

Of “Loose Papers and Vague Allegations”

A Social Audit Report on the Safety and Sanitation
Crisis in Western Cape Schools

The title of this report makes reference to the ways in which this social audit has been referred to in the media by the MEC for Education in the Western Cape, Debbie Schafer. Both the MEC and the Western Cape Premier, Helen Zille, have repeatedly questioned the credibility of our data and the capacity of young black people to produce a rigorous account of their experiences of the safety and sanitation crisis in Western Cape schools. We are confident that readers of this social audit report will be satisfied that the MEC and the Premier are mistaken.

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The social audit would certainly not have been possible without the engagement of partner organisations: The Women on Farms Project, the Triangle Project, Free Gender, the Methodist Church, NUMSA, and Ndifuna Ukwazi.

We are continuously thankful for the dozens of facilitators, parents, and other community members who already give their time so generously to Equal Education's work and who spent many hours visiting schools and performing the tedious task of inputting data. While the staff of Equal Education's Western Cape Office spearheaded this effort, committed activists from every layer of the movement participated in the work of gathering, analysing, and reviewing the information that is reported in this document.

We are extremely indebted to the learners who shared their experiences as well as to the administrators who allowed this audit to take place at their schools and who conveyed their knowledge to us.

We are further appreciative of the six outside reviewers who took the time to thoroughly read this admittedly lengthy report and provided in-depth feedback which proved invaluable to increasing its accuracy, validity, and relevance.

Finally, while all of these individuals and organisations were important, it is the Equalisers who directed and participated in every step of this campaign who truly own this social audit and this report. And it is the over one thousand Equalisers who attend regular branch meetings, and conscientising and mobilising their peers, who will continue to drive the campaign for safe schools and adequate sanitation forward.

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¹ Franklin, Shaun and Daniel McLaren. November 2015. "Realising the Right to a Basic Education in South Africa: An analysis of the content, policy effort, resource allocation and enjoyment of the constitutional right to a basic education". *Studies in Poverty and Inequality Institute*

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6 ABBREVIATIONS

ASIDI: Accelerated Schools Infrastructure Delivery Initiative

CJCP: Centre for Justice and Crime Prevention

CPIX: Consumer Price Index

DBE: Department of Basic Education

EE: Equal Education

EIG: Education Infrastructure Grant

GDE: Gauteng Department of Education

IMGP: Institutional Management and Governance Planning

LTSM: Learning and Teaching Support Materials

N: Sample Size

NDP: National Development Plan

NNSSF: National Norms and Standards for School Funding

NEIMS: National Education Infrastructure Management System

NSSF: *National School Safety Framework*

NSVS: *National School Violence Survey*

PAIA: *Promotion of Access to Information Act*

PED: Provincial Education Department

Q: Quintile

SAPS: South African Police Service

SASA: South African Schools Act of 1996

SMC: School Maintenance Committee

SGB: School Governing Body

SAHRC: South African Human Rights Commission

SRO: School Resource Officer

SSP: Safe Schools Programme

SMILE: St. Mary's Interactive Learning Experience

WC: Western Cape

WCA: *Western Cape Provincial School Education Act*

WCED: Western Cape Education Department

7 EXECUTIVE SUMMARY

On 31 October 2014, over 3,000 learners and parents marched on the provincial legislature to deliver a set of demands to the Western Cape MEC for Education. This march was the culmination of months of mobilisation around issues our members identified as most hindering education in their schools: poor sanitation, insecurity at and on the way to school, teacher shortages, discriminatory teenage pregnancy policies, and the illegal use of corporal punishment. While these actions resulted in a number of victories in specific schools, systemic issues remained. At a mass meeting in early 2015, Equalisers in the Western Cape consolidated the previous year's campaigns around the two broad issues of school safety and sanitation.

EE Gauteng had successfully used the social audit technique in 2014 as part of its own sanitation campaign. This campaign worked to hold the Gauteng Department of Education publicly accountable for its failures regarding school sanitation, ultimately securing commitments to upgrade and maintain sanitation infrastructure. Inspired by this victory, EE Western Cape launched its own social audit in August 2015. Working with partner organisations, EE audited 244 schools serving 217,388 learners between September and November 2015.²

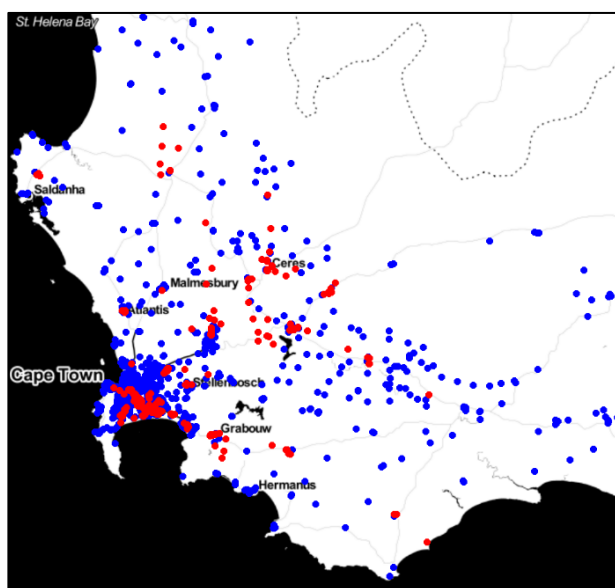


Figure 1 Schools Audited as Part of Social Audit (Schools in Red Are Audited, Schools in Blue Are Unaudited)

The audit process involved interviewing administrators, recording of physical observations at schools, and having learners complete questionnaires about their experience of education conditions. EE worked with partner organisations, particularly the Social Justice Coalition and the International Budget Partnership, to develop the forms used in this process and to train auditors. Social audit training sessions were intensive, requiring audit teams to conduct mock surveys inside a real school, overseen by experienced social auditors.³

Committed to gathering a representative sample of the province, special attention was paid to auditing rural areas. In this regard, partnerships with the Triangle Project, the Women on Farms Project, and members of the Methodist Church were essential. This coalition coordinated the training of auditors and auditing of schools together with community members. Simultaneously, EE community organisers and facilitators led the audit work in the four Metro districts.

² For a full background to the experience leading up to EE's Social Audit, refer to section **8 Introduction**.

³ Section **12 Methods** includes a full review of the Social Audit's process from audit training to data analysis.

Given the large size of the sample – 912 learner questionnaires, 220 administrator interviews, and 229 physical inspections – as well as the similarity between the sample's demographics and the population of schools,⁴ it is possible to make strong estimates as to the conditions of schools in the Western Cape.

The data gathered by audit teams was bolstered by an extensive literature review⁵ and other original research. This included an analysis of national and provincial education and infrastructure budgets⁶ and in depth interviews with representatives of the WCED's School Safety Programme and the Centre for Justice and Crime Prevention.

Furthermore, EE filed 14 Promotion of Access to Information requests with the WCED in late 2015. Among other things, these requests included information on existing school safety interventions, data on burglaries and vandalism, and school budgets for 70 schools. The budgets were of particular interest as, in previous interactions, school leaderships at several schools have alleged that lack of funding is the principle cause of poor sanitation and safety conditions. These requested school budgets represented a randomised stratified sample.

The full report and findings, including the survey instruments and methodology, have been reviewed by six education and research experts: Rajendra Chetty (CPUT), Shaun Franklin (WISER, Wits University), Zukiswa Kota (PSAM, Rhodes University), Ursula Hoadley (UCT), Sara Muller (UCT), and Debra Shepherd (AMERU, Wits University).

The findings from the social audit are extensive and are reviewed in detail in section **14 Findings** in the full social audit report. Below is a brief taste of the disturbing state of affairs revealed by our data.

KEY SECURITY FINDINGS

1. Learners are unsafe at school and unsafe going to/from school

The social audit revealed that an estimated one in six learners and administrators feel unsafe at school in the Western Cape. This feeling is justified, as according to both administrators and learners, violent events are common at many schools. Furthermore, according to the WCED's own records, 22% of schools are considered "High Risk" and another 39% are considered "Medium Risk". This risk is concentrated in poorer urban schools: nearly half (45%) of urban quintile 1-3 schools are "High Risk" compared to just 13% of urban quintile 5 schools. As a result, secondary school learners at quintile 1 urban schools are more than six times as likely to feel unsafe than at quintile 5 urban schools (**Figure 2**).

⁴ As visible in **Appendix I** of the full report, and discussed at length in section **12.2.5 The Demographics of the Data Sample**.

⁵ For a discussion of several of the key background conditions that shape sanitation and safety in schools refer to section **9 The Social Structure**. For a review of the existing literature on safety in schools as well as current WCED interventions see section **10 School Safety: Existing Research and Programmes**.

⁶ Section **11 Infrastructure Background** includes this analysis of government infrastructure budgeting.

Moreover, the audit found that:

- An estimated two in five learners have experienced, and three in five have witnessed, a violent event.
- One in ten learners in the sample have personally been assaulted.
- At half of schools sampled, at least one learner reported being or seeing someone threatened.
- At a third of schools sampled, at least one learner reported being or seeing someone mugged.
- At two thirds of schools sampled, at least one learner reported being or seeing someone physically assaulted. Of those, nearly half included an assault with a weapon and one in ten included an assault with a gun.
- These statistics are even worse for urban and secondary schools.

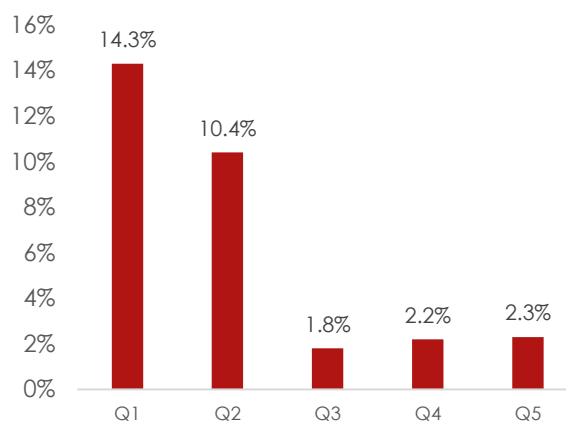


Figure 2 Percent of Urban Secondary School Learners Who Feel Very Unsafe by Quintile

Furthermore, our audit found that two thirds of learners walk to school and more than 80% travel unaccompanied. As a result, it is no surprise that one in four learners feel unsafe on their way to school. Again, urban secondary school learners suffered the most from exposure to violence on the way to school, with at least one learner at 93% of urban secondary schools witnessing or experiencing a violent incident while in transit.

2. Sexual harassment and rape is taking place in schools

At 16% of schools surveyed, at least one learner reported being or seeing someone sexually harassed. Moreover, 4% of secondary school administrators reported a rape occurring at the school in the last year. This is despite it being well-established that sexual assault and rape are significantly underreported.

3. Corporal punishment is rife in the Western Cape

Underreporting is more likely where trust in educators is broken, which is likely common due to the prevalence of corporal punishment. Despite corporal punishment being illegal, the audit found that:

- Learners are beaten at 83% of schools sampled.
- This is a daily occurrence at 37% of schools.
- At more than 90% of schools with corporal punishment, teachers use some type of weapon.

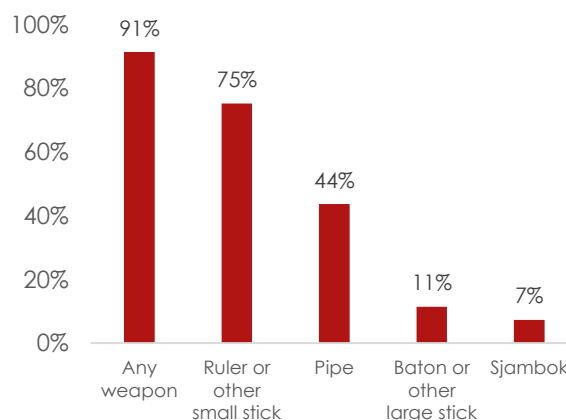


Figure 3 Percent of Schools Using Weapons at Schools with Corporal Punishment

Principals and teachers are the main individuals to whom learners are meant to report violent events. The reporting systems and structures that the WCED has in place are severely undermined by a situation in which learners in such a high proportion of schools can expect to be beaten by the same individuals entrusted with their safety.

4. Lack of access control facilitates violent crime and costs us millions each year

The audit found that a worrying proportion of schools lack the capacity to control who comes in and out of school premises:

- Only about half of school fences were considered sturdy enough to keep intruders out, with 42% having gaps or holes.
- More than half of the schools surveyed lack a full-time security guard.
- Three quarters of these lack functional CCTV cameras.
- More than half of learners feel that law enforcement is only visible around the school when something has already happened.

This in turn contributes to theft and the damage of school infrastructure. According to the WCED's own data, schools in the province lost R35.2 million (an average of R22,889 per school) to burglaries and vandalism between 2013 and 2015.

This loss is concentrated in poorer schools: two-thirds of quintile 1-3 urban schools reported a case, while only a third of quintile 5 schools did. Furthermore, these figures reflect only those events that were reported. Our findings indicated that nearly half of cases of burglary or vandalism go unreported.

5. Discrimination is disturbingly common

One third of learners report being discriminated against in Western Cape schools. Discrimination is worse in urban schools, but neither the wealth nor phase of the school appears to affect its occurrence. Comments collected by auditors reflect that this abuse is carried out both by teachers and fellow learners, and is often on the basis of gender, race, sexuality, language and nationality.

6. The WCED is placing the responsibility for school safety on principals, teachers and SGBs, but is failing to provide adequate support

The social audit and the WCED's own documents suggest a serious lack of funding and capacity for school safety at every level. The WCED's Safe Schools Programme (SSP) employs just 46 staff to serve over 1,600 schools. Just eight of these coordinate work at district-level and only 25 conduct fieldwork at school-level.

This means that each SSP district coordinator is responsible for school safety at 200+ schools, and each fieldworker for 65+ schools. When, according to the WCED's own records, 22% of schools are considered "High Risk" and another 39% are considered "Medium Risk", it seems that schools are largely being left to fend for themselves.

Principals, teachers and SGBs, already responsible for the most under-resourced sector of the education system, are being left with the bulk of the responsibility for school safety. Educators, particularly at poorer schools, are not capacitated for the development and execution of crime-prevention strategy.

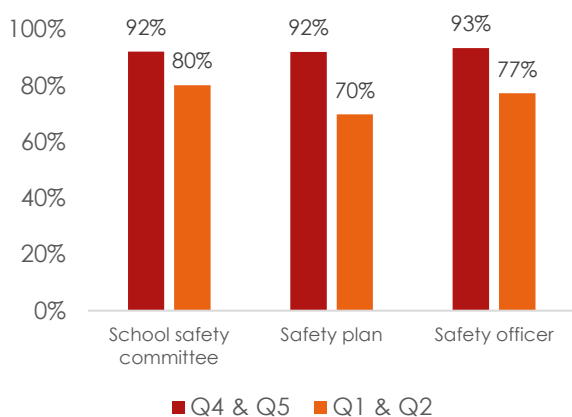


Figure 4 Percent of Schools with the Safety Structure and Where Administrators Were Aware its Function

Forty-three percent of schools have not had teacher training on safety in the last two years. Moreover, wealthier quintile 4 and 5 schools are 18% more likely to have had a training in the last two years than quintile 1 and 2 schools. Similarly, while more than 92% of quintile 4 and 5 schools had a school safety committee⁷ and administrators were aware of its function, this was true at only 70% of quintile 1 or 2 schools. As visible in **Figure 4**, similar divergences were visible for other structures.

7. Learners don’t currently use the Safe Schools Call Centre

The SSP has a Safe Schools Call Centre located in the WCED head office in Cape Town. The WCED states that “the Safe Schools’ Call Centre receives calls from learners experiencing any form of abuse, and provides a contact point for reporting burglaries, vandalism and other incidents...” and that is intended for coordinating, supporting, and making referrals to various and relevant stakeholders.

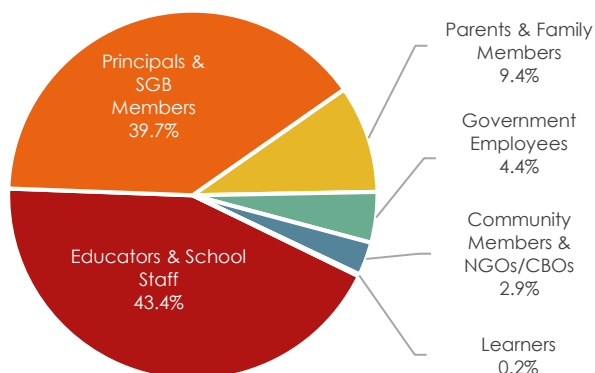


Figure 5 WCED Safe Schools Call Centre by Reporter Type for 2013/14 and 2014/15

WCED data shows that the call centre is almost exclusively used by principals and school staff. This could be explained by the fact that the largest volume of calls received by the centre concern reporting burglary/vandalism.

As **Figure 5** shows, learners by far make the least use of the call centre – just twelve calls in two years. Although the Safe Schools Call Centre is not necessarily targeting learners only, it is concerning that despite high levels of violence in schools, learners are not

using this resource. This is particularly troubling in regards to the illegal practice of corporal punishment in schools.

It should also be noted that, despite this significant mandate, the call centre staff consists of only five trained psychologists to serve 1600+ schools.

8. Economic privilege is a major determinant of school safety

Data from an extensive literature review, the social audit and the WCED’s own documents, confirm that learners in urban township schools are the least safe in the province:

⁷ The School Safety Committee is comprised of a range of different stakeholders in the school environment, including: parents, learners, educators, principals, members of the SGB and SMT, etc. The School Safety Committee is responsible for designing and implementing a School Safety Plan as well as collecting ongoing data to assess its effectiveness.

- Just 13% of urban quintile 5 schools are considered “High Risk,” while nearly half (45%) of urban quintile 1-3 schools are “High Risk.”
- Urban secondary school learners at quintile 1 schools are six times more likely to feel unsafe than those at quintile 5 schools.
- Quintile 1 and 2 schools were 23% less likely than average to have a security guard.
- Over the last three years 44% of schools experienced a case of burglary and vandalism but two-thirds of quintile 1-3 urban schools had an incident. Moreover, the wealthiest urban schools experienced only an average R11,154 loss to burglary and vandalism during the three-year period, while quintile 1 to three schools lost R31,300. This is despite evidence of significant underreporting.

KEY SANITATION FINDINGS

1. Only one in four schools have sanitation infrastructure for disabled learners

By the WCED’s own admission, more than half of schools (58%) lack a toilet with access for persons with disabilities. The findings of the audit are no less dramatic:

- At 74% of schools in the sample there was no toilet for persons with disabilities .
- This was even worse for rural schools, where 86% of the sample lacked a toilet for persons with disabilities.

Serious steps need to be taken by the WCED and DBE to address this. Reports by Human Rights Watch and the DBE itself reflect that mass exclusion of disabled learners from schooling is underway in South Africa.

2. Sanitary pad provision is inadequate and hugely unequal

It is well-established that learners miss days of teaching and learning over the course of their school careers due to lack of sanitary pads and other feminine hygiene products. The social audit found that:

- While 64% of learners do have some access to sanitary pads at school, in at least 15% of schools, learners must purchase the sanitary pads from the administration.
- In at least 8% of schools, access to sanitary pads exists solely because of donors – such as Procter and Gamble [Always] – providing free sanitary pads to the school.
- Inequality in sanitary pad access is enormous. While only one in five learners going to quintile 5 schools report no access to sanitary pads, more than half of learners at quintile 1 schools reported lacking access.

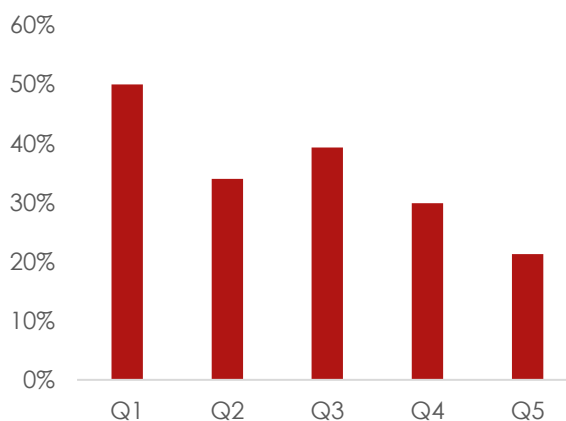


Figure 6 Percent of Schools Without Sanitary Pad Access by Quintile

- Only a third of all female learner toilet blocks had a sanitary bin. This could be a contributing reason for the high number of non-functioning toilets, as the disposal of sanitary pads in toilets leads to toilet blockages and breakages.
- While only 8% of female learner toilet blocks at quintile 1 schools had a sanitary bin, 72% of female learner toilet blocks at quintile 5 schools did: a nine-fold difference.

3. More than half of schools fail to meet minimum learner to toilet ratio

Without accounting for broken toilets, 42% of Western Cape schools sampled do not have enough toilets and urinals to meet the WCED minimum of one toilet for every 35 learners. When one accounts for the fact that 43% of toilets are broken, this number increases to 57%.

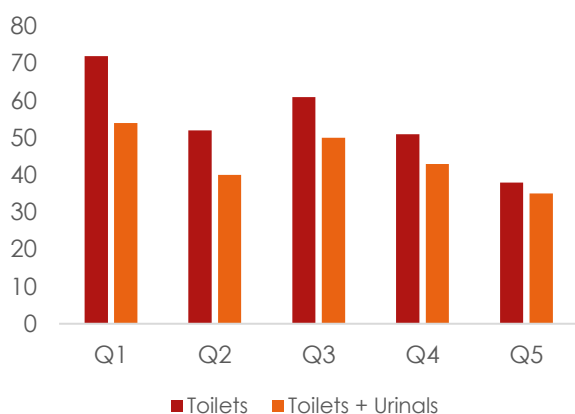


Figure 7 Median Number of Learners per Working Toilet by Quintile

4. There is distinct inequality along economic lines in access to decent sanitation.

The median number of learners per working toilet at an urban quintile 5 schools is 36, while at urban quintile 1 schools it is 54. The same inequality exists when one looks at the condition of toilet blocks - half of learner toilet blocks at quintile 5 schools are in good condition while only 17% of quintile 1 learner toilet blocks are.

5. Lack of maintenance staff and funding is likely contributing factor to poor access and conditions

The poor condition of the toilet blocks may be the result of a lack of funding for maintenance staff:

- Schools have on average 214.2 learners per maintenance person, with a quarter of schools having more than 296 learners per maintenance staff.
- Conditions are worse in urban areas, where there is an average of 245 learners per maintenance person, and almost one in ten have more than 400 learners for each maintenance staff member.
- There is one school in our social audit sample that has 1,206 learners per one maintenance staffer. It is no surprise then that 43% of the toilets at that school were broken.

6. Learners lack toilet paper and soap

More than a quarter of learners surveyed reported that there was no toilet paper in their bathrooms. Four in five reported no soap.

GENERAL INFRASTRUCTURE OF WESTERN CAPE SCHOOLS

1. An estimated 8% were built entirely out of inappropriate materials

These schools require attention under the *Regulations Relating to Minimum Norms and Standards for Public School Infrastructure*. As per those regulations, these schools should be replaced before November 29 2016. Furthermore, 21 schools on private land have been unreasonably excluded from the backlog of school planned for upgrades.

2. Only 41% of schools surveyed were built entirely out of appropriate materials

In this audit, container classrooms were considered partially inappropriate structures as there are many schools where auditors reported principals and teachers complaining that some of these container classes have been in place for years, some even before 1994.

The WCED continues to roll out new container classrooms en masse. In certain circumstances this can be justified, but it is unacceptable that these temporary structures be used on a permanent basis.

The *Norms and Standards* state that schools must be replaced within the first three-year time frame if they are built entirely from mud, asbestos, metal, wood, or other inappropriate material.

While this deadline is unlikely to be met, there is another key problem. The law does not currently say that the government must fix unsafe schools that are built *partially* from these inappropriate materials. That means that where schools have one or two solid structures, but the rest of the school is built from unsafe structures, these structures may not be fixed. The Equal Education Law Centre is in the process of challenging this flaw in the law.

3. The WCED will not upgrade infrastructure for public schools on private land

In their *Strategy for the Elimination of Public School Infrastructure Backlogs in the Western Cape*, the WCED has said that it will exclude government schools on privately-owned land from the infrastructure upgrades set out in the *Norms and Standards*. This alleged loophole allows the WCED to wash its hands of responsibility for 266 schools, 16% of all Western Cape Schools. As a result, more than half of schools the WCED identified as having inadequate fencing were eliminated from the backlog because they are on private land.

In **Appendix G** of our full social audit report, EE and its partners at the Equal Education Law Centre show that the argument that the province is not responsible for school structures on private land is extremely dubious. The duty of the State to provide for every person's right to a basic education includes ensuring that learners have access to a safe learning environment that advances a learner's dignity, and promotes the best interests of the child. This is not limited to learners educated on publicly owned land.

4. Many schools still lack libraries

Just 42% of learners reported having access to a library that was well-stocked with books. Though this is not entirely because of a lack of libraries:

- 21% of learners reported that their schools lacked a library.
- 11% reported that their library was locked or used for purposes other than a library.
- 8% reported that they were not allowed access to the library because there was no librarian.
- 19% reported that the library is poorly stocked.

This situation is worse in rural schools, at 30% of rural schools learners report no library at all.

5. The majority of learners still report no access to a computer lab with internet

This is despite 91% of learners reporting that their schools have computers. There are a number of reasons learners are deprived of access: computers are limited to those in a computer related course, there is a lack of teachers to supervise learners using the equipment, computer access is limited to a certain grade or only to staff, and the computers are in disrepair. A further 12% of learners report access to a computer lab without internet.

Conditions are worse in rural areas where 14% of learners report that their school has no computer lab.

6. Many schools still lack sports fields and recreational facilities

No access to a sports field was reported by 25% of learners. For the majority of those learners, being without access was a result of their schools not having a sports field (55%) – for the rest of learners there was a field but they did not have access to it. Of those learners who do have access to a sports field, 44% report that it is in poor condition.

Rural schools were less likely to have sports fields than urban schools: with 18% of rural learners reporting that their schools lack a sports field, compared to only 13% of urban learners.

SCHOOL BUDGETS ANALYSIS

1. Inequitable Allocations

The WCED provides substantially more in funding to quintile 4 and 5 schools than prescribed by the National Norms and Standards for School Funding (NSSF). There is a need to demand more clarity on how exactly the WCED is determining per learner allocations and the overall school funding process. This is especially a concern as most quintile 1-3 schools rely on NSSF funding for more than 70% of their funding, while only a third of quintile 4 and 5 schools do.

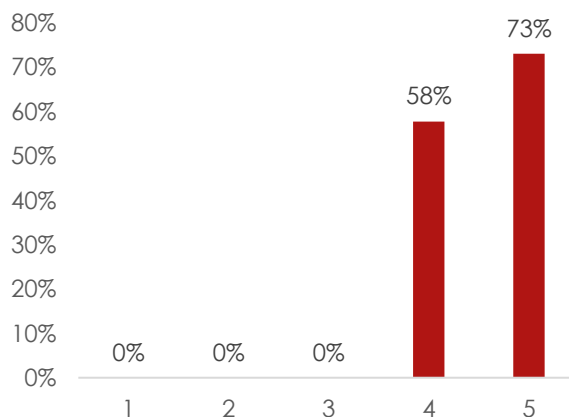


Figure 8 Percent WCED Funding per Learner Exceeds DBE Recommendations by Quintile (2015)

2. Day to day maintenance allocations may be insufficient

Schools appear to be failing to raise the revenue to pay for necessary maintenance, resulting in budget deficits.

It is very likely that the 6% recommended by the WCED is not sufficient for maintenance expenditures, especially at schools attended by the children of the working class. More than half of quintile 1-3 schools spent above the 6% recommendation, while only a third of quintile 4 and 5 schools did.

Instead of instituting punitive measures to discourage overspending, the WCED needs to provide additional subsidy support towards this allocation as well as provide guidelines to schools on how to accurately budget and plan for maintenance. Increased support by the WCED to schools for regular and consistent maintenance of school repairs is far more cost efficient in the long run.

3. More security funding is needed

Expenditure on security is a recurring non-personnel item which consists of a considerable amount of some school budgets. A third of schools spent more than R30,000 on security.

Furthermore, while quintile 4 and 5, and quintile 1-3 schools had similar median spending per learner on security (R22 and R24.5), wealthy schools had more of a capacity to spend substantial sums when needed: 16% of wealthy schools spent more than R100 per learner on security, while only 3% of poor schools did. This is despite poorer schools having a greater security need.

Regular additional subsidy support from both the DBE and WCED, targeted at high risk schools, is needed.

4. NNSSF allocations for poorer schools are not keeping up with inflation

NNSSF allocations are not keeping up with inflation and therefore unlikely to be sufficient to cover most of the school's expenses. As visible in **Figure 9**, This is especially true for lower quintiles. The WCED is encouraged to annually raise per learner allocations above, or at least at, the financial year's inflation rate.

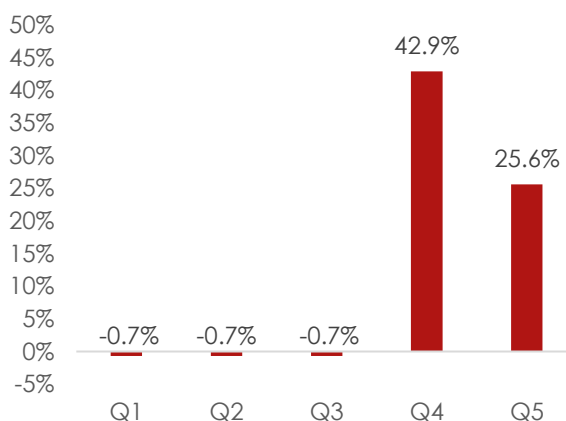


Figure 9 Percent Increase in NNSSF Allocations in 2014/2015, Adjusted for Inflation, by Quintile

5. There is evidence that schools are using of non-personnel funding for salaries, undermining their ability to provide maintenance or security

Three schools of the 13 no-fee secondary schools in the sample used a substantial portion (17% to 24%) of their discretionary funding on personnel.

The WCED must ensure that all schools in the province are supplied with an adequate number of educator and non-educator personnel in order to prevent diversion of funds away from critical non-personnel materials and services.

CONCLUSION

For over a year, EE has been working to engage the WCED on issues of safety and sanitation. While officials have at times responded positively and addressed some of our concerns, too often the reply has been that these issues are isolated incidents or that the responsibility falls on the schools, not the State. However, this social audit proves that the problem is systemic and requires a structural solution. The problem is not one bad teacher who is beating a child in his or her care, but rather teachers at four out of five schools disciplining through abuse. It is not incompetent principals failing to maintain their fences, it is a system in which half of schools lack the resources to properly secure the school premises. It is not naughty learners vandalising the toilets, it is that one in ten schools have more than 400 learners per maintenance staffer.

Instead of shifting the blame to teachers, schools, "absent fathers," and "youth delinquents"⁸, the Western Cape government should accept its responsibility to ensure that the youth in its care receive the quality education they are guaranteed by the Constitution. While the extent of the crisis demonstrated in this report means that realising this right might take time, this is not an excuse for complacency. Rather, it is a demand for urgency. Therefore, EE and its supporters will continue to mobilise in the communities most affected, and in society more broadly, to pressure the provincial government of the Western Cape to reckon with the findings of this report.

Though our demands for equality have often been casually dismissed by the political leadership of the WCED, including the MEC of Education Debbie Schafer and the Premier of the Western Cape Helen Zille, our positive experiences with the bureaucracy of the WCED, from earnest principals to supportive senior officials, gives us hope. We are committed to taking whatever further steps are necessary to chart a just and equitable way forward for poor and working class learners in the Western Cape. Our goal is that this report will contribute to that effort.

⁸ Western Cape Premier Helen Zille quoted in Mzimang, Sisonke. 10 July 2016. "The DA's racially loaded guns." *City Press*.

8 INTRODUCTION

Equal Education (EE) is a membership-based, mass democratic movement that was founded in February 2008 in Khayelitsha, a large township around 30km outside of the city of Cape Town. Having started with just a handful of members and volunteers, Equal Education is now several thousand members strong and has branches in five of South Africa's nine provinces: The Eastern Cape, Gauteng, KwaZulu-Natal, Limpopo, and the Western Cape.

Since 2008, EE's Western Cape membership has also expanded from Khayelitsha into several other major urban townships in the province. There are now EE branches in Strand, Nyanga, Gugulethu, Langa, Mitchell's Plain, Mfuleni, New Crossroads and Kraaifontein.

The vast majority of EE members are high school learners, referred to in the movement as Equalisers. Equalisers drive EE's national, provincial, and local campaigns in various ways: they identify issues the organisation takes up; renew their branches by recruiting new members each year; elect representatives to act as spokespeople and to engage relevant authorities at school-, district-, and provincial-level; provide critical input on campaign strategy and tactics; and mobilise fellow learners, parents, teachers and community members to participate in mass protest actions.

Post-school youth members of EE, known as facilitators, are the engine of the movement. The majority of facilitators were once Equalisers themselves. As volunteers, they organise Equaliser branches, deliver political education and assist in running the campaigns taken up by thousands of Equalisers and parent members.

EE members have undertaken a number of different campaigns over the years, in response to their lived experience of an education system that was originally designed to prepare black learners for various forms of manual labour. Twenty-two years after the transition to democracy, schools in black working class communities throughout South Africa remain systemically under-resourced, under-staffed and overcrowded.⁹ This condition reproduces a wide range of issues that profoundly undermines the potential for quality teaching and learning, thereby entrenching for at least one more generation the legacies of Apartheid and colonialism.

Two such issues that have been identified by EE members in the Western Cape as particularly pressing are school safety and sanitation.

8.1 BACKGROUND TO SCHOOL SAFETY AND SANITATION CAMPAIGN

In August 2014, each Equaliser branch in the Western Cape undertook a democratic process of identifying major obstacles to quality teaching and learning at their schools. Over the course of two to three weeks, Equalisers discussed, debated, and

⁹ Equal Education makes use of the Black Consciousness definition of the term "black", which refers to all oppressed people of colour.

developed consensus around a single issue to take forward at each school. Equal Education staff and facilitators then supported members in developing campaigns around their chosen issues.

Twelve different issues were taken up, including sanitation, safety infrastructure, teacher shortages, discriminatory teenage pregnancy policies, and corporal punishment. As part of their campaigns, Equalisers used a wide variety of methods to lobby their peers, principals, teachers and district officials to support them – these included pickets, petitions, small-scale audits, and recruitment drives.

This period of intense localised campaign and mobilisation work culminated in a mass march on the provincial legislature on 31 October 2014. Over three thousand learners and parents gathered to deliver a memorandum and a set of demands directly to the Western Cape MEC for Education, Debbie Schafer. The following is an extract from the memorandum:

It is impossible to learn when our schools cannot provide dignified and safe sanitation. It is impossible to learn when our windows and doors are broken, when our roofs leak and when we have to sit three to a desk and two to a chair. It is impossible to learn when we experience our schools as violent places, where teachers still practise corporal punishment and gangsters are able to enter freely to sell drugs and rob us because our schools have broken fences and no security guards.

These issues prevent us from realising the most basic parts of our right to education. But we are not interested in access only; we are fighting for quality education, and we will not stop organising and building our strength until we get there. That is why we are also marching for access to quality libraries, computer centres and science labs. That is why we need well-trained, well-supported and committed teachers. That is why we need quality sports, cultural and after-school programmes. That is why we need programmes to help learners who are caught up in drugs and gangsterism, instead of just punishing them. That is why we are demanding fair and equal treatment for pregnant learners, as well as access to quality sex education and condoms.¹⁰

The combination of localised and regional action won a number of small victories, and Equalisers displayed a high level of leadership and discipline throughout.¹¹ However, it proved extremely challenging for the movement to develop and sustain powerful campaigns for these many issues at once.

¹⁰ Equal Education. 31 October 2014. *Equal Education Memorandum on Educational Inequality to MEC Debbie Schafer 31*.

¹¹ These include: the reversal of a discriminatory pregnancy policy at a school in Kraaifontein; an end to corporal punishment at a number of schools in Khayelitsha; recognition of the sanitation crisis at certain Khayelitsha schools and subsequent upgrades; hiring of additional teachers at Sizimisele Technical High School in Khayelitsha; etc.

To chart a way forward, Equalisers met in the first branch meetings of 2015 to consolidate the previous year's campaigns and move toward a more tightly focused approach. These discussions resulted in a consensus around school safety and sanitation as the major issues for the movement to take forward in the Western Cape.

8.2 THE WESTERN CAPE SCHOOLS SOCIAL AUDIT

A social audit was envisioned as one of the major inputs for the Western Cape safety and sanitation campaign. EE's Gauteng branches had used the social audit technique earlier in 2015 as part of their own sanitation campaign. The campaign was launched in August 2013, and was ultimately effective in holding the Gauteng Department of Education (GDE) publicly accountable for its failures with regard to school sanitation. EE members secured major commitments from MEC Panyaza Lesufi regarding upgrading and maintenance of sanitation infrastructure.

Motivated by these victories, EE Western Cape launched its own social audit in August 2015. A target of auditing 250 schools – serving over 200,000 learners - was set, and achieved within just over two months through the joint efforts of EE, partner organisations and hundreds of learners and community members across the Western Cape.¹²

This report is the product of many months' hard work by Equalisers, parents, facilitators and staff. It is intended to serve as a resource for Equal Education, as well as allied organisations and individuals, as we navigate a way forward in our current campaign for improved school safety and sanitation in the Western Cape.

8.3 SUMMARY OF THIS DOCUMENT'S CONTENTS

This report is intended to be a comprehensive document bringing together existing relevant knowledge on safety and sanitation in the Western Cape and original research conducted by EE.

The report begins with three background sections. The first, **The Social Context**, is a review of the structural factors which have resulted in the current crises of safety and sanitation in Western Cape schools. The second, **School Safety: Existing Research and Programmes**, is a review of the existing research on violence in schools, relying heavily on reports produced by the *Centre for Justice and Crime Prevention*, as well as a review of government legislation and programmes addressing school safety. The final background section is on **Infrastructure**. In this section we review both the importance of proper sanitation in schools, the *Norms and Standards for School Infrastructure*, and the current funding structures for school infrastructure – particularly in the Western Cape.

The report then turns to the knowledge gathered as part of the audit of school. In the **Methods** section, there is a discussion on how the social audit was conducted as well as how the data gathered from it was processed. In this section is also a brief explanation of the *Promotion of Access to Information Act* requests that EE made for

¹² Ultimately, 244 schools serving 217,388 learners were audited.

additional data that the government already possessed, as well as a summary of the process of analysing national, provincial, and school budgets. The **Findings** section then describes the key information the social audit gathered. This is broken down into sections on school safety, sanitation, infrastructure and budgeting. The budgeting subsection examines the extent to which school budgets allocations and expenditures are either compounding or addressing the challenges relating to school infrastructure and safety. Finally, the report includes a review of **Potential Interventions** to provide some guidance about what possible next steps are available to resolve the safety and sanitation crises facing our schools.

