 223 424)
Depreciation and amortisation	(3 077 915)	(2 765 423)

Lease rentals on operating lease	(1 462 524)	(1 262 496)
Debt Impairment	(584 983)	(2 119 421)
Loss on disposal of assets and liabilities	(862)	-
Operating Expenses	(24 667 938)	(44 453 940)
Total expenditure	(88 230 137)	(106 824 704)
Surplus for the year	16 053 891	5 184 118

5.3.5.2 Notes: Financial Performance:

- Revenue from Operating Transactions decreased by 23.3%. as compared to 83.7% in 2019/20
- Low interest generation on the purchase of assets.
- There was a decrease of 31.2% on CPTD subsidy spending. There was less physical contact with educators due to Covid-19 disruptions.
- There was a Total Revenue decrease of 6.9% due to CPTD spending and a decrease of collection of subscription; registration fees and interest.
- Personnel Expenditure increased by 3.9% - an inflation related increase.
- Operating Expenditure decreased by 44.5% due to the adjustment of business operation and cost-cutting measures.
- There was a Total Expenditure decreased by 17.4% due to a decrease in operating costs as compared to 2019/20 33,8% increase
- SACE operated within its collected revenue of 104 million.
- A surplus of R16 million was realised and approval has been obtained to retain surplus for contingency and improving operating infrastructure.

Table 3: Statement of Changes in Net Assets

	Accumulated Surplus	Total Net Assets
Balance at 01 April 2019	151 472 242	151 472 242
Changes in net assets		
Surplus for the year	5 184 118	5 184 118
Total changes	5 184 118	5 184 118
Balance at 01 April 2020	156 656 360	156 656 360
Changes in net assets		
Surplus for the year	16 053 891	16 053 891
Total Changes	16 053 891	16 053 891
Balance at 31 March 2021	172 710 251	172 710 251

5.3.5.3 Notes: Changes in Assets:

- Total Net Assets increased by 10.2 percent due to retained surplus for the year

Table 4: Statement of Cash Flow

Figures in Rand	2021	2020
Cash flows from operating activities		
Receipts		
Membership, registration, reprints and other receipts	88 862 509	88 541 418
Grants	12 878 000	20 000 000
Interest received	2 003 222	4 629 426

	103 743 731	113 170 844
Payments		
Employee costs	(56 671 907)	(56 223 424)
Payment suppliers and others	(31 637 627)	(43 185 276)
	(88 309 534)	(99 408 700)
Net cash flows from operating activities	15 434 197	13 762 144
Cash flows from investing activities		
Purchase of property, plant and equipment	(16 629 261)	(2 673 335)
Proceeds from sale of property, plant and equipment	-	19 144
Purchase of other intangible assets	(1 072 781)	(83 141)
Net Cash flows used in investing activities	(17 702 042)	(2 737 332)
Net Increase in cash and cash equivalents	(2 267 845)	11 024 812
Cash and cash equivalents at the beginning of the year	107 894 193	96 869 381
Cash and cash equivalents at the end of the year	105 626 348	107 894 193

5
3.5.4
Notes :
Cash Flow
he cash inflow into

SACE decreased by 8.3% due to a decrease in CPTD subsidy spending as well as a decrease of collection of subscription; registration fees and interest

- The net cash flows from operations increased by 12.1% due to a decrease in operating cost(outflow).
- Cash and Cash equivalents on the 31st March 2021 was R105.6 million and the necessary approval has been obtained.

5.3.6 Auditors Report

A few misstatements of information were identified and corrected. Emphasis of matter was raised on reported performance information regarding professional development in respect of the alignment of APP and performance reporting as well as insufficient performance records. Remedial actions were being implemented. SACE received an Unqualified Audit opinion for 2020/21.

5.3.7 Portfolio Committee Observations

- Members noted that the COVID-19 pandemic had negatively impacted on the work of Entities and queried how SACE managed to address challenges in respect of the Ethics Committee pertaining to disciplinary hearings and summoning of witnesses
- Regarding financial underspending, it was noted that SACE had not spent sections of the budget and this could constitute financial irregularities. Members queried reasons for the underspending and how was SACE looking to attend to the matter.
- Members noted the approved remedial action to be implemented against the AG findings but queried the content and scope of the remedial action plan to be explained in more detail. Members noted there were similar findings in the past.
- In respect of the Audit Findings and remedial action, Members also queried whether there was any consequence management for errand officials. How was management ensuring there were sufficient controls in place and what interventions were being considered to rectify the situation?
- With cases not finalised by SACE, Members sought a detailed report on the number of cases not finalised, the category of cases, costs of investigation and reasons why these cases could not be finalised.
- Where targets were not being met, Members queried whether officials were being held accountable.
- Members queried when and how educators needed to be registered with SACE – was this a once off registration or annual process. How often did educators have to register?