8.4 A NOTE ON FORMATTING

This document uses specific formatting to facilitate ease of reading and reference:

- Information considered to be particularly important for the reader to note is in **bold**.
- References to other parts of this document are in **bold and italics**, including references to tables, figures, appendices, and other sections of the document.
- Specific references to articles are in "quotation marks".
- Specific references to publications are in *italics*.
- Recommendations for potential action to improve conditions are **bold and underlined**.
- Quotations longer than three sentences are bold, in a free-standing block of text, omitting quotation marks.
- Within the text, resources are cited in footnotes using the format:
Author. Publication Date. "Article Title." *Publication Title*.
- Citations are also listed in the reference section, separated by reference type. When possible links to the resources have been provided. These citations are in the format:
Author. Publication Date. "Article Title." *Publication Title*. <Link>
- Generally, numbers are written with commas separating the thousands place and full stops indicating the decimal place. For example, "one thousand twenty-seven point three" would be written "1,027.3".

9 THE SOCIAL CONTEXT

In 2006, the South African Human Rights Commission (SAHRC) released a report on hearings conducted regarding the right to basic education.¹³ The commission found that the quality of education received by learners depended on the geographical location of schools. This was in part because education outcomes were negatively affected by high levels of violence in surrounding communities.¹⁴ That same year, the SAHRC branded the state of sanitation in some of South Africa's communities as a "crisis".

The South African Constitution provides that every person has the right to access to adequate housing, health care services, sufficient food and water, and social security.¹⁵ A number of provisions in the Bill of Rights serve to protect a learner's right to study in a safe environment that is free of violence. Furthermore, learners have the rights to freedom from racial and gender discrimination, human dignity¹⁶, life¹⁷, freedom and security of person¹⁸; the right to be protected from maltreatment, neglect, abuse, or degradation;¹⁹ and finally **the right to a basic education**²⁰. These rights either have, or have the potential to be infringed due to the real or perceived threat of school-based violence.²¹

There is a correlation between violence occurring at the individual level, and violence occurring at a community and broader society level. **This means that criminal activity in schools is dependent on broader social and systemic factors, like poverty and unemployment.** When communities are poor and ill-resourced it creates an environment where community members are forced to compete for scarce resources - in some cases for access to basics such as water. In other cases, a high number of people over-utilise a service. An example of the latter is the state of toilets uncovered by the social audit into the janitorial service for communal flush toilets in Khayelitsha, Cape Town. The audit, run by the Social Justice Coalition, found that most toilets were overused and poorly maintained and hence, were inefficient and unhygienic.²²

EE's social audit is seeking information on the state of safety and sanitation in Western Cape Schools. However, we maintain that the lack of safety, and the poor sanitation, are part of a broader **structural crisis facing working class communities, who lack access to basic services and live in fear of violence.**

This section provides an analysis of community demographic information relating to safety and sanitation in South Africa in general, and the Western Cape in particular.

¹³ South African Human Rights Commission. 2006. *Report on the public Hearing on School-based Violence*.

¹⁴ Ibid.

¹⁵ *Constitution of the Republic of South Africa*. 1996. Sections 24 (a)(b); 26; and 27.

¹⁶ Ibid. Sections 10.

¹⁷ Ibid. Section 11.

¹⁸ Ibid. Section 12.

¹⁹ Ibid. Section 28(d).

²⁰ Ibid. Section 29.

²¹ Government Gazette. 1 September 2006. No 29154. *The South African Human Rights Commission Terms of Reference, Rules and Procedures: Public Hearing on School-Based Violence*.

²² The Social Justice Coalition. 1 October 2014. *Our Toilets Are Dirty: Report on the Social Audit into the Janitorial Service for Communal Flush Toilets in Khayelitsha, Cape Town*.

9.1 THE PAST ISN'T DEAD. IT ISN'T EVEN PAST

Between 1960 and 1983 the Apartheid government forcibly relocated 3.5 million Black African, Indian and Coloured people in one of the biggest mass removals of people in modern history. Legislation like the *Bantu Authorities Act* (1951) and the *Group Areas Act* (1950) led to certain areas in both the country and within provinces being allocated according to race. Large groups of Black and Coloured²³ people were forcibly relocated to designated areas called "homelands", or to an area in the Western Cape known as the Cape Flats²⁴. **Access to, and the quality of, basic services was determined by race and where one lived.** This history continues to affect the standard of services in different communities. The provision of electricity, housing, and other infrastructure remains unequal and varies according to geographical location in post-Apartheid South Africa.

The *Group Areas Act* called for the residential segregation of people across the country.²⁵ Within the Western Cape, 860,000 people were relocated, separating communities along racial lines. The devastating consequences of those removals included the failing of people's businesses and destruction of people's livelihoods. Black people were moved to townships, sometimes as far as 30 kilometres away from where they were employed at low wage jobs in the city centres. Moreover, the Apartheid regime did not invest in infrastructure in the Black communities.

People classified as White under the *Population Registrations Act* (1950) were afforded preferential treatment in economic and social life, in the form of citizenship rights (political rights and economic freedom). People of colour were denied basic political rights, and had their economic freedom severely constrained by laws that determined where they could live, the content and quality of their education, and the types of work they could perform. Apartheid, and earlier colonialism, have left an indelible imprint on the social fabric of South Africa – high levels of **poverty**, social fragmentation, and one of the highest levels of **income inequality** in the world. **This inequality remains visible along racial and geographic lines.**

9.2 POVERTY AND INEQUALITY

As one prominent economist, Thomas Piketty, has commented, despite 25 years since the transition to democracy, "In some ways income inequality is even higher today".²⁶ **Ten percent of the population own 60-65% of South Africa's wealth** (in comparison it is 50-55% in Brazil and 40-45% in the United States). Historically, nearly all property has been owned by Whites and to a large extent this remains the case today: **the richest**

²³ 'Coloured' refers to an ethnic group that is unique to South Africa. They include mixed race and Cape Malay people. They trace ancestry to Europe, Asia, Malaysia, Khoi San and Bantu ethnic groups.

²⁴ The Cape Flats, or simply, 'The Flats' is a low lying geographical area that is situated southeast of the central business district. Areas include Athlone, Belhar, Bonteheuwel, Elsies River, Manenberg, Heideveld, Hanover Park, Mitchell's Plain, Lavender Hill, Vrygrond, Capricorn, Overcome Heights, Sea Winds, Retreat, Grassy Park, Lansdown, Ottery, Lotus River, Parkwood, Strandfontein, Pelican Park and Eagle Park. It also includes the settlement areas of Nyanga, Khayelitsha, Mfuleni, Crossroads and Delft.

²⁵ Website: Michigan State University: African Studies Center. *Overcoming Apartheid Building Democracy*.

²⁶ Allison, Simon. 6 October 2015. "Black Economic Empowerment Has Failed: Piketty on South African Inequality." *The Guardian*. For more on inequality see Piketty, Thomas. 2014. *Capital in the 21st Century*.

5% of South Africans are overwhelmingly – about 80% – white.²⁷ This is in a country where only 8% of the entire population is white.²⁸

While some government programmes are working to alleviate this crisis – notably the social grant system which has been expanded four-fold in the last two decades²⁹ – **income inequality has actually increased since the end of Apartheid.**³⁰ In no small part, income inequality is rising due to South Africa's deteriorating domestic economy, increasing levels of unemployment and the flailing state of the international economy. This in turn exacerbates issues related to health, sanitation and safety in the country.

This inequality is reflected in a substantial portion of South Africans living in poverty. **In fact, 40% of the population continues to live below the poverty line of R653 a month.**³¹ Children are particularly vulnerable to poverty. In 2012, 33% of children were living in a home where there was no employed adult, and 56% lived below the poverty line. In 2011, an estimated 23 million people were living below the poverty line.³²

It is probable that the high rates of inequality, poverty, and unemployment will continue to impact the rights of South Africans and the future prospects of the youth if serious steps are not taken.

9.3 THE RURAL/URBAN DIVIDE

There is a better chance that one will have access to basic services if one lives in an urban area in South Africa than if one lives in a rural area. According to 2012 Afrobarometer survey data³³:

- **12% of people living in a rural area did not have an electricity grid** in their community. This is compared to just 4% of people living in an urban area.³⁴
- In rural areas, **80% of South Africans still did not have access to a piped water system.** In urban areas only 10% of people cannot access piped water.
- **80% of rural South Africans live without an accessible sewerage system,** while only 10% of people in urban areas did not have access to a sewerage system.

²⁷ Allison, Simon. 6 October 2015. "Black Economic Empowerment Has Failed: Piketty on South African Inequality." *The Guardian*.

²⁸ StatsSA. 2015. *Mid-Year Population Estimates*.

²⁹ Ferreira, Louise. 24 February 2016. "Factsheet: Social grants in South Africa – separating myth from reality." *Africa Check*.

³⁰ The Gini coefficient is a measure of statistical dispersion that indicates the income distribution of people living in one country and is a commonly used measure of *income* inequality. This captures only income inequality, as personal *wealth* itself is difficult to measure.

³¹ Vusi Gumede. 2014. "The Millennium Development Goals: Towards a Post-2015 development Agenda for SA" in *Breaking the Mold: Prospects for Radical Economic Transformation*.

³² Ibid.

³³ Afrobarometer. 2013. *Survey Data for South Africa Round 5*. [The Afrobarometer is a pan-African, non-partisan research network that conducts public attitude surveys on democracy, governance, economic conditions, and related issues across more than 30 countries in Africa. Five rounds of surveys were conducted between 1999 and 2013, and Round 6 surveys are currently under way. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice with nationally representative samples of between 1,200 and 2,400 respondents. Samples of this size yield country-level results with a margin of error of +/-3% (if n=1,200) or +/-2% (if n=2,400). The number of respondents for SA are 2,398.]

³⁴ Field Researcher to record: "Are the following services present in the Primary Sampling Unit/ enumeration area. A. Electricity grid that most houses could access."0

These figures are unacceptably high, considering the rights enshrined in the *South African Constitution*. No access to piped water, a sewerage system, or electricity creates a health and sanitation hazard. (With no electricity it is difficult to boil and sanitise water.) The SAHRC states that although the delivery of water services has improved somewhat, a lot more needs to be done in terms of realising the right of access to adequate sanitation.³⁵

The policy on water provision currently is that free water is only provided to households that are registered as indigent.³⁶ However, poor and vulnerable households are often unaware of this policy or may avoid being classified as indigent for fear of stigmatisation. The SAHRC has questioned the appropriateness of the *Indigent Policy* in South Africa as it places the onus on poor people to prove how poor they are.³⁷ Moreover, capacity issues at the municipal level, in addition to problems of gross underspending, exacerbates problems of service delivery.

The socio-economic differences between rural and urban areas are felt beyond basic services. They affect access to social services that affect one's security, health and safety³⁸:

- 77% of people living in a rural South Africa did not have a police station within walking distance, while this was true for 39% of urban dwelling people.
- For 49% of people living in rural areas there is no health clinic within easy walking distance, as compared to 30% of people living in urban areas who do not have a health clinic within "easy walking distance."³⁹
- **Thankfully, access to schools is not substantially dependant on one's location:** For 12% of people living in rural areas there was no school within "easy walking distance." This was similarly true for 13% of urban South Africans.

9.4 POPULATION SIZE AND MIGRATION TO CITIES

As **Table 1** shows, in 2015 the population of the Western Cape was about 6,200,100. This comprises 11% of South Africa's total population, which is estimated at 55 million. Of this, approximately 28 million, 51%, are female. The largest share of SA's population reside in Gauteng (24%) and KwaZulu-Natal (20%). The Northern Cape has the smallest share of the population, with only 2.2%.⁴⁰

Provincial populations change significantly due to migration. Southern Africa has an extensive history of intra-regional migration dating back to the mid-nineteenth century. Moreover, since the end of Apartheid – which restricted the movement of the Black majority population to selected regions known as Bantustans⁴¹ – South

³⁵ South African Human Rights Commission. 2010. *The 7th Economic and Social Rights Report: Millennium Development Goals and the Progressive Realisation of Economic and Social Rights in South Africa (2006-2009)*.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Afrobarometer. 2013. *Survey Data for South Africa Round 5*.

³⁹ The Afrobarometer's survey materials do not define what "easy walking distance."

⁴⁰ StatsSA. 2015. *Mid-Year Population Estimates*.

⁴¹ Also referred to as 'Bantu Homeland, the black Homelands or 'Homelands' were self-governing territories within South Africa and South West Africa (Namibia) designated for black African people. There were ten Bantustans established within South Africa and ten in South West Africa with the stated

Africans have had the right of movement within their own country. This has resulted in a significant increase in internal migration.⁴²

Province	Population Estimate	Percent of Total Population
Eastern Cape	6,916,200	12.6%
Free State	2,817,900	5.1%
Gauteng	13,200,300	24.0%
KwaZulu-Natal	10,919,100	19.9%
Limpopo	5,726,800	10.4%
Mpumalanga	4,283,900	7.8%
Northern Cape	1,185,600	2.2%
North West	3,707,000	6.7%
Western Cape	6,200,100	11.3%
Total	54,956,900	100%

Table 1 Mid-Year Population Estimates 2015, by Province

Rising poverty in rural areas can drive people from their homes to urban centres in search of opportunities, work, and better services (see **The Rural/Urban Divide**). Between 2011 and 2016 an estimated 243,000 people migrated out of the Eastern Cape and 303,000 out of Limpopo.⁴³ For the most part, these people moved to large cities. **It is estimated that Gauteng and the Western Cape had an inflow of 1.2 million and 351,000 in the last five years, respectively.**⁴⁴ Unfortunately, inflows to cities within a climate of job scarcity can add to already desperate conditions where many people are unemployed, lack housing, and are living below the poverty line.

Population Group	Male		Female		Total	
	Number	Percent	Number	Percent	Number	Percent
African	21,653,500	80.6%	22,574,500	80.4%	44,228,000	80.5%
Coloured	2,334,800	8.7%	2,498,100	8.9%	4,832,900	8.8%
Indian/Asian	688,100	2.6%	673,900	2.4%	1,362,000	2.5%
White	2,201,900	8.2%	28,078,700	8.3%	4,534,000	8.3%
Total	26,878,300	100%	28,078,700	100%	54,956,900	100%

Table 2 Mid-Year Population Estimates for 2015, by Population Group and Sex⁴⁵

Because the South African population was hierarchically organised by race until 1994, race remains an imperfect, but key indicator of social class and urbanisation.⁴⁶ **Table 2** provides the mid-year population estimates for South Africa for 2015, aggregated by race and sex.⁴⁷ Four fifths of South Africans are “African.” It is largely this group that is leaving the poverty of rural South Africa in hopes of work in the cities only to find

aim of creating autonomous states for ethnic groups of the same kind. Four of the Homelands in SA, Transkei, Bophuthatswana, Venda, and Ciskei, were claimed to be politically independent.

⁴² Crush, J., V. Williams, and S. Peberdy. 2005. *Policy Analysis and Research Programme of the Global Commission on International Migration*.

⁴³ StatsSA. 2015. *Mid-Year Population Estimates*.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Policies of Black Economic Empowerment (BEE) and Broad-Based Black Economic Empowerment are policies of affirmative action designed to address the unequal representation of people of colour within business and management positions. Unfortunately, these policies have seen the advancement of a small black elite class rather than the social and economic upliftment of the majority black working class. For more on this, see “Southall, Roger. 2007. “Ten propositions about black economic empowerment in South Africa.” *Review of African Political Economy*.”

⁴⁷ StatsSA. 2015. *Mid-Year population estimates*.

unemployment and marginalisation when they arrive.⁴⁸ **It is important that the State ensures that these refugees of Apartheid’s legacy are integrated into urban economies and provided with the basic services they are entitled to.**

9.5 ACCESS TO BASIC SERVICES IN THE WESTERN CAPE

According to the most recent Afrobarometer survey for South Africa (2015), **100% of people living in the Western Cape do have some access to an electricity grid, piped water and a sewerage system available in the areas in which they live.**⁴⁹ This reflects notable improvement from the 2012 Afrobarometer findings which should be commended.⁵⁰

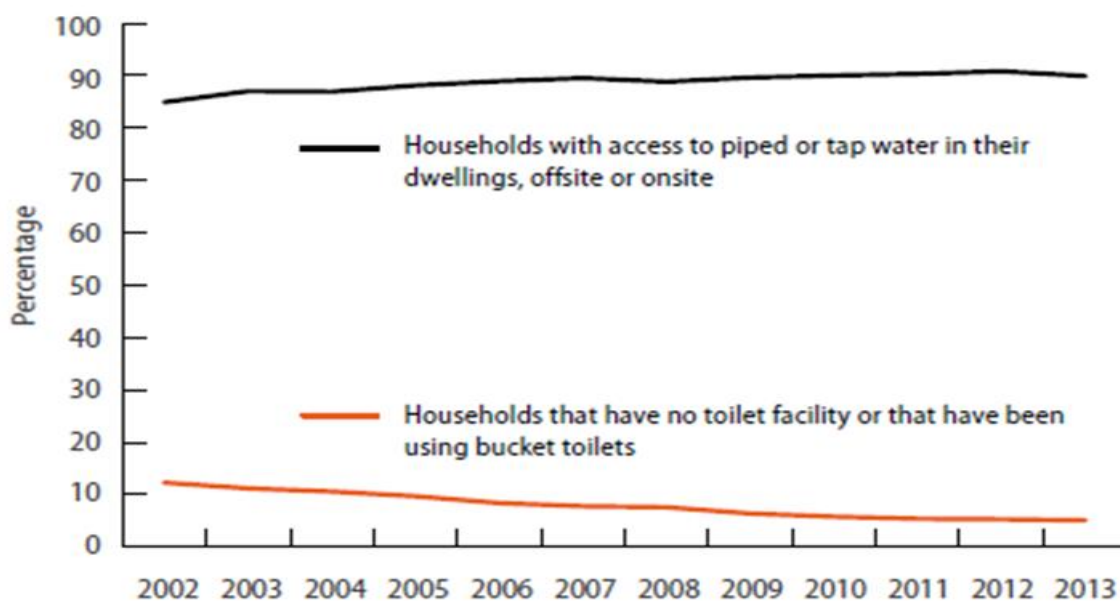


Figure 10 Access to Water and Sanitation, 2002 to 2013⁵¹

However, access to these services remains difficult for many people, which results in people going without. In 2015, **8% of people living in the Western Cape had gone without water (in the last year) ‘several times’, and 3% went without water ‘many times’ or ‘always’.**⁵²

Furthermore, access to several other essential government services remains limited.

- For 19% of people there is no post-office within easy walking distance.
- Five percent of respondents did not live in an area where a school was within easy walking distance of their homes. This problem is faced only by Black and

⁴⁸ Fauvelle-Aymar, Christine. August 2014. *Migration and employment in South Africa: An econometric analysis of domestic and international migrants.*

⁴⁹ Afrobarometer. 2015. Survey Data for South Africa Round 6. [Not available to public]

⁵⁰ According 2012 Afrobarometer statistics, 4% of people living in the Western Cape did not have access to an electricity grid, which equates to approximately 248,000 people without electricity, of which all were Black. Furthermore, in the Western Cape, 4% of people did not have piped water in the area they lived in and 7% did not have access to a sewerage system – again, all of these people were Black. [Afrobarometer. 2013. *Survey Data for South Africa Round 5.*]

⁵¹ StatsSA. 2015. *Mid-Year population estimates.*

⁵² Ibid.

Coloured/mixed-race people: 11% of Black people surveyed did not have an easily accessible school and 2% of Coloured/mixed-race people did not.

- For 13% of those surveyed there was no police station within easy walking distance.
- There was no health clinic nearby for 15% of people living in the Western Cape. Those people who do not have one of these facilities within easy walking distance, and did not have relatively easy direct access, are all black or Coloured/mixed-race.

The lack of access to basic services like piped water and an operating sewerage system has created what some might call a sanitation crisis in parts of South Africa. The crisis poses a significant health risk to communities that are already vulnerable due to rife unemployment and poverty.

9.6 SANITATION POLICY IN SOUTH AFRICA

South Africa's path of development is set out by the *National Development Plan* and implemented through the *Medium Term Strategic Framework*. These are the guiding documents for the implementation of sanitation facilities for the next 15 years.

The sanitation sector is regulated by three policy documents: *The White Paper on Water Supply and Sanitation* (1994), the *White Paper on a National Water Policy of South Africa* (1997), and the *White Paper on Basic Household Sanitation* (2001). These provide rules and procedures for the provision of sanitation services in the country, and all responsibilities related to the provision of services. According to the draft *National Sanitation Policy* (released February 2016), the implementation of South African sanitation policy is currently guided by the *Strategic Framework for Water Services* (2003). This sets out the 10-year roadmap for addressing the needs of the country's water and sanitation service delivery plans. The Minister of Water and Sanitation is responsible for the national sanitation policy as well as its regulation and coordination.

Unfortunately, current sanitation policies are flawed in their ability to ensure services are delivered. One of the gaps includes divergent definitions of "sanitations" and "basic sanitation provision".⁵³ Policy positions need to be clarified to ensure consistency and compliance in the future.

South Africa expects to experience increased urbanisation in the future (see **Population Size and Migration to Cities**), likely placing increased pressure on urban sanitation systems.⁵⁴ In addition, the changing types of human settlement structures in rural areas places strain on small and limited sanitation systems. The draft *National Sanitation Policy* states: "Sanitation services in future will need to place greater emphasis on human settlement appropriate systems, where significant considerations of available resources like water will be placed on sanitation system choice."⁵⁵

⁵³ Government Gazette. 12 February 2016. *Draft National Sanitation Policy*. No. 39688. Department of Water and Sanitation. Notice 70 of 2016

⁵⁴ Ibid.

⁵⁵ Ibid.

The draft policy sets out the “values” to underpin future sanitation services in SA, which include the “user pays” principle (to incentivise preservation and non-wasting) and “people-centred/demand-driven” sanitation service provision. The draft policy endorses the national sanitation targets which includes “an increase in the percentage of households with access to a functional sanitation service from 84% in 2013 to 90% by 2019”.⁵⁶ **However, the policy does not account for the gross inequality in access to basic services in rural areas, nor does it set out concrete plans to ensure that access to sanitation services will be made available to all.**

9.7 HIV PREVALENCE MAKES SCHOOL SAFETY AND SANITATION A PRESSING ISSUE

HIV/AIDS poses a very real threat to South Africa's youth. It is estimated that **11% of the population is HIV positive** (6.2 million in 2015).⁵⁷ If one narrows the sample to people between the ages of 15 to 49, 17% of the population is estimated to be HIV positive.⁵⁸ The links between HIV/Aids, migration, and poverty are complex but close. The migration of people to different regions throughout Africa in general, and Southern Africa in particular, has a decisive impact on the spread of HIV and AIDS.⁵⁹ The proliferation of the virus also affects where people choose to live due to access to healthcare. The highest incidence of the virus is not in Africa's poorest nations but in South Africa and Botswana – countries that have well-functioning transport infrastructure systems, relatively high levels of economic development, and substantial levels of cross-border migration.⁶⁰

In a HIV/AIDS prevalent environment, the horrendous experience of sexual assault or rape can result in a life spent dealing with this deadly disease.⁶¹

This puts South African youth particularly at risk. According to a 2012 study, 1 in 20 learners report being sexually assaulted or raped at school.⁶² Lack of security at schools and particularly in toilets, substantively aggravates learners risk of sexual assault. In that 2012 study, more than half of learners mentioned toilets as the location where they felt least secure and 1 in 8 cases of sexual assault occur in the toilet.⁶³ The finding from EE's social audit, reported later in this report, that 65% of learner toilet stalls lack locking doors in part explains the lack of security felt in the toilet. (For more see section on **School Violence in the Western Cape** and **Findings: Safety and Violence in Western Cape Schools.**)

⁵⁶ Government Gazette. 12 February 2016. *Draft National Sanitation Policy*. No. 39688. Department of Water and Sanitation. Notice 70 of 2016.

⁵⁷ StatsSA. 2015. *Mid-Year population estimates*.

⁵⁸ Ibid.

⁵⁹ Lurie, Mark et al. 2003. “The Impact of Migration on HIV-1 Transmission in South Africa.” *Sexually Transmitted Diseases*.

⁶⁰ Ibid.

⁶¹ Kalichman, Seth C., and Leickness C. Simbayi. 2004. “Sexual assault history and risks for sexually transmitted infections among women in an African township in Cape Town, South Africa.” *AIDS Care*.

⁶² CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

⁶³ Ibid.

9.8 CRIME AND VIOLENCE IN THE WESTERN CAPE

The Western Cape has the second largest share of all crime in South Africa (22%); after Gauteng, which has the highest at 29%.⁶⁴ However, when adjusted for the population size, as done in **Figure 11**, the Western Cape has by far the highest rate of reported crimes per person in the country. For every 1,000 people living in the Western Cape, there are 81 reported crimes – this is twice the national average of 41 per 1,000 people.⁶⁵

What is more, this situation is getting worse. **Appendix A** reflects South African Police Service (SAPS) crime statistics for the Western Cape, which compares the change in the rate of incidences of certain types of crimes over the years 2013/14 and 2014/15. Over this period, the Western Cape saw an increase in the number of murders by 282 incidences and in attempted murder by 382 instances.⁶⁶ Furthermore, violent assault is also on the rise, with the number of assaults with the intent to cause grievous bodily harm increasing from 24,806 to 26,200. As indicated in **Appendix A**, contact crime has increased across all areas, except sexual offences. These figures indicate an entrenched and worsening rate of violent crime in the Western Cape.⁶⁷

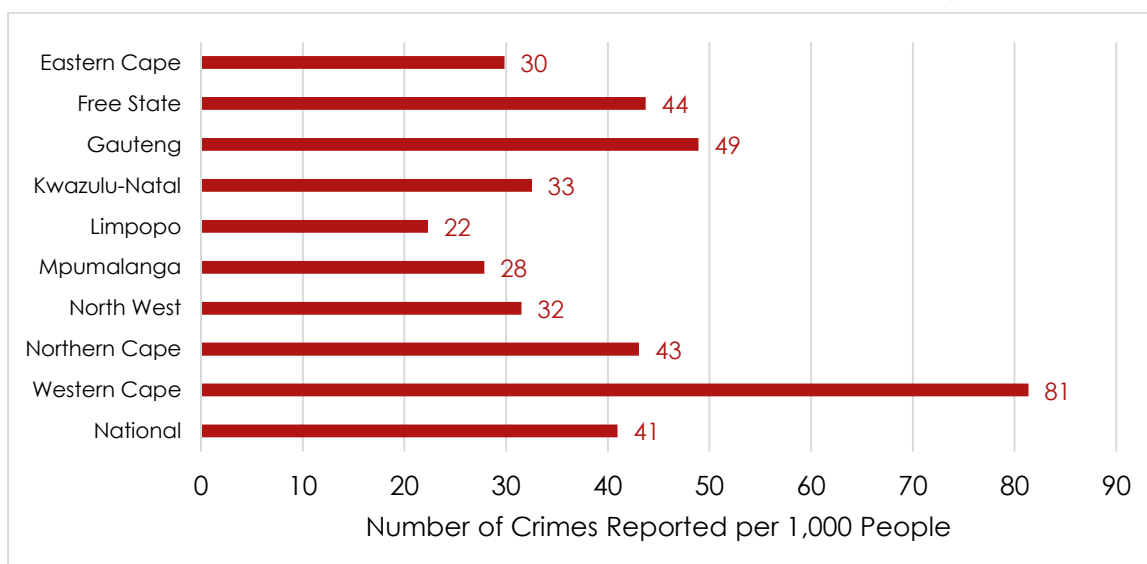


Figure 11 Crimes Reported in 2015 per 1,000 people by Province⁶⁸

As a result of the high rates of crime in the Western Cape many people live in constant fear of violent attack. In a national survey, **21% of the respondents in the Western Cape stated that they always or often feel unsafe walking in their neighbourhood**, and an additional 31% they feel unsafe at least a few times a year. **A further 46% of respondents feared crime in their own home or community**, of which 17% are always scared.⁶⁹

⁶⁴ Crime Stats SA. 2016. *Crime Stats Simplified*.
⁶⁵ Crime Stats SA. 2016. *Crime Stats Simplified*.
 StatsSA. 2015. *Mid-Year population estimates*.
⁶⁶ SAPS. 2015. *The Crime Situation in South Africa*.
⁶⁷ Ibid.
⁶⁸ Crime Stats SA. 2016. *Crime Stats Simplified*.
 StatsSA. 2015. *Mid-Year population estimates*.
⁶⁹ Crime Stats SA. 2016. *Crime Stats Simplified*.

Moreover, 27% of people in the Western Cape had experienced something being stolen from their house at least once in the past year and 10% (an estimated 620,010 people) had been physically attacked.⁷⁰

Living in an environment of fear and insecurity has serious psychological and psychosocial effects on the individual. These include detrimental effects on mental health, parenting skills, ability to function in the workplace, and ability to sustain positive intimate relationships – as well as increased rates of unemployment.⁷¹

9.9 CRIME IS CONCENTRATED IN THE POORER PRECINCTS

When all reported crimes in the Western Cape are taken into account, the precincts with the highest level of crime are Mitchells Plain (21,313), Cape Town Central (17,994), Kraaifontein (12,024) and Worcester (11,649).⁷²

Two-thirds of murders occur in just 10 of the province's 60 precincts. The worst murder precincts in the Western Cape are Nyanga (300), Gugulethu (165), Delft (163), Mfuleni (154), Khayelitsha (146), Kraaifontein (141), Mitchells Plain (141) and Harare (141).⁷³ Similarly, the community where the highest number of sexual offences were reported in the Western Cape in 2015 was Nyanga (292).

One will quickly notice that most of these precincts are in working class communities. Furthermore, one must remember that the actual number of crimes, particularly sexual crimes, is far higher than what is reported to SAPS. This is especially true in poorer communities.⁷⁴

The O'Regan-Pikoli (Khayelitsha) Commission of Inquiry was set up in August 2012 to investigate the state of crime and policing in Khayelitsha with the aim of improving the criminal justice system. Its investigative phase included written submissions and oral testimonies made by community members, local NGOs, and the SAPS. One of the strongest themes to emerge from the Commission's proceedings was the problem of youth and crime in Khayelitsha. An affidavit submitted by the Treatment Action Campaign spokesperson and community member Amelia Mfiki stated that children and youth are the most vulnerable to violence in the community, both on the streets and at home. They are witnesses, victims, and sometimes the perpetrators of crimes. She further asserted:

The dangers children experience when going to and returning from school affect their ability to learn and this undermines their right to education. Similarly, fear and experience of violence shows that the local, provincial and national government fail to place the best interests of children first...⁷⁵

⁷⁰ Afrobarometer. 2013. *Survey Data for South Africa Round 5*.

⁷¹ Hanson, Rochelle F. et al. 2010. "The Impact of Crime Victimization on Quality of Life." *Journal of Trauma Stress*.

⁷² Crime Stats SA. 2016. *Crime Stats Simplified*.

⁷³ Ibid.

⁷⁴ DLive. 1 December 2015. "South African Remain reluctant to Report Crimes."

⁷⁵ O'Regan-Pikoli (Khayelitsha) Commission of Inquiry. 2014. "Amelia Mfiki's Affidavit." *Towards a Safer Khayelitsha*.

Both crime and lack of adequate sanitation facilities are problems that Khayelitsha, and many other communities on the Cape Flats, face daily. Although issues of safety, on the one hand, and sanitation on the other, present their own sets of problems, the issues are very strongly linked in poor communities. Another witness who testified at the Khayelitsha Commission articulated the connection between safety and sanitation for people living in informal settlements:

A toilet or using the bush is a place of danger where violence against the person in the form of assault, robbery and sometimes even rape and murder occur daily.⁷⁶

The SAPS and security agencies are failing to protect people in communities where their presence is insufficient in deterring potential offenders or catching those who commit crimes. The report of the task team formed subsequent to the release of the findings of the Commission, shows that **police officers would fail to do basic tasks like collect fingerprints or other forms of evidence at crime scenes; fail to comply with domestic violence regulations; and wrongfully release suspects or help them escape custody.**⁷⁷

This may in part be because working class precincts are understaffed. Despite having a higher crime rate, **Khayelitsha has only 2.3 policemen for every 1000 people, while Wynberg has 12.4 policemen for every 1000 people.**⁷⁸ The Western Cape has 60% of the police vacancies in the country, despite having only 11% of the population.⁷⁹

Deficiencies in South Africa's criminal justice system have far reaching social consequences. This failure of the state to effectively enforce laws creates an environment where criminals may wage violence with impunity. When justice is not seen to be done, citizen trust in safety institutions is reduced, if not completely shattered. The result is communities often feel they must resort to vigilantism or mob justice which further undermines the rule of law and the primacy of the Constitution.

9.10 CONCLUSION

An unacceptably high number of people in South Africa in general, and the Western Cape in particular, are not having their Constitutional rights to a safe living environment, as well as access to water and sanitation, realised. These people are disproportionately black and Coloured/mixed race. The pervasiveness of contact crimes is having a damaging effect on South Africa's citizens and the youth of the country. Lack of safety in the community feeds violence in schools, as will be discussed **School Safety** section. It informs learners' behaviour and it limits the abilities of teachers to teach and learners to learn.

⁷⁶ O'Regan-Pikoli (Khayelitsha) Commission of Inquiry. 2014. "Phumeza Mlungwana's Affidavit." *Towards a Safer Khayelitsha*.

⁷⁷ O'Regan-Pikoli (Khayelitsha) Commission of Inquiry. 2014. *Towards a Safer Khayelitsha*.

⁷⁸ Ibid.

⁷⁹ Plato, Dan. 13 November 2014. "Breaking down 'culture' of Gangs and Drugs requires Whole-of-Society." *Media Release, Western Cape Minister of Community Safety*.

10 SCHOOL SAFETY: EXISTING RESEARCH AND PROGRAMMES

10.1 UNDERSTANDING SCHOOL VIOLENCE

A significant number of South African Schools are unsafe. Assault, drugs, sexual violence, accidents, and gangsterism are common.⁸⁰ Schools are no longer just sites of teaching and learning, for many they have become a place of violence and crime. **This is particularly the case in poor township schools.**⁸¹

The World Health Organisation defines violence as **“the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development, or deprivation.”**⁸²

School violence more specifically, as defined by the US Centre for Disease Control and Prevention, is “any acts of violence that take place **inside an educational institution, when travelling to and from school** or a school-related event, or during such an event.”⁸³ This is a commonly accepted definition that has been adopted by *South Africa’s National School Safety Framework (NSSF)*.⁸⁴

Using these definitions, it is clear that school violence can be physical and non-physical in nature resulting in either bodily or emotional harm to the victim.⁸⁵ School violence often demonstrates itself in the following ways⁸⁶:

- **Corporal punishment** – the use of physical punishment by an educator or school authority to discipline a learner within a school environment.⁸⁷ Corporal punishment often includes spanking, caning and beatings.
- **Sexual and gender based violence** – the use of violent acts such as rape, sexual harassment, or unwanted touching of genitals or of any other part of the body that makes a person feel uncomfortable.⁸⁸
- **Assault and fighting** – the unlawful and intentional applying of force to another person with the intention of causing grievous bodily harm. This often involves the use of an object or weapon.⁸⁹

⁸⁰ WCED. 2003. *A Procedural Manual Safety and Security Within WCED Institutions*.

⁸¹ Xaba, M. 2006. “An investigation into the basic safety and security status of school's physical environments.” *South African Journal of Education*

⁸² World Health Organisation. 2016. “WHO Definition and Typology of Violence.” *Violence Prevention*.

⁸³ CDC. 2016. “About School Violence.” *Injury Prevention and Control: Division of Violence Prevention*.

⁸⁴ CJCP. 2016. *The National School Safety Framework*.

⁸⁵ Ibid.

⁸⁶ It is also worth noting that school violence is a complex phenomenon, manifesting itself in different ways. Bullying and harassment occurs via communication and online platforms. Online victimisation can result in psychological harm such as depression, lack of self-esteem, anxiety impacting on school performance. 80% of learners own or have access to a mobile phone making them vulnerable to online violence. While the EE audit does not consider the nature of online violence and victimisation of learners in schools it is worth noting that online violence is a recognisable, measurable and preventable form of violence experienced by young people in and outside of school. (Hinduja, S and J.W. Patchin. 2010. *Summary of Cyberbullying Research 2004-2010*.)

⁸⁷ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

⁸⁸ CJCP. 2016. *The National School Safety Framework*.

⁸⁹ Ibid.

- **Bullying** – The deliberate and repeated singling out of one or more persons to cause physical or emotional harm by verbal or physical means.⁹⁰
- **Gang related violence** – any form of violence that involves or is related to a formal or informal collective of young people. Violent acts are often retributive or instructive in nature. Violent acts are also often connected to issues of physical boundaries, drugs, weapons or alcohol.⁹¹

A safe school is one that is free of danger; a place in which non educators, educators and all learners may work, teach and learn without fear or ridicule, intimidation, humiliation, or violence.⁹² A safe school therefore upholds a child's right to safety and dignity as well as the child's Constitutional right to access basic education. **The aim of government, education departments, and stakeholders in South Africa should be to work towards creating and maintaining safe schools.**

Understanding of the nature of violence in our schools is essential in order to create environments conducive to learning. This section reviews the current literature on violence in South African schools.

10.1.1 The Breadth of the Problem

The Centre for Justice and Crime Prevention (CJCP) is a Cape Town-based non-governmental organisation engaged in the field of social justice and violence prevention, with a particular focus on children and youth. In both 2008 and 2012, CJCP conducted *National School Violence Surveys (NSVS)*. These reports found disturbingly high levels of violence in South African public schools.⁹³

According to the latest NSVS, an estimated one in five learners (which translates to 1,020,597 learners)⁹⁴ are victims of violence at school each year – excluding corporal punishment and theft. In the Western Cape it is even higher at **two in seven learners**. This violence includes assault, sexual assault, robbery, and verbal abuse.⁹⁵

Theft is even more common, **with nearly half of the 5939 learners surveyed by CJCP in 2012 reporting a case in the last year**.⁹⁶ One in eight reported threats of violence, one in sixteen reported assault, and roughly **one in twenty had experienced sexual assault**, and one in twenty had been robbed (mugged). Further, the report found that **half of all learners surveyed experienced corporal punishment**.⁹⁷

A separate study published by UNISA, found that an estimated **55% of learners experience some form of violence at school**. Of these more than half experienced it at least once a week and **28% experience it daily**.⁹⁸

⁹⁰ CJCP. 2016. *The National School Safety Framework*.

⁹¹ Ibid.

⁹² Prinsloo (2006) quoted in: South African Council of Educators. 2011. *School Based Violence Report: An overview of School based violence in South Africa*.

⁹³ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ UNISA. 2012. *The Dynamics of Violence in South African Schools*.

10.1.2 Effect on Education

The negative impact of school-based violence is well documented. Multiple studies show violence in schools hinders children's **physical, emotional and social development**.⁹⁹ Other research has found that it results in embarrassment, shame, fear, anxiety, self-blame and anger, all of which ultimately affects the ability of **learners to concentrate at school, at times resulting in absenteeism**.¹⁰⁰

The UNISA study found that an estimated **14% of learners who experienced violence in school had missed days of school as a result** and 8% reported being unable to concentrate as a result of violence. In addition, **1% dropped out because of lack of school safety**.¹⁰¹

It is to be expected that with all the detrimental effects that unsafe learning environments have on psychosocial development, attendance, and concentration, there would be an impact on learning. International studies have **consistently shown that lack of security in schools results in a notable decrease in educational performance on standardised tests**.¹⁰²

In summation, as one scholar put it: "Research overwhelmingly suggests that effective teaching and learning can occur only in a safe and secure school environment."¹⁰³

10.1.3 The Demographics of School Violence: Who? What? Where?

Learners in urban schools are **25% more likely to experience violence** than those in rural areas.¹⁰⁴ This may in part explain why the Western Cape is the province with the second worst overall rate of violence in schools in the country, given its relatively high rate of urbanisation (see **Population Size and Migration to Cities**). The Western Cape leads the country in terms of the rate of violence and robberies, and has the second highest rate of assault and sexual assault.¹⁰⁵

An examination of experiences of violence by gender indicated that both female and male learners are susceptible to all forms of violence but female learners experience more incidents of sexual assaults than their male counterparts.¹⁰⁶ Further, **White learners were substantially less likely to be victims of violence** (15.9%), than Black (22%), Coloured (26.3%), or Indian (31.8%) learners.¹⁰⁷

⁹⁹Du Plessis, A.H. 2008. *Exploring secondary school educator experiences of school violence*. unpublished MA dissertation, University of Pretoria;

CJCP. 2006. *How Rich the Rewards? Results of the 2005 National Youth Victimisation Study*

¹⁰⁰ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

¹⁰¹ UNISA. 2012. *The Dynamics of Violence in South African Schools*.

¹⁰² Duszka Christopher. August 2015. "The Effects of School Safety on School Performance." *International Journal of Education and Social Science*.

Lacoe, Johanna. 2013. "Too scared to learn? The academic consequences of feeling unsafe at school." *Institute for Education and Social Policy Working Paper*.

Gronna, Sarah S.; Selvin A. Chin-Chance. 1999. "Effects of School Safety and School Characteristics on Grade 8 Achievement: A Multilevel Analysis."

¹⁰³ Masitsa, M.G. 2011. "Exploring safety in township secondary schools in the Free State province." *South African Journal of Education*

¹⁰⁴ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid

¹⁰⁷ Ibid.

These violent experiences are not isolated events in children's lives. In the year proceeding being interviewed, **one in twenty learners had experienced multiple cases of violence.**¹⁰⁸

Most acts of violence occur in classrooms: learners reported being at risk in classrooms due to educators leaving the classroom unsupervised or losing control of classrooms.¹⁰⁹ Educators and learners also identified sports fields, toilets, open grounds, and areas just outside the school as particularly unsafe.¹¹⁰

About a third of violent incidents at schools go unreported, and sexual assaults are particularly unlikely to be reported.¹¹¹ This is concerning as an unreported crime is an undeterred crime. **The CJCP recommends educators create “safe reporting” mechanisms and guidelines. These structures should be easy to use, accessible, and confidential, and, importantly, should consistently result in interventions by educators.**¹¹²

Much of the violence learners experience at schools is committed by other learners. An estimated 90% of the threats, sexual assaults, robberies and thefts, as well as 70% of the assaults, were committed by pupils.¹¹³ One must remain cognisant of this fact when designing effective interventions. Nevertheless, **it is inappropriate to blame children for the failure of the education system to create a safe learning environment.**

10.1.4 Administration Approved Violence: Corporal Punishment

Violence at schools is not just perpetrated by learners, but also by educators and school administrators – particularly through the practice of corporal punishment.¹¹⁴ **The use of corporal punishment as a method of discipline is illegal in South Africa.**¹¹⁵ In the Western Cape, any teacher found beating a learner can be charged with assault. Officially, the Western Cape Education Department (WCED) has a “zero-tolerance” policy on dealing with cases of corporal punishment, which state its use will result in “severe sanctions, which could include dismissal.”¹¹⁶

Yet, the findings of the 2008 and 2012 NSVS show the continued use of abuse as a form of discipline in South Africa, with an estimated **half of learners reporting that they had been hit by a teacher in the last year.** And the problem is getting worse. Across seven of nine provinces, including the Western Cape, corporal punishment in schools has **increased since 2008.**¹¹⁷ The rate of corporal punishment has increased in the Western Cape by five percentage points from **17% in 2008 to 22% in 2012.**¹¹⁸

¹⁰⁸ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Government Gazette. 15 November 1996. South African Schools Act, 1996 (Act No. 84 of 1996). Section 10.

¹¹⁶ WCED. 8 August 2002. 0095/2002: *Prohibition of Corporal Punishment.*

¹¹⁷ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

¹¹⁸ Ibid.

A UNESCO handbook titled *Stopping Violence in Schools* cautions that the use of corporal punishment in schools can lead to increased incidents of bullying and an overall **culture of violence in schools**.¹¹⁹ Studies have found that corporal punishment does not teach good attitudes and values. Instead, **corporal punishment teaches learners to fear their teacher, to lie, to hide their mistakes, and to be violent themselves**.¹²⁰ This can permanently damage the teacher-learner relationship as well as learners' relationships in general. **Equipping educators to model non-violent behaviour is an important part of keeping schools safe and free of violence**.¹²¹

Further, corporal punishment creates the idea that it is "okay" to abuse children. But this line between what is "okay" abuse and what is "bad" abuse can easily become blurred.¹²² There is a clear connection between the use of corporal punishment and the fact that 28% of principals report teachers verbally abusing learners, 14% report teachers physical assaulting learners, and 2.5% report the sexual assault of learners by teachers.¹²³ **Ultimately, teachers can end up permanently injure – or even killing – learners every year while "disciplining" them**.¹²⁴

Finally, cross-national findings from Vietnam, India, Ethiopia, and Peru find that **the use corporal punishment causes a decline in academic performance**, even when controlling for other factors.¹²⁵

One potential reason for the continued omnipresence of corporal punishment in South African schools is how its use by educators is treated in the *Employment of Educators Act*. Despite being illegal, corporal punishment is not considered serious misconduct unless it results in "grievous bodily harm." Therefore, disciplinary cases against educators regarding corporal punishment often result in just a "written warning" which remains valid, and can be taken into account in future cases of misconduct, for **only six months**. This prevents effective disciplining of serial offenders. Furthermore, the *Act* makes disciplinary cases separate from any criminal cases. As a result, it falls on the **learner and their family to initiate criminal proceedings**, rather than the school or provincial education department, creating logistical, social, and financial barriers to prosecution.¹²⁶

It is clear that the current laws prohibiting corporal punishment are not deterring educators and principals. **The NSVS recommends education departments focus attention on behaviour change strategies and ways educators can be equipped to employ non-violent means of discipline within the classroom**.

Currently, the national Department of Basic Education recommends community service, additional school work, detention, talking with parents and taking away

¹¹⁹ UNESCO. 2011. *Stopping Violence in Schools: A Guide for Teachers*.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Childline South Africa. 19 November 2007. *Alternatives to Corporal Punishment*.

¹²³ UNESCO. 2011. *Stopping Violence in Schools: A Guide for Teachers*.

¹²⁴ BBC News. 2 April 2014 "South Africa pupil dies after 'teacher beating'."

News24. 24 October 2014. "Private school closed over corporal punishment."

Rhors, Stefanie. 14 March 2016. "Twenty years on, corporal punishment in schools is alive and well." Daily Maverick.

¹²⁵ Pells, Kirrily; María José Ogando. February 2015. "Corporal Punishment in Schools." *UNICEF Office of Research*.

¹²⁶ Government Gazette. 19 September 2011. *Employment of Educators Act (Act No. 76 Of 1998)*.

privileges as alternative means of disciplining learners.¹²⁷ **The WCED is urged to push for the implementation of this policy**, so the 22% of learners in the Western Cape who experience corporal punishment can enjoy an education free of abuse by their educators.

10.1.5 Violence at Home, Violence at School: The Social Structures of School Violence

The 2012 NSVS report revealed that alcohol, drugs and weapons were easily accessible to many learners. **One in four learners know someone who has brought a weapon to school and half of learners know someone who has smoked marijuana or consumed alcohol on school grounds.**¹²⁸ Learners who have experienced violence are nearly twice as likely to have access to drugs or firearms – indicating a relationship between these factors.¹²⁹ Further, access to drugs and weapons is symptomatic of unsafe environments outside of school.

The majority of learners who experienced violence at school claimed that crime was a problem in their neighbourhood.¹³⁰ A 2006 study also found that the school environment often mimicked its surrounding community environment. The risk of learners' exposure to violence is enhanced for those attending schools located in violent neighbourhoods or crime spots. This highlights the importance of safe communities and safe home environments as fundamental for safe schools.¹³¹

Due to socio-economic conditions in their neighbourhoods, working class schools are at particular risk of violence. Poverty, unemployment, poor housing, gang activity, drug and weapon availability, high rates of crime and lack of afterschool activities in these communities means that schools in **working class neighbourhoods need special consideration by education departments if they are to create safe learning environments and educational equity.**¹³²

10.1.6 School Violence in the Western Cape

The CJCP's 2008 and 2012 studies found that the experience of violence in schools differs considerably by province.¹³³ There are multiple factors causing this variation, including: the provincial capacity of schools to address safety related issues; provincial funding for security and access control; community demographics; access to alcohol, drugs, firearms; and gangsterism in communities.¹³⁴

As previously mentioned, the 2012 CJCP study found that the Western Cape had the second highest percentage of learners experiencing violence at 28.7%.¹³⁵ **Table 3**

¹²⁷ Department of Education. 2000. *Alternatives to Corporal Punishment*.

¹²⁸ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

¹²⁹ South African Council of Educators. 2011. *School Based Violence Report: An overview of School based violence in South Africa*.

¹³⁰ Ibid.

¹³¹ Xaba, M. 2006. "An investigation into the basic safety and security status of school's physical environments." *South African Journal of Education*.

¹³² CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

further breaks down the violent victimisation rate of learners according to province and type of violent crime.

The Western Cape recorded the highest rate of threats of violence and robbery, and the second highest rate of learners reporting experiences of assault and sexual assault. Finally, the Western Cape registered the largest increase in the percentage of learners experiencing theft between 2008 and 2012. The only type of violence which registered a decline in the Western Cape was threats of violence.¹³⁶

Province	Threatened with Violence	Assault	Sexual Assault	Robbery	Theft
Eastern Cape	10.3%	3.3%	3.6%	3.3%	55.9%
Free State	13.2%	6.4%	9.2%	7.2%	52.0%
Gauteng	9.0%	4.1%	0.7%	2.2%	23.8%
KwaZulu-Natal	11.3%	8.2%	3.9%	3.7%	49.9%
Limpopo	15.9%	5.8%	3.8%	4.9%	34.5%
Mpumalanga	11.0%	6.0%	7.3%	6.0%	64.1%
North West	11.0%	9.6%	3.7%	4.0%	27.2%
Northern Cape	7.2%	6.0%	11.2%	3.6%	48.0%
Western Cape	18.5%	9.2%	9.2%	8.8%	42.2%

Table 3 Percent of Learners Reporting Violent Victimisation in the Last Year by Province and Type of Incident¹³⁷

CJCP attributes the increase in violent incidents in Western Cape schools **to the increase in gang and drug related crime in the province.**¹³⁸

The Western Cape is estimated to be the site of 40% of South Africa's drug related crime, despite being home to just 11% of the population.¹³⁹ In 2011, there was a known gang presence at 31 schools in the Western Cape and at least 63 gang shootings at schools.¹⁴⁰ In 2013, 14 Cape Town schools were closed to protect teachers and learners from gang violence in the Manenberg community.¹⁴¹ A 2005 report found that more than 130 gangs were in existence in the Western Cape – that number has likely increased since.¹⁴² Between 40% and 60% of serious violent crime in the Western Cape is directly attributable to gang activity.¹⁴³ There is approximately one gang related murder every day, and three attempted murders.¹⁴⁴

The upsurge in the frequency of violent incidents at schools in the Western Cape highlights the need to prioritise school safety in Western Cape Schools.

¹³⁶ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Plato, Dan. 13 November 2014. "Breaking down 'culture' of Gangs and Drugs requires Whole-of-Society." *Media Release, Western Cape Minister of Community Safety.*

¹⁴⁰ Kretzman, Steve. 18 June 2012. "Cape Town: The Gang and Drug Capital of SA." *West Cape News.*

¹⁴¹ Swingler, Shaun. 29 May 2014. "Fighting the Gangs of South Africa's Western Cape." *The Guardian.*

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Dolley, Caryn. 31 January 2014. "One Gang Murder a Day." *IOL.*

10.2 GOVERNMENT INTERVENTIONS AND PROGRAMMES

Currently, government school safety interventions are largely administered by provincial departments. **Provincial education departments are not receiving additional funds from the national Department of Basic Education (DBE) for a school safety programme.**¹⁴⁵ As a result, provincial departments are left to their own discretion when it comes to designing, budgeting, and implementing these programmes.

With sufficient capacity and financial resources, as well as effective strategies and partnerships, government interventions have the potential to significantly mitigate the amount of violent crimes experienced in schools.¹⁴⁶

A 2006 study shows a direct relationship between school safety and the school's security or physical features.¹⁴⁷ **Poor access control allows perpetrators of crime to enter schools and wreak havoc.** This is particularly relevant for schools in communities with high crime rates and with a gang presence, as schools will not be able to insulate themselves from the violence. Further, without access control administrators are unable to regulate the presence of drugs, alcohol, and weapons on school grounds.

Another important finding of this 2006 study was that **little effort is being made by schools, the government, and other stakeholders to create safe and secure physical environments in schools.**¹⁴⁸ This poor effort can be partially explained by the lack of funding or pressure from either the national or provincial governments to implement safe school interventions. **The study recommended that schools collaborate with key stakeholders (including external stakeholders such as law enforcement) to establish security features such as surveillance systems, fencing, and security procedures targeted at ensuring access control.**¹⁴⁹

Nonetheless, Patrick Burton, executive director of the CJCP, cautions that schools and provincial departments often focus on what are seemingly “easy” and tangible infrastructure interventions such as putting up electric fences, metal detectors and so forth.¹⁵⁰ He states that while there is a need for physical infrastructure, it is ultimately ineffective on its own when it comes to improving safety in schools.¹⁵¹ **Successful interventions consist of comprehensive safe schools programmes, plans, and policies targeted towards behavioural and attitudinal changes of learners, educators and the community.**

¹⁴⁵ Meeting: Equal Education. 5 October 2015. “Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE.”

Meeting: Equal Education. 22 February 2016. “P. Burton and L. Leoschut of the Centre for Justice and Crime Prevention with EE.”

¹⁴⁶ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

¹⁴⁷ Xaba, M. 2006. “An investigation into the basic safety and security status of school's physical environments.” *South African Journal of Education.*

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Meeting: Equal Education. 22 February 2016. “P. Burton and L. Leoschut of the Centre for Justice and Crime Prevention with EE.”

¹⁵¹ Ibid.

10.2.1 Legislative Frameworks

There are a number of national laws, regulations, and protocols that affect safety in schools. These include but are not limited to:

Chapter 2 of the Bill of Rights enshrined in *The Constitution of the Republic of South Africa*¹⁵² which states the right to basic education, right to life, the right to dignity, the right to bodily and psychological integrity, and the right of children to access basic health care and social services.

*The Children's Act of 2005*¹⁵³ outlines the legal framework for the rights of children to care and protection as enshrined in the Constitution. The Act includes protection from maltreatment, abuse, neglect, degradation, discrimination, exploitation, and physical, emotional, or moral harm.

*The Child Justice Act of 2008*¹⁵⁴ provides a legal framework for the treatment of criminal offences involving minors with the goal of reintegrating young offenders into family care. It encourages the use of **alternative sentencing and restorative justice**. Provision is made for diversion programmes and substance abuse treatment programmes for children aged between 10 and 18.

In terms of section 16 (3) of the *South African Schools Act of 1996 (SASA)*,¹⁵⁵ **the principal has the primary responsibility** to ensure that learners are not subject to abuse of dignity, assault, harassment, maltreatment, degradation, humiliation, or intimidation from educators and other learners. Section 10 (1) and 10 (2) of the Act **prohibit the administration of corporal punishment** by any person in schools. Any person in contravention of this Act is guilty of an offence and liable for conviction. Section 8 of the Act also requires schools to **adopt a code of conduct** to establish and maintain a disciplined school environment.

Section 84 of the *National Education Policy Act of 1996*¹⁵⁶ states that **educators "have a duty to care and protect learners from violence** because of their in loco parentis [in the place of a parent] status."

The conditions of service for educators are prescribed in *The Employment of Educators Act of 1998*.¹⁵⁷ The Act states that teachers are to exercise discipline and refrain from improper physical conduct with learners. **Any educator found guilty of sexually assaulting a learner or another employee must be dismissed.**

*The Regulations for Safety Measures at all Public Schools of 2001*¹⁵⁸ declare all public schools **weapon-free and drug-free** zones. No person may enter with or possess dangerous or illegal drugs on public school premises.

¹⁵² *Constitution of the Republic of South Africa*. 1996.

¹⁵³ Government Gazette. 8 June 2006. *The Children's Act (Act No. 38 of 2005)*.

¹⁵⁴ Government Gazette. 7 May 2009. *The Child Justice Act (Act No. 75 of 2008)*.

¹⁵⁵ Government Gazette. 15 November 1996. *South African Schools Act, 1996 (Act No. 84 of 1996)*.

¹⁵⁶ Government Gazette. 19 September 2011. *National Education Policy Act (Act No. 27 of 1996)*

¹⁵⁷ Government Gazette. 19 September 2011. *Employment of Educators Act (Act No. 76 Of 1998)*.

¹⁵⁸ Government Gazette. 12 October 2001. *The Regulations for Safety Measures at all Public Schools of 2001*.

The *Regulations to Prohibit Initiation Practices in Schools of 2002*¹⁵⁹ asserts that appropriate measures be taken to **protect the learner from all forms of physical or mental violence** including sexual abuse, while in the care of any person in loco parentis.

A 2008 regulation¹⁶⁰ on the devices to be used and procedures to be followed for drug testing. It states that drug testing is not intended for disciplinary use, but instead to ensure learners receive the necessary counselling and treatment. It instructs that results of tests must be kept confidential.

In 2011, the DBE entered into a partnership with the SAPS and signed an *Implementation Protocol*¹⁶¹ that “aims to promote safer schools and prevent the involvement of young people in crime.” The *Implementation Protocol* links **safe schools committees with local NGOs, district education officials, and local police stations** to mobilise the community to implement crime prevention programmes both in schools and communities.

The *2012 Integrated School Health Policy*¹⁶² promotes the partnership between the DBE and the national Department of Health. The guidelines provide for the integration of responsibilities in health education and learners access to health services. Under the guidelines, life skills training and substance abuse education is emphasised.

Finally, **school safety is stated as a national development goal** in Chapter 12 of the *National Development Plan*. The vision of 2030 is “for people living in South Africa to live without fear of crime at home, at work, at school and that they enjoy an active life free of fear.”¹⁶³

10.2.2 The National School Safety Framework

Although violence in schools is not a new phenomenon in South Africa, research and initiatives targeting school violence have only emerged over the last 10 years.¹⁶⁴ Prior to this period, interventions were not systemic or institutionalised but rather centred around high profile cases in the media. This isolated approach was ineffective in terms of prevention and it was failing to address the root causes of school violence.¹⁶⁵ Up until 2008, there was no reliable and standardised national data on the extent, nature, and characteristics of violence in South African schools.¹⁶⁶ The first *National School Violence Survey* was conducted by CJCP in 2008 and again in 2012.

Both surveys point to a number of internal and external factors that influence school violence. **The surveys both recommended that the DBE adopt a National School Safety Framework as well as policy strategies and interventions which go beyond the school**

¹⁵⁹ Government Gazette. 15 May 2002. *The Regulations to Prohibit Initiation Practices in Schools of 2002*.

¹⁶⁰ Government Gazette. 19 September 2008. *Devices to Be Used for Drug Testing and the Procedure to Be Followed*.

¹⁶¹ DBE. 2013. *Safety in Education: Partnership between the DBE and SAPS*.

¹⁶² DBE and Department of Health. 2012. *Integrated School Health Policy*.

¹⁶³ DBE. 15 August 2015. “Chapter 12: Building safer communities.” *National Development Plan: Vision 2030*.

¹⁶⁴ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

and provide for a “whole school approach.”¹⁶⁷ This is a strategy which involves numerous internal and external stakeholders such as learners, educators, principals, parents, school governing bodies, community members, and law enforcement, among others.

The DBE in conjunction with the CJCP and with funding support from UNICEF¹⁶⁸ introduced a *National School Safety Framework (NSSF)* and mechanisms for its implementation.¹⁶⁹ Although recommended in 2008, the NSSF was only approved in April 2015.¹⁷⁰ Given the recent adoption of the national framework, most of these recommendations have yet to be introduced or adopted by provincial education departments and schools.

The NSSF is a strategic policy instrument meant to guide and coordinate the national department as well as the provincial education departments to address the violence occurring within schools. The overall aim of the framework is “to create a safe, violence and threat-free, supportive learning environment for learners, educators, principals, school governing bodies and administration”.¹⁷¹

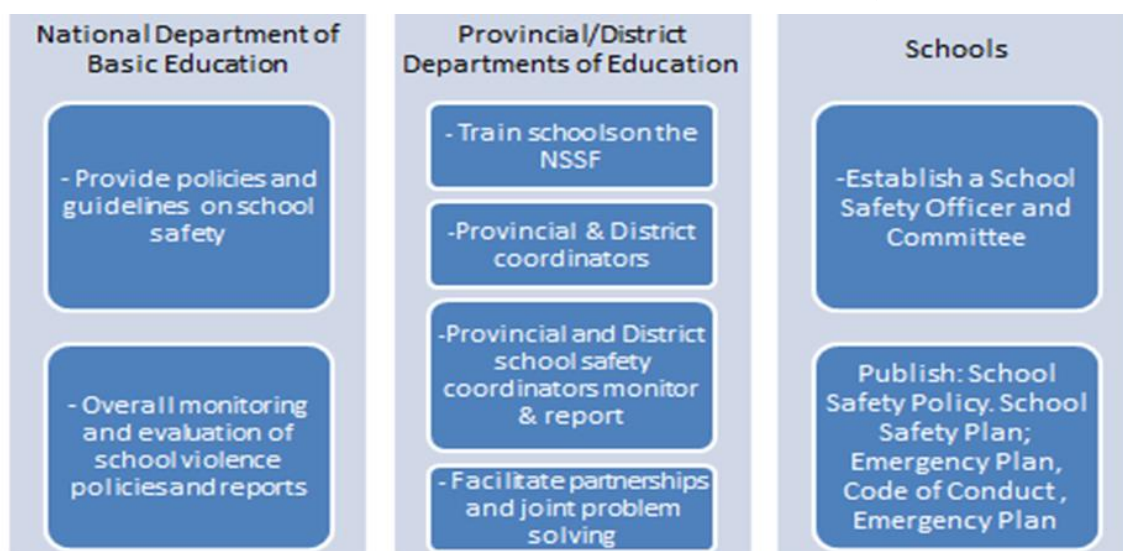


Figure 12 The Roles and Responsibilities of Education Authorities Outlined in NSSF¹⁷²

¹⁶⁷ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

¹⁶⁸ As an issue that has been dubbed as a matter of national importance in the National Development Plan, and as a matter of priority by the DBE, it is somewhat concerning that the DBE had to rely on external donors for the formulation and roll out of the NSSF.

¹⁶⁹ CJCP. 2016. *The National School Safety Framework.*

¹⁷⁰ DBE. 4 August 2015. *Presentation to the Portfolio Committee on Basic Education: School Safety Violence and Bullying.*

¹⁷¹ Ibid.

¹⁷² CJCP. 2016. *The National School Safety Framework.*

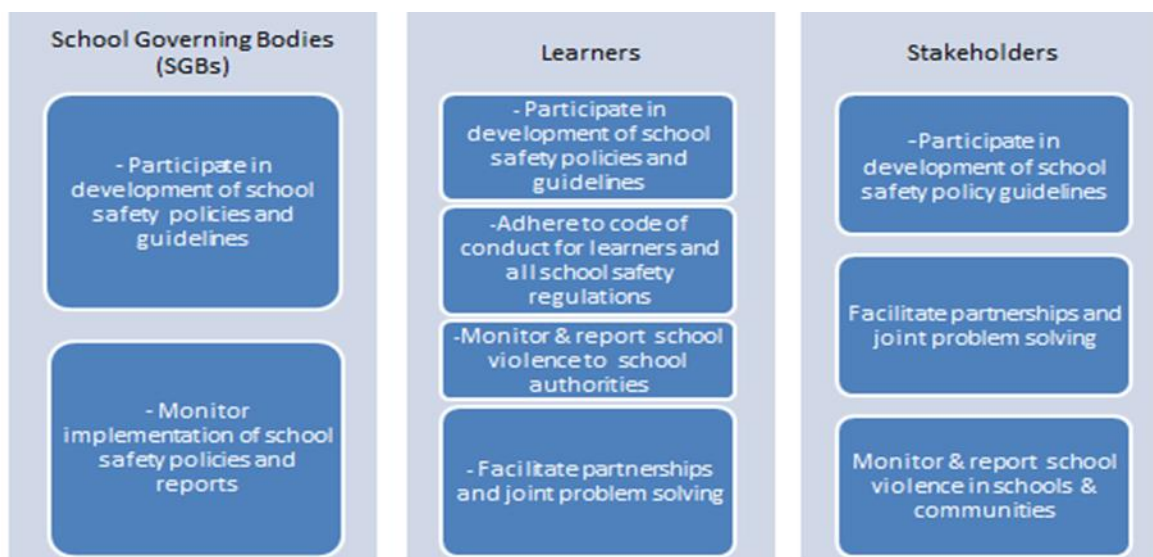


Figure 13 The Roles and Responsibilities of Stakeholders Outlined in NSSF¹⁷³

The NSSF outlines a minimum standard for school safety and is a resource for school authorities on how to establish, implement and monitor these standards.¹⁷⁴ **The framework puts forward the following as minimum requirements for school safety:**¹⁷⁵

- I. School safety policies, plans, and guidelines to be implemented and enforced and for all learners, educators and non-educator staff to be well aware of the contents of these policies.
- II. Safety audits be undertaken annually
 - a. to keep abreast of issues on safety and school violence,
 - b. to identify the strengths, weaknesses and risks of the school regarding school safety, and
 - c. to provide vital information to school management and education authorities on violence and safety for the purposes of monitoring and evaluation.
- III. Safety plans be adopted, reviewed and revised annually in consultation with community structures and other key stakeholders such as learner representative councils, law enforcement, non-governmental organisations, and other government departments.
- IV. School safety committees be established, and functional, for the formulation, implementation, monitoring and evaluation of school safety plans and initiatives.¹⁷⁶
- V. The formulation and adoption of codes of conduct for educators and learners, to foster values and a culture of mutual respect, tolerance and cooperation

¹⁷³ Stakeholders comprise mainly the South African Police Service, the departments of Health and Social Development, non-governmental organisations and agencies, community -based organisations, the general community, business, and parents. [CJCP. 2016. *The National School Safety Framework.*]

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ The School Safety Committee is comprised of a range of different stakeholders in the school environment, including: parents, learners, educators, principals, members of the SGB and SMT, etc. The School Safety Committee is responsible for designing and implementing a School Safety Plan as well as collecting ongoing data to assess its effectiveness. [CJCP. 2016. *The National School Safety Framework.*]

- VI. Establishment of child friendly reporting and response systems reviewed on a continuous basis as a mechanism for protecting learners, curbing/stemming violence and collecting important information. It is also vital for the availability of supportive structures needed for victimised learners.
- VII. Implement other physical and educative interventions that specifically target safety related threats. This includes: constructing secure fences and gates, monitoring of school grounds by educators, and ensuring all school buildings are well lit.

The framework is also a tool for how to deal with or prevent specific violent incidents in schools, as well as a tool for outlining a systemic structure for schools to follow in order to create and maintain a safe school environment. According to the NSSF the systemic structure providing the roles and responsibilities of education authorities and other key stakeholders is depicted in **Figures 12 and 13**:

The role of external stakeholders is critical for the achievement of safe schools, this is because schools do not operate in a vacuum: a number of family, community, and provincial factors influence the level of violence experienced in schools.¹⁷⁷ The role of SAPS is especially important for the purposes of enforcing the law and ensuring that schools are protected.

10.2.3 Monitoring and Evaluating the Implementation of School Safety Policies and Regulations

The extent to which existing government policies (**Legislative Frameworks**) have been monitored in terms of implementation and effectiveness is unclear. Currently, there appears to be little to no research by the DBE and academics in the public domain on the implementation and effectiveness of school safety policies.¹⁷⁸

It is essential that the DBE evaluates the provincial education departments' implementation of existing school safety laws and policies. This would go a long way toward establishing what human and financial resources are needed to give effect to the safety policies/guidelines. Further, it would provide insight into which interventions work, which do not, and why.

Given the nationwide rollout of the NSSF, **evaluation of the programme is fundamental.** The NSSF does call for monitoring and evaluation, stating: "Officials from the national department in collaboration with provincial/regional/district officials responsible for school safety, will monitor the implementation of policies, guidelines, and programmes to ensure that schools are safe, caring and child friendly."¹⁷⁹ However, how this will be done is currently unknown.

The Findings of all of the DBE's monitoring and evaluation of safety programmes, particularly NSSF interventions, should be made publicly available.

¹⁷⁷ CJCP. 2016. *The National School Safety Framework*.

¹⁷⁸ Ward, C. 2012. "Violence, violence prevention, and safety: A research agenda for South Africa." *South Africa Journal of Medical Journal*.

¹⁷⁹ CJCP. 2016. *The National School Safety Framework*.

10.2.4 The Extent of the DBE's Safety in Schools Efforts

The DBE lists "Safety in Schools" as a programme on its website. The purpose of this programme is to "put in place various policies and measures to ensure the safety of all learners, educators, and relevant stakeholders in schools."¹⁸⁰

As mentioned, neither the DBE's national safety programme nor any other programme within the department allocates school safety funding to the provinces. Further, it does not mandate that provinces budget for school safety.¹⁸¹

The activities of this programme seem largely limited to providing guidelines. As mentioned, the programme has overseen the development of the *NSSF* by the CJCP with funding from UNICEF. It has also produced regulations concerning safety measures at public schools and a national strategy for the prevention of drug use by learners.¹⁸²

The programme publishes handbooks, pamphlets, and other materials for learners, educators, and school authorities related to school safety regulations. Additionally, it has the stated aim of strengthening partnerships with relevant stakeholders.¹⁸³

According to the DBE, the programme's interventions have focused "on addressing elements of physical infrastructure related to proper fencing, alarm systems and burglar proofing,"¹⁸⁴ although how is unclear.

10.3 WCED SAFE SCHOOLS PROGRAMME

The WCED has a provincial education safety management institution: The Safe Schools Programme (SSP). According to the WCED, the purpose of the programme is to work with schools in the province to "ensure safe successful school environments."¹⁸⁵ The SSP is intended to undertake a number of activities to create safe schools which includes safeguarding people and property on public school premises by addressing physical infrastructure related to proper fencing, alarm systems, and burglar proofing.

The SSP also issues guidelines for schools and district education departments on how to develop and implement safety regulations outlined in national policies and legal frameworks. The WCED has created *A Procedural Manual on Safety and Security within WCED Institutions*,¹⁸⁶ which serves as "policy document to educators, learners and support staff for the management of safety and security within Western Cape Education Department institutions."¹⁸⁷

SSP also focuses on activities that support, modify or influence parent, educator and learner behaviour at school. Activities such as conflict management, trauma

¹⁸⁰ Website: DBE. *Programmes: Safety in Schools*.

¹⁸¹ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

¹⁸² Website: DBE. *Programmes: Safety in Schools*.

¹⁸³ Ibid.

¹⁸⁴ Ibid.

¹⁸⁵ Website: WCED. *Safe Schools Programme*.

¹⁸⁶ WCED. 2003. *A Procedural Manual Safety and Security Within WCED Institutions*.

¹⁸⁷ Ibid.

counselling, peer counselling, and human rights education are used to modify behaviour. In addition, it supports the introduction of after school activities.

In addition, SSP works to mobilise community support for a safe community environment essential for safe schools. SSP does this by creating and strengthening partnerships and collective efforts with key stakeholders.

According to the SSP Director, a total of 13 government departments support the SSP but the main partner departments include the Department of Social Development, Department of Community Safety, City of Cape Town, SAPS, Department of Transport, and Department of Sport and Culture.¹⁸⁸

Other key non-governmental partners of the SSP include but are not limited to:¹⁸⁹

- Centre for Justice and Crime Prevention
- South African National Institute for Crime Prevention and the Reintegration of Offenders
- JAG Foundation
- Library Services
- PlaySport4Life
- Thusong

10.3.1 The Structure of Programme

There is no national mandate for provinces to have a directorate responsible for school safety, and as a result few provinces have one. The Gauteng Education Department has a long established school safety directorate.¹⁹⁰ The Free State Education Department launched its SSP directorate in 2014.¹⁹¹ The WCED created its SSP in 2000.¹⁹² The WCED is currently reviewing its policy in order to align it with the recently established NSSF.

The WCED's SSP is a sub-directorate of the Institutional Management and Governance Planning (IMGP) directorate which is housed under the WCED's Programme Two – Public Ordinary Schools.¹⁹³ (Though, it is unclear whether SSP provides services to only public ordinary schools.) The IMGP manages the planning, co-ordination and evaluation of institutional management and governance for public ordinary schools and independent schools to ensure quality of education and education institutions.¹⁹⁴

SSP personnel primarily consists of three senior managers, **eight district safe school coordinators, and 25 safe school workers serving all 1,600+ public schools.**¹⁹⁵ This therefore means each education district has one safe school coordinator and two or

¹⁸⁸ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

¹⁸⁹ WCED. 13 October 2015. *List of Safety Partnerships*

¹⁹⁰ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

¹⁹¹ DBE. 29 January 2014. "Government Focus on School Safety."

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ WCED. 2014. *Western Cape Education Department Annual Performance Plan (APP) 2014/2015*.

¹⁹⁵ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

three SSP fieldworkers depending on size.¹⁹⁶ Two years ago, the SSP went from having 75 contract field workers to just the 25 staff field workers it has now. All the SSP personnel within the districts report to the IMG head (see **Appendix B**). Field workers and coordinators provide support in the following areas: youth development programmes, youth absenteeism, training of school safety committees and cluster safety committees.¹⁹⁷

Most SSP personnel are located within district offices to provide more hands-on support and training to the district education departments and individual schools.¹⁹⁸ Only the three senior managers responsible for overall the administration of the SSP are situated in the provincial head office in Cape Town.¹⁹⁹

10.3.2 The Safe Schools Call Centre

The SSP also has a Safe Schools Call Centre located in the WCED head office in Cape Town. The WCED states that “the Safe Schools’ Call Centre receives calls from learners experiencing any form of abuse, and provides a contact point for reporting burglaries, vandalism and other incidents...”²⁰⁰ The call centre has a toll free number for educators, learners, parents to report violence, abuse, alcohol and drug use, and vandalism occurring at schools.²⁰¹ The centre provides telephonic counselling for callers who need it and works in conjunction with the Department of Social Development if further assistance is required, referring callers to the relevant experts.²⁰²

The director of the SSP describes the call centre as a “one stop shop.” The call centre is intended for coordinating, supporting, and making referrals to various and relevant stakeholders.²⁰³ Yet, despite this significant mandate, **the call centre staff consists of only five trained psychologists.**²⁰⁴ Despite claims that the centre averages 10,000 to 14,000 calls a year,²⁰⁵ call centre statistics provided to Equal Education in November 2015, show that the call centre received **just 3,650 calls in 2013/14, 4,009 calls in 2014/15**, and 2,117 calls by end of second quarter 2015/16.²⁰⁶

Table 4 is a summary of the 2013/14 and 2014/15 call centre data provided by the WCED SSP according to the type of reporter.

This table is revealing in terms of who makes the most use of the Safe Schools Centre. It shows that principals and school staff made the most use of the call centre between 2013/14 and 2014/15. This could be explained by the fact that the largest volume of calls received by the centre concern reporting burglary/vandalism.²⁰⁷

¹⁹⁶ Meeting: Equal Education. 5 October 2015. “Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE.”

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Website: WCED. *Safe Schools Programme*.

²⁰¹ Website: WCED. *Safe Schools Call Centre*.

²⁰² Meeting: Equal Education. 5 October 2015. “Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE.”

²⁰³ Ibid.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ WCED. 13 October 2015. *Call Centre Statistics for 2013/14; 2014/15 and 2015/16*.

²⁰⁷ Ibid.

The data also reveals that learners make the least use of the call centre – **just twelve calls in two years**. Although the Safe Schools Centre is not necessarily targeting learners only, it is concerning that although there are high levels of learners in the Western Cape experiencing violence,²⁰⁸ they are not making use of this resource. According to the SSP director, the lack of use cannot be explained by learners being unaware of its existence: the phone number for the call centre is on all WCED documents, it is mentioned at major meetings, and apparently the jingle is very well known.²⁰⁹

Reporter Type	2013/14		2014/15	
	Number of Calls	Percent of All Calls	Number of Calls	Percent of All Calls
Community members	179	5%	171	4%
Educator	483	13%	665	17%
Gov. employee/official/dept.	312	9%	317	8%
Learner	9	0%	3	0%
NGO/CBO	24	1%	37	1%
Other family member	39	1%	35	1%
Parents	293	8%	306	8%
Principal	1352	37%	1458	36%
School support staff	950	26%	1000	25%
School Governing Body	9	0%	17	0%
Total	3650	100%	4009	100%

Table 4 WCED Safe Schools Call Centre by Reporter Type for 2013/14 and 2014/15²¹⁰

This is particularly troubling in regards to the illegal practice of corporal punishment in schools. The WCED touts the call centre as a tool to allow learners to anonymously report cases of abuse by teachers. This is important as principals and educators often approve of or ignore cases of corporal punishment. The fact that only twelve learners called the centre in two years, despite an estimated fifth of learners in the Western Cape experiencing abuse by teachers, proves that the call centre is not a solution, as it stands, to this problem.