- There were many reports of serious abuse of learners by educators and a perception that sexual predators was not being kept out of the schooling system. Members queried the plans in place by SACE to mitigate these challenges.
- What research had been conducted by SACE regarding the abuse of learners by educators – and how was SACE managing to do the necessary forecasts on such matters.
- Regarding the AG findings, Members noted the approved remedial action to be taken by SACE, but Members were of the view that SACE was lacking in its cooperation and focus on genuine actions to mitigate the findings. SACE seemingly did not take this matter seriously.
- There was a need to ensure that educators received value-for-money from the work of SACE.
- Members queried issues pertaining to the assets in two provinces (KZN and Limpopo) – and queried whether these were SACE own property. Members queried whether SACE could afford to have its own property rather than utilise government buildings or other alternatives.
- Members also queried figures in respect of depreciation and whether SACE had been able to prepare educators adequately for the 4th Industrial Revolution.
- The SACE salary bill was around 60 percent and Members were of the view that SACE employed too much personnel. It was noted that SACE had no persons with disabilities employed and Members queried reasons for this.

5.3.8 Responses

SACE welcomed the Committee holding it accountable and reassured the Committee the inputs of the Portfolio Committee were taken very seriously. SACE was engaged with the findings of the AG and was being addressed through the approved remedial actions. SACE was implementing a zero-tolerance approach to holding staff accountable for submitting reports. The remedial actions were in place and was being implemented with regular meetings of the Exco and Council with quarterly reports to be submitted. SACE was also engaging with Umalusi to learn some of their best-practices toward a clean audit outcome. SACE was also strengthening its Planning, Monitoring and Oversight unit with assistance and support from the Department of Basic Education to address findings.

SACE was looking to assess and explore virtual processes and engagements going forward. The Council would ensure a written response on the specifics pertaining to the remedial plan of action. Further to this, the Council would ensure a detailed breakdown of the cases not finalised as requested by Members. Regarding staff with disabilities, SACE ensured that with all posts being advertised, there was an indication that all persons with disabilities were free to apply. Educator registration was a once-off process. However, there were instances where educators applied for promotional posts and needed to request registration certificates again.

It was agreed that issues of educator misconduct were on the rise. SACE was looking to commission some research in respect of profiling of abusers as well as interventions to deal with issues of sexual misconduct. Findings of the research study would be made available to the Portfolio Committee. SACE was working within the new normal and digitisation processes in respect of the 4th Industrial Revolution. ICT was considering new strategies to assist in this regard. SACE had regular webinars with educators across the country. Regarding the acquisition of the assets in two provinces, it was mentioned that SACE was looking to coming closer to teachers by opening offices in these provinces. As renting property was not sustainable, Council acquired its own properties and thus saving on rentals. As with all assets, these do depreciate as the years go by and assets do get written off. SACE had a 3-yearly review of its funding to make a determination regarding levies to be paid. Further to this, SACE also needed to fund its non-negotiable commitments. SACE was considering addressing issues of the status of funding salaries on an annual basis. SACE also gave a detailed explanation to issues pertaining to the surplus accumulated as well as the remedial plans in place by SACE to address AG findings as follows:

- Technical Indicator descriptions;
- Policies;
- IT improvements
- Cut-off Procedures; and
- Internal controls

Regarding the matter of the learner who had committed suicide, SACE indicated that they had been on the ground in the Eastern Cape doing its investigations in collaboration with the Eastern Cape Provincial Education Department. From the preliminary investigations, the matter has been there since 2019 and the SGB had never been informed. The investigation remained ongoing and SACE would submit a report to the Portfolio Committee once the investigations had been concluded.

5.3.9 Portfolio Committee Recommendations

Based on the observations made from inputs received by SACE, the Portfolio Committee recommends that the Minister should ensure that the Department of Basic Education consider the following recommendations:

- Ensure stricter implementation of consequence management against errand officials and management to ensure there is sufficient controls in place. Officials need to be held accountable with immediate effect.
- Ensure that educators found guilty of sexual misconduct are kept out of the schooling system to mitigate educator abuse against learners.
- Ensure that the remedial action in respect of the AG findings be implemented through proper cooperation and a focus on genuine actions to mitigate the findings within two months of tabling of this report.
- Engage with SACE in identifying best-practice in pursuit of a clean audit.
- Strengthen its Planning, Monitoring and Oversight unit with assistance and support from the Department of Basic Education to address findings within one month of the tabling of the BRRR report.
- Commission research in respect of profiling of abusers as well as interventions to deal with issues of sexual misconduct – findings of such research be made available to the Portfolio Committee by the end of the 2021/22 financial year.
- Reconsider the property ownership in two provinces and look at alternate methods of acquiring office space to save costs e.g. utilisation of government buildings.
- Ensure that people with disabilities are attracted to employment at SACE with immediate effect.
- In respect of the learner suicide case, all educators implicated be suspended with immediate effect from tabling of the report.
- Ensure that SACE prepares and submits written responses within a month of the tabling of the BRRR report on the following:
 - ✓ SACE Remedial Plan: *A detailed report on the remedial action plan to be implemented against the AG findings (content and scope).*
 - ✓ SACE Cases not Finalised: *Number of cases not finalised, category of cases, costs of investigation and reasons why these cases could not be finalised.*
 - ✓ Case of Learner Committing Suicide – A report on the outcomes of the investigation

The Economic Freedom Fighters rejects the report.

Report to be considered