One of the CJCP recommendations from the 2012 NSVS survey is that provincial departments and schools introduce anonymous, child friendly and safe mechanisms to encourage reporting among learners.²¹¹ CJCP also recommends that schools and provincial departments go a step further by consistently responding to and addressing incidents that are reported.²¹² **The call centre could be this mechanism. The statistics indicate it currently is not.**

The SSP needs to investigate the reasons why learners are under utilising the call centre and work to resolve the issues as soon as possible. It is very important for SSP to work to increase the number of learners making use of the call centre, as it serves as a vital source of information necessary for understanding and keeping up to date with the

²⁰⁸ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention.*

²⁰⁹ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²¹⁰ Ibid.

²¹¹ Ibid.

²¹² Ibid.

nature of violence in schools. This information is essential for the SSP planning effective and relevant programmes and interventions.

The call centre data provided also distinguished the total number of cases reported to the call centre per district. The statistics reveal that in both years, the largest number of cases being reported to the call centre come from the *metropole central, south, north and east education districts*.²¹³ This data indicates that these education districts face significant challenges when it comes to school safety and that the WCED might need to prioritise these areas.

10.3.3 Size and Funding

Given that the SSP is not an individual or main programme within the national and provincial funding frameworks, SSP is only awarded a portion of the funding allocated to the main Public Ordinary Schools Programme.²¹⁴ According to the director of SSP, its budget is strictly for the implementation of SSP projects.²¹⁵ Funding for compensation of employees and operations for the programme is already provided for within the overall WCED budget.

The SSP's budget nominally grew from R11 million in 2000 to R25 million in 2015/16, however, when one adjusts for inflation this actually represents decline in funding. Despite commitments to grow the budget annually, when adjusted for inflation, the SSP budget is falling in real terms year on year, with an 0.8% decline in real terms in the last cycle (see **Appendix C**).²¹⁶ The SSP acknowledges this.²¹⁷ Furthermore the entire SSP implementation budget consists of only 2% of the overall WCED budget²¹⁸ and the SSP sub-directorate remains one of the smallest within the WCED with a total staff number of just 46 to serve 1600+ schools.²¹⁹

Given the prevalence of violence in schools and its costs to our education system and to our society,²²⁰ **the DBE, WCED, and national and provincial departments of Treasury should consider increasing funding for, reporting to, and transparency of school safety programmes, not only in the Western Cape but across all of South Africa's nine provinces.**

10.3.4 The Crime Control Sub-Programme

The SSP budget is divided between three programmes. The two major line items are the Crime Control and Crime Prevention Programmes. The third, Systems Programmes, appears to lack a clear budget allocation.²²¹

²¹³ WCED. 13 October 2015. *Call Centre Statistics for 2013/14; 2014/15 and 2015/16*.

²¹⁴ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²¹⁵ Ibid.

²¹⁶ WCED. 13 October 2015. *SSP Programme Budget 2013/14; 2014/15 and 2015/16*.

²¹⁷ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²¹⁸ Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.

²¹⁹ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²²⁰ See ***Understanding School Violence*** and ***Findings: Safety and Violence in Western Cape Schools***

²²¹ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

The Crime Control Programme's primary focus is preventing crime through environmental modification. The bulk (75%) of the SSP budget is allocated towards the Crime Control Programme. This is largely due to the high cost of infrastructure.²²²

According to the SSP director, the Crime Control budget goes towards inserting the following core security and access control devices:²²³

- Alarms linked to a response team
- Pedestrian gates
- CCTV cameras (at gates only, due to the expenses of maintenance)
- Burglar bars
- Intercoms
- Electric powered gates
- Neighbourhood patrols (for a maximum of R10,000 payment)
- Fencing repairs (up to 30 metres wide only)
- Holiday and emergency security guards (limited to two week contracts)

The programme identifies and eliminates security threats by altering physical aspects of the school. Unfortunately, the administrative design of the programme – **rationing** – makes clear that the programme's budget is not enough. The SSP cannot afford to alter security features in every school that needs it and therefore the programme selects 50 schools annually to receive additional funding of up to R85,000 for security purposes.²²⁴

Schools eligible for this funding must be categorised as high risk (although the SSP also claims to provide support to other schools upon request). Another criteria in order for this funding is that schools must produce a school safety plan as well as have functioning safety committees and cluster (multi-stakeholder community) committees.²²⁵ The SSP sub-directorate, safety officers, coordinators and field workers do not dictate to schools how to spend the money or what kind of interventions the schools should introduce.²²⁶ Instead, the School Governing Body (SGB) with the assistance of the SSP sub-directorate, safety committees, and cluster committees draw up a safety development plan containing the main objectives and crime prevention strategies. According to the SSP sub-directorate if schools and SGBs do not do their part, this affects the level of funding and support they receive.²²⁷

While these criteria are completely understandable, especially given the SSP's limited resources, they do potentially exclude schools in dire need of support. A school may not be categorised as high risk but still require resources to address security limitations at their schools. Further, the production of a school safety plan is dependent on the capacity and capabilities of SGBs, community members and school authorities – which for structural reasons working class communities often lack. **Schools that do not**

²²² Between R17,4 million and R18,9 million was allocated to the Crime Control Programme between 2013/14 – 2015/16. [WCED. 13 October 2015. *SSP Programme Budget 2013/14; 2014/15 and 2015/16.*]

²²³ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²²⁴ Ibid.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Ibid.

meet the criteria outlined are forced to fundraise the money needed to protect its learners – something especially difficult to do in working class communities.

Furthermore, the Crime Control programme's criteria is very strict. The SSP does not fund any additional security features outside the criteria listed above. For example, the programme will not pay to build a fence or repair more than 30 meters of damage to a fence.

In the past, the programme used to fund security guards but now the SSP has replaced providing security guards with installing alarm systems. The change in policy was due to the SSP's negative experiences with security guards. **According to the director of the SSP, they have in the past found security guards to be either part of the safety problem or to make no difference to the security risk.**²²⁸

According to the SSP director, all schools in the Western Cape have alarms except for rural schools or schools located in remote areas.²²⁹ However, they do not keep records of this.²³⁰ The SSP has also found that alarms are not as effective in remote/rural areas due to the long distance and time it takes for the response team to arrive on the scene.²³¹ Due to limited funding, the alarm system is not fitted throughout a school but in certain perimeters of a school, usually areas that contain valuable equipment, e.g. computer labs or administrative blocks. The SSP director also highlighted a significant challenge with alarm service providers who do not always execute their duties efficiently and that this is currently being looked into.²³²

Given the SSP's budget constraints, the SSP tries to work in consultation with other government departments and non-governmental organisations with similar objectives as a way of supplementing its resources. One of the departments that the SSP works closely with is the Infrastructure Directorate within the WCED. The Infrastructure Directorate is internally responsible for planning and budgeting for education infrastructure. This directorate has a budget four times the size of the SSP budget.²³³

Due to a limited programme budget, the SSP cannot afford to put up a number of physical features, particularly fencing, which is a significant cost.²³⁴ The Infrastructure Directorate can provide additional support to the SSP by providing key infrastructure such as fencing, strong/safe rooms, etc. The programme relies heavily on making recommendations to the Infrastructure Directorate but the SSP has no decision making power in what infrastructure interventions take place. Due to the provincial infrastructure backlog, the WCED's stringent annual planning, and tendering processes, most schools that the SSP recommends for interventions do not get attention immediately.

²²⁸ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²²⁹ Ibid.

²³⁰ WCED. 13 October 2015. *Access Control Information*.

²³¹ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²³² Ibid.

²³³ Ibid.

²³⁴ Ibid.

10.3.4.1 The School Resource Officers Pilot

One key partnership aimed at supplementing the SSP's Crime Control programme budget and activities includes its partnership with the City of Cape Town (CoCT). In 2012, The WCED signed an MoU with the CoCT's Safety and Security Directorate to enhance school safety in Cape Town through the US-based concept of school resource officers (SROs), which are police officers permanently stationed in schools.²³⁵ The project was piloted for a year in six schools located in Metro Central, Metro North and Metro South education districts between 2012 and 2013. Although the project was managed the WCED's SSP, the CoCT funded the project.

According to the CoCT and WCED, *"The primary objective of the SROs is to help make schools a safe place to learn and to build a positive relationship between policing staff and the youth in communities, with the goal of reducing crime committed by juveniles and young adults."*²³⁶ The SROs are to provide law enforcement services such as access control, search and seizure, as well as patrols. They are also expected to identify and address security risks in collaboration with the principal and safety committee.²³⁷

The results of the pilot programme revealed no significant changes in crime statistics at most of the selected schools. From the responses of SROs, more than half reported a lack of involvement in serving on school safety committees or in developing and in facilitating crime prevention programmes.²³⁸ SRO activities were mostly centred around security patrols and access control. The WCED assessment report of the SRO project concluded that *"the MoU that outlined the responsibilities of the SROs had not been appropriately applied."*²³⁹

Furthermore, research on the effectiveness of SROs programmes at reducing school violence has not been universally positive.²⁴⁰ Recent studies have found that *"the visibility of school resource officers increases resistance and anti-social behaviour among learners and erodes educator-learner relationships."*²⁴¹ Nevertheless, all the principals from the pilot schools believed that the SROs made a positive difference in their schools.²⁴²

Although SROs are not deemed to be completely ineffective, there is no substantial evidence from the SRO pilot study or from academia to support the idea that SROs make the schools safer. Yet, despite lacklustre results, the pilot is being expanded into

²³⁵ WCED. 19 July 2012. *Memorandum of Understanding entered into by and between The Safety and Security Directorate of the City of Cape Town and the Western Cape Education Department.*

²³⁶ Media Office, City of Cape Town. 1 October 2015. "City and Province launch expanded school resource officer services." *City of Cape Town Media Releases.*

²³⁷ WCED. 19 July 2012. *Memorandum of Understanding entered into by and between The Safety and Security Directorate of the City of Cape Town and the Western Cape Education Department.*

²³⁸ WCED. 13 October 2015. *SSP-CoCT Report on SRO Pilot Project 2012-2013.*

²³⁹ Ibid.

²⁴⁰ James, N. and G. McCallion. 2013 "School resource officers: Law enforcement Officers in Schools." *Congressional Research Service.*

²⁴¹ DBE. 4 August 2015. *Presentation to the Portfolio Committee on Basic Education: School Safety Violence and Bullying.*

²⁴² WCED. 13 October 2015. *SSP-CoCT Report on SRO Pilot Project 2012-2013.*

36 more schools in the Western Cape. This initiative will continue to be under the SSP with funding from the CoCT.²⁴³

Should the WCED-CoCT decide to continue expanding the SRO project, **the MoU of responsibilities of the SROs should be properly implemented. Furthermore, it is necessary that there be monitoring of the SRO programme and that results of the evaluation be made public.**

10.3.5 The Crime Prevention Sub-Programme

The second sub programme within the SSP is crime prevention. This primary goal of this programme is to prevent crime by focusing on attitudinal and behavioural changes.²⁴⁴ Some examples of interventions to prevent or minimise aggressive and violent behaviour include positive behaviour programme, conflict resolution training, awareness raising, educator training, and therapeutic/rehabilitative measures.²⁴⁵

The Crime Prevention Sub-Programme over the last two years has consistently received 25% of the SSP budget.²⁴⁶ This programme's budget received the largest budget increase in SSP of 8% in 2015 which translates into a real increase of 3%,²⁴⁷ indicating that this programme was prioritised in the 2015 financial year.

The budget is used to support the following activities:²⁴⁸

- Youth development (life skills training, holiday programmes, youth camps/clubs)
- Occupational Health and Safety capacitation training for educators
- Substance abuse/drug testing training and equipment (learners and educators)
- Conflict control and peer management training (learners and educators)
- Organisational development (SSP staff training)

SSP is not alone in the WCED funding these programmes. Generally, the WCED mandates that every school have at least four school enrichment activities, of which two must be sports activities.²⁴⁹ The Institutional Management and Governance Planning directorate (which houses SSP) manages, coordinates and monitors compliance through "school enrichment co-ordinators."²⁵⁰ A significant amount of resources are set aside by the IMGP each year for these school enrichment programmes. In 2015, the School Enrichment Programme was allocated a budget of R1.3 million.²⁵¹

²⁴³ WCED. 13 October 2015. *SSP-CoCT Report on SRO Pilot Project 2012-2013*.

²⁴⁴ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²⁴⁵ CJCP. 2016. *The National School Safety Framework*.

²⁴⁶ WCED. 13 October 2015. *SSP Programme Budget 2013/14; 2014/15 and 2015/16*.

²⁴⁷ The 2015/16 Crime Prevention Budget went up from R6,1 million in 2014/15 to R6,6 million. [WCED. 13 October 2015. *SSP Programme Budget 2013/14; 2014/15 and 2015/16*.]

²⁴⁸ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

²⁴⁹ WCED. 2 August 2012. *Institutional Management and Governance Planning Minute: 0002/2012*

²⁵⁰ Ibid.

²⁵¹ WCED. 5 November 2015. *WCED Directorate Institutional Management and Governance Planning Budget Breakdown: IMGP expenses for 2013 -2016*.

Unfortunately, the efficacy of after-school programmes is in doubt. A recent presentation by the DBE in Parliament on school safety highlighted that “investing in after-school or other school-related recreational activities (and passive encouragement of participation in these) will not necessarily result in an improved school climate and decrease in school strain (strongly correlated with violence and the lack of safety). **These may only be effective when coupled with cognitive behaviour or evidence-based parenting interventions.**”²⁵²

Merely offering recreational activities is not the solution to addressing school violence. **The WCED generally, and the SSP specifically, could work to reduce violence in schools by ensuring that investments in youth and parent activities includes a focus on evidence based positive behavioural change.**

10.3.6 Systems Sub-Programmes

Overall, SSP has a three-pronged strategy: Crime Control, Crime Prevention, and Systems. The Systems Sub-Programme focuses on “systemic development, community relationships and effective partnerships.”²⁵³ However, based on the SSP’s budget information provided to EE, the Systems Sub-Programme appears to receive no funding.

The Systems Sub-Programme seems to rely heavily on joint partnerships with governmental and non-governmental stakeholders to fund activities. One such structure recommended by SSP is that in addition to School Safety Committees, schools partner to create Cluster Safety Committees. This is a larger, more inclusive geographical version of a school safety committee. The committee arranges workshops, programmes, safety plans and other interventions targeted at improving the safety and security of the community and its members as a whole. Cluster committees are similar to the School Safety Committees in that they should ideally consist of:²⁵⁴

- I. School managers and educators
- II. Law enforcement
- III. Community policing forums (managed by the Department of Safety and Security)
- IV. Religious bodies
- V. Business
- VI. NGOs
- VII. Parents and ordinary community members

One of the biggest challenges facing SSP, and the achievement of safety in our schools, is the lack of multi-stakeholder coordination and integration of programmes and funding. Currently there are many safety programmes being run by different departments (and NGOs). They are not working together and they are not pooling resources.²⁵⁵ There is also duplication of programmes and efforts due to the poor

²⁵² DBE. 4 August 2015. *Presentation to the Portfolio Committee on Basic Education: School Safety Violence and Bullying.*

²⁵³ Meeting: Equal Education. 5 October 2015. “Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE.”

²⁵⁴ Ibid.

²⁵⁵ Ibid.

communication and coordination between departments and non-governmental organisations.²⁵⁶ **If properly empowered, the SSP could behave as a coordination centre for these various interventions.**

10.4 CONCLUSION

This section summarises areas of concern based on research findings on school violence in Western Cape public schools and current DBE and WCED interventions:

- I. The Western Cape has the highest rate of threats of violence and robbery, and the second highest rate of learners reporting experiences of assault and sexual assault in the country.
- II. Between 2008 and 2012, violent crimes in Western Cape schools increased.
- III. The classroom is the site where most violence in schools is taking place.
- IV. Incidence of corporal punishment increased in the Western Cape from 17% in 2008 to 22.4% in 2012. **Improved oversight by the WCED in conjunction with the implementation of behavioural change programmes is needed** to ensure that educators refrain from the illegal use of corporal punishment.
- V. The WCED Safe School Programme (SSP) budget and interventions are not commensurate with the magnitude of school violence. **SSP is in urgent need of additional financial and technical resources** required to improve school safety from both the DBE and WCED. In order for SSP to expand, both DBE and WCED need to acknowledge it as **a separate main programme**.
- VI. The WCED SSP is yet to align its provincial safety policies and interventions with the NSSF. The WCED is also encouraged to **adapt the framework to specific Western Cape challenges** noted in the sections ***School Violence in the Western Cape*** and ***The Social Context***; such as high levels of drug use, gangsterism, violence in the community, lack of sufficient policing, and concentration of violence in poorer communities.
- VII. There is currently little monitoring and evaluation of national and provincial safe school programmes/interventions. Both the DBE and WCED roll out of NSSF must be accompanied with monitoring and evaluation of provincial and school level implementation of NSSF. **Monitoring and evaluation of the framework's implementation must be conducted regularly and results made public.**
- VIII. There is a lack of **government led research** as well as a lack of transparency on the part of the national and provincial departments into school violence and school safety programmes. Our research identified that the SSP Call Centre is not performing well among learners, contrary to what was reported by the SSP. There is a need for the SSP to **research the reasons why its call centre is not being effective and work towards introducing improvements**. The WCED is encouraged to evaluate the effectiveness of other safe school programmes and activities, particularly the SRO programme.
- IX. Transparency regarding the SSP is desperately lacking. Performing research presented here required numerous *Promotion of Access to Information Act (PAIA)* requests and some vital information was withheld, lost, or simply not collected by the WCED. This cannot be an acceptable state of affairs

²⁵⁶ Meeting: Equal Education. 5 October 2015. "Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE."

particularly when this programme is so closely tied to young people's rights to education, dignity, and life.

- X. As such, the WCED must commit to annually **publishing on its website:**
- a. All assessments of safety interventions.
 - b. The SSP budget.
 - c. The SSP Plan containing current and mid-term objectives, targets, audited expenditure figures, and performance targets.
 - d. Safe Schools Call Centre data.
 - e. Drug Test Kit distribution, use, and effectiveness (which the WCED currently does not keep records of).
 - f. Aggregate statistics of safety officer school safety audits.

11 INFRASTRUCTURE BACKGROUND

11.1 OVERVIEW OF SANITATION ISSUES

Poor sanitation in schools is a large part of South Africa's education crisis. It has serious negative consequences for teaching and learning, as well as the health and safety of learners.

According to a 2015 National Education Infrastructure Management System (NEIMS) report,²⁵⁷ 6,911 schools (29% of all schools) in South Africa have pit toilets or no sanitation at all. While stories of the shocking state of toilets and sanitation in South Africa constantly make news headlines,²⁵⁸ the situation remains largely unchanged for many working class and rural learners.

As one journalist wrote, "No access to toilets or being confronted with toilets that are mostly blocked or dirty infringes on the learners' rights to equality and human dignity as expressed in the Bill of Rights. Failing to ensure this access is a failure to protect their equal entitlement to learn under conditions that respect, protect and promote the inherent human dignity of each child."²⁵⁹

As many learners, teachers, social activists, researchers, and other education stakeholders have pointed out, poor sanitation hurts learners' health, education, safety and security, and dignity:

- **Poor sanitation poses a threat to the health and safety of learners.** Studies have found that increased access to adequate sanitation facilities in schools decreases risk of disease.²⁶⁰ Poor sanitation can lead to diarrhoea, cholera, typhoid, worms, eye infections, and skin diseases. According to the World Health Organisation, more than a third of cases of diarrhoea in children would be prevented by access to proper water and sanitation.²⁶¹ Diarrhoea is the leading cause of death of children in South Africa.²⁶²
- **Inadequate facilities can keep learners out of class.** Long queues for an inadequate number of toilets can cause learners to miss class. As one learner EE interviewed from Masiqhakaze Secondary School put it, "I get there [to the toilet], there is a long queue of learners who also want to use the toilet. I will have to choose between waiting at the queue for minutes and missing the class lesson or going back to class where I will be holding my urine which will cause distraction."
- **Lack of appropriate sanitation can result in learners missing school.** International studies have also found that lack of sanitation increases the

²⁵⁷ National Education Infrastructure Management System. 12 May 2015. *NEIMS Standard Reports*. NEIMS is a database kept by the DBE since about 2007 containing information pertaining to infrastructure at South African public schools.

²⁵⁸ Mvlisi, Mtshana. 2 May 2013. "School Toilets in Shocking State." *Health-E News*.

²⁵⁹ Ibid.

²⁶⁰ Jasper, Christian, Thank-Tam Le, and Jamie Bartram. August 2012. "Water and Sanitation in Schools: A Systematic Review of the Health and Educational Outcomes." *International Journal of Environmental Research and Public Health*.

²⁶¹ United Nations Millennium Project. 2005. *Health, Dignity, and Development: What Will it Take?*

²⁶² WCED. June 2007. "Appendix 3: Diarrhoea." *Childhood Diseases*.

learner drop-out rate.²⁶³ A number of studies have also found that girls miss a high number of school days during menstruation due to a lack of sanitary pads and poor sanitation conditions at schools.²⁶⁴ Overall, the United Nations Development Programme estimates 443 million school days worldwide are lost a year as result of poor sanitation conditions.²⁶⁵

- **Lack of available and clean facilities can distract learners from their education.** Being unable to use the toilet due to poor sanitation and the smell of unclean toilets can prevent learners from being able to pay attention in class.
- **Poor sanitation conditions can lead to low teacher and learner morale and self-esteem.** As one learner said, during EE's 2015 social audit of sanitation in Gauteng, "my dignity is not there anymore because of the dirty toilet I have to go to every day."²⁶⁶
- **Poor sanitation conditions can lead directly to the injury of a learner.** In Limpopo, 6-year-old Michael Komape died when the toilet at his school collapsed trapping him within it.²⁶⁷
- **Doors that cannot lock can make toilets a dangerous place for learners.** One in eight cases of sexual assault occur in the school toilet and half of the learners in South Africa feel unsafe going to the toilet.²⁶⁸

11.1.1 A Recognised Right and a Failure to Meet Regulations

The Water Services Act of 1997²⁶⁹ describes a "right to basic sanitation." Further, lack of appropriate sanitation is a violation of the constitutional right to dignity, as the South African Human Rights commission has upheld the right to water and sanitation.²⁷⁰ Finally, the Western Cape government itself has affirmed this right stating: "[Learners] have the right to clean, working toilets."²⁷¹

The Department of Basic Education (DBE) recognises the importance of access to sanitation as essential to education. In the 2013 Minimum Norms and Standards for School Infrastructure, provision of sanitation falls under the first and most urgent deadline, November 2016, alongside the provision of proper school buildings, water, and electricity.²⁷² Despite the clear message that the DBE views sanitation as a top priority, the crisis continues.

Further, while the Western Cape (like all provinces) is responsible for meeting the Norms and Standards, since 2009 they have also had their own sanitation regulations. These include a requirement that all schools have at least one toilet for every 35

²⁶³ Adukia, Anjala. May 2014. *Sanitation and Education*.

²⁶⁴ Montgomery, Paul, et al. 31 October 2012. "Sanitary Pad Interventions for Girls' Education in Ghana: A Pilot Study." *Plos One*.

InfoChange. 23 January 2011. "Lack of sanitary protection causes 23% of girls to drop out of school."

IRIN. 21 July 2011. "Sanitary pads keep girls in school."

²⁶⁵ UN. *The Human Right to Water and Sanitation Media Brief*.

²⁶⁶ Equal Education. 16 May 2015. *Gauteng Schools Social Audit Report*.

²⁶⁷ *City Press*. 22 January 2014. "Boy (6) who died in pit toilet had 'escaped death' in taxi accident."

²⁶⁸ CJCP. 2013. *School Violence in South Africa: Results of the 2012 National School Violence Study Centre of Justice and Crime Prevention*.

²⁶⁹ Government Gazette. 19 December 1997. *Water Services Act of 1997. (No. 108 of 1997)*.

²⁷⁰ South African Human Rights Commission. 2014. *Report on the Right to Access Sufficient Water and Decent Sanitation in South Africa*.

²⁷¹ WCED. 20 November 2009. *Specialized Education Support Minute: 0010/2009 School Sanitation*.

²⁷² Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

learners and one washbasin for every 60 learners. Further, that these facilities be clean and in working order, that toilet paper, soap and, sanitary bins must be available, that provision must be made for learners with special needs, and that every effort must be made to ensure the safety and privacy of toilet facilities.²⁷³

11.1.2 EE's Gauteng Sanitation Campaign and Social Audit²⁷⁴

In March and April of 2015, Equal Education and the Gauteng Education Crisis Coalition conducted a social audit of the school conditions of 200,000 learners in more than 200 schools in over 20 different communities in Gauteng, representing 10% of township schools. The social audit was carried out by 500 learners, teachers, parents and grandparents belonging to a broad range of civic and community organisations.

The Gauteng School Sanitation Campaign started in August 2013, when EE members in Tembisa conducted an audit of about two-thirds of the high schools in the area. The audit revealed that at over half of the schools more than 100 learners had to share a single working toilet. Despite repeated attempts to engage the Gauteng Department of Education, little had changed by September 2014. By then, EE high school members from Daveyton, Kwa-Themba and Tsakane had joined the campaign. On 13 September, 2,000 EE members marched to the offices of the GDE to demand action. In response, Gauteng MEC for Education Panyaza Lesufi promised to spend R150 million to upgrade the sanitation conditions at 580 schools serving over 500,000 learners.

After this promise, EE decided to conduct a social audit to hold the MEC to account. Gauteng's social audit followed a rigorous process to ensure accuracy. All EE organisers and community auditors were trained in how to conduct the audit before they began. This training included a background on the laws governing the provision of school infrastructure, basic research methodology, and a detailed review of the social audit instruments.

The results found a sanitation crisis in Gauteng schools:

- **Over 100 learners per working toilet:** At about 30% of high schools audited, more than 100 learners shared a single working toilet. By comparison, according to the Wits Justice Project, 65 men share a single toilet at the unacceptably overcrowded Johannesburg Medium A prison.
- **Broken toilets:** One out of every five school toilet blocks were locked or broken.
- **No soap, toilet paper or sanitary pads:** Nearly 70% of learners did not have soap in their schools while more than 40% of learners did not have any access to toilet paper or sanitary pads in their schools. This problem was particularly acute in secondary schools, where funds are stretched due to overcrowding.
- **Not enough maintenance staff:** At over a quarter of schools there were over 400 learners to a single maintenance staffer. Maintenance personnel were overwhelmed at schools.

Though there is a continued sanitation emergency in Gauteng, the audit indicated that the Gauteng Sanitation Campaign had already yielded tangible victories for learners. Many schools reported that MEC Lesufi's R150 million sanitation investment

²⁷³ WCED. 20 November 2009. *Specialized Education Support Minute: 0010/2009 School Sanitation*.

²⁷⁴ Website: Equal Education. *Gauteng: Our Campaign for a Sanitation Plan*.

had helped and that significant upgrades and repairs had been completed at their schools. (Though, some were concerned about the quality of work performed). Furthermore, the GDE produced School Infrastructure Maintenance Guidelines. At the start of the sanitation campaign in Gauteng, it is estimated that 50% of high schools in Tembisa had over 100 learners per working toilet. The audit put that figure at around 30%. This drop is likely due to MEC Lesufi's investment. Though 30% is far from ideal, it is an improvement and evidence that activism can win results. And, perhaps even more important given decreasing faith in South Africa's democracy,²⁷⁵ it shows that the **government can fix problems.**

11.2 NORMS AND STANDARDS FOR SCHOOL INFRASTRUCTURE

Unequal access to a quality education is a reality for South Africa's youth. While 25% of learners (mostly wealthy) receive a high quality education, roughly 75% attend dysfunctional schools with dreadfully inadequate infrastructure.²⁷⁶

In 2011, the NEIMS Report included detailed statistics on the dire lack of resources at public schools across the country. According to the report, of the 24,793 public ordinary schools in South Africa:²⁷⁷

- 3,544 schools did not have electricity and a further 804 schools had an unreliable electricity source;
- 2,402 schools had no water supply and a further 2,611 schools had an unreliable water supply;
- 913 did not have any ablution facilities and 11,450 schools still used pit latrines;
- 22,938 schools did not have stocked libraries, while 19,541 did not even have a space for a library;
- 21,021 schools did not have any laboratory facilities, while a mere 1,231 schools had stocked laboratories;
- 2,703 schools had no fencing at all; and
- 19,037 schools did not have a computer centre, while a further 3,267 had a room designed as a computer centre but were without computers.

The DBE's existing project to address school infrastructure problems, the Accelerated School Infrastructure Delivery Initiative (ASIDI)²⁷⁸, was (and is) not nearly sufficient to address the nationwide backlog.

It was against this back drop that EE began its campaign calling for legally binding regulations prescribing minimum uniform norms and standards for public school infrastructure (Norms and Standards). Without uniform norms and standards, no legal regulations existed to hold the DBE and provincial education departments accountable for this dire state of affairs.²⁷⁹

²⁷⁵ Lekalake, Rorisang. 9 February 2016. "Support for Democracy in South Africa Declines Amid Rising Discontent with Implementation." *Afrobarometer Dispatch No. 71*

²⁷⁶ Spaull, Nic. 31 August 2012. "Education in SA: A tale of two systems." *Politics Web*.

²⁷⁷ National Education Infrastructure Management System. May 2011. *NEIMS Reports May 2011*.

²⁷⁸ Website: Department of Basic Education. *Accelerated Schools Infrastructure Delivery Initiative*.

²⁷⁹ Website: Equal Education. *Norms and Standards/School Infrastructure Campaign*.

After years of campaigning for the basic learner right to attend a functional school, **on Friday 29 November 2013, the DBE published legally binding Norms and Standards for School Infrastructure.**²⁸⁰ These regulations establish that all learners in South Africa are legally entitled to attend schools where infrastructure meets the minimum standards required to enable effective teaching and learning, as well as to ensure accountability when the State fails in its prescribed duties. Further, the regulations stipulate deadlines for the realisation of this right. The timeline for implementation is summarised below:²⁸¹

- All schools built entirely from mud as well as those schools built entirely from materials such as asbestos, metal and wood must be replaced within a period of three years from the date of publication of the regulations **(29/11/2016)**.
- All schools that do not have access to any form of power supply, water supply or sanitation must be prioritised and provided with the above within a period of three years from the date of publication of the regulations **(29/11/2016)**.
- The Norms and Standards relating to the availability of classrooms, electricity, water, sanitation, electronic connectivity and perimeter security are to be prioritised and must be dealt with and implemented within seven years from the date of publication of the regulations **(End of 2020)**.
- Norms and Standards relating to libraries and laboratories for science, technology and life sciences must be implemented within ten years from the date of publication of the regulations **(End of 2023)**.
- All the other Norms and Standards contained in the regulations must be planned, prioritised and phased in before 31 December 2030. This latter deadline is in line with the National Development Plan, which states that **by 2030**, all schools should have high quality infrastructure.²⁸²

11.3 EDUCATION INFRASTRUCTURE: BUDGETING, PLANNING AND IMPLEMENTATION

While ASIDI was launched in 2011 – and funded in the 2011/23 financial year – and the Norms and Standards for Infrastructure were promulgated in 2013, the major challenge is ensuring national and provincial education departments (PEDs) follow through on commitments to eradicate mud schools and improve the infrastructure of schools throughout South Africa.

This section of the report describes the key government institutions, actors, and processes involved in budgeting, planning, and implementing school infrastructure. The information provided in this section is based on regulations published in the government gazette, government's infrastructure policies, as well as published and unpublished research conducted by civil society on the internal dynamics of planning and implementing government infrastructure projects.²⁸³

²⁸⁰ Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

²⁸¹ Ibid.

²⁸² Department of Basic Education. 15 August 2015. "Chapter 9: Improving Education, Training and Innovation." *National Development Plan: Vision 2030*.

²⁸³ Abdoll, C and C. Barberton (Centre for Child Law). 2014. *Mud to bricks: A review of school infrastructure spending and delivery*.

Budlender, D. (International Budget Partnership). 2014. *School Infrastructure in the Eastern Cape: Actors, processes and information sources*.

11.3.1 Key Actors in Education Infrastructure

11.3.1.1 The Department of Basic Education

The Department of Basic Education is the key national government agency charged with developing national norms and standards, frameworks, and national policies related to the nature, planning, funding, provision, maintenance, and use of school infrastructure as well as building the capacity of provincial education departments to fulfil their responsibilities with regard to the planning and provision of school infrastructure

11.3.1.2 Provincial Education Departments

Their responsibilities in relation to school infrastructure involve:

- Maintaining an accurate, prioritised, annually updated database of school construction needs;
- Undertaking annually updated, long-term projections of new school construction targets and funding requirements,
- Monitoring school infrastructure expenditure and the implementation of school infrastructure projects; and
- Reporting to the DBE on specified matters related to school infrastructure.

11.3.1.3 The National Treasury

The National Treasury (in conjunction with provincial treasuries) is responsible for disbursing funding for school infrastructure conditional grants, providing guidelines, and exercising oversight for the allocation, management, and use of conditional grant funding. The Treasury also capacitates and supports provincial education departments in planning and managing public sector infrastructure delivery.

11.3.1.4 Department of Public Works

The national and provincial departments of public works play a dual role as implementing agent and custodian of public assets. Their duty is to:

- Implement school infrastructure projects;
- Outsource some school infrastructure projects to other non-governmental implementing agents where necessary; and
- Assist PEDs with budgeting and planning for school infrastructure.

11.3.1.5 Municipalities

Municipalities are responsible for providing basic services such as water and electricity to communities within its jurisdiction, but have a relatively limited role to play in school infrastructure. Municipalities play the role of assisting in the planning and coordination of water and electricity provision for school infrastructure projects where possible. In instances where this is not possible due to a lack of bulk infrastructure (particularly in rural areas), ventilated improved pit latrines, water tanks and solar power should be provided by PEDs using school infrastructure funding.

11.3.2 Sources of National and Provincial Funding for School Infrastructure

There are multiple sources of funding for school infrastructure. The first is the **Education Infrastructure Grant** (EIG) which is transferred by National Treasury to PEDs to manage

and implement school infrastructure projects.²⁸⁴ This grant was first introduced in 2011. The purpose of the grant is to supplement provincial infrastructure budgets for the construction, maintenance, upgrading and rehabilitation of new and existing infrastructure in schools.

The second source of funding is the **School Infrastructure Backlogs Grant** (SIBG) which is transferred by National Treasury to the DBE. Unlike the EIG, this grant is managed by the DBE for the implementation of the ASIDI programme. The School Infrastructure Backlogs Grant was introduced in 2011 to "eliminate" backlogs of inappropriate school structures and address school access to basic services.

In addition to the school infrastructure conditional grants is the funding from the province's own revenue, **the provincial equitable share**, allocated to fund school infrastructure in the provincial budgets. The amount of the equitable share which goes to school infrastructure varies substantially among provinces. The amount is determined by the Premier's office, and is approved by Provincial Legislatures.²⁸⁵

A final, and currently very small, source of funding for school infrastructure is the share of the school budget allocated in terms of the **National Norms and Standards for School Funding**, which provides schools with funding for, among other things, the day to day maintenance of school infrastructure.²⁸⁶

11.3.3 Key Infrastructure Planning Documents

PEDs are obliged to annually publish updated infrastructure plans spanning a three-year period in their provincial education budget documents and annual performance or strategic plans. These three-year infrastructure plans, hereafter referred to as **EIG lists**, contain vital information on provincial school infrastructure plans – showing how these provincial infrastructure targets will be implemented.

An example of information contained in the EIG lists include:

- Type of infrastructure as a description of planned infrastructure (e.g. sanitation, classroom, electricity, water)
- Number of planned infrastructure improvements being delivered
- Education district
- The current status of projects and projected dates of completion
- Expenditure on projects to date

Sadly, the EIG lists are neither clear nor produced in a standard format by the different PEDs. As a result, not all EIG lists are helpful for the monitoring and oversight of school infrastructure targets. Provinces such as the Western Cape, KwaZulu-Natal, and Gauteng produce highly detailed EIG lists while provinces such as the Eastern Cape and Limpopo produce less detailed documents.

Prior to the promulgation of the Norms and Standards, EIG lists were the only publicly available disaggregated information available on school infrastructure plans. The Norms and Standards regulations require that provincial departments also produce

²⁸⁴ Abdoll, C and C. Barberton (Centre for Child Law). 2014. *Mud to bricks: A review of school infrastructure spending and delivery*.

²⁸⁵ Ibid.

²⁸⁶ Government Gazette. 31 August 2006. *Amended Norms and Regulations for School Funding*.

implementation plans specifically outlining the norms and standards backlog as well as a plan to address this backlog in accordance to the deadlines stipulated in the regulations.

By 29 November 2014 each of the provincial education MECs were required to provide Basic Education Minister Angie Motshekga with a Norms and Standards Provincial Implementation Plan **but these plans were not released until June 2015** – with the exception of Limpopo which only released its plan in November 2015.²⁸⁷ Despite the plans now being publicly available, EE's analysis of these plans has revealed a lack of reliable and complete information.²⁸⁸

A third set of data is the ASIDI progress reports. Unfortunately, reporting on ASIDI by the DBE is **neither standardised nor published regularly**.²⁸⁹ They are provided inconsistently and with little depth by the DBE on its website or in the departmental plans and audit reports that are published once a year. The most detailed information is generally that provided in the DBE's presentations to the portfolio committee on basic education in the National Assembly. Unfortunately, this irregular information has resulted in inconsistencies in the data available for analysis.²⁹⁰

11.3.4 Implementing School Infrastructure: A Performance Review

National Treasury has continuously noted the following regarding the spending and delivery performance of the two education infrastructure conditional grants (EIG and SIBG):²⁹¹

- Slow spending;
- Poor planning;
- Insufficient management on the implementation of plans; and
- A lack of internal technical and infrastructure planning capacity within PEDs.

	Baseline Targets (2012/13)	Progress Since Inception (2014/15)	Percent
Inappropriate Structures	510	92	18%
Water	1120	342	31%
Sanitation	741	351	47%
Electrification	914	288	32%

Table 5 ASIDI Baseline Targets and Progress²⁹²

Table 5 shows progress in achieving targets set at the inception of ASIDI, by the end of 2014/15 financial year. According to the information provided by the DBE, by the end of 2014/15, **ASIDI had only achieved 18% of its target to replace inappropriate structures**.

²⁸⁷ Equal Education. 11 February 2016. *Delayed and Inadequate*.

²⁸⁸ Ibid.

²⁸⁹ Abdoll, C and C. Barberton (Centre for Child Law). 2014. *Mud to bricks: A review of school infrastructure spending and delivery*.

²⁹⁰ Ibid.

²⁹¹ Ibid.

²⁹² Department of Basic Education. 2015. *Progress and Status of the Accelerated Schools Infrastructure Development Initiative Presentation to Portfolio Committee to Basic Education 24 February 2015*.

Due to the DBE's exceedingly slow pace of delivery, the School Infrastructure Backlogs Grant which funds ASIDI has seen significant cuts and the timeline for the programme has been extended (it was initially intended to end in 2013).²⁹³ Furthermore, to address the grant's "disappointing performance," it will be merged with the Education Infrastructure Grant beginning in 2017/18.²⁹⁴

When the EIG was introduced in 2011, it was specifically designed to supplement (not replace) provincial infrastructure budgets. **Distressingly, since its introduction, provinces have significantly reduced provincial spending on education infrastructure revenue,²⁹⁵ and in some instances provinces, such as the Eastern Cape and Limpopo, have pulled provincial funding entirely.²⁹⁶** The weak commitment, and the complete failure of certain provinces to allocate their own funding to education infrastructure, coupled with inadequate technical capacity to plan and manage EIG projects, results in PDEs being unable to implement norms and standards, creating a **perpetual backlog of school infrastructure projects in provinces.**

11.4 WESTERN CAPE DEPARTMENT OF EDUCATION BUDGETING AND PLANNING FOR SCHOOL INFRASTRUCTURE

The WCED has the responsibility of addressing school infrastructure backlogs and maintaining educational facilities with **minor and limited** assistance from individual school budgets (for day to day maintenance of school infrastructure only). This is done through the Infrastructure Development Programme, which is one of the WCED's six main programmes.

The responsibility of the WCED in terms of infrastructure and maintenance backlogs can be organised into eight categories:²⁹⁷

1. Ablution shortages and maintenance
2. Perimeter fencing and maintenance
3. Laboratories
4. Sport and recreation facilities
5. Libraries
6. Universal access
7. Inappropriate structures
8. Classroom shortages

The overall infrastructure budget covers administration/operational costs and the implementation of infrastructure at public ordinary schools, special schools and ECDs. The bulk of the infrastructure budget has been earmarked for the construction and

²⁹³ Government Gazette. 1 June 2015. *Act No. 1 of 2015: Division of Revenue Act, 2015.*

²⁹⁴ Government Gazette. 18 February 2016. *Division of Revenue Bill 2016.*

²⁹⁵ Abdoll, C and C. Barberton (Centre for Child Law). 2014. *Mud to bricks: A review of school infrastructure spending and delivery.*

²⁹⁶ Limpopo Department of Basic Education. November 2015. *Provincial Norms and Standards Implementation Plan.*

Abdoll, C and C. Barberton (Centre for Child Law). 2014. *Mud to bricks: A review of school infrastructure spending and delivery.*

²⁹⁷ WCED. 2015. *Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018.*

maintenance of school halls and sports facilities.²⁹⁸ Between 2014/15 and 2017/18, over 90% of the infrastructure budget will be spent at public ordinary schools (see **Appendix D**).

An analysis done in 2014 by the WCED and the Department of Public Works of existing infrastructure, as well as estimated future infrastructure needs, yielded the following commitments/goals from the WCED for 2015/16 to 2017/18:²⁹⁹

- Build new schools and increase the emphasis on maintenance;
- Improve the number of learners benefiting from the impact of infrastructure funding;
- Ensure that every school in the province is “presentable” within a three- to five-year timeframe by attending to all broken windows, graffiti, doors that do not close, toilets that do not work, and general degradation;
- Increase and expand school facilities in urban areas to address overuse, classroom overcrowding, and rising enrolment figures. There is grave concern and uncertainty about the future numbers of learners in public schools as a result of migration from surrounding provinces such as the Eastern Cape, to the Western Cape; and
- Replace a total of 25 schools made out of inappropriate material, with ASIDI funding.

Main Budget Allocations				MTEF Estimates	
R'000	2013/14	2014/15	2015/16	2016/17	2017/18
EIG	960,465	485,024	1,032,237	874,263	860,226
Equitable share	332,906	370,938	394,990	407,676	428,094
Total provincial infrastructure budget	1,293,371	1,397,772 ³⁰⁰	1,427,227	1,281,939	1,288,320

Table 6 Funding for Western Cape Education Infrastructure: 2014/15 to 2017/18³⁰¹

As visible in **Table 6**, the bulk of the WCED infrastructure budget is from the EIG, with a smaller percentage share from the provincial equitable share budget. However, the portion coming from the equitable share has increased from 25% in 2013/14 to 28% in 2015/2016. It is also projected to increase to 32% in 2016/2017.

The Infrastructure Development Programme makes up 8% of the entire WCED budget, which is the second largest share. The overall infrastructure budget of the WCED increased from R1.39 billion in 2014 to R1.42 billion in 2015 (see **Appendix E**), however, when adjusting for inflation, the increase was just 2%.

What is more, in 2016, **the WCED infrastructure budget is expected to decrease by 10% in nominal terms and 15% in real terms.** (see **Appendix E**). This is particularly concerning

²⁹⁸ WCED. 2015. *Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018*.

²⁹⁹ Ibid.

³⁰⁰ The 2014/15 main provincial infrastructure allocation was adjusted from R856 million to R1.4 billion. [Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.]

³⁰¹ Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.

as the WCED's *Annual Performance Plan* acknowledges that there is an infrastructure backlog in schools requiring more investment in capital infrastructure needs³⁰² and due to the increased infrastructure costs associated with meeting the Norms and Standards requirements.³⁰³ This could potentially **strain the infrastructure budget** and jeopardise the completion of infrastructure projects.

11.4.1 General Maintenance

Maintenance infrastructure projects cover **the general and emergency maintenance** (unplanned maintenance) of school buildings and education facilities, fencing, and sanitation.³⁰⁴ Research by the WCED and Department of Public Works revealed that the WCED needed a greater focus on maintenance projects in order to improve the infrastructure lifecycle of school facilities.³⁰⁵ While the WCED research claimed that maintenance backlogs are substantial but not as severe as previously assumed,³⁰⁶ the WCED fails to provide evidence for this optimism.

Maintenance infrastructure projects receive the third largest share (between 22% and 25% over 2015/16 to 2017/18, as visible in **Appendix F**) of the overall Infrastructure budget. However, despite the emphasis on maintenance projects, the maintenance budget is expected to decline over the medium-term. In 2016, the maintenance budget is expected to decline by 4% in real terms. **In 2017, the maintenance budget will decline a further 19% in real terms** (see **Appendix F**). This is concerning as the maintenance budget has been tasked with³⁰⁷:

- Regular maintenance of all 1,455 school facilities (which includes sanitation).
- Emergency maintenance and repairs at all 1,455 schools.
- Repairing fencing in bad condition at 400 schools.
- Repairing the 12% of schools with “bad sanitation.”

The budgets potential risk of being inadequate or overwhelmed is acknowledged in *the Norms and Standards Implementation Plan*:

It is estimated that to eliminate all the current backlogs at schools... it would require an average of approximately R377 million per annum or between 25% and 30% of overall budget over the MTEF. Of this amount approximately half would have been in the budget in any event (replacement) meaning that implementing the N&S requires that 10% to 15% of current budgets to be found to accommodate N&S... The accommodation... is possible but implies de-prioritising some width and maintenance infrastructure needs (at least until 2025).³⁰⁸

³⁰² Capital Infrastructure is identified as recurrent maintenance and buildings facilities maintenance. [WCED. 2015. *Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018.*]

³⁰³ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan.*

³⁰⁴ WCED. 2015. *Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018.*

³⁰⁵ Ibid.

³⁰⁶ Ibid.

³⁰⁷ Ibid.

³⁰⁸ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan.*

This could potentially worsen the WCED's already high level of overreliance on individual school budgets for day to day maintenance of school facilities.³⁰⁹ School budgets are meant to play a very minimum role in terms of maintenance and the proportion of the National Norms and Standards for School Funding budget³¹⁰ intended for maintenance is very small (6%).³¹¹ Yet, as the **School Budget Analysis** section shows, of the 71 schools assessed, a **third spent more than 6% of their entire budgets on maintenance and half of Q1-Q3 schools spent more than 6% of their budgets.**

A breakdown of the WCED maintenance budget between 2015 and 2017 (by type of maintenance projects) reveals that the bulk of the maintenance budget will go toward scheduled maintenance, receiving between 39% and 61% of the maintenance budget over the medium-term. The 2016 scheduled maintenance budget decreases by 14% in 2015/16 but increases by 34% in 2017/18 (see **Appendix H**).

A total of 289 maintenance projects have been planned for the period 2015/16 and 2017/18, spread across eight education districts. The bulk of these maintenance jobs will be concentrated in the Metro North and Metro South education districts. A breakdown of these projects is provided in **Table 7**.

Education District	New Schools	Replacement Schools	Scheduled Maintenance	Grade R Classrooms
Cape Winelands	4	3	34	14
Eden and Central Karoo	5	3	36	14
Metro Central	2	9	34	17
Metro East	4	4	40	14
Metro North	3	10	50	20
Metro South	2	3	45	18
Overberg	3	4	20	6
West Coast	1	4	30	7
Total	24	40	289	110

Table 7 Planned Infrastructure Projects 2015/16 to 2017/18 According to Education District³¹²

11.4.2 Sanitation Maintenance

The second largest maintenance allocation – R150 million in 2015, R192 million in 2016, and R100 million in 2017 – is earmarked for the WIDTH Initiative (see **Appendix H**). The WIDTH programme is targeted at eliminating sanitation related Norms and Standards infrastructure backlogs at a rate of 100 schools a year. According to the WCED, “the aim of the WIDTH Initiative is to make small but impactful interventions at existing schools and thereby increase the overall impact of the infrastructure spend.” It was created under the maintenance budget line item. The target of 100 schools per year

³⁰⁹ WCED. 31 March 2014. *Norms and Standards Funding for Schools – Financial Allocation for the 2013/2014 Financial Year to Non Section 21 Schools*.

³¹⁰ The principle form of school funding, particularly at no-fee schools.

³¹¹ WCED. 31 March 2014. *Norms and Standards Funding for Schools – Financial Allocation for the 2013/2014 Financial Year to Non Section 21 Schools*.

³¹² WCED. 2015. *Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018*.

is what is gauged by the WCED as necessary to eliminate sanitation Norms and Standards backlogs by 2020.³¹³

The WCED estimates that it needs to build **746 toilets at 96 schools** to meet the Norms and Standards backlog. However, "It should be noted that the backlog calculation **excludes all schools earmarked for replacement, all lease schools and schools earmarked for possible closure/rationalisation.**" Why this is problematic is described fully in ***Delay, Exclude, and Eliminate***.

In addition, **12% toilets are believed to be in bad condition**. Nevertheless, condition improvements **will not be considered part of N&S backlogs**, but will instead be treated as part of normal maintenance.³¹⁴

Both the WIDTH and scheduled maintenance (see ***General Maintenance***) sub-programme budgets have been redeployed to address sanitation backlogs relating to the Norms and Standards – deprioritising other projects, including maintenance of existing toilets in bad condition.³¹⁵

The WCED must not abdicate its responsibility for general maintenance. If the WCED diverts these responsibilities to schools, this could result in school budget deficits (for which schools are penalised) or the complete neglect of regular maintenance. Nevertheless, it is also important that schools play their role and refrain from neglecting their maintenance duties. **The WCED is encouraged to follow in the footsteps of the Gauteng Department of Education and provide schools with guidelines on how to plan and budget adequately for maintenance**, a technical expertise which many schools do not possess. This is discussed more fully in the ***Potential Interventions*** section.

Emergency maintenance has been allocated the least amount from the overall maintenance budget. This sub-programme budget is projected to **decrease by 50% in 2016 and is not projected to increase in 2017** (see ***Appendix H***).³¹⁶ **It is important that the WCED allocate sufficient funds for emergency maintenance costs and prevent diversion of these funds to larger more prioritised "maintenance projects."** It is unclear why schools in 2016 would need only half of what they needed in 2015 for emergency maintenance. An inability of the WCED to respond to unexpected breakdowns of plumbing due to lack of funds would put learners right to adequate sanitation at risk.

11.4.3 Fencing

The fencing budget for 2015 was R5 million, which is 0.4% of the entire infrastructure budget (see ***Appendix F***). The percentage share of the entire infrastructure budget earmarked for fencing in 2016 is 1.5%, but dips to 0.4% in 2017.

In 2014, the WCED conducted a school infrastructure audit. Based on the WCED survey, 4% of schools (54 schools) in the Western Cape have no fencing at all. However, the WCED reduced the fencing backlog to just 15 schools.³¹⁷ More than half

³¹³ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³¹⁴ Ibid.

³¹⁵ Ibid.

³¹⁶ Government Gazette. 12 February 2016. *Draft National Sanitation Policy*. No. 39688. Department of Water and Sanitation. Notice 70 of 2016

³¹⁷ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

of the 54 schools were eliminated from the backlog because they are on private property.³¹⁸

The WCED has a limited budget and fencing is a costly exercise, and there is thus a need to prioritise the use of funds on public property. However, this should not come at the expense of **learner’s right to safety and security**. These schools being on private property does not absolve WCED of its responsibilities to ensure their security. The WCED should not neglect its duty but rather work toward finding a solution for these schools in conjunction with private land owners. (The legal arguments regarding the WCED’s responsibility for schools on private land are in **Appendix G**.)³¹⁹

It must also be noted that the WCED plans to replace 25 schools made out of inappropriate material and these schools will also be receiving new fencing³²⁰ funded with the support of ASIDI under the *Replacement Programme*.

Fencing Condition	Number of Schools	As Percent of Total of WC Public Schools ³²¹
No fencing at all	54	4%
Bad condition	400	27%
Fair condition	519	36%
Good condition	482	33%
Total	1455	100%

Table 8 Depicting Shortages of Perimeter Fencing at Schools in the Western Cape³²²

As shown in **Table 8**, the WCED has also identified a backlog of schools with fencing in bad condition. According to the WCED’s audit, **over a quarter (27%) of public schools in the province have a fence in bad condition** and likely are in need of brand new fencing. The WCED’s strategy to eliminate the “bad fencing backlog” is to not treat it as a Norms and Standards backlog but instead as part of regular maintenance. Without the legal weight of the Norms and Standards, **the bad fencing backlog will receive less prioritisation, less funding, and a longer implementation time frame**.

This is problematic as fencing in “bad condition” can be tantamount to having no fencing at all – is a fence a fence if it cannot keep people out? – and the Norms and Standards state schools **“must be surrounded by appropriate fencing.”**³²³ Perimeter backlogs are to be prioritised and dealt with by 2020.³²⁴ Once again, schools not on government property will not be prioritised,³²⁵ and again this is a major concern.

³¹⁸ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³¹⁹ In addition to the legal arguments outlined in **Appendix G**, a simple thought experiment makes obvious why an exception for schools on private land is absurd. Imagine that the WCED sold all land that schools were on to a private trust and then leased the land back from the trust. They would then be free of all Norms and Standards obligations. This is obviously unacceptable.

³²⁰ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³²¹ The Western Cape has a total of 1,457 public schools, 887 of which are no-fee schools and 570 are fee charging schools.

³²² WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³²³ Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

³²⁴ Ibid.

³²⁵ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

11.4.4 Delay, Exclude and Eliminate: The Strategy to Address School Infrastructure Backlogs in the Western Cape

As mentioned, the WCED conducted a school infrastructure survey in 2014. A summary of some of the audit results capturing the school infrastructure backlogs in the province is presented in the document *Strategy for the Elimination of Public School Infrastructure Backlogs in the Western Cape*.³²⁶

Type of Infrastructure Backlog	Backlog Before WCED Adjustments (Number of Schools)	Percent of WC Public Schools (1,455)	Backlog Post WCED Adjustments (Number of Schools)	Percent of WC Public Schools (1,455)
Schools with no access to a laboratory	830	57%	352	24%
Schools with no access to a library	165	11%	37	3%
Schools with no access to sports fields	496	34%	103	7%
Schools with no disabled access	844	58%	499	34%

Table 9 Summary of Actual and Adjusted Western Cape Infrastructure Backlog³²⁷

The WCED has budgeted approximately R377 million per annum (or between 25% and 30% of the overall infrastructure budget over a ten-year period, at least until 2025) to address Norms and Standards backlogs.³²⁸

The WCED strategy to for using its limited budget of R377 million per year to address the backlog appears to be:³²⁹

- **Prioritise** time sensitive infrastructure needs;
- **Rationalise** or close schools of less than 250 learners;
- **Exclude** the 266 public schools on privately owned land; and
- **Delay** the reconstruction of schools identified as built of inappropriate materials until after the Norms and Standards deadline.³³⁰

Using this strategy, the WCED has been able to decrease their backlog dramatically – as visible in **Table 9**. However, the efficacy or appropriateness of these methods is dubious.

There are a number of issues presented by excluding schools with less than 250 learners due to expected rationalisation. First, the WCED should be making arrangements for learners **during interim periods** until rationalisation. These temporary measures have neither been costed or included in the current infrastructure budgets and plans.³³¹ Second, the rationalisation of schools could mean that the **agglomerated schools need additional infrastructure to accommodate larger numbers**. The WCED Infrastructure plans do not set targets or make reference to budget and planning for

³²⁶ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³²⁷ Ibid.

³²⁸ Ibid.

³²⁹ Ibid.

³³⁰ These facilities will be replaced in future and brought in line with regulations relating to minimum Norms and Standards

³³¹ Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

additional infrastructure facilities for these agglomerated schools.³³² Failure to provide additional infrastructure capacity to support the process of rationalising schools could result in deterioration of school infrastructure at an increased pace. Third, these schools have only been earmarked for rationalisation. **It is not certain that they will in fact be closed.** The vague potential for a school to be closed in the future does not exclude it from infrastructure requirements now.

The WCED is officially excluding 21 schools built entirely out of inappropriate materials from its backlog of schools to replace because they are on private land.³³³ In total, the WCED is excluding 266 schools on private land from the entire backlog for infrastructure upgrades outright.³³⁴ As outlined in **Appendix G**, the argument that the province is not responsible for structures on private land is extremely dubious. **Learners on private land – as much as learners on public land – are constitutionally guaranteed access to education in a safe learning environment that advances a learner’s dignity.** The Norms and Standards regulations state clearly, “These regulations apply to all schools,” with no exception made for schools on private land. Finally, the *South African Schools Act (1996)* and *Western Cape Provincial School Education Act (1997)* make clear the MEC’s responsibility, one way or another, for ensuring that appropriate infrastructure is built and maintained.

The problematic nature of the exclusion of rationalised schools and schools on private land is even pointed out in the *Implementation Plan* itself:

It should be noted of course that while such an approach to backlog estimation helps to make backlogs manageable, it is not without risk. Leased schools, replacement schools and schools to be rationalized will nonetheless still need certain facilities, often for many years before their intended destiny is realized. As a consequence WCED will need to make arrangements to deal with these “interim periods”. Options include using mobile classrooms and other mobile facilities and services, using facilities offered by other public institutions, rationalising use of space at schools, planning with municipalities and land owners etc. Such measures have not been planned in detail and costed in this plan. These calculations will be made and may increase the budget required on non-replacement N&S by up to 50%.³³⁵

Moreover, the delay in addressing facilities built out of inappropriate materials is extremely disconcerting, given the binding timeframes outlined in the Norms and Standards regulations (see the section on **Norms and Standards for School Infrastructure**). Legally, PEDs do not have the option to simply delay implementation: schools built entirely of materials such as asbestos, metal, and wood must be eliminated by 29 November 2016.³³⁶

³³² Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

³³³ WCED. 8 July 2016. *Public Schools on Private Land*.

³³⁴ Ibid.

³³⁵ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³³⁶ Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure*.

The WCED has identified 207 schools as being built out of inappropriate material.³³⁷ Note, these are 207 schools after rationalisation and exclusion. Of these 207, 72 schools have been prioritised for the midterm (2014/15 to 2016/17), of which 49 will be completed by the end of the 2015/16 financial year. This leaves **23 schools** out of the 72 that WCED plans to address in the midterm, which are to be completed between 2015 and **2021** (five years after the deadline). **Another 26 have been identified for replacement by 2025** (nine years after the deadline).³³⁸ Finally, it is not clear when, how, or if at all the remaining **109 schools on the WCED inappropriate schools list will be addressed**. The WCED justifies this delay by describing these schools as “in reasonable (albeit variable) condition.”³³⁹

It is also worth noting that although it is debated whether schools made partially out of inappropriate material have to be completed by November 2016,³⁴⁰ the WCED should be making plans to address this backlog and to accommodate learners in these schools. Currently, these schools are not even noted in the WCED's *Norms and Standards Implementation Plan*.³⁴¹

The WCED has committed to approximately R377 million per year to address infrastructure backlogs but this budget is **not a needs based budget**. The budget required to actually eliminate the infrastructure backlogs, and make adequate interim arrangements, in Western Cape schools is much larger than what is currently being committed to by WCED.

11.5 INFRASTRUCTURE CONCLUSION

Lack of appropriate sanitation is a threat to learners' health, safety, dignity, and ability to get a good education. The right to sanitation is well established in South African law. The WCED has its own regulations stating schools should have at least one toilet for every 35 learners, and one washbasin for every 60 learners (which should both be in working order) – and that there be soap, toilet paper, and sanitary bins provided. Yet, as is shown by EE's 2015 sanitation social audit in Gauteng, NEIMS data, and the findings in this section, sanitation in schools is in crisis.

There are currently no specific guidelines or regulations regarding the maintenance of education sanitation infrastructure by schools and PEDs. The Ministry of Basic Education needs to go beyond merely assigning sanitation maintenance responsibilities. In conjunction with the Minister of Water and Sanitation (and the leaders of other key government departments) **the DBE must set standards/guidelines for the maintenance of sanitation facilities by PEDs and schools**. It is recommended that the WCED follow in the footsteps of the GDE and create detailed maintenance infrastructure guidelines for SGBs and school management teams to facilitate

³³⁷ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³³⁸ Ibid.

³³⁹ Ibid.

³⁴⁰ It is possible to interpret the *Norms and Standards for Public School Infrastructure* as not requiring provinces to replace inappropriate facilities if the school is not entirely inappropriate. For example, this interpretation would not require a province to replace a mud building if there were also a brick building on the school's grounds, even if that brick building cannot accommodate all learners at the school. Equal Education and the Equal Education Law Centre are returning to court to challenge this loophole.

³⁴¹ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

sufficient and routine maintenance of school infrastructure and the appropriate planning for budgeting for maintenance, in particular of sanitation infrastructure.³⁴²

The bulk of the Western Cape’s provincial infrastructure budget is from the EIG, with a smaller percentage share from the provincial equitable share budget. The WCED can motivate for larger portions of the equitable share funding from the province.

In 2014, at 96 schools in the Western Cape did not meet the Norms and Standards sanitation regulations and a further 12% had sanitation in poor condition. Furthermore, 27% of public schools in the province had fences in bad condition and 4% of schools did not have fencing at all. **The WCED strategy to deal with this backlog is mainly by delaying the implementation of schools built of inappropriate materials as well as the exclusion of public schools on privately owned land and unconfirmed rationalisation of schools.** This is hardly a justifiable strategy, given the legally binding timeframes outlined in the Norms and Standards regulations. The WCED does not have the option to simply delay implementation. The WCED budget of approximately R377 million per year to eradicate infrastructure backlogs is a budget based on reclassification and not need. The *Implementation Plan* makes pretty clearly that **a bigger budget is needed.**

The WCED still needs to make arrangements to deal with interim periods during the rationalisation and replacement of schools. Such temporary measures have neither been costed nor included in the current infrastructure budgets and plans. By the WCED’s own estimate, a 50% larger budget is needed to meet these demands.

The WCED Infrastructure plans must also set targets for **additional infrastructure facilities at schools that are being merged with others as part of rationalisation.** Failure to provide additional infrastructure capacity to support the process of rationalising schools will result in **rapid deterioration of school infrastructure.**

There must be **increased transparency in the school infrastructure budgeting process.** This is essential to understanding the departments’ planning environment and the justifications for some of the decisions highlighted, and questioned, by this report.

³⁴² This is discussed more fully in the **Potential Interventions** section.

12 METHODS

12.1 KEY CONCEPTS

12.1.1 What do we mean by school safety?

In this report, and in the campaign more broadly, we take a broad definition of school safety. School safety involves freedom from violent events at school or while conducting activities immediately related to education – such as traveling to and from school buildings – for both learners and educators. These violent events include:

- Physical violence against learners and staff inside school premises;
- Physical violence against learners and staff on the way to and from school;
- Gangsterism and drugs;
- Physical, sexual and psychological abuse;
- Discrimination of any kind;
- Theft and vandalism of school infrastructure and resources.

12.1.2 What do we mean by school sanitation?

Sanitation is the physical infrastructure and amenities required to conduct ablutions in a safe and dignified way. As a result, school sanitation includes: the quantity, quality and accessibility of toilets, taps, toilet paper, soap and sanitary pads in schools.

12.1.3 What is a social audit?

A social audit is a community-led, mass participation-based tool for monitoring the provision of a basic service or public good. It is a means of keeping government accountable for providing the services that it is legally and morally obliged to deliver.

12.2 THE SOCIAL AUDIT

12.2.1 Question Selection and Form Development

A task team was created to design the questions to be included in the social audit. The majority of the members of this team were EE community organisers who have worked closely with Equalisers and had first-hand knowledge of the safety and sanitation conditions in these schools. Also included on the team were members of EE's research and training department, the leadership of EE's Western Cape office, the project head of EE's 2015 Gauteng Social Audit, the provincial head of EE's Gauteng office, and representatives from the International Budget Partnership and the Social Justice Coalition. Together these individuals contributed essential research and social audit experience to the question design process.

Two existing resources were used as references. First, the forms from the Gauteng Social Audit were used to inform the sanitation question design. Second, as part of EE's school-based campaigns in 2014, EE conducted surveys with members in the Western Cape, and the questions used for these surveys also informed those that would be included in the audit.

Over the course of a week, which included intense discussion over the value and phrasing of each question, three forms were developed for use in each school: an

“administrator interview” (Form A), a “learner questionnaire” (Form B), and “observed conditions” (Form C). These forms were separated because it was concluded that three different types of information were required.

The first type of information is the most objective: what auditors visually observed at the school. There is no intermediary between the “fact” of the case and the auditor. This included things such as the number of toilets, the condition of the fencing, and the appropriateness of the building structures. This data was designed to be recorded on the observed conditions form (Form C). Only one of these forms was completed for each school visited.

However, there are many aspects of the school that cannot be observed, especially in the few hours that EE’s social audit teams would have to inspect each school. The second type of information is thus administrative data: things that the leadership of a school has records of and keeps track of. This includes things like the number of teachers at the school, the occurrences of vandalism, and what kind of security planning takes place. At each school a principal, deputy principal, or other member of the school’s leadership was interviewed, and the answers recorded on the administrator interview form (Form A). As with the observed conditions form, only one of these forms was completed at each school visited.

Finally, there is information that the leadership of a school may not have and that cannot be physically observed. This includes things like how safe learners feel at school, what kind of access they have to school facilities, and how regularly they have access to resources like toilet paper and soap. This type of information could only be gained by interviewing the learners at the school and was recorded on the learner questionnaire (Form B). As no single learner can be representative of the diversity of experiences at a school and 250 learners would not be representative of the diversity of learner experiences in the province, multiple learners were interviewed at each school.

These survey instruments can be made available upon request.

12.2.2 Gathering the Data: Involving the Community

The social audit data gathering strategy used in the Western Cape was based on the model employed effectively by EE Gauteng in their sanitation campaign. This involves augmenting EE’s own capacity by developing a coalition of community-based organisations active in different parts of the province and then conducting training and auditing of schools together with community members in these different areas.

Using this strategy, both provinces were able to gather data from hundreds of schools outside of the areas where EE has active membership. Without the buy-in and participation of community members, particularly in rural areas, it is often impossible to gain access to school premises without major delays.

As per this strategy, a meeting of partner organisations was convened on the 12 August 2015 to present EE’s safety and sanitation campaign and the proposed social audit strategy. Partner organisations that were present at this meeting included the Mitchell’s Plain Education Forum, the Women on Farms Project, the Triangle Project, Free Gender, and the Methodist Church. Separate meetings were held with NUMSA/United Front, the Social Justice Coalition, and Ndifuna Ukwazi. These meetings

proved successful; all the organisations approached made a commitment to work together on the audit.

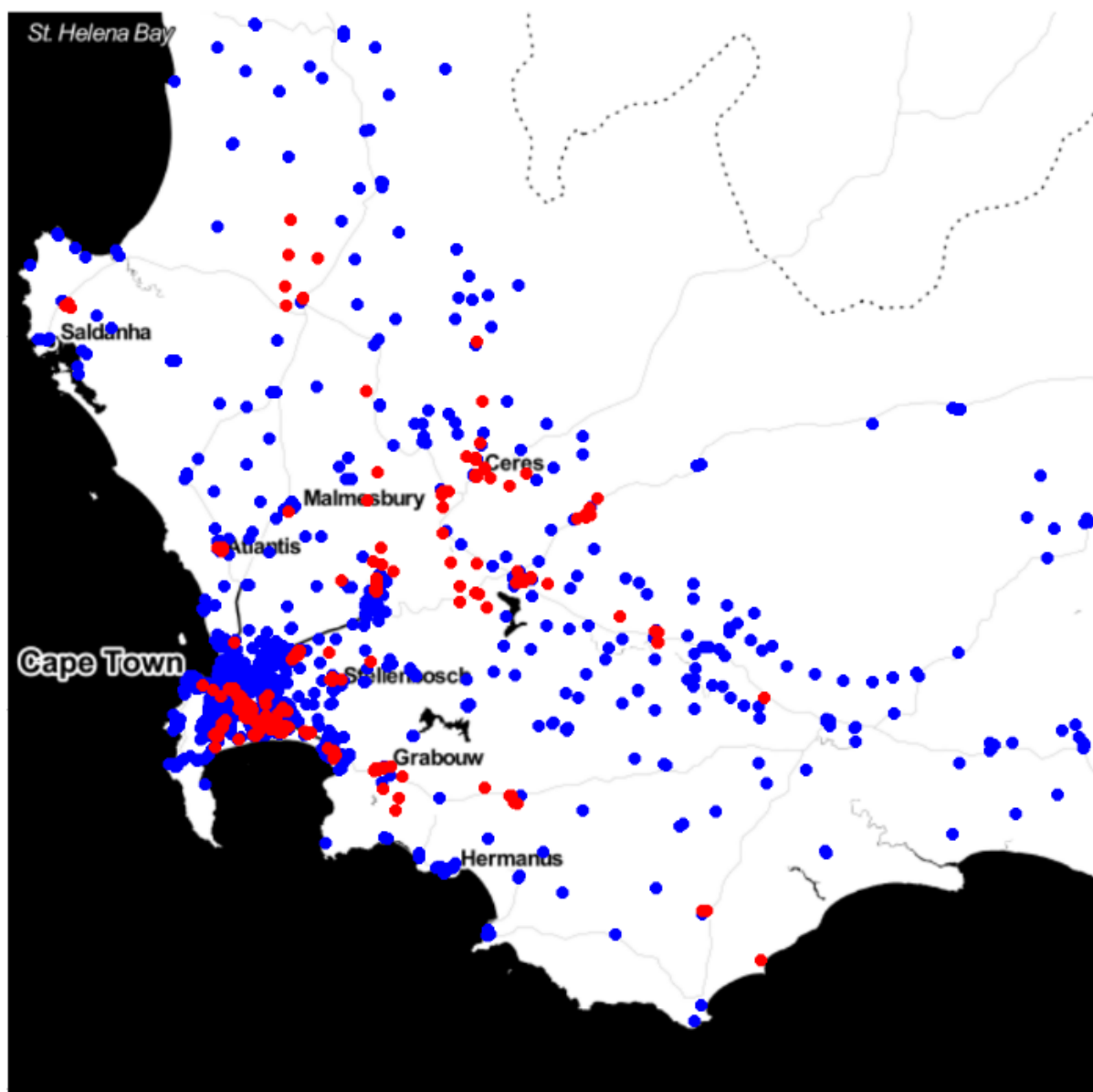


Figure 14 Schools Audited as Part of Social Audit (Schools in Red Are Audited, Schools in Blue Are Unaudited)

Simultaneously, EE community organisers and facilitators were engaged in training Equalisers and parent members in social auditing methods. These trainings required members to conduct mock audits inside a real school. These mock audits were overseen by more experienced social auditors who were able to give feedback and facilitate reflection and the correction of errors.

This two-pronged approach of partnering with and training members of local organisations as well as training our own members to conduct audits, allowed areas where EE does not have membership to be audited at the same time as areas where EE is well-established.

A total of eight teams conducted the social audit. As it is more difficult to survey rural schools due to the increased distance between sites (as visible in **Figure 14**), a concerted effort was made to ensure their representation in the sample. Despite just 29% of schools in the Western Cape being rural, half of audit teams were dedicated to rural schools.

Teams auditing rural schools were led by experienced full-time organisers and were supported by a minimum of three facilitators. They were joined by the members of local partner organisations. After a full day spent training partners, these teams spent three to four days conducting the audits together.

The other four teams audited schools within the Cape Town metro area, where the movement's membership is concentrated. These teams were led by pairs of full-time organisers and included Equalisers, parent organisers, and facilitators.

Each audit team was given the instruction to aim for one Form A (administrator interviews), ten Form Bs (learner questionnaires), and one Form C (observed conditions).

When selecting learners, auditors were told to stratify the sample by gender and grade – to ensure accurate representation. Generally, auditors asked administrators to choose the learners to be surveyed: reducing the risk of self-selection by learners and biased selection by auditors. While this could potentially introduce the administrator's biases into the sample, it is expected that if administrators were being non-random in their selection, the predominant bias would be to select learners who would speak well of the school. As such the effect on the findings would be to suppress negative results.

Due to circumstantial limitations in access to administrators, learners, and the school grounds, not all schools audited included all three forms of data or the full 10 learner questionnaires.³⁴³

Furthermore, on occasion auditors were refused access to schools altogether. At times this was because administrators feared reprisal from political powers who dislike Equal Education's work. At other times, it was because administrators were unaware of what Equal Education is and were understandably reticent to allow strangers access to the learners and grounds they are responsible for.

The schools audited are visible in **Figure 14**. The demographics of the schools are outlined in **Appendix I**.

12.2.3 Data Inputting

Teams that conducted audits completed the forms in hard copy. Once returned to EE's office, the forms were filed and organised by town and district.

³⁴³ The exact limitations varied by school but included such things as: administrators refusing to speak with auditors, administrators being unavailable to speak, auditors being refused access to the grounds, auditors being refused access to learners, learners being unavailable, mismatch of auditors' language and learners' language, etc. All of these limitations were addressed as possible (for example sending Afrikaans speaking auditors to schools with a high number of Afrikaans speakers, rescheduling visits with schools, etc.), however, perfect coverage was not possible at all schools as a result of these limitations.

An online application was created by EE's web developer as a platform for transferring the data from hard copy audit forms to an easily assessed digital format. The data therefore went through the following steps:

Step One: Submission of School Names and Districts Audited

Upon return from an audit trip, team leaders were required to report to an EE staff member whose dedicated role was to coordinate the logistics and administration of the data inputting process.

Step Two: Collation of Hard Copy Forms

Completed forms had to be filed by school, town, and district by team leaders and the administrator.

Step Three: Data Capture

Data capturing was a long and challenging process that required several rounds of recruitment from the ranks of EE staff, facilitators, parent members and supporters to complete. Volunteers from these sectors of the movement were required to register online as data capturers, trained in the use of the app, and assigned specific schools and districts to capture. In cases where audit forms were ambiguous, contradictory or illegible, **the original audit team was contacted for clarity.**³⁴⁴

Step Four: Data Verification (Round One)

Together with the administrator and other senior staff, data capturers searched the app for schools for which less than 85% of the required data had been entered. These cases were almost exclusively the product of error on the part of data capturers. Once an "incomplete" school had been identified, the relevant hard copy forms were located in their files, and captured accordingly. Again, if information was ambiguous the original audit team was contacted.

Step Five: Data Verification (Round Two)

Data capturers were paired up and tasked with going through all the forms of an assigned school together. One capturer would read out the hard copy form and their partner would verify that the data entered into the app mirrored the data on the form.

12.2.4 Data Processing and Analysis

After the data was extracted from the data capturing application it was again cleaned. This process included reviewing all comments and ensuring that answers matched the information included in the comments, recoding "don't knows" and "not answered" to missing value, and disaggregating multipart questions. After this was completed three datasets were created.

The first was a school level dataset which included data from all of the three survey instruments (forms). It also included the Department of Basic Education's most recent

³⁴⁴ Data might be considered ambiguous if, for example, two answers were checked for the same question. It might be considered contradictory if in the comments section a different answer was indicated from that marked. It might be considered illegible if the handwriting was not easily deciphered.

master list of schools in the Western Cape.³⁴⁵ Data on toilet blocks from Form C and data from interviews with learners were aggregated to the school-level.³⁴⁶

The second was a learner-level dataset. This also included all three forms and the master list. School level data was simply repeated for each learner in the data set. For example, if a school was quintile one, then all learners at that school would be coded as going to a quintile one school. Aggregated toilet block data was also included in this data set.

The third was a toilet block-level dataset. This also included all three forms and the master list. School level data was simply repeated for each toilet block in the data set. For example, if a school was quintile one, then each toilet block at that school would be coded as a quintile one toilet block. Aggregated learner data (Form B) was also included in this data set.

The data was analysed using the free statistical software R. The R scripts as well as the data sets can be made available upon request.

12.2.5 Demographics of the Data Sample

Overall, 244 schools were audited and 912 learners were interviewed. This included 220 Form As (administrator interviews), 912 Form Bs (learner interviews) from 180 schools, and 229 Form Cs (visual inspections). Due to circumstantial limitations, not all forms were completed at all schools. An average of five learners were interviewed per school where learners were available to be interviewed.³⁴⁷

It is impossible to make claims with a high level of statistical certainty regarding the conditions of schools in the Western Cape based off of any single administrator interview, learner questionnaire, or inspection. However, by sampling a large share of the schools in the province as this audit did, the likelihood that the estimates for the overall conditions in the Western Cape is correct increases dramatically.

Given the sample sizes relative to the population, the general low-end margin of error at a 95% confidence level for administrator interviews is 6.2%, for learner questionnaires is 3.1%, and for visual inspections is 6.0%. (The assumptions for these calculations can be found in **Table 10**.) The exact margin of error varies by the individual statistic presented, as response rates, true populations, and answer percentages varied by question. Due to the large number of findings, it is unfortunately unreasonable to present the margins of errors for each statistic.

As visible in **Appendix I**, the demographics of the data sample are very similar to the overall demographics of the Western Cape – as one would expect from a representative sample. There are, however, a few notable exceptions.

Despite auditors' efforts as discussed in **Gathering the Data**, there is still underrepresentation of rural schools – particularly those from the Eden and Central

³⁴⁵ DBE. June 2015. *Schools Master List Data - Quarter 1 of 2015: Western Cape*.

³⁴⁶ For example, if six toilet blocks for a school were in good condition, then a variable was created in the school data set for "number of good condition toilets" which would, in this case, be six. Similarly, if three learners reported feeling safe at a school, then a variable was created in the school data set for "number of learners who feel safe," which would be three.

³⁴⁷ Learners were interviewed at 180 schools. The number of interviews ranged from 1-13. The mean and the median number of interviews was 5, with a standard deviation of 2.7.

Karoo districts. Only 19% of the sample schools are rural compared to 29% of the Western Cape generally. To compensate for this, where there were significantly different findings for rural and urban schools, this difference is noted. Given the relatively large size of the overall sample, significant differences should be apparent.

	Form A: Administrator Interviews	Form B: Learner Questionnaire	Form C: Visual Inspections
Population	1,693	1,097,509	1,693
Sample	220	912	229
Percentage³⁴⁸	50%	50%	50%
Margin of Error at 95% Confidence Level³⁴⁹	6.2%	3.2%	6.0%
Margin of Error at 99% Confidence Level³⁵⁰	8.1%	4.3%	7.9%

Table 10 Expected Margin of Error for Estimates by Sample

In addition, the sample is slightly misrepresentative in terms of the size of schools sampled. A fifth of schools in the Western Cape are considered “micro,” while only 5% of the sample was. Furthermore, 46% of the sample was extra-large schools, compared to only 27% of schools in general. Nevertheless, **as 81% of learners go to large or extra-large schools,**³⁵¹ by virtue of them being large,³⁵² the sample will still represent the **majority experience of learners in the Western Cape.**³⁵³

Finally, the schools in the sample are slightly more likely to be of a lower quintile than schools in the Western Cape in general. Again, to compensate for this, where there was major variance by quintile, this finding was noted. Generally, this data is believed to still be representative of the experience of learners in the Western Cape. However, if the reader is particularly concerned about the effect of this bias on the findings of the report, one can substitute “poor and working class schools” for “schools” in one’s reading. This in no way invalidates the importance or significance of the findings, but instead highlights the level of inequality in our education system.

12.3 ADDITIONAL ORIGINAL RESEARCH

12.3.1 Promotion of Access to Information Requests

The social audit reveals considerable information about what is going on in schools in the Western Cape in terms of safety and sanitation. However, a lot is already known. Non-governmental organisations like the *Centre for Justice and Crime Prevention* regularly publish reports that allow the public a glimpse into the conditions inside our schools. The media, particularly community newspapers like *GroundUp*, do an

³⁴⁸ Accuracy depends on the percentage of a sample that picks an answer. If 99% of a sample reports “Yes” and 1% reports “No,” the chances of error are small, regardless of the size of the sample. However, if the percentage is closer to 50%, the chances of error are much greater. When estimating the low-end accuracy of a sample, one must use the worst case percentage (50%).

³⁴⁹ Likelihood that if this audit were repeated 20 times the estimates from 19 of them would fall within this margin of error.

³⁵⁰ Likelihood that if this audit were repeated 100 times the estimates from 99 of them would fall within this margin of error.

³⁵¹ DBE. June 2015. *Schools Master List Data - Quarter 1 of 2015: Western Cape*.

DBE. March 2016. *Schools Master List Data - Quarter 4 of 2015: Western Cape*.

³⁵² For example, if you had 10 “micro” schools with 100 learners and one “extra-large” school with 1500 learners, most learners would go to an extra-large school despite most schools being micro.

³⁵³ According to 2015 WCED data, 81% of learners

excellent job of documenting many of the experiences of our learners. And the government is at times very forthcoming with information.³⁵⁴

To ensure that this report takes into account as much of the relevant knowledge on the safety and sanitation conditions in schools as possible, it was extremely important for EE to engage with this information – and much of this analysis can be seen in previous sections.

However, there is also considerable, relevant information that the government was not immediately willing to share. As a result, between 13 October and 5 November 2015, EE filled fourteen *Promotion of Access to Information Act* requests with the WCED. The information requested included:

1. Safe Schools Programme call centre statistics
2. Monitoring and evaluation of the 2008 CCTV implementation pilot programme
3. Statistics on WCED-issued drug test kits
4. Statistics on the prevalence of CCTV and alarms in schools
5. Statistics on the risk classifications of schools, as well as classification criteria
6. Monitoring and evaluation of the “school resource officer” pilot programme
7. Statistics on burglaries and vandalism
8. Budget information for the Safe Schools Programme
9. A copy of a school safety audit form
10. School safety audit data
11. Information on safety partnerships
12. Institutional Management and Governance Planning directorate budget data
13. School budgets for 70 schools
14. The minutes of the safety committees of seven schools

Of the fourteen sets of information requested, four requests were entirely denied (items 2, 3, 4, and 10). In three cases it was because these records are not kept and **in the fourth case, that of the 2008 CCTV pilot, the information had been lost.**

Seven requests were immediately granted, either completely or nearly completely (items 1, 6, 8, 9, 11, 12, and 13). Originally, only aggregate information was granted for items 5 and 7, however, after appeal full access to data was given.

The request for item 14 was officially granted. However, the minutes were not in the possession of the WCED, requiring EE to follow up directly with schools.

The information gathered via these *PAIA* requests was interwoven where appropriate throughout this report. The budgets of schools were of particular interest to EE as, from previous research and interviews with school leadership, one of the alleged causes of poor sanitation and safety in schools is lack of funding. As such, this data was specifically analysed for trends.

³⁵⁴ For example, EE conducted an interview with Mr O. Appolis, Director of the WCED Safe Schools Programme, which significantly clarified EE's understanding of the programme. [Equal Education. 5 October 2015. “Mr O. Appolis, Director of WCED Safe Schools Programme conducted with EE.”]

12.3.2 Analysis of Western Cape Education Budgets and Plans

Government budgets are essential for the development and fulfilment of policies, plans, programme objectives and targets. Government planning documents guide government departments on how to spend the government's budget. Therefore, analyses of the WCED's

- Safe Schools Programme budget (2013/14 to 2015/16)
- Infrastructure Programme budget (2013/14 to 2017/18)
- Education Infrastructure Grant budget (2013/14 to 2017/18)
- Annual Performance Plan (2015/16 to 2017/18)
- Norms and Standards 2014/15 Provincial Implementation Plan

were conducted in order to obtain information that answered the following questions:

1. What resources are available to the Safe Schools Programme to keep Western Cape public schools safe?
2. What activities have been planned and budgeted for to reduce violence in schools?
3. What funding is available in the provincial infrastructure budget and the Safe Schools Programme for provision and maintenance of perimeter fencing and sanitation facilities?
4. What targets have been set to ensure that school facilities are well maintained and that Norms and Standards infrastructure regulations are met within the prescribed time frames?

Analyses of budgets, plans, and targets allowed for the assessment of consistency of the WCED's priorities against its allocations toward these priorities. It further makes possible the measuring of how well the WCED is performing in terms of accurately budgeting and planning for school safety and school infrastructure, as well as how effectively it is spending its allocations.

When comparing budget data across two or more years, it is important to take into account the effect of inflation. All government budgets provide estimates for the current financial year, previous financial years and projected estimates over the midterm (two outer years). In order to factor in the effect of inflation, the Consumer Price Index (CPIX) inflation rate was used to convert the "nominal" budget (which is the value of the money allocated in name only) into to a "real budget" (which is the actual purchasing power of the amount allocated by taking into account the effect of inflation). CPIX figures (actual and projected) for the financial years 2013/14 to 2017/18, taken from National Treasury's 2015 Budget Review, were used to calculate real percentage growth. It was important to analyse claims about growth in budget allocations and whether budget allocations are keeping up with the rate of inflation.

According to the National Norms and Standards for School Funding, schools receive annual budget allocations primarily for learning and teaching support materials (LTSM); local purchases; municipal services; essential day-to-day maintenance of school buildings, grounds and equipment (non-scheduled maintenance); and other

everyday expenses. In order to assess how schools are using their government subsidy, in particular how it is spent on maintenance and security, EE analysed a sample of annual financial statements for the 2014/15 financial year.

The 64 schools whose annual financial statements were requested represent a randomised stratified sample. They were selected, at random but within categories, to ensure adequate representation of each district, school phase, and estimated level of wealth. As a result, the sample includes eight schools from each district, 32 primary schools and 32 secondary schools, 32 quintile four or five schools, and 32 quintile one to three schools. One school (a primary and quintile two school) failed to submit its budget documents leaving a final sample of 63 schools.

Researchers carefully went through each line item in the school's 2014/15 audited financial statements, extracting the following for each of the schools:

- Total revenue
- Total expenditure
- Overall subsidy allocation from WCED
- Maintenance and repairs
- Security
- Personnel

Due to practical limitations, researchers restricted their analyses to maintenance and security, and excluded analyses of LTSM and municipal services. Identification and extraction of *NNSSF* allocations in the school budgets was not possible as they were not always labelled as such or distinguished from the overall WCED subsidy allocations.

The school budget analysis aimed to answer the follow the questions:

1. What resources are available in public school budgets for the maintenance of school facilities?
2. Are there sufficient funds available in school budgets for the day-to-day maintenance of school facilities?
3. What are the variations in maintenance budgets between fee-paying and no-fee-paying schools?
4. Are schools spending on security and if they are how much does security expenditure constitute of overall expenditure?
5. How much do no-fee schools spend on personnel?

12.4 REVIEW PROCESS

A draft of this report which included the methodology and findings of the social audit, as well as the survey instruments, was submitted to six reviewers with experience in research, education, and budget analysis. The credentials of these individuals is summarised in the section **Reviewers**. They provided extensive recommendation on how to improve the quality of the report which were, when possible, incorporated. Moreover, the reviewers gave the methodology and analysis of the social audit a clean bill of health:

- “Thank you though for sharing the report with me. I found the report and the study to be very thorough. It was really interesting to read and engage with and I really learned a lot... I think the methods you used are very useful...”
- “The way in which data were collected through direct observation, learner input and input from administrators are meaningful ways of effecting triangulation which contribute towards the trustworthiness of the data.”
- “Let me just say that the report is an impressive document, and clearly a lot of time, effort and thought was put into its creation; I think that Equal Education and the Equalisers have done an amazing job.”
- “This is a really comprehensive document and the analysis of from the social audit and especially the school budget analysis is very interesting... the methodology is sound and well-laid out”
- ...I think this report is really excellent—you've condensed and synthesized a huge amount of information and done it well. The report is timely and crucial for beginning to address serious issues that interfere with teaching and learning in our schools. Thank you...”

Furthermore, the safety data from the social audit was handed over to the WCED on 26 April 2016, as well as a summary of some key safety findings (available in **Appendix K**). The WCED conducted its own brief analysis of this data which corroborated the findings of the report. The WCED's analysis is available in **Appendix J**.

13A VISIBLE CRISIS: PHOTOGRAPHS FROM THE SOCIAL AUDIT



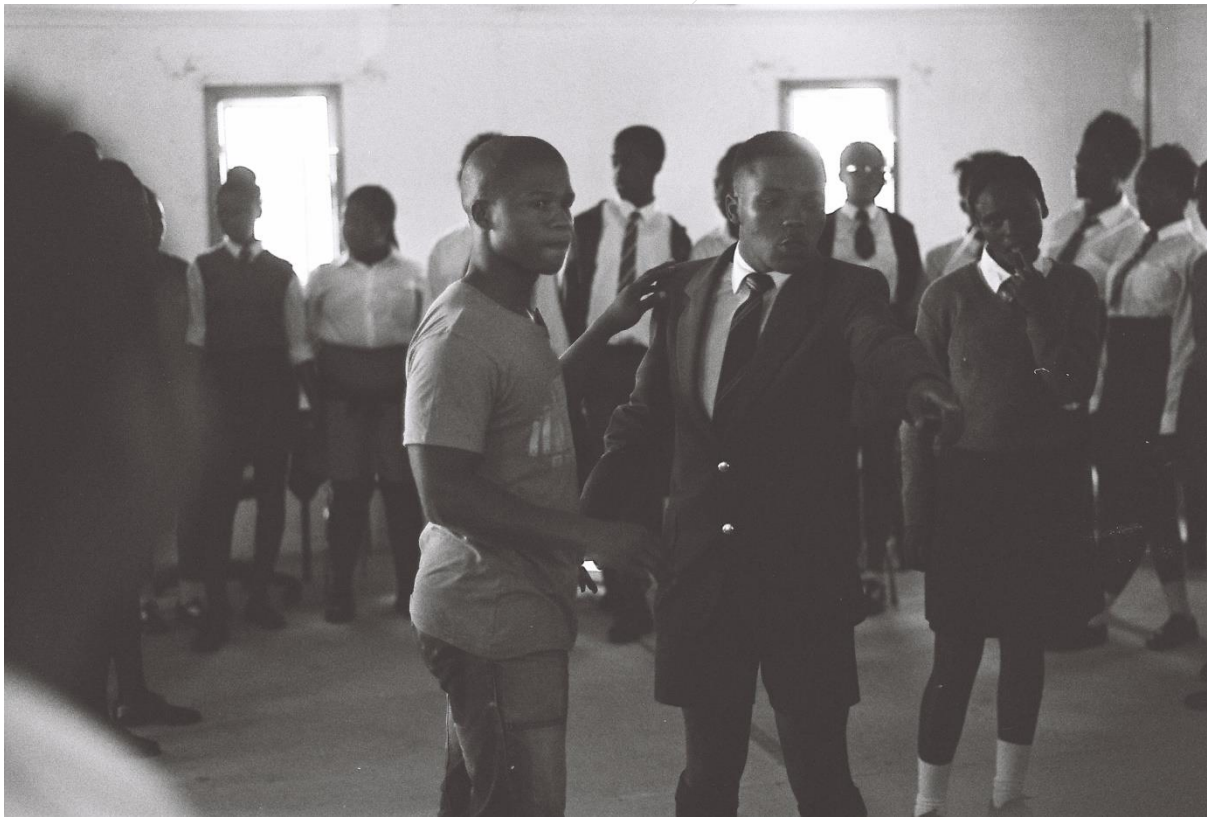
Dignified Sanitation Now!: On 31 October 2014, Equal Education members march to the Western Cape provincial parliament demanding action be taken on specific issues hindering their education.



Corporal Punishment Kills!: These over 1000 EE members rallied on Wale Street, bringing attention to the safety and sanitation crises in Western Cape schools.



Langa Facilitators: EE community organisers led the audit work in the four Metro districts.



Youth Group: EE members meeting to discuss the safety and sanitation campaign.



Developing the Tools: Auditors discussing the design of the survey instrument.



Preparing the Teams: Auditors reviewing the steps to auditing a school.



Training our Partners: Senior auditors training youth members of the Women on Farms Project in social auditing methods.



Practicing the Interviews: Auditors practiced conducting interviews with administrators.



Learner Interview: Auditors interviewing primary school learners in the Cape Winelands district.



Physical Observations: Auditors inspect the exterior of a secondary school that suffers from serious safety issues, especially gangsterism.



Disrepair: Many schools surveyed in the audit have not received significant infrastructure upgrades since before 1994.



Partially Inappropriate: This rural school is partially built of wood. Many schools in the Western Cape are partially or wholly these types of “plankie” structures. Many are excluded from the Norms and Standards regulation because not all of the structures at the school are of this type.



A Container School: More than half of schools included inappropriate structures, some of which were container classes. Many of these installed decades ago and have never been upgraded into proper classrooms. These temporary structures are designed to be exactly that and many begin to fall apart after a few years.



Schools on Private Land: These rural schools have asbestos roofing, which is a health risk for learners and educators. Both are located on private land; the WCED has said that no schools built on private land will receive infrastructure upgrades under the Norms and Standards for School Infrastructure.



Makeshift Grade R Classroom: The Grade R learners from this Metro North district primary school are taught in a local church, itself housed in a shack/informal structure.



A Wing of Broken Windows: The entire top floor of this Cape Winelands secondary school has broken windows. Auditors were told that no classes are taught in this wing - local gangs come freely onto the premises and throw stones into those classrooms



Abandoned Classrooms: Constantly in disrepair due to vandalism, the leadership at this Cape Winelands secondary school has abandoned this classroom.



Weapons at School: Knives found on school premises by staff.



Responding to Violent Situations: This primary school mural reflects the harsh reality that Western Cape learners from poor and working class communities face.



A Broken Fence is No Fence at All: This secondary school effectively has no fence at all – the perimeter is completely open, and auditors were told that local gangs often come into the school.



Effectively Unprotected: This primary school is located directly next to an industrial workplace and its fencing is easily overcome, resulting in little access control.



Holes in Fencing: This relatively newly-built secondary school already has holes in its wire fence; staff can't control who comes in and out, and the school lacks funds to keep repairing it. The school has no security guard.



Internalising Racism: This portrayal of “the people who help us” as all white is indicative of a system which promotes discriminatory perspectives on race and identity.



Broken Doors: The audit found that more than a third of toilets surveyed lacked doors that can be locked – the violates learners’ rights to dignity, privacy and safety.



Toilet in Poor Condition: High numbers of learners per maintenance staff member is one of the reasons that nearly half of learner toilet blocks are in poor conditions.



Broken Taps: While taps are generally present they are often broken.



Toilets Are Often Locked: This toilet block is inappropriately being used for storage.



Building Community: Post-school youth return to their former school to help the administration out with a community project.



Inputting the Data: Auditors work long hours to input the data allowing for its analysis.



Implementing Norms and Standards: Six months before the first Norms and Standards deadline, EE members picketed to draw attention to how little has been done to meet the infrastructure requirements outlined in these regulations require. The DBEs failure to implement the Norms and Standards, particularly the aspects regarding fencing and toilets, is a key component of the crisis in sanitation and safety.



Handing Over Initial Findings: On 26 April 2011, over 2000 EE members gather outside meeting of WCED district heads to hand over initial findings of the audit and data.



We Will Not Be Ignored: After a month with no response from WCED regarding the findings from the audit, EE members protested on the street outside of MEC Debbie Shaffer's house.



We Bet Your Kids Went to Safe Schools: EE members emphasized the inequality that exists in the South African education system. As long as the powerful can ignore a problem, they will not fix it. We cannot allow the crises in safety and sanitation to be ignored.

14 FINDINGS

14.1 SAFETY AND VIOLENCE IN WESTERN CAPE SCHOOLS

14.1.1 Sense of Security

There were three types of respondents reporting on the general sense of security at each school. The auditors reported how they felt while at the school, an administrator was asked about their sense of security at the school, and several learners were interviewed about how safe they felt at school.

The auditors feel unsafe at **35%** of schools. Administrators and learners feel unsafe at nearly the same rate as each other: **16% of administrators and 16% of learners feel unsafe in their schools.** In simpler terms, roughly **one out of every six people at schools in the Western Cape feels unsafe.**³⁵⁵

This feeling of insecurity varies by district. Urban districts had the highest rate of learners feeling unsafe, with Metro North being the least safe.³⁵⁶ Overall, 95% of rural learners feel safe compared to only 81% of urban learners.

Furthermore, secondary school learners were much more likely to feel unsafe than primary school learners. **One in four secondary learners feels unsafe, while only one in ten primary school learners do.**³⁵⁷

Quintile	Percent of Urban Learners Who Feel Safe or Very Safe	Percent of Urban Learners Who Feel Very Unsafe	Percent of Urban Secondary School Learners Who Feel Safe or Very Safe	Percent of Urban Secondary School Learners Who Feel Very Unsafe
Q1	68.4%	9.0%	51.0%	14.3%
Q2	77.4%	4.1%	62.5%	10.4%
Q3	84.4%	2.5%	80.2%	1.8%
Q4	84.5%	1.2%	78.7%	2.2%
Q5	85.4%	1.9%	77.3%	2.3%

Table 11 Feelings of Safety of Urban Learners

While there is no notable relationship between quintile and learner sense of security when looking at all schools, this is largely because learners in rural schools feel safer and rural schools tend to be of a lower quintile. As a result, this hides the effect of quintile in urban schools.³⁵⁸ As **Table 11** shows, among urban schools, the richer the school, the greater the percent of learners who feel safe there. About **a third of all quintile one urban learners feel unsafe at school.** Similarly, it is in the poorest urban

³⁵⁵ As the sample is generally representative of the province, see **Demographics of the Data Sample**, statistics derived from it are being treated as the general condition of schools in the Western Cape. Therefore, language like "one out of six people at schools in the Western Cape" is used. It should be remembered, however, that all these statistics are derived from the sample and not a full census of the millions of people in Western Cape schools. This is common practice when reporting statistics of this kind.

³⁵⁶ Learners' responses were scored 1 = Very Unsafe, 2 = Unsafe, 3 = Safe, and 4 = Very Safe. These scores were then averaged at the school level. This created a single school learner sense of security score.

³⁵⁷ 27% and 9% respectively.

³⁵⁸ 96% of rural learners surveyed went to Q1 – Q3 schools and 76% went to a Q1 school. This is compared to only 62% of urban learners surveyed going to Q1-Q3 schools, and only 11% going to a Q1 school.

schools that the most learners feel very *unsafe*. Finally, when limited to secondary school learners this effect increased. **Only half of urban secondary school learners in quintile one feel safe at school.**

Learners were given the opportunity to remark on why they felt insecure. Reasons included:

- **Gangsters:** “Gangsters come inside the school and sexually harass us and traumatise us.”
- **Lack of access control:** “Because it is easy for gangs to jump the fence and rob us.”
- **Discrimination:** “I don’t feel accepted because of my race, I am bullied.”
- **Bullying:** “I feel unsafe because there are learners who are older than me who tend to bully me.”
- **The presence of weapons:** “Because many other students bring weapons here, such as knives.”
- **The presence of drugs:** “There are older boys who smoke cigarettes and ganja who ask money from us, they beat us.”
- **Lack of security guards:** “There is no security or guards in our yard. Learners can come inside with weapons and drugs.”

Administrators similarly had the opportunity to comment on their sense of insecurity and the safety challenges of their school:

- **Lack of access control:** “There is no proper gate or fence. Strangers can just walk into the school.”
- **Gangsters:** “Both learners plus teachers don’t feel safe because of gangsterism.”
- **The presence of drugs and alcohol:** “Anything is possible when learners are on drugs.”
- **Bullying:** “Bulling is the biggest challenge.”
- **The presence of weapons:** “There are a lot of oukappies [knives] in the school.”
- **Lack of security guards:** “We still need security guards and cameras.”
- **Violent learners:** “As a teacher it is a risk to our lives because the learners are violent.”
- **Community violence:** “When something happens in the community we feel very unsafe. Some of the learners do belong to gangs and the school is an easy place to get hold of.”
- **Lack of funding for security measures:** “School maintenance money is not enough; fundraising events don’t work; security money needs to be more.” “School maintenance money is not enough. Currently it’s paying for five teachers and it still has to do maintenance stuff.”
- **Lack of parental involvement:** “Parents need to be empowered on how to deal with discipline of their children.”
- **Lack of safety training:** “Not enough is being done to educate learners and educators about safety.”
- **Learners’ long walks to school:** “Large amount of learners live 34 km from school. There is no transport, the road they walk is dangerous: two learners

were killed by trucks in the last five years. The WCED says no money for transport.”

- **Old infrastructure:** “The building was built in 1972, it is long overdue for an upgrade. It has had an asbestos roof since 1972.”

Many of these issues are further explored elsewhere in the report.

14.1.2 Violent Events

14.1.2.1 Risk of Violence

Learners’ and administrators’ sense of insecurity is not unfounded. According to the WCED’s own records³⁵⁹, **22% of schools are considered “High Risk”** and another 39% are considered “Medium Risk”. Rural schools are significantly less likely to be considered at risk than urban schools, with just 3% of rural schools being high risk compared to **28% of urban schools**.

Among urban schools, quintile is a major predictor of the risk level the WCED ascribes to the school. **58% of quintile five urban schools are considered “Low Risk” compared to just 12% of urban quintile 1-3 schools**. Conversely, just 13% of urban quintile 5 schools are considered “High Risk,” while **nearly half (45%) of urban quintile 1-3 schools are “High Risk.”**

The risk data corroborates the subjective assessment provided by administrators. Two-thirds of administrators who considered their school unsafe were at “High Risk” schools.

14.1.2.2 At School

Event	All Schools (N = 220)	Urban Schools (N = 175)	Secondary Schools (N = 79)
Theft in last three months	49.8%	54.5%	58.4%
Gang presence in last three months	16.4%	19.4%	27.3%
Sexual harassment in last three months	9.6%	10.9%	13.0%
Drug or alcohol use by learners in last three months	36.7%	38.8%	62.3%
Physical violence against an educator in last three months	10.6%	11.5%	10.4%
Physical violence against a learner in last three months	32.9%	37.6%	42.9%
Shooting in last year	1.4%	1.8%	3.8%
Stabbing in last year	11.7%	13.5%	25.6%
Rape in last year	2.8%	2.4%	3.8%
Significant injury ³⁶⁰ of educator in last year	4.2%	5.3%	7.7%
Significant injury of learner in last year	15.0%	16.5%	23.1%
Significant vandalism ³⁶¹ in the last year	28.6%	31.8%	38.5%
Significant burglary ³⁶² in the last year	51.2%	57.1%	26.4%

Table 12 Administrator Reported Violent Events

³⁵⁹ WCED. 20 April 2016. *Risk Classification*.

³⁶⁰ Significant injury is any injury in which medical attention is needed.

³⁶¹ Significant vandalism is destruction of property, and includes things such as breaking windows, cutting holes in fences, painting large graffiti, purposefully destroying furniture making them unusable, etc. It does not include things such as writing on desks or accidental destruction of property.

³⁶² A break-in at the school in which objects of significant value (i.e. of greater value than R50) are taken.

Administrators were asked about violent events that occurred in the last three months and in the last year. As **Table 12** shows, these events are all too common.

According to administrators surveyed, in the last three months: half have had a theft, **a third have had physical violence against a learner**, a third have had drug or alcohol use, and **one in six has a gang presence**. Furthermore, in the last year: more than half of schools have had a burglary, a quarter had a case of vandalism³⁶³, **one in six has had the significant injury of a learner**, one in nine has had a stabbing, and **3% have had someone raped**. As **Table 12** shows, these statistics are substantially worse when one looks just at urban schools and at secondary schools.

We also asked learners whether they had experienced or seen someone else experience various violent events at school. Overall, **learners reported violent events at 89% of surveyed schools**.

Event	All Schools (N = 180)	Urban Schools (N = 146)	Secondary Schools (N = 64)
Any violent event	89.1%	92.9%	93.6%
Mugged	31.6%	36.2%	49.2%
Pickpocketed	42.5%	45.4%	49.2%
Threatened	46.6%	51.1%	60.3%
Physically assaulted at all	66.1%	68.8%	74.6%
Assaulted, without a weapon	56.9%	58.9%	68.3%
Assaulted with a weapon, not a gun	24.7%	27.7%	30.2%
Assaulted with a gun	5.7%	6.4%	7.9%
Verbally harassed	52.9%	56.7%	58.7%
Sexually harassed	15.5%	18.4%	19.0%
Raped	2.3%	2.8%	3.2%

Table 13 Schools in Which Learners Observed or Experienced the Violent Event

As summarised in **Table 13**:

- At more than half of the schools, at least one learner reported being or seeing someone verbally harassed.³⁶⁴
- At nearly half of schools, at least one learner reported being or seeing someone pickpocketed.
- At nearly half of schools, at least one learner reported being or seeing someone threatened.
- **At a third of schools, at least one learner reported being or seeing someone mugged.**
- **At two thirds of schools, at least one learner reported being or seeing someone physically assaulted. Of those schools, nearly half included an assault with a weapon and one in ten included an assault with a gun.**

³⁶³ More on vandalism and burglary in the “Vandalism and Burglary” section.

³⁶⁴ This means that if, for example, five learners at a school were interviewed and one reported a case of verbal harassment, the school was coded as having had a case of verbal harassment. This differs from the person of learners who have been or seen someone verbally harassed – that number will typically, though not necessarily, be somewhat lower. Those estimates are reported in **Table 14**.

- At 16% of schools, at least one learner reported being or seeing someone sexually harassed. And **at 2% learners reported being or seeing someone raped.**

Again, as visible in **Table 13**, these statistics are worse at urban schools and at secondary schools.

Violent Event	All Learners (N = 912)		
	Self	Other	Either
Any violent event	40.0%	61.3%	63.7%
Mugged	6.2%	10.2%	12.5%
Pickpocketed	9.8%	12.7%	17.5%
Threatened	8.6%	13.6%	17.4%
Physically assaulted at all	8.7%	24.3%	26.5%
Assaulted, without a weapon	6.7%	19.5%	21.5%
Assaulted with a weapon, not a gun	4.8%	6.7%	7.6%
Assaulted with a gun	0.5%	1.0%	1.1%
Verbally harassed	10.5%	16.4%	19.3%
Sexually harassed	1.8%	4.8%	4.9%
Raped	0.1%	0.5%	0.6%

Table 14 Violent Events Experienced or Observed by Learners at School

While the rate of individual learners experiencing violent events is lower than the share of schools which have violent events occur, they still reveal a disturbing state of affairs. As **Table 14** shows, approximately **two out of five learners have experienced a violent event themselves.**

14.1.2.3 Vandalism and Burglary

According to WCED data³⁶⁵, between 2013 and 2015, Western Cape schools lost **R35.2 million to burglaries and vandalism in 3,305 incidents.**³⁶⁶ Despite being an enormous number of incidents with an extraordinary level expense, this is only those events that were reported.

WCED data from 2015 recorded burglary and vandalism occurring at 357 schools – 24.5% of schools. According to administrators interviewed for the social audit, **62% of schools had either a case of burglary or of significant vandalism in the last year.** This is indicative of major underreporting. Comparing our data with WCED's shows indicates a 47% rate of false negatives.³⁶⁷ As a result, it is likely that hundreds more schools have had cases of burglary or vandalism – with millions of Rand more lost – than the WCED's data indicates.

Regardless, according to WCED data, burglary and vandalism has cost the province on average **R22,889 per school** between 2013-2015. However, as with most crime, this is **centred in urban schools.** The WCED records shows **urban schools have lost on**

³⁶⁵ WCED. 20 April 2016. *Burglaries and Vandalism.*

³⁶⁶ The number of incidents and amount of damage declined somewhat in 2015. In 2015 there was R10.5 million in damage, compared to R13.3 million in 2014 and R11.3 million in 2013. Whether this is the beginning of a good trend or a minor statistical blip is unclear as of yet.

³⁶⁷ The percent of schools where the WCED data indicates there was not a case of vandalism/burglary but our data indicates there was.

average R28,650 over the last three years compared to rural school's loss of only R4,552 per school.

The WCED data also shows that burglary and vandalism is **more common at schools in poorer communities**. Over the last 3 years 44% of schools experienced a case of burglary and vandalism but **two-thirds of poorer urban schools (Q1 – Q3) experienced an incident**. This is compared to Q5 urban schools did where less than a third reported an incident.

Moreover, the wealthiest urban schools (Q5) experienced only an average R11,154 loss during the period while **Q1-Q3 schools lost R31,300 in the last three years**. Notably, Q4 schools actually experienced the greatest loss, averaging R50,549 over the period.

Furthermore, losses are not equally distributed. At least according to WCED statistics, half of schools have not been the victim of burglary or vandalism at all. The losses tend to be concentrated in specific schools, and these schools are overwhelmingly in poorer communities. While **31% of Western Cape schools are Q5**, of the one hundred schools who have lost over R100,000 to burglaries and vandalism in the last 3 years **only 13% were Q5**. Similarly, of the 23 that have lost over R250,000 – **only 9% are Q5**.

14.1.2.4 On the Way to School

Learners are not just at risk at school, many of the risks of violence which learners face are on the way to and from school. This is in no small part a result of the large numbers of learners who walk long distances to school and who are unaccompanied on their way to school.

One in four learners (27%) feel unsafe on their journey to school. This is worse for urban learners (28%), quintile one and two learners (30%), and for secondary school learners (34%).

Our survey found 61% of learners walk all of the way to school³⁶⁸ and an additional 8% walk some of the way to school. A further 16% take some form of public transport all or part of the way to school³⁶⁹ and 8% are driven to school by their parents. Only 10% take a bus provided by the school. About half of learners take more than 15 minutes to get to school.

Furthermore, 82% of learners are unaccompanied on their way to school. Those who walk are even less likely to be accompanied (89% unaccompanied). And of these unaccompanied minors walking to school, 39% of them take more than 15 minutes to get to school.³⁷⁰ As a result, roughly **one in five learners surveyed walk for more than 15 minutes to school every day unaccompanied**.

Learners who walk to school are more likely to feel unsafe (31% feel unsafe). Learners who walk unaccompanied are more likely to feel unsafe (28%). And learners who walk more than 15 minutes to school are more likely to feel unsafe (32%). The confluence

³⁶⁸ This is fairly similar to the results of a 2013 StatsSA report, which found 50% of learners walk all of the way to school. [StatsSA. 2013. *National Household Travel Survey*.]

³⁶⁹ 9% take a taxi, 5% take a bus, and 2% take a train.

³⁷⁰ The overall percent of learners who take more than 15 minutes to walk to school is nearly identical (39%). However, for all forms of transport, 49% of learners take more than 15 minutes to get to school.

of these facts makes it unsurprising that **41% of those learners who walk long distances to school unaccompanied feel unsafe.**

Violent Event	All Schools (N = 180)	Urban Schools (N = 146)	Secondary Schools (N = 64)
Any violent event	87.8%	92.1%	98.4%
Mugged	53.5%	59.3%	69.4%
Pickpocketed	47.7%	50.0%	54.8%
Threatened	43.6%	50.0%	61.3%
Physically assaulted at all	57.0%	60.7%	71.0%
Assaulted, without a weapon	44.2%	46.4%	54.8%
Assaulted with a weapon, not a gun	33.7%	37.1%	41.9%
Assaulted with a gun	9.3%	10.0%	12.9%
Verbally harassed	43.0%	47.1%	54.8%
Sexually harassed	11.6%	12.1%	16.1%
Raped	2.3%	2.1%	0.0%

Table 15 Schools in which Learners Observed or Experienced Violent Event on the Way to School

Violent Event	All Learners (N = 912)		
	Self	Other	Either
Any violent event	40.0%	60.8%	63.4%
Mugged	9.7%	19.5%	23.6%
Pickpocketed	11.1%	15.4%	20.7%
Threatened	9.0%	13.0%	16.5%
Physically assaulted at all	9.9%	21.1%	24.6%
Assaulted, without a weapon	7.1%	13.4%	16.6%
Assaulted with a weapon, not a gun	3.2%	9.1%	10.8%
Assaulted with a gun	0.4%	2.3%	2.2%
Verbally harassed	8.2%	9.4%	14.5%
Sexually harassed	1.1%	3.6%	3.8%
Raped	0.0%	0.6%	0.7%

Table 16 Violent Events Experienced or Observed by Learners On Way to School

This fear likely stems from the high instances of muggings and violent assault that can occur on route to school. As **Table 15** shows, it is common for learners at many schools to experience violent events such as muggings (54%), assaults (57%), and harassment (43%) on their way to school. Again, these events are more likely in urban schools and in secondary schools: **at two-thirds of secondary schools, learners have witnessed or experienced a mugging on their way to school.**

Furthermore, as visible in **Table 16**, of all learners surveyed, a significant portion have been victims themselves of violence on the way to school. **The rates of learners reporting that they have been mugged, pickpocketed, threatened, assaulted, and verbally harassed are all around one in ten.**

14.1.3 Access Control

14.1.3.1 Fencing and Security Infrastructure

The frequency at which learners are experiencing violence on their way to school indicates that the communities surrounding many of our schools are not safe. This is one of the reasons why access control is so important.

Nearly all (98%) of the schools in the sample have a fence. However, the condition of the fences varies. Of those fences, auditors found that **16% were below the government mandated 1.8 metres and 42% had holes in them.** Most fences observed (60%) were made only of wire, with just a fifth made entirely out of sturdy materials like bricks, metal, or concrete. As a result of all these factors, **only half of fences were assessed by auditors to be sturdy enough to keep people out.**

Only 7% of schools in the sample lack alarms. This³⁷¹ matches largely with the WCED's claim that less than 100 schools in the province lack alarms.³⁷² However, a further **7% of the alarms in our sample did not work** – which equates to approximately another 100 schools that are unprotected by alarms in the province. Furthermore, at many schools, the alarms only secured specific buildings such as admin blocks and computer labs.

Finally, 72% of schools lack CCTV cameras, and of the schools that have CCTV cameras, 6% of the CCTV cameras do not work. Moreover, the effectiveness of these cameras in apprehending or deterring offenders is unclear – **especially since the WCED lost the assessment they did of CCTV interventions in 2008.**³⁷³ The WCED's policy is not to provide CCTV cameras, which in part explains their absence.³⁷⁴ Many schools claim that they simply cannot afford to install CCTV cameras. In a bleak case of irony, there are at least six cases in our sample in which the CCTV camera was stolen.

14.1.3.2 Security Guards

Less than half (47%) of schools have a security guard year round.³⁷⁵ Quintile one and two schools were significantly less likely to have a security guard, **with only 38% protected by one.** Both secondary schools and urban schools were much more likely to have security, 68% and 55% respectively. This is not unexpected, as primary school learners and rural learners feel significantly safer than their urban counterparts, and these schools are less likely to expend their limited resources on security guards. Nevertheless, many poor schools, even those needing security guards, still cannot afford the expense.

Even when there is evidence that security guards are present, the quality of this security is questionable. At only half (54%) of schools, was the administrator aware of any training that the security guard had received – and **a quarter (24%) of administrators believed they had received no training at all.** Furthermore, **half (49%)**

³⁷¹ There are, give or take, 1,672 schools in the province, with an estimated 7% lacking alarms, this would amount to 115 schools.

³⁷² WCED. 13 October 2015. *Access Control Information*.

³⁷³ WCED. 13 October 2015. *CCTV Assessment*.

³⁷⁴ WCED. 13 October 2015. *Access Control Information*.

³⁷⁵ There is only a security guard "on staff" at 34% of schools. However, some schools have volunteers and alternative arrangements. Also, it was more common for schools to have a security guard during the holidays than year round – with 55% protected when school is not in session.

of security guards are completely unarmed and 5% of security guards were armed with a gun. While the desirability of having security guards armed with guns at schools is extremely debatable, if more security guards were to be armed with a weapon, this would certainly require that more than half receive training.

Security guards are nearly always hired by the SGB, with the WCED providing a security guard at just 36% of the schools with security guards.

14.1.3.3 Police

Current levels of police presence are insufficient to overcome the lack of security guards. According to 10% of learners, the police are **never or rarely** present at their school, and they are **usually present at only about 11% of schools**. As **Table 17** shows, the police are generally only present when something happens at the school – and even then, not always.³⁷⁶

Event	All Learners (N = 867)	Secondary School Learners (N = 356)
Never/rarely present	10.1%	8.4%
Patrol the area	18.8%	17.4%
Come when something happens	57.2%	61.2%
Usually present	10.5%	12.9%

Table 17 Police Presence at School

According to learners, when the police are at all present, it is usually just around school hours: morning (43%) and after school until 3 pm (27%). They are much less likely to be present in the late afternoon (3%) or evening (1%).

Police presence tends to make learners feel safer. In general, 81% of learners felt safer when the police were around. The effect of police presence on the sense of security of secondary school learners was somewhat less, with only 74% feeling safer when the police are present. Interestingly, police presence makes poorer learners feel safer at a higher rate (84%) than learners in general.

14.1.4 Administering Safety

14.1.4.1 Safety Planning

Overall, **schools do fairly well in terms of having safety committees, safety plans, safety officers and codes of conduct**. However, as visible in **Table 18**, when we factor in knowledge of these structures, performance declines considerably. Only 90% of schools have both a code of conduct and have administrator knowledge of its contents.³⁷⁷ This is even worse for school safety committees (down to 87%), safety officers (down to 86%), and safety plans (down to 75%).

Schools in poorer communities are less likely to have these structures and administrators at these schools are less likely to know their activities/contents. As **Table 18** shows, rich schools (Q4 and Q5) are, on average, **eight percentage points more likely to have these structures** than poor schools (Q1 and Q2) and when they do,

³⁷⁶ Admittedly, learner experience of police presence may not be a perfect indicator of police presence. However, it is a fairly good proxy.

³⁷⁷ This is even without accounting for administrators who misrepresent their knowledge because they have an incentive to not seem unaware of the safety structures at their school.

administrators are seven percentage points more likely to know what they do. The worst case of this is in regards to safety plans, at 92% rich schools is their both a safety plan and administrators are aware of the contents of the plan. This is the case at only 70% of poor schools.

Safety Planning Structure	Percent of schools who have the structure			Percent of administrators at schools with this structure, who know what it involves			Schools with both the structure and administrator knowledge of what that structure involves		
	Rich	Poor	All	Rich	Poor	All	Rich	Poor	All
School safety committee	96.1%	92.0%	95%	95.8%	87.2%	91.1%	92.1%	80.2%	86.5%
Safety plan	94.7%	81.4%	85.9%	97.1%	85.7%	87.3%	92.0%	69.8%	75.0%
Safety officer	98.7%	87.2%	93.8%	94.6%	88.7%	91.2%	93.4%	77.3%	85.5%
Code of conduct	98.7%	97.8%	98.6%	93.1%	90.6%	91.4%	91.9%	88.6%	90.1%

Table 18 Safety Structures and Planning at Rich and Poor Schools³⁷⁸

14.1.4.2 Teacher Training

Teacher training is one of the most important methods of improving security at a school. Despite this, administrators report that **31% of schools have never had teacher training on safety.** As Table 19 shows, a further 12% last had it more than two years ago.

Furthermore, poor schools are less likely to have had teacher security training than rich schools: 60% of Q4 and Q5 schools have had safety training for teachers in the last two years, while this was true for only 51% of Q1 and Q2 schools.

	Rich Schools (Q4 and Q5)	Poor Schools (Q1 and Q2)	All Schools
Never	30.6%	36.8%	31.2%
More than two years ago	9.7%	11.8%	12.1%
Between a year and two years ago	17.7%	4.4%	9.2%
Between six months and one year ago	19.4%	22.1%	22.0%
In the last six months	22.6%	25.0%	25.4%

Table 19 When the School Last Had Teacher Safety Training

14.1.4.3 Corporal Punishment

Given that corporal punishment is illegal and that the WCED has policies intended to suppress it, one of the most remarkable findings of the audit is that **corporal punishment occurs in 83% of schools.** There is little variance between quintile or between school phase. Learners report that **it occurs daily in 37% of schools and at least once a week in 59% of schools.**

Furthermore, 64% of learners in our sample have personally been abused by or seen a fellow learner abused by a teacher weekly, and **30% report experiencing or witnessing corporal punishment daily.**

Of the schools with corporal punishment, learners report teachers using a weapon (stick, baton, pipe, etc.) to abuse them in 91% of these schools. As Table 20 shows, the

³⁷⁸ Rich schools are Q4 or Q5. Poor schools are Q1 or Q2.

most common means that teachers use to assault the children in their charge is a stick, with their hand, or with a pipe.

Weapon Used During Corporal Punishment	Percent of Schools with Corporal Punishment in Which Learners Report Being Hit by Teacher with...
Open hand or fist	61.1%
Open hand	57.1%
Fist	11.4%
Weapon	91.3%
Ruler or other small stick	75.2%
Pipe	43.6%
Baton or other large stick	11.4%
Sjambok	7.3%
Knobkerrie	1.3%

Table 20 Weapons Used for Abuse of Learners at Schools where Corporal Punishment Takes Place

Learners were asked who they would report violent events to. As visible in **Table 21**, most learners report violent incidents to principals (64%) and to teachers (33%). As such, it is particularly heinous that at the vast majority of schools, educators are a source of violence.

Person to Report Violent Event to	Percent of Learners Who Specify
Administrator	67.0%
Principal	63.6%
Chair of SGB	2.0%
Other administrator	1.6%
Safety officer	1.6%
Guidance councillor	1.0%
A teacher	33.3%
Other teacher	25.8%
Life Orientation teacher	8.5%
Parent	12.6%
Police	9.4%
Other staff	3.7%
Caretaker	2.4%
Security guard	1.4%
Other	3.2%
No One	1.7%

Table 21 Person Learners Report Violent Events To³⁷⁹

14.1.5 Discrimination

A third of learners (35%) report discrimination due to race, language, gender, sexuality, religion, or culture. More than half (56%) of schools have learners who report cases of discrimination.

Discrimination was substantially more common in urban schools: 37% of urban learners report discrimination compared to only 21% of rural learners. Interestingly, there does

³⁷⁹ Learners were allowed to select multiple options, as such percentages do not equal to 100%.

not appear to be a relationship between the wealth or phase of the school and discrimination.

Comments collected by auditors reflect that this abuse is carried out by both learners and teacher, and is often on the basis of gender, race, sexuality, language, culture, religion, and nationality. Furthermore, learners commented on cases of children at their school being bullied and beaten because of their identity.

14.1.6 Conclusion

Roughly, one in six people feels unsafe at school in the Western Cape. This feeling is justified, as according to both administrators and learners, violent events are common. Two in five learners surveyed have experienced, and three in five have witnessed, a violent event. One in ten has been assaulted. These statistics are even worse for urban and secondary schools.

Much of this violence is seeping into schools from surrounding communities, in no small part due to lack of proper access control. Only about half of the fences were considered sturdy enough to keep intruders out, more than half of schools lack a full-time security guard, and about three quarters lack CCTV cameras. Furthermore, the insecurity in the community significantly affects learners traveling to school. Given the high number of learners who are walking to school (about two thirds) and are unaccompanied to school (four fifths), it is no surprise that one in four learners feel unsafe on their way to school.

While a large majority of schools officially have administrative structures in place to deal with safety issues, when one adjusts for knowledge of how these structures should function, the “real” presence of these programmes drops substantially. More glaringly, there is a major bias by quintile in presence and knowledge of these programmes. While only 70% of poor schools have, and administrators know the function of, a safety plan, 92% of rich schools did. Similarly, 60% of rich schools have had safety training for teachers in the last two years, while only 51% of poor schools did. The inequality in the administration of safety likely increases general inequality in safety at these schools: quintile one learners in urban secondary schools were six times more likely to feel very unsafe than quintile five learners at urban secondary schools.

Despite being illegal, corporal punishment is still rampant in the Western Cape. It takes place at 83% of schools sampled – and is a daily occurrence at 37% of schools. At more than 90% of schools with corporal punishment, teachers use weapons. This aggravates a culture of violence and creates distrust between learners and educator. This is extremely problematic as principals and teachers are the main individuals that learners report violent events to.

Finally, discrimination is still common in Western Cape schools. A third of learners report being discriminated against. This is worse in urban schools, but neither the wealth or phase of the school appears to affect its occurrence.

14.2 SANITATION IN WESTERN CAPE SCHOOLS

14.2.1 Toilets

On average, the schools in the sample had 6.6 toilet blocks. Of those, 1.6 were locked (18% of blocks). The large share of toilet blocks that were locked makes it difficult to assess the total number of toilets at each school. Only at 90 out of the 221 schools in which toilets were audited were all of the toilet blocks unlocked. However, for practical purposes, a locked toilet is the equivalent of no toilet at all. As a result, the following assessment treats locked toilets as absent.

As **Table 22** shows, including urinals as toilets, schools had a median of 26 learners per toilet. However, a sixth of those toilets are reserved for teachers and staff. **As a result, the median number of learners per toilet is 31.** At first, this appears to meet the WCED mandated minimum of one toilet per 35 learners. Unfortunately, it leaves out two important facts.

First, while the majority of schools do meet the minimum by this measure, **42% do not.** Second, many of these toilets are broken – in fact approximately 24% of learner toilets do not work (compared to just 7% of staff toilets). As a result, the actual median number of **learners per working toilets is 41.** This in turn means that the actual percent of schools with **less than the mandated minimum number of learners per toilets is 57%.**

Amongst urban schools, there is a distinct bias by quintile. The median number of learners per working toilet in urban Q5 schools is 36, while in urban **Q1 schools it is 54.**

	Median Per School	Median Learners Per...	Percent Broken	Median Learners Per Working...
All toilets	25.0	31.3	20.8%	38.7
All urinals	4.0	196.6	26.0%	248.5
All toilets + urinals	30.0	26.0	21.2%	33.1
Staff toilets	4.0	-	6.1%%	-
Staff urinals	1.0	-	11.7%	-
Staff toilets + urinals	5.0	-	6.9%	-
Learner³⁸⁰ toilets	20.0	37.2	23.3%	48.4
Learner urinals	2.0	265.6	27.4	308.8
Learner toilets + urinals	25.0	31.0	23.8	40.6

Table 22 Toilets per School and Learners per Toilet at Schools

14.2.2 Block Condition

The broken toilets are symptomatic of a general state of disrepair. Auditors found that **44% of learner toilet blocks are in poor condition**, with only 20% in good condition. Staff blocks were a different story, with 70% being in good condition.

Again, there is a distinct bias by quintile. **While only 17% of toilet blocks in Q1 schools are in good condition, 49% in Q5 schools are in good condition.**

³⁸⁰ Includes all non-staff toilets and urinals, i.e. those indicated as "Learner," "Both," or "Unknown."

Furthermore, on average, just 35% of learner toilets have locking doors at each school. **What is worse is that 35.6% of schools audited have no learner toilets with locking doors at all!**

	Good	Fair	Poor
Staff	69.6%	22.9%	7.5%
Learner	20.1%	35.5%	44.4%
All	36.9%	31.7%	31.4%

Table 23 General Condition of Toilets

14.2.3 Maintenance Staff

The decrepit state of toilets is likely attributable to the high number of learners per maintenance staff. Schools have on average 214.2 learners per maintenance person, with a quarter of schools having more than 296 learners per maintenance staff.

In urban areas, conditions are worse. There is an average of 245 learners per maintenance person, and a quarter of urban schools have more than 316 learners per maintenance person.

Nine percent of schools have more than 400 learners per maintenance staff. There is one school that has 1,206 learners per one maintenance staffer. It is no surprise then that 43% of the toilets at that school were broken.

14.2.4 Toilets for Persons with Disabilities

By the Western Cape's own admission, more than half of schools (58%) lack toilet with access for persons with disabilities.³⁸¹ The findings of the audit were no less dramatic: **at 74% of schools in the sample, there was no toilet for persons with disabilities to be found.** This was even worse for rural schools, where 86% of the sample lacked a toilet for persons with disabilities.

This is part and parcel of a systemic failure by the DBE and provincial departments of education, including the WCED, to provide children with disabilities with adequate education. A 2015 report from Human Rights Watch revealed that learners with disabilities are systematically denied access to education, lack reasonable accommodation in school, face discriminatory fees and expenses, experience abuse at schools, and ultimately lack a quality education.³⁸² Furthermore, in its most recent survey, the DBE found that more than 600,000 children with disabilities are not in school – 58,000 of them in the Western Cape.³⁸³

14.2.5 Water and Taps

In terms of water access, schools in the Western Cape perform very well. Of all learners surveyed, **74% report always having access** to water and only 5% report never having access.

There is some inconsistency in water availability reporting among learners at schools – for example, some claim consistent access to water while others report only

³⁸¹ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³⁸² Human Rights Watch. August 2015. *Complicit in Exclusion*.

³⁸³ Kelly, Stephanie. 13 June 2016. "Disabled and out of school." *Ground Up*.

sometimes having access.³⁸⁴ When we look just at schools with consensus, all learners at only 48% of schools report always having access to water. Furthermore, all learners at 79% of schools report always or sometimes having access to water. Happily, this means that **at only 21% of schools is there any indication of a problem in terms of access to water.** Learners at these schools reported broken pipes, blockages, water supply being cut off, and broken taps. Finally, **at no schools** did all learners report never having access to water.

When auditors physically inspected the schools, it was found that schools have on average three taps outside of toilet blocks, four taps in staff blocks, and 14 taps in learner blocks. **Sadly, 19% of taps outside of toilet blocks, 5% of taps in staff blocks, and 25% of taps in learner blocks are broken.**

The median number of learners per working tap in a toilet block is 81. The WCED stipulates that schools should have one wash basin per 60 learners – as a result, **two thirds of our sample have less than the required number of working taps.** Including taps outside of the toilet block does not greatly improve the situation. While it improves the median to 62 learners per working tap, this still indicates that more than half of the sample has less than the government required number of taps.

As a result, while nearly all schools have access to water, **the actual availability of that water to learners is significantly limited by the large share of taps that are broken.**

14.2.6 Toilet Paper

Only 40% of toilet blocks physically inspected had toilet paper. However, this figure is skewed by the fact that 84% of the staff toilet blocks have toilet paper. **In fact, only 16% of learner blocks audited had toilet paper.** This aligns fairly closely with the 10% of learners who reported having access to toilet paper in the stall.

	Available in Block	Ask Staff	No Access
Toilet paper	9.6%	62.2%	28.2%
Soap	6.5%	12.4%	81.2%
Sanitary pads	5.5%	58.5%	36.5%

Table 24 Learner Reported Access to Sanitation Resources

While only 9% of learner toilet blocks at Q1 schools had toilet paper in the stall, 39% of Q5 school learner toilet blocks did. Rich schools (Q4 & 5) were also more likely than poor schools (Q1-3) to have access to toilet paper at all.

Furthermore, while 62% of learners did say that they could access toilet paper by asking a teacher or administrator, **28% of learners are entirely deprived of toilet paper at school.** The fact that more than a quarter of learners cannot access the toilet with the dignity of wiping themselves is reprehensible.

³⁸⁴ This may, in part, be due to different experiences of learners. It may also be due to learners having different definitions of sometimes and always having access. For example, if a school has three taps and one of them is always working, but two of them never work, some learners might interpret this as always having access to water and some may interpret it as sometimes having access. This eventuality was not fully considered in the design of the survey.

14.2.7 Soap

Soap was only accessible in 31% of all toilet blocks. This was even worse for learner toilet blocks. **Just 10% of learner toilet blocks have soap.** Again, this was correlated with the quintile of the school. Just 5% of Q1 toilet blocks observed had soap while 34% of Q5 toilet blocks had soap. **Furthermore, 81% of all learners reported having no access to soap whatsoever.**

14.2.8 Sanitary Pads

Sanitary pads are almost never available to learners in the stall: just 5% of learners report access in the stall.

Quintile	No Access to Sanitary Pads
Q1	50.0%
Q2	34.0%
Q3	39.3%
Q4	29.9%
Q5	21.3%

Table 25 Percent of Learners Lacking Access to Sanitary Pads by Quintile

While 64% of learners do have some access to sanitary pads at school, in at least 15% of schools, learners must purchase the sanitary pads³⁸⁵ from the administration. Furthermore, in at least³⁸⁶ 8% of schools, access to sanitary pads exists solely because of donors – such as Proctor and Gamble [A/ways] – providing free sanitary pads to the school.

Inequality in sanitary pad access is enormous. As **Table 26** shows, there is a direct correlation between quintile and the percent of learners having sanitary pads available. While only one in five learners going to Q5 schools report no access to sanitary pads, **more than half of learners in Q1 schools reported lacking access.**

14.2.9 Sanitary Bins

Only a third of all female learner toilet blocks had a sanitary bin. This could perhaps be a contributing reason for the high number of non-functioning toilets, as the disposal of sanitary pads in toilets leads to toilet blockages and breakages. When there is no maintenance and overuse, this can in turn result, in toilets, being perpetually broken.

Quintile	Percent of Female Learner Toilet Blocks without a Sanitary Bin
Q1	91.9%
Q2	66.7%
Q3	64.4%
Q4	68.6%
Q5	28.3%

Table 26 Percent of Female Learner Toilet Blocks without a Sanitary Bin

Again, as visible in **Table 27** there is a huge effect of quintile on the presence of a sanitary bin. While only 8% of female learner toilet blocks at quintile 1 schools had a

³⁸⁵ This is “at least” because learners were not asked this question directly. A significant number mentioned having to purchase sani pads in the comments.

³⁸⁶ This is “at least” because learners were not asked this question directly. A significant number mentioned sponsors donating sani pads in the comments.

sanitary bin, a full 72% of female learner toilet blocks at quintile 5 schools did. **That is a nearly 9-fold difference.**

14.2.10 Conclusion

Even without accounting for the number of toilets that do not work, 42% of schools do not have enough toilets and urinals to meet the Western Cape minimum of one toilet for every 35 learners. When one accounts for the fact that 43% of toilets are broken, this number increases to 57%. There is distinct inequality along economic lines in access to toilets. The median number of working toilets at Q5 schools is 36, while at Q1 schools it is 54. However, it is not just the number of toilets in which there is inequality. While half of learner toilet blocks at Q5 schools are in good condition, only 17% of Q1 learner toilet blocks are.

The poor condition of the toilet blocks may be the result of a lack of maintenance staff. In urban areas, a quarter of schools have more than 316 learners per maintenance staff, and 9% have more than 400.

While the vast majority of schools appear to have water, access to it is limited by broken taps. A quarter of taps in learner toilet blocks are broken. As a result, more than half of schools sampled had fewer working taps than the government mandated minimum.

Access to sanitary resources is extremely limited. More than a quarter of learners report no toilet paper, a third report no sanitary pads, and four in five report no soap. More often than not, when there is access, learners must request these resources from administrators. Again, there is inequality in access to these resources, particularly among urban learners – the most egregious being that Q5 learners are more than twice as likely to have access to sanitary pads than Q1 learners. Furthermore, female learner toilet blocks at Q5 schools are also nine times more likely to have a sanitary bin to dispose of sanitary pads than female learner toilet blocks at Q1 schools, of which only 8% have bins.

14.3 GENERAL INFRASTRUCTURE OF WESTERN CAPE SCHOOLS

14.3.1 Inappropriate and Partially Inappropriate Structures

According to the Western Cape Norms and Standards Implementation Plan, there are 207 schools built entirely of inappropriate structures in the Western Cape. This is about 12% of Western Cape schools.³⁸⁷ Similarly, auditors observed 8% of schools as being built entirely of inappropriate materials.

The *Norms and Standards for School Infrastructure* state that schools will be replaced within the first three-year time frame if they are built entirely off mud, asbestos, metal, wood, or other inappropriate material.

As previously mentioned, of these 207 schools, the WCED has no plans to upgrade 21 of them because they are on private land.³⁸⁸ The dubiousness of this position is explored in **Appendix G**.

³⁸⁷ WCED. May 2014. *Western Cape Norms and Standards Implementation Plan*.

³⁸⁸ WCED. 8 July 2016. *Public Schools on Private Land*.

Furthermore, while the deadline to upgrade schools built of entirely inappropriate structures is unlikely to be met, there is another key problem. The law does not currently say that the government must fix unsafe schools that are built partially from inappropriate materials. That means that where schools have one or two solid structures, but the rest of the school is built of unsafe materials, these structures may not be fixed. The Equal Education Law Centre is in the process of challenging this flaw in the law.

That said, it is important to understand the extent of this problem. Only 41% of schools surveyed lacked any inappropriate structures at all. On the other hand, as mentioned, only 8% of schools were made entirely out of inappropriate structures. **This leaves about half of schools which are neither entirely appropriate – and thus not in need of upgrades – nor entirely inappropriate and legally required to be fixed.**

Not all of these inappropriate structures require emergency action. Replacing every wendy house, prefab building, and container will take more than three years. But it is unacceptable that more than half of learners must go to schools with inappropriate structures; that in many cases the government is not required to do anything about that; and that schools with asbestos buildings get a pass because the carcinogenic structure³⁸⁹ is next to a brick building.

14.3.2 Libraries

Just 42% of learners reported having access to a library that was well stocked with books. This is not entirely because of a lack of libraries. Only 21% of learners reported that their schools lacked a library. Revealingly, 11% reported that their library was locked or used for purposes other than a library, 8% reported that they were not allowed access to the library because there was no librarian, and 19% reported that the library is poorly stocked.

Admittedly, this improves when aggregated. At least one learner at 64% of schools reported a well-stocked library. **However, this still leaves learners at least a third of schools without access to a well-stocked library.**

Furthermore, this situation is worse in rural schools. When aggregated, **only half of rural schools have a well-stocked library** and at 30% of schools learners report no library at all.

14.3.3 Computer Labs

Nearly half of learners report having access to a computer lab with internet (49%). A further 12% report access to a computer lab without internet and 30% report that there are computers, but they do not have access to them. Only 9% of learners report that their schools lack computers altogether. In rural areas, 14% of learners report that their school has no computer lab.

When aggregated, at least one person at **76% of schools report having access to a computer lab with internet.** (Again, rural schools are worse off: only 67% of schools have internet equipped computer labs.)

³⁸⁹ "If building materials that contain asbestos (like older insulation and ceiling and floor tiles) begin to decompose over time, asbestos fibers can be found in indoor air and may pose a health threat." [American Cancer Association. 2016. *Asbestos and Cancer Risk.*]

This difference between the findings for schools overall and learner experiences indicates that there are quite a number of schools in which the school is equipped with computers and internet, but for one reason or other learners are deprived of access to this equipment. Reasons include the computers being limited to those in a computer related course, lack of teachers to supervise learners using the equipment, computer access being limited to a certain grade or only to staff, and the computers being in disrepair.

While the state of computer access is promising, **the majority of learners still report no access to a computer lab with internet.** Given the importance of technology in the current career market,³⁹⁰ this is concerning.

14.3.4 Sports Fields

A quarter of learners reported no access to a sports field. For the majority of those learners, being without access was a result of their schools not having a sports field (55%) and for the remaining 455 there was a field but they could not access it. **Of the 75% of learners who do have access to a sports field, 44% report it is in poor condition.**

Rural schools were less likely to have sports fields than urban schools: with 18% of rural learners reporting that their schools lack a sports field, compared to only 13% of urban learners.

14.3.5 Conclusion

Only 41% of schools surveyed were entirely built out of appropriate materials. However, only 8% were entirely built out of inappropriate materials, and thus requiring Norms and Standards attention. As a result, more than half of schools have inappropriate structures with no legal mandate (currently) to have them upgraded.

Only two in five learners report access to a well-stocked library; half report access to a computer lab with internet; and three-quarters report access to a sports field. Rural schools were substantially less likely to have any of these facilities than urban schools.

14.4 SCHOOL BUDGETS ANALYSIS

14.4.1 From National Transfers to School Budget Allocations

Government funding for public ordinary schools in South Africa consists of national transfers to provincial treasuries and provincial education departments in the form of a provincial equitable share (unconditional funding) and conditional grant funding.³⁹¹ Conditional grant funding is set aside for specific purposes such as the Education Infrastructure Grant, the School Nutritional Programme Grant, and the HIV and Aids Life Skills Education Grant.³⁹²

Conditional grant funding consists of between 15% to 20% of overall education funding.³⁹³ The majority of education funding is transferred by National Treasury to

³⁹⁰ According to the National Treasury, the ability to use a computer is one of the most important skills youth need to be employable in the South African economy. [National Treasury. 2011. *Confronting youth unemployment: policy options for South Africa.*]

³⁹¹ Government Gazette. 18 February 2016. *Division of Revenue Bill 2016.*

³⁹² Ibid.

³⁹³ Ibid.

provinces as part of the equitable share.³⁹⁴ Of the entire provincial equitable share transferred by National Treasury, **48% is based on the size of the school age population** – implying an intention that these funds be directed towards education.³⁹⁵ However, provinces are not obligated to spend this 48% of the provincial equitable share on education³⁹⁶. Provinces have the discretion to allocate spending on education from the provincial equitable share, that is either more or less than this 48%, based on their spending priorities and overall resource constraints.

The provincial education budget is allocated by the provincial executive and transferred to provincial education departments by provincial treasuries to cover personnel and non-personnel costs. DBE policy on the division of revenue instructs that 80% of the education budget be set aside for personnel and the remaining 20% for non-personnel expenses.³⁹⁷ This is intended to ensure that provinces set aside sufficient funding for items such as maintenance of school infrastructure, teaching and support materials, scholar transport, and other essential non-personnel inputs. The 80:20 policy plays an important role in helping to achieve education outcomes, fiscal sustainability, and efficiency over the midterm.³⁹⁸

PEDs are responsible for managing the 80% of the education budget used to pay for personnel. Non-personnel funding allocations are paid directly to Section 21 schools (which are able to manage their own resources) and indirectly to Section 20 schools.³⁹⁹ Since the introduction of the Grade R subsidy, schools now receive an allocation for the hiring and training of Grade R practitioners, but otherwise payment of personnel remains a provincial education department responsibility.⁴⁰⁰

Although the DBE policy of provinces hiring educators directly is intended to address inequalities in the number and quality of teachers in public schools⁴⁰¹, it can also be used as a tool to restrain personnel costs.⁴⁰² The unfortunate result is that schools are not always supplied with an adequate number of educators and must allocate their own resources for personnel. As budgets are limited, especially at no-fee schools, **the increase in SGB spending on personnel can result in a serious decline in non-personnel expenditures (such as safety and maintenance)**.⁴⁰³ By shifting personnel costs from the PED to school SGBs, the 80:20 rule is not always effectively enforced in practice.

14.4.2 School budgets and The National Norms and Standards for School Funding

The National Norms and Standards for School Funding (NNSSF) determine how much provincial education departments should allocate to individual schools for recurrent non-personnel costs. This varies by the quintile of the school. The quintile system

³⁹⁴ National Treasury. 25 February 2015. *National Treasury Budget Review 2015*.

³⁹⁵ Government Gazette. 18 February 2016. *Division of Revenue Bill 2016*.

³⁹⁶ National Treasury. 25 February 2015. *National Treasury Budget Review 2015*.

³⁹⁷ National Education Evaluation and Development Unit. 2013. *NEEDU National Report 2013: Teaching and Learning in Rural Schools*.

³⁹⁸ National Education Evaluation and Development Unit. 2013. *NEEDU National Report 2013: Teaching and Learning in Rural Schools*.

³⁹⁹ Government Gazette. 15 November 1996. South African Schools Act, 1996 (Act No. 84 of 1996).

⁴⁰⁰ WCED. 16 May 2011. *Circular 0013/2011: Increased Grade R Learner Subsidy and Related Matters*.

⁴⁰¹ Government Gazette. 12 October 1998. *National Norms and Standards for School Funding*.

⁴⁰² Ibid.

⁴⁰³ National Education Evaluation and Development Unit. 2013. *NEEDU National Report 2013: Teaching and Learning in Rural Schools*.

categorises public ordinary schools into five groups (ranging from quintile one to five) which ranks them from poorest to richest. Schools classified as quintile 1 are considered the poorest, while quintile five schools are considered as most affluent. Schools in quintiles one, two, and three have been declared no-fee schools,⁴⁰⁴ while schools in quintiles four and five are fee-charging schools.⁴⁰⁵

A school's quintile ranking is important as it determines the amount of non-personnel funding that it receives each year based on the *NNSSF* minimum per learner quintile allocation set by the DBE. These *NNSSF* per learner allocations are published annually by the DBE as *National Table Targets List for Per Learner School Allocation*.

As visible in **Table 27**, learners attending quintile one, two, and three schools receive larger allocations to compensate for not charging school fees. According to 2006 Norms and Standards, 30% of the overall *NNSSF* allocation is reserved for quintile one and the least amount (5%) for quintile five.⁴⁰⁶ Quintiles two to four receive between 15% and 28% of *NNSSF* overall allocation.⁴⁰⁷

Quintile	2014	2015	2016
Q1	R1059	R1116	R1175
Q2	R1059	R1116	R1175
Q3	R1059	R1116	R1175
Q4	R530	R559	R583
Q5	R183	R193	R203
No fee threshold	R1059	1116	R1175
Small Schools: National Fixed Amount	R24,519	R25,843	R27,213

*Table 27 National Table Targets List for Per Learner School Allocation (2014 -2016)*⁴⁰⁸
(Note: 2015 and 2016 Figures Inflation Adjusted)

	2013		2014		2015	
	National	WC	National	WC	National	WC
Q1	R1010	R1010	R1059	R1059	R1116	R1116
Q2	R1010	R1010	R1059	R1059	R1116	R1116
Q3	R1010	R1010	R1059	R1059	R1116	R1116
Q4	R505	R550	R530	R830	R559	R882
Q5	R174	R239	R183	R217	R193	R334

*Table 28 National vs Western Cape Targets for School Allocation (2013 – 2015)*⁴⁰⁹

National Table Target lists are the DBE's guidelines for per learner allocations rather than strict minimums.⁴¹⁰ Provinces can deviate from the national targets by setting lower targets, or supplement the *NNSSF* with its own funding. In 2014, the WCED funded quintiles one to three according to the national minimum per learner allocation.

⁴⁰⁴ It is illegal for them to charge learners fees.

⁴⁰⁵ Government Gazette. 17 January 2014. *Amended National Norms and Standard for School Infrastructure*.

⁴⁰⁶ Government Gazette. 31 August 2006. *Amended National Norms and Standard for School Infrastructure*.

⁴⁰⁷ Ibid.

⁴⁰⁸ Ibid

⁴⁰⁹ Government Gazette. 8 March 2013. *Amended National Norms and Standard for School Infrastructure*.

Government Gazette. 17 January 2014. *Amended National Norms and Standard for School Infrastructure*.

⁴¹⁰ Ibid.

However, it provided additional funding to quintiles four and five, with significant increases for quintile four and five schools in 2014 and 2015.⁴¹¹ This therefore means quintile four and five schools in the Western Cape have two allocation streams. As visible in **Table 28**, in addition to school fees, these schools are also receiving significant increases in the per learner NSSF allocations, unlike no-fee schools.

Increased funding for quintiles four and five have been justified for the following reasons: due to lower levels of poverty than South Africa overall, the Western Cape has a larger share of quintile four and five schools and fewer quintile one to three schools. **Table 29** shows that 8.6% of learners in the Western Cape fall into the category of learners in the poorest schools. It also shows that in the Western Cape, just 40% of schools are no-fee schools in quintiles one, two and three when the average for South Africa as a whole is 60%.

	Percent Quintile 1	Percent Quintile 2	Percent Quintile 3	Percent Quintile 4	Percent Quintile 5
Western Cape	8.6%	13.3%	18.4%	28.0%	31.7%
South Africa	20%	20%	20%	20%	20%

Table 29 National Poverty Distribution Table for Quintile Determination (2014)⁴¹²

Furthermore, WCED alluded to the additional pressures schools were facing due to increases in migration from neighbouring provinces by those seeking better educational opportunities. The additional increases were meant to help alleviate the economic pressures facing many South African parents paying school fees, particularly fee-paying schools serving less affluent communities.⁴¹³ According to WCED some of the fee-paying schools educate significant numbers of children from families which cannot meet the fee arrangements at their children's schools.⁴¹⁴

However, given the inequalities between fee and no-fee schools referenced elsewhere in this report, **the rational of this subsidy to rich schools deserves interrogation.**

14.4.3 Determining School Allocations

Upon finalisation of the per learner allocations, provincial education departments determine each school's funding for recurrent non-personnel expenses by multiplying the number of learners at a school by the set national or adjusted provincial target (which as mentioned varies according to quintile). School funding is therefore not based on what schools are actually spending, but rather on a per learner allocation. There is currently no clarity and transparency regarding how the DBE calculates these per learner amounts or whether these amounts are adequate for funding a school's non-personnel needs.

This standardised approach to determining school funding may be too simple. Social conditions and school conditions/needs are massively unequal (as noted throughout

⁴¹¹ Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.

⁴¹² Government Gazette. 17 January 2014. *Amended National Norms and Standard for School Infrastructure*.

⁴¹³ Grant, Donald, Minister of Education for the Western Cape. 22 August 22 2012. *Media Statement: Additional Funding for Public Schools Serving Poorer Communities*.

⁴¹⁴ Grant, Donald, Minister of Education for the Western Cape. 14 October 2013. *Media Statement*.

this report), provincial administrations and school governing bodies have widely varying capacities, and provincial governments have different fiscal competencies.

The NNSF state that these school allocations are intended to cover non-personnel recurrent inputs and small capital items required by the school as well as normal repairs and maintenance to all the physical infrastructure of the school. (Though, as of the 2006 Amended Norms, schools have been given substantial leeway in regards to how they use their Norms funding.) The funding is intended to cover the following:⁴¹⁵

- (i) Learning and Teaching Support Materials (LTSM) including textbooks, library books, charts, models, computer hardware and software, televisions, video recorders, video tapes, home economics equipment, science laboratory equipment, musical instruments, learner desks, chairs (these items, and the ones under (ii) to (iv) below, would typically support the SASA Section 21 (c) function.) This category is subdivided into capital items and non-capital items.
- (ii) Non-LTSM equipment, including furniture other than learner desks and chairs, paper, copier machines, telephone sets, fax machines, intercom systems, equipment for connectivity within the school and to the internet, hardware tools, cleaning equipment, first aid kits, overalls for cleaners and ground staff, sporting equipment, electrical accessories. This category is subdivided into capital items and noncapital items.
- (iii) Consumable items of an educational nature, including stationery for learners.
- (iv) Consumable items of a non-educational nature, including stationery for office use, paper, cleaning materials, petrol, lubricants, food.
- (v) **Services relating to repairs and maintenance**, including building repair work, equipment repairs and maintenance, light bulbs. (These items would typically support the SASA Section 21 (a) function.)
- (vi) **Other services**, including workshop fees, TV licences, internet service providers, school membership of educational associations, postage, telephone calls, electricity, water, rates and taxes, rental of equipment, audit fees, bank charges, legal services, advertising, **security services**, public or scholar transport, vehicle hire, insurance, copying services.

	Percent of Norms Funding
LTSM	50%
Municipal Services	24%
Local Purchases	20%
Maintenance	6%

Table 30 WCED Allocation Guidelines to Section 21 Schools of School Funding on Non-Personnel Inputs, March 2014⁴¹⁶

Although the DBE does not set strict standards on how the norms funding should be split between these items, WCED suggestions are in **Table 30**. Note, however, that the “other services” category is not included in the WCED March 2014 circular advising on

⁴¹⁵ Government Gazette. 31 August 2006. *Amended National Norms and Standard for School Infrastructure*.

⁴¹⁶ WCED. 31 March 2014. *Circular 0009/2013: Norms and Standards Funding for Schools – Financial Allocation for the 2013/2014 Financial Year to Non Section 21 Schools*.

the division of school funding revenue. The input category of “other” contains some essential non-personnel services such as the provision of security in schools.⁴¹⁷

14.4.4 Are School Budgets Adequate?

Generally, school revenue comes mostly from the NNSSF allocation. Other sources include: provincial education grants such as a Grade R subsidy, fees (for quintile four and five schools), voluntary contributions, and fundraising. In terms of Section 36(1) of the *South African Schools Act*⁴¹⁸, SGBs must take all reasonable steps to supplement the resources supplied by the State in order to improve the quality of education provided by the school to all learners. Although no-fee schools may not charge compulsory school fees (including registration fees), they are encouraged to seek “voluntary contributions” and engage in fundraising activities. At no-fee paying schools, parents may be requested to make voluntary contributions, but it must be emphasised that **these contributions cannot legally be compulsory** and may not be used to exclude learners whose parents are not able to make such contributions.

The inability of no-fee schools to charge learners for their education severely limits the ability of schools to raise their own revenue outside of government subsidies. As a result, the vast majority of school revenue for no-fee paying schools consists of NNSSF allocation for non-personnel items.

Currently, “adequacy cost studies” which examine what level of funding is necessary to achieve standards outputs are lacking in South Africa.⁴¹⁹ **In order to establish if the current per learner allocations are adequate, more research into education costing is necessary to determine the amount needed to properly educate a learner. The current funding model should be reviewed – and made transparent.** In 2013, the DBE did commission a national assessment (conducted by Deloitte and UNICEF) on post provisioning. This report revealed that at least seven of the nine provinces have more teachers on their payroll than they can afford to pay. As a result, they have to **divert non-personnel resources to paying staff.**⁴²⁰

The Western Cape Province has been doing a better job than most provinces in striking a balance between personnel and non-personnel funding. WCED expenditure on conditional, non-capital and non-personnel expenditure⁴²¹ was 12% of total expenditure for the 2014/15 financial year.⁴²² In 2015/16, WCED non-personnel expenditure was set at 15% of total expenditure.⁴²³ **Nevertheless, non-personnel expenditure still does not constitute the 20% of WCED’s total expenditure as set by the 80:20 rule.**

⁴¹⁷ Government Gazette. 31 August 2006. *Amended National Norms and Standard for School Infrastructure*.

⁴¹⁸ Government Gazette. 15 November 1996. *South African Schools Act, 1996* (Act No. 84 of 1996).

⁴¹⁹ Christina Amsterdam. June 2006. “Adequacy in the South African context: A concept analysis.” *Perspectives in Education*.

⁴²⁰ National Education Evaluation and Development Unit. 2013. *NEEDU National Report 2013: Teaching and Learning in Rural Schools*.

⁴²¹ WCED defined their non-personnel expenditure to include norms and standards funding for public ordinary primary and secondary schools and learner transport schemes, as well as for transfer payments to independent schools, public special schools, ABET centres and ECD schools and sites.

⁴²² Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.

⁴²³ Ibid.

14.4.5 School Budgets Adequacy Analysis

While EE's capacity to conduct adequacy cost studies is limited both in terms of resources and the availability of government data, EE can take a few simple steps toward measuring the adequacy of current funding levels. The first is to examine whether current per learner allocations are keeping up with inflation. Below is a closer look at per learner allocations by the WCED in 2014.

In Table 31, the growth rate of the *NNSSF* allocation for Q1-Q3 schools between 2013 and 2014 is 5%, this is compared to Q4 schools which received an increase of 51% and Q5 schools which received an increase of 33%.⁴²⁴ **When inflation is taken into account, funding for quintiles one to three per learner actually declined.**⁴²⁵

Furthermore, in 2015, *NNSSF* funding for all quintile schools did not keep up with inflation. As a result, despite nominal increases, school budgets are decreasing in real terms.

Quintile	2013/2014	2014/2015		2015/2016			
	Allocation per Learner	Allocation per Learner	% Nominal Growth from Previous Year	% Real Growth from Previous Year	Allocation per Learner	% Nominal Growth from Previous Year	% Real Growth from Previous Year
Q1	1,010	1,059	4.9%	- 0.7%	1,116	5.1%	- 0.5%
Q2	1,010	1,059	4.9%	- 0.7%	1,116	5.1%	- 0.5%
Q3	1,010	1,059	4.9%	- 0.7%	1,116	5.1%	- 0.5%
Q4	550	830	50.9%	42.9%	882	5.9%	- 0.3%
Q5	239	317	32.6%	25.6%	334	5.1%	- 0.5%

Table 31 *NNSSF* Allocations for WCED Public Ordinary Schools 2013 to 2015⁴²⁶

Another approach EE took to assess adequacy is to examine the budgets (for the 2014/15 financial year) of 63 public ordinary schools in the Western Cape across various quintiles from each of the eight education districts.⁴²⁷ **Table 32** provides a breakdown of the sample.

Quintiles		Phases		Fee vs Non-Fee Schools	
Quintile	N	Phase	N	Fee Status	N
1	20	Primary	31	Fee paying	26
2	7				
3	5				
4	15	Secondary	32	Non-fee paying	37
5	16				
Total	63				

Table 32 School Budget Analysis Sample

⁴²⁴ CPIX figures from National Treasury. 25 February 2015. *National Treasury Budget Review 2015*.

⁴²⁵ National Treasury. 25 February 2015. *National Treasury Budget Review 2015*.

⁴²⁶ Ibid. [Real columns – own calculations. 2013/14 and 2014/15 represents the initial allocations for those two financial years. The 2015/16 is an outer year MTEF projected allocation. All figures are nominal (they do not factor in the effect of inflation on buying power), with the exception of the “Real growth rate” columns. The percentages in this column were calculated using real figures. CPIX figures provided by the National Treasury in the 2015 Budget Review – 5.6% (2014); 4.8% (2015). These CPI figures were used to calculate the consumer price Index in order to calculate what the real buying power will be for the 2014 and 2015 financial years compared to the 2013/14 financial year (Real Change between-2013/14 and 2015/16).]

⁴²⁷ See **Methods** section on the selection and sampling of schools

The analysis aimed to understand how much schools are currently spending on non-personnel items and if there is a gap between what schools receive and what they spend. It also aimed to understand the differences in expenditures between Q1-Q3 schools (i.e. no-fee) and Q4-Q5 schools (i.e. fee).

Given that the social audit is on safety and infrastructure, the analysis limited its focus to school expenditures on maintenance and security. EE focused its analysis on:

1. Maintenance and security expenditure as a percentage of overall expenditure.
2. Per learner maintenance and security allocations and expenditures across quintiles.
3. Per learner overall school budget allocations and expenditure across quintiles.
4. Overall WCED subsidy allocations as a percentage of overall expenditure.
5. Personnel expenditure as a percentage of total expenditure.

A summary of the results is discussed in the following sections.

14.4.6 School Budget Allocations and Expenditures

The school budgets for no-fee paying schools in the sample ranged between R159,000 and R5 million. These schools budgeted between R580 and R4,000 per learner, but ended up spending between R800 and **R4,000 per learner** with the exception of two schools which spent as high as R6,000 per learner.

In contrast, the budgets of the fee paying schools sample ranged from between R427,000 and R12 million, allocating between R600 and R14,000 per learner. These schools ended up spending between R1,000 and **R14,000 per learner**, with the exception of two schools which spent below R1,000 (at R430 and R580 per learner).

Rand	School Budget Allocation Per Learner		School Budget Expenditure Per Learner	
	Q1-Q3	Q4-Q5	Q1 – Q3	Q4 –Q5
400 - 700	4	2	0	2
701 - 1,000	3	2	7	0
1,001 - 3,000	21	15	21	18
3,001 - 5,000	3	2	3	0
5,001 - 8,000	1	3	1	4
8,001 - 10,000	0	4	0	4
10,000+	0	3	0	3
Total	32	31	32	31

Table 33 School Budget Allocation and Expenditure Per Learner

Table 33 shows that **quintile four and five schools are budgeting and allocating more than quintile one to three schools**. Some may argue that this is inevitable as fee paying schools are able to self-raise by charging fees. However, *NNSSF* allocations are meant to narrow this gap. The fact that learner expenditure at Q4-Q5 schools went as high as R14,000, more than double the highest per learner expenditure in the Q1-Q3 category at R6,000, shows that that the gap is still significant despite *NNSSF* funding. **This begs the question of why the WCED feels it necessary to increase its allocation to quintile four and five schools compared to the national guidelines.**

14.4.7 Maintenance Expenditure

As mentioned in the **Sanitation Maintenance** section, school budgets are meant to play a small role in terms of maintenance, with the *NNSF* budget intended for maintenance being only a recommended 6%.⁴²⁸ Yet, at **Table 34** shows, roughly a third of the schools sampled (36%) spend more than 6% of their entire school budgets on maintenance. Furthermore, this is concentrated in poorer schools, where more than half spend more than 6% of their budgets on maintenance.

When one takes a closer look at the amount per learner schools are spending on maintenance, as is visible in **Table 35**, Q1-Q3 schools generally spent less than R300 per learner. However, there were two schools in this category which spent more than R800 per learner. **As a result, the overall maintenance expenditure at these two schools constituted nearly half (40% and 45%) of total expenditure and both of these schools experienced budget deficits: R395,000 and R841,000 respectively.**

Percent of Expenditure	Q1 –Q3	Q4-Q5
0-6%	15	21
7-10%	12	6
11-30%	3	2
31-50%	2	2
Total Schools	32	31

Table 34 Total Maintenance and Repairs Expenditure as a Percent of Overall Expenditure

In contrast, as **Table 35** shows, 29% of Q4-Q5 schools spent more than R300 per learner, and none of them had to run a budget deficit to do so. **Are rich schools more likely to need maintenance than poor schools? If anything, poor schools likely require more maintenance expenditure** (as is discussed in the **Findings on Infrastructure and Sanitation**). This inequality of maintenance expenditure is almost certainly the result of poor schools being unable to afford the maintenance they need.

Rand Spent on Maintenance per Learner	Q1 - Q3	Q4 - Q5
0 – 20	2	4
21 – 30	3	1
31 – 50	3	5
51 – 80	7	5
81 – 100	3	0
101 – 150	8	5
151 - 300	4	2
301 – 800	0	7
801 - 1,000	1	2
1,000+	1	0
Total schools	32	31

Table 35 Maintenance Expenditure per Learner

It should be further noted, that **while poorer schools (Q1-Q3) are generally spending fewer rand per pupil on maintenance** (as visible in **Table 35**), **they are still spending a higher percent of their budgets on maintenance** (as visible in **Table 34**).

⁴²⁸ National Treasury. 25 February 2015. *National Treasury Budget Review 2015*.

Furthermore, while two rich schools and two poor schools spent more than R800 per learner on maintenance – likely due to major emergency maintenance in all cases – the rich schools **did not have to run a deficit to do so, while the poor schools did**. This lays clear the inequalities of the system.

14.4.8 Security Expenditure

Of the schools whose budgets were analysed, nearly all recorded some expenditure on security (84%). Yet, despite taking up as much as 10% of some schools' budgets, and being one of the major crises in education today, security is not specifically mentioned on WCED norms and standards allocation guidelines. Furthermore, although the WCED does have the Safe Schools Programme, it is severely limited in its budget and role when it comes to ensuring security in schools and providing them with supplemental funding (see **WCED Safe Schools Programme**).

Rand Spent on Security	Q1 - Q3	Q4 - Q5
0	6	6
1 – 1,000	2	0
1,001 - 5,000	5	4
5,001 - 10,000	2	2
10,000 - 30,000	6	7
31,000 - 50,000	4	4
51,000 - 80,000	6	1
81,000 - 100,000	1	1
100,000+	0	6
Total schools	32	31

Table 36 Total Security Expenditure

The sample shows considerable variation in terms of expenditure on security by public schools, with some recording no security expenditure and others spending as much as R100,000 per year. **Thirty-one percent of the Q1-Q3 sample spent between R30,000 and R80,000 on security. That is a substantial amount of expenditure, particularly for a no-fee schools.** Given the size of these expenditures, the limited support from the WCED and DBE outlined in previous sections is particularly galling.

One positive case was a school which spent R97,000 on security. They received a grant from the Safe Schools Programme to assist with these security expenses. Given the amount schools are spending on security and the conditions observed by auditors, **this needs to become the rule not the exception.**

Rand Spent on Security per Learner	Q1 - Q3	Q4 - Q5
0 – 10	15	11
11 – 30	3	10
31 – 50	10	3
51 – 80	2	2
81 – 100	1	0
101 – 150	1	2
150 – 300	0	3
Total schools	32	31

Table 37 Security Budget Expenditure per Learner

As **Table 37** shows, rich and poor schools displayed different tendencies in terms of spending on security. However, while rich and poor schools had similar median spending per learner (R22 and R24.5), **rich schools have more of a capacity to spend substantial sums when needed**: 16% of rich schools spent more than R100 per learner on security, while only 3% of poor schools did and, as visible in **Table 36**, six rich schools spent more than R100,000 while no poor schools did.

14.4.9 WCED Subsidy Allocations and Expenditure

Half of schools sampled (32) received more than 70% of their funding from the government subsidy. For 81% of Q1-Q3 schools, the subsidy represented more than 70% of their funding, and for more than a quarter it was more than 90% of their funding. Furthermore, in two no-fee schools, WCED allocations made up 100% of the schools' budgets. This all can be clearly seen in **Table 38**.

Percent of Allocation from Subsidy	Q1-Q3	Q4-Q5
0-5%	0	6
6-10%	0	4
11-30%	0	6
31-50%	5	3
51-70%	1	6
71-90%	17	6
91-100%	9	
Total schools	32	31

Table 38 Total WCED Subsidy as a Percent of Overall School Budget

This indicates that poor and no-fee schools struggle to raise additional revenue from voluntary contributions and fundraising. Subsidy allocations consist of a large part of school budgets and expenditures, which makes it important for both DBE and PEDs to ensure that their subsidy allocations, in particular the NNSSF calculations, are accurate and sufficient. Insufficient subsidies can leave schools unable to fulfil their education responsibilities without running a budget deficit.

Twenty-three schools, 37% the entire sample, experienced a budget deficit. The average size of this deficit was R201,594. **Of these 23 schools, 15 were no-fee schools.** This means that more than a third of no-fee charging schools in the sample ran a deficit. In the worst case of a no-fee school which had a budget deficit of R841,000, the total **maintenance expenditure was R1.3 million** which was 40% of the school's total expenditure.

According to the WCED March 2014 Circular on school funding, "Where the... allocation for day-to-day maintenance is insufficient, schools are expected to supplement the allocation from their own school funds, where necessary." It is likely that this school did not receive sufficient NNSSF funds for day to day maintenance and was unable to supplement the cost using its own funds.

Maintenance of infrastructure is a costly exercise, particularly when one factors in sanitation maintenance costs. Sanitation is considered school infrastructure. Although there is no required line item for "sanitation expenditure," three school budgets did distinguish sanitation maintenance, and this provided us with a glimpse of how costly such maintenance can be. **The expenditure on sanitation maintenance was as high as R87,000.**

The WCED March 2014 Circular stated the following under the day to day maintenance category:

The WCED will not accept responsibility for the payment of accounts where schools spend more than the amount allocated for this purpose, and schools will have to cover these costs themselves. Where Non-Section 21 schools exceed their N and S allocations [NNSSF], for whatever reasons, the WCED will recover any overspending from the following financial year's N and S allocation to the school. This should, however, not be viewed as encouraging schools to exceed their N and S allocations.

Given this strongly worded statement, it is likely that this may be a common problem, that the day to day maintenance allocations are insufficient, and that many Western Cape public ordinary schools are failing to supplement for maintenance expenses from their own funds resulting in budget deficits. This should indicate more than anything the current WCED's investment in maintenance is hugely insufficient and needs to be increased.

As indicated, the WCED's current approach is to discourage schools from overspending on maintenance by instituting punitive measures. Such measures do not solve the problem of insufficient funding and could encourage schools to neglect to carry out necessary maintenance as a way of avoiding penalties.

As part of the school budget formulation process, schools are instructed to provide the WCED with budget estimates for the day to day maintenance before a maintenance budget can be awarded. According to the 2014 March WCED Circular: "schools must indicate the allocations for the maintenance of buildings, grounds and equipment as a single amount on the WCED 032 form." In other words, schools must submit estimates before money can be allocated.

Without the necessary expertise, it is possible that schools may understate the budget amount required for their annual day to day maintenance allocation. Instead of responding using punitive measures, the Gauteng Education Department has identified this predicament and has thus **issued schools with a manual on how to budget and plan sufficiently for day to day maintenance**. This additional support from the provincial education department **is needed in order to assist schools with accurate allocations for maintenance**.

14.4.10 Personnel Expenditure in School Budgets

As indicated earlier, personnel funding is the responsibility of provincial education departments except in the case of Section 21 schools who receive a Grade R subsidy for hiring Grade R practitioners.⁴²⁹ The NNSSF allocation is not to be used for personnel expenditure.⁴³⁰ While schools can use their own income to finance governing body posts, even then a school's income must first be used to cover shortfalls in non-

⁴²⁹ WCED. 16 May 2011. *Circular 0013/2011: Increased Grade R Learner Subsidy and Related Matters*.

⁴³⁰ Government Gazette. 31 August 2006. *Amended National Norms and Standard for School Infrastructure*.

personnel spending before it is used to finance SGB teacher posts.⁴³¹ As a result, though school budgets have a personnel line item, personnel expenditure should be minimal except in the case of primary schools that receive the Grade R subsidy and fee-charging schools that can afford additional staff.

From the existing sample of 63 school budgets, EE took a close look at a narrow sample of Q1-Q3 secondary schools, to see if they are using their subsidy to fund SGB teacher posts. This sample consisted of 13 schools broken down by quintile in **Table 39** and a summary of the results is presented in **Table 40**.

For the majority of these schools, personnel expenditure consists of a miniscule amount of overall expenditure, as most of their personnel costs are covered by the WCED (as to be expected). Personnel costs varied between R0 and R329,500. Discretionary funds (calculated by deducting total WCED subsidy allocations from the overall school budget) vary between R0 and R2.5 million. As mentioned, while discretionary, this funding should be first directed towards supplementing NNSSF allocations before funding personnel.

Quintile	Total Schools
Q1	7
Q2	3
Q3	3
Total	13

Table 39 Sample for Personnel Analysis by Quintiles

Quintile	Overall Budget (R)	Total Subsidy (R)	Subsidy as a Percent of Overall Budget	Overall Budget Less Subsidy (Discretionary Amount) (R)	Total Personnel Expenditure (R)	Total Personnel Expenditure as % Overall School Expenditure
Q1	2,299,187	1,892,736	82%	404,451	1,100	0,1%
Q1	582,768	473,197	81%	109,571	4,228	1%
Q1	3,365,073	2,804,356	83%	560,717	512,913	17%
Q1	869,802	501,543	58%	368,259	9,000	1%
Q1	4,795,053	2,226,751	46%	2,568,302	0	0%
Q1	1,191,469	1,057,202	89%	134,267	329,500	22%
Q1	1,736,569	1,517,076	87%	219,493	20,278	1%
Q2	1,140,971	1,021,409	90%	119,562	1,180	0,1%
Q2	1,004,954	405,213	40%	599,741	30,000	2,5%
Q2	806,472	664,085	82%	142,387	0	0%
Q3	2,461,250	2,243,752	91%	217,498	0	0%
Q3	573,519	509,935	89%	63,584	0	0%
Q3	474,810	474,810	100%	0	92,300	24%

Table 40 Personnel Expenditure of Sampled Q1-Q3 Secondary Schools

Nevertheless, for three schools, personnel expenditure consisted of a considerable amount of total expenditure (between 17% and 24%). Despite having no discretionary funding, one school spent R92,300 of its budget on personnel (which consisted of just under 25% of the school's total expenditure). In this case, the school most likely used non-personnel funding to cover a lack of teachers.

⁴³¹ WCED. 31 March 2014. *Circular 0009/2013: Norms and Standards Funding for Schools – Financial Allocation for the 2013/2014 Financial Year to Non Section 21 Schools*.

Two schools did manage to raise some additional funding. However, one of those schools spent twice as much on personnel as they managed to raise (indicating that they too likely used non-personnel funding). The other did slightly better, but still spent 90% of its discretionary funding on personnel leaving little for maintenance. Given just the general sanitation conditions our auditors observed, it is highly unlikely that all the school's other needs were met.

This admittedly small sample indicates that it is likely not uncommon for public schools to use their *NNSSF* allocation (or other government subsidies) meant for non-personnel items to pay for personnel. Schools likely find it necessary to do so due to an inadequate number of educator or non-educator personnel at schools.

14.4.11 Conclusion and Recommendations

There is currently a lack of clarity into how the DBE and the WCED arrived at the *National Table Targets Lists* (*NNSSF* per learner allocations). There is evidence to question the adequacy and the quintile distribution of these allocations. It appears that what is being allocated has little relationship what is actually being spent and needed by provinces and schools. **It is recommended that both the DBE and WCED conduct adequacy studies to verify each input factor of the overall per learner allocation and whether the current allocations are adequate. Furthermore, this process needs to be done with more transparency.**

There is some evidence to suggest that day to day maintenance allocations may be insufficient and that **schools are failing to raise the necessary revenue to pay for necessary maintenance, with budget deficits as a possible consequence.** It is very likely that the 6% recommended by the WCED is not sufficient for maintenance expenditures. Instead of instituting punitive measures to discourage overspending, **the WCED needs to provide additional subsidy support towards this allocation as well as provide guidelines to schools on how to accurately budget and plan for maintenance.** Increased support by the WCED to schools for regular and consistent maintenance of school repairs is in the long run much more cost efficient.

Expenditure on security is a recurring non-personnel item which consists of a considerable amount of some school budgets. **Regular additional subsidy support from both the DBE and WCED, targeted at high risk schools, is needed.**

Differences in maintenance and security expenditure emerge across the different quintiles, with no-fee paying schools spending much less per learner for maintenance and expenditure in comparison to fee-charging schools. If *NNSSF* is to be truly progressive and pro-poor, the **WCED needs to close this gap by committing to providing additional funding for quintile one to three schools.**

NNSSF allocations are not keeping up with inflation and therefore unlikely to be sufficient to cover most of the school's expenses. **The WCED is encouraged to annually raise per learner allocations above, or at least at, the financial year's inflation rate.**

There is some evidence to suggest the use of non-personnel funding for salaries by schools. **The WCED must ensure that all schools in the province are supplied with an adequate number of educator and non-educator personnel** in order to prevent diversion of funds away from critical non-personnel materials and services.

15 POTENTIAL INTERVENTIONS

This section describes several potential interventions to improve sanitation and safety conditions in schools. The discussion of actions and programmes here is not intended as an unequivocal endorsement of them. This section should instead be thought of as an introduction to some interventions that the DBE, WCED, and other stakeholders inside and outside of government might consider.

While recommendations of broad potential actions and programmes are made here, specific interventions and actions have also been made throughout this report.

15.1 SANITATION

15.1.1 Policy on Sanitation Infrastructure in Schools

The sanitation sector is regulated by three main policy documents:

- The *White paper on Water Supply and Sanitation (1994)*
- The *White Paper on a National Water Policy of South Africa (1997)*
- Currently, the above two policy documents are under review and a *Draft National Sanitation Policy (2016)* regulating sanitation provision by public institutions has been published in the government Gazette for public comment.⁴³²

However, the draft policy and other sanitation policy documents place greater emphasis on sanitation services provision in human settlements and less on its provision in other public institutions such as health or education.

The *Draft Policy* does make reference to education sanitation provision and maintenance briefly under *Sanitation at Public Institutions*. According to the *Draft Sanitation Policy*, “all public institutions are responsible to provide sanitation services. Sanitation services at public institutions must include hand washing facilities, hygiene and end –user education.”⁴³³

Furthermore, the *Norms and Standards Regulations for Public School Infrastructure* contains specific and detailed legally binding policy on the provision of sanitation infrastructure. The National Department of Water and Sanitation 2003 Strategic Framework of Water Services⁴³⁴ designates the national and provincial Departments of Education with the responsibility of ensuring that all schools are provided with adequate water and sanitation facilities, that these are operated sustainably, and that they are adequately maintained.⁴³⁵ This responsibility is supported by provincial education infrastructure budgets and National Norms and Standards for School Funding.

⁴³² Government Gazette. 12 February 2016. *Draft National Sanitation Policy*. No. 39688. Department of Water and Sanitation. Notice 70 of 2016.

⁴³³ Ibid.

⁴³⁴ Ibid.

⁴³⁵ National Department of Water and Sanitation. September 2013. *2003 Strategic Framework of Water Services: Water is Life, Water is Dignity*.

Unfortunately, there are no specific guidelines or regulations concerning the **maintenance** of sanitation infrastructure by schools and PEDs. The DBE needs to go beyond the mere assigning of sanitation maintenance responsibilities. In conjunction with the Ministry of Water and Sanitation (and other key departments), the DBE should set standards/guidelines for the maintenance of sanitation facilities by education departments and by schools.

Currently, the extent to which sanitation infrastructure is being maintained in schools is irregular and inconsistent across provincial education departments and among schools. Irregularities with sanitation maintenance are likely due at least in part to differences in the funding capacities and methods for maintaining school infrastructure by PEDs and schools.

The one exception, made reference to throughout this report, is in Gauteng, where the Gauteng Education Department, has created maintenance infrastructure guidelines for school governing bodies (SGBs) and school management teams to facilitate sufficient and routine maintenance of school infrastructure.⁴³⁶ These guidelines:

- Explain to SGBs and school management teams the various maintenance types that exist and how to conduct maintenance planning.
- Outline the procedures to be implemented by Section 21 or Section 20 schools with respect to general and sanitation maintenance requirements including (but not limited to) toilet systems, water systems, plumbing, sewage disposal, water supply tanks and pipes.
- Establish school maintenance committees to
 - identify maintenance needs,
 - develop a maintenance plan and maintenance reporting/monitoring templates, and
 - conduct inspection and preventative maintenance process.
- Clarify and outline the various roles and responsibilities of the GDE, SGBs, and school representatives in relation to maintenance and repairs.
- Provide a framework for how to ensure effective use of maintenance resources.

The GDE is currently the only provincial education department with such detailed maintenance guidelines (which includes sanitation) as well as **training of school districts and representatives on how to implement the maintenance guidelines. Producing a maintenance guideline** is an indication of that department's commitment to ensuring that significant deterioration of school infrastructure does not occur due to poor maintenance and/or no maintenance.

15.1.2 Clear Delineation of Individual Roles and Responsibilities

In the past when the DBE has been challenged on the inefficient delivery of services in schools, **patterns of blame shifting have been common**. In many cases it has been unclear whether certain responsibilities are under the auspices of the DBE, the Department of Public Works, SGBs or School Management Teams. This has been one of the key impediments to the improvement of schools. There appears to be a

⁴³⁶ GDE. August 2014. *School Infrastructure Maintenance Guidelines*.

disjuncture between strategic planning on the one hand, and the implementation of those plans, on the other. In part this is because it is difficult to hold institutions to account when they can shift blame to other parties.

Therefore, to ensure that maintenance tasks are timeously identified and carried out, it is imperative that **clear role and responsibilities are outlined and that there are step-by-step maintenance guidelines for schools.**

Creating effective guidelines necessitates a distinction between 'major maintenance' and 'preventative maintenance'.⁴³⁷ The GDE guidelines for school maintenance stipulate that major maintenance should be undertaken by the provincial department of education, whereas preventative maintenance should be done by both the SGBs and the Senior Management Teams.⁴³⁸ An example of a potential division of labour is recorded in **Table 41**:

Provincial Departments	SGBs and Senior Management Teams
<ul style="list-style-type: none"> • The roof trusses are rotten or broken. • Cracks in a wall more than 5 mm wide. • Rehabilitation or replacement of severely damaged buildings. • Additional classrooms or administration blocks. • Major rehabilitation of buildings. • Major civil works for the storm water management system. • Repairing water systems, plumbing and toilets. 	<ul style="list-style-type: none"> • Replacing doors, windows and fittings. • Repairing electrical system. • Emptying toilets. • One building to be repaired and painted every year as necessary. • Repair and paint the roof of one building every year to ensure each roof is painted every five to 15 years. • Termite treatment every five to 10 years as necessary. • Repairing roof leaks, cleaning gutters and storm water drains every year.

Table 41 Potential Division of Labour of School Maintenance Tasks

There ought to be the same level of specificity in planning the roles and responsibilities of personnel in ensuring that infrastructure related to school safety, and the provision of adequate sanitation facilities are functioning and available. SASA provides that SGBs should take responsibility for planned and unplanned maintenance (emergency) and repairs. **This should be budgeted for in the school's fund allocation that is provided by PEDs.**

15.1.3 Maintenance Committees for School Infrastructure (Safety and Sanitation)

According to Section 30 of SASA, each SGB should set up a School Maintenance Committee (SMC) comprised of representatives from all stakeholders of the school. It is the responsibility of the SGB and principal to ensure that the school building and premises are maintained, while the SMC should take charge of the operations of maintenance. This requires planning for maintenance.

The GDE guideline proposes the following:

1. Each SMC should develop a maintenance plan for the school, approved by the SGB;

⁴³⁷ GDE. August 2014. *School Infrastructure Maintenance Guidelines.*

⁴³⁸ Ibid.

2. The plan should work on a three-year cycle to be updated each year. Each annual plan should (a) identify areas needing maintenance, (b) gauge the level of priority for the maintenance and who is responsible for each job, and (c) draw up a budget based on that plan; and
3. That the plan comprises an easy-to-follow checklist for inspections, so that preventative maintenance can happen habitually. These should be kept on record for accountability and purposes of checks and balances.

15.1.4 Funding and Accountability

The funding that schools currently receive from government is not enough to ensure all maintenance is carried out. Therefore, it is advised that an additional task of the SMC is planning fundraisers to as much as possible raise additional income for school maintenance.⁴³⁹ Fundraisers should include the wider community. However, **this is obviously substantially more difficult for poorer communities with less resources or connections to leverage**. Therefore, it is important to reemphasise that the “potential for fundraising” should not be used as an excuse to underfund schools. As stated elsewhere, **studies should be conducted of school budgets to verify that no-fee schools are adequately funded.**

15.1.5 Budgeting Administration

The School Maintenance Committee should also:

- Set an annual budget that is based on the maintenance plan. All expenditure would need to be provided for in the budget. All expenditure should be approved by the SMC;
- Secure written quotations for any maintenance work that needs to be outsourced to professionals, like plumbers and electricians. Payment should only be made once the job has been successfully completed. Receipt of payment should be obtained;
- Ask for a maintenance service from the district; and
- There should be a simple, but detailed record of all spending by the school's finance committee.

15.1.6 Learner Contributions

This should work together with a school code of conduct where learners are taught to take pride in their school. Sanitation guidelines for learners can include instructions such as:

- Do not use toilets when they are broken or when water is not available.
- Do not throw objects down the toilets or sinks.
- Be vigilant about turning off taps so as to not allow them to drip, wasting water.
- Open and close taps with care.
- Report all problems pertaining to buildings to a member of the SMC or to the head of school.⁴⁴⁰

⁴³⁹ GDE. August 2014. *School Infrastructure Maintenance Guidelines*.

⁴⁴⁰ Ibid.

15.2 SECURITY AND PROMOTION OF NON-VIOLENCE IN SCHOOLS.

The causes of violence in schools cannot solely be attributed to inefficient security infrastructure. The literature review section on **Understanding School Violence**, supported by the data gathered from EE's social audit, has highlighted the following issues as the main safety stressors:

- Severely diminished sense of security among learners due to lack of/ insufficient access control, the prevalence of gangsters and drugs, weapons, bullying, and discrimination;
- The high instances of violent events occurring in schools, as well as while travelling to and from school; and
- Inefficient school infrastructure and personnel to enhance security in schools. This includes the presence of security guards at school, as well as planning for infrastructure maintenance and teacher training.

It is unlikely that the presence of security guards and fences that are intact will entirely end security issues relating to drugs and weapon use, bullying and discrimination in schools. Therefore, in addition to infrastructural maintenance, schools in communities with violence risk factors ought to initiate programmes that can engender behavioural and attitudinal changes among learners. A review of some existing programmes shows that these programmes work best when they include buy in from many school and community stakeholders.

A conditional grant for school safety to fund these types of programmes might go a long way to relieving the insecurity that learners experience in school.

15.2.1 End Corporal Punishment as 'Approved Violence'

The use of corporal punishment was prohibited in all South Africa's schools in 1996. However, our findings show corporal punishment continues to be meted out at 83% of sampled schools in the Western Cape. Hence, it is clear that the legal prohibition of corporal punishment is not sufficient to deter its use in the classroom.

Teachers who use corporal punishment have said that they do not know other ways to discipline learners.⁴⁴¹ Our social audit similarly finds a lack of training (see **Administering Safety**). This indicates that there is a need for training in communication and disciplinary techniques that do not make use of violence. The Centre for Justice and Crime Prevention's *National School Safety Framework* assists in developing programmes to enhance behavioural change in both teachers and learners. They maintain that while punishment is meant to **control** behaviour, discipline is rather meant to **develop** people's behaviour. The CJCP uses the concept of **positive discipline** which aims to teach the child the difference between what is acceptable and what is unacceptable behaviour. This is done through teaching, where the end goal is to nurture controlled and purposeful behaviour by the learner.

⁴⁴¹ Website: Quaker Peace Centre. *Quaker Peace Centre Cape Town*.

15.2.2 School Violence Projects

International scholarship on school-based crime prevention recommends that multi-faceted and sustainable programmes be introduced in schools with risk factors for violence.

Moreover, since school violence in school is often related to high crime rates in the community, it is suggested that school-based programmes become part of long-term projects of “capacity-building activities”⁴⁴² which are “broad-reaching”⁴⁴³ involving stakeholders from within the school and the community.

The programmes listed below are a sample of programmes for curbing violence in schools through behavioural change.

15.2.2.1 St. Mary’s Interactive Learning Experience (SMILE)

This project is based in KwaZulu-Natal and started in 1991 and is an initiative that brings English language and literacy skill development to educators and learners (grades four to seven). This is done through creating lessons around themes that are relevant to learners’ lived experience. The project began in an effort to enhance English literacy among young black learners, which took place at St Mary’s Diocesan School for Girls. Its success led to principals requesting that the programme be introduced in all schools. In 1997 SMILE was commissioned to develop material on crime prevention by including it as one of the themes used for learning.

The themes/topics that were addressed in the lessons are:

- Distinguishing between negative and positive behaviour
- Types of crime and how to report them
- The Children’s Bill of Rights and Responsibilities
- Peer pressure mechanisms and gang recruitment
- The Truth and Reconciliation Commission
- Childline: What they do and how to contact them
- Violence against women
- School rules
- Drug abuse and its effects
- Criminal investigation and the role of the legal system
- How to write a witness report
- Methods of crime prevention
- Dealing with rape: reporting, impact and recovery time⁴⁴⁴

The crime prevention strategy was built into an English language support programme but had the dual effect of urging learners to deal with issues related to crime and violence. Educators would be trained to make use of learner support materials to enhance their literacy and communication skills. Educator workshops and mentoring ensure that educators become familiar with the materials, where after six months the

⁴⁴² Gottfredson, D. 1996. “School Based Crime Prevention.” *Preventing Crime: What Works, What Doesn’t: Report to the National Institute of Justice, Washington, DC.*

⁴⁴³ ‘Broad-reaching’ refers to an approach that takes the whole environment into account. Therefore, projects that engage in educating and building effective communication capacity among learners and the wider community members.

⁴⁴⁴ Griggs, Richard. 2002. “Preventing Crime and Violence in South African Schools. A Review of learning and good practice from eight interventions.” *Open Society Foundation for South Africa.*

school is equipped to sustain the programme on their own with all the materials they need.⁴⁴⁵ Learners from grades four to seven are equipped with “social competency skills,” which are found to have an impact on the reduction of crime.⁴⁴⁶ This strategy is aimed at developing skills that are “pro-social” and that hone academic achievements by providing educator support in classroom management and in their instruction of the curriculum.

This is ultimately a “classroom management” approach.⁴⁴⁷ It forms part of a uniquely South African method of integrating crime prevention capacity into stages of the language, literacy and communication curriculum. In 1998 to 2001 this approach was used in 24 communities across KwaZulu-Natal, Gauteng, Western Cape and Northern Cape.⁴⁴⁸ The programme was run in 63 schools among 5,916 learners and 63 educators.⁴⁴⁹

15.2.2.2 The Quaker Peace Centre

The Quaker Peace Centre runs similar programmes designed to influence the management of behaviour among teachers and learners.⁴⁵⁰ One of these programmes is the Non-Violent Schools Campaign, which trains teachers and learners in alternative methods of conflict resolution. These are called Alternatives to Violence Project workshops, where teachers become trained as facilitators. The Quakers encourage the teacher facilitators to set up Peace Clubs at schools and invite learners to join.

Like the SMILE project, they emphasise how teaching methods affect learner behaviour. It therefore integrates material and content from the general curriculum as well as how that content is taught, into the training.

In the programmes, participants are assisted in ways that help them understand “how and why” instead of just disciplining learners. The aim is to equip teachers with tactics to be able to manage their class without needing to resort to the use of, or threat of, violence.

The Quakers’ project is supported by the director of the Metro South education district of the WCED.

15.2.2.3 The Centre for the Study of Violence and Reconciliation

Based on their work in schools, the Centre for the Study of Violence and Reconciliation made the following recommendations for the administering of school violence programmes:

Appointment of Staff: Principals should not appoint staff members to workshops on violence, as this might be done in exchange for favours or rewards. Rather,

⁴⁴⁵ No school may purchase the materials only. They must receive the formalised training and mentoring.

⁴⁴⁶ Griggs, Richard. 2002. “Preventing Crime and Violence in South African Schools. A Review of learning and good practice from eight interventions.” *Open Society Foundation for South Africa*.

⁴⁴⁷ Ibid.

⁴⁴⁸ In KwaZulu-Natal: Hammersdale, Chesterville, KwaMbonambi, Umlazi, Umgababa, Ntuzuma, Tongaat, Cato Ridge, KwaDabeka and Escourt; in Western Cape: Kheyelitsha, Guguletu, Philippi, Strand, Firgrove, Nyanga and City Bowl; in Gauteng: Heidelberg, Ratanda, Soweto and Tembisa.

⁴⁴⁹ Griggs, Richard. 2002. “Preventing Crime and Violence in South African Schools. A Review of learning and good practice from eight interventions.” *Open Society Foundation for South Africa*.

⁴⁵⁰ Website: Quaker Peace Centre. *Quaker Peace Centre Cape Town*.

programmes work best when the participants are personally willing and interested in the projects themselves.

South African Police Service (SAPS) Participation: There appears to be a strong connection between the extent to which safety teams ran smoothly and the participation of the SAPS.

School involvement: Safety teams were more effective when they had strong presence and involvement of school senior management.

15.2.2.4 The Circle of Courage

Already used intermittently by the WCED,⁴⁵¹ "Circles of Courage" is based on the concept of "positive youth development." It draws on evidence from positive psychology and neuroscience as well as the philosophies of traditional "cultures of respect" such as Ubuntu.⁴⁵² The programme focuses on instilling four "universal growth needs"⁴⁵³:

1. **Belonging:** Feeling loved and cared for by others, feeling like a valued part of a group.
2. **Independence:** Making decisions, setting goals, having self-discipline, owning your successes and failures.
3. **Mastery:** Skilled in many areas (mental, physical, social, spiritual), striving for personal best not perfection.
4. **Generosity:** Wanting to help and give to others, feeling good about making a contribution.⁴⁵⁴

It is argued that in modern society many youngsters have "broken circles:"

- Instead of belonging, they have fractured families, unfriendly schools, and rejecting peers, which can cause a sense of **alienation**. Children alienated from positive adults and peers are emotionally and morally adrift.
- Instead of independence, youth are **deprived of opportunities to make responsible decisions**. As W. E. B. DuBois said, "only responsibility teaches responsibility."
- Instead of mastery, schools play a competitive **zero-sum** game by enthroning "winners" and discarding "losers." Children who are not bonded to school fail to develop their full potential.
- Instead of generosity, children are reared in a world that **equates wealth with worth**. Preoccupied with self, they fail to develop their natural abilities to show care and contribute to others.⁴⁵⁵

⁴⁵¹ WCED. 31 May 2013. *Annual Report 2012/2013*.

⁴⁵² Brendtro, Larry K.; Martin Mitchell; William Jackson. 1 April 2014. "The Circle of Courage: Critical Indicators of Successful Life Outcomes." *Reclaiming Children and Youth: The Journal of Strength-Based Interventions*.

⁴⁵³ Brendtro, Larry K.; Martin Brokenleg; Steve Van Bockern. 2005. "The Circle of Courage and Positive Psychology." *Reclaiming Children and Youth: The Journal of Strength-Based Interventions*.

⁴⁵⁴ Brendtro, Larry K.; Martin Brokenleg; Steve Van Bockern. 1990. *Reclaiming Youth at Risk*.

⁴⁵⁵ Brendtro, Larry K.; Martin Brokenleg; Steve Van Bockern. 2005. "The Circle of Courage and Positive Psychology." *Reclaiming Children and Youth: The Journal of Strength-Based Interventions*.

Circle of Courage workshops train teachers to instil and repair these four circles, creating learners more prepared to have healthy relationships and positive relationships with authority.

15.2.2.5 The Hlayiseka Early Warning System

The Hlayiseka Early Warning System was developed by the CJCP in partnership with the DBE and SAPS. This was a cooperative partnership signed through an agreement called the Partnership Protocol. The Protocol set out the terms of the inter-departmental cooperation between the DBE and SAPs.

The aims of the **Hlayiseka Early Warning System** include:

1. Establishing and strengthening Safe School Committees to stop crime and violence in schools;
2. Encourage all stakeholders in schools and communities to be active members of the Safe School Committees;
3. Create links between all schools with a local police station;
4. Establish the use of reporting systems within schools;
5. Raising awareness through education on violence, crime, and the effects on individuals;
6. Create “school-based crime prevention service and interventions” aiming that they “deter potential offenders and empower potential victims and past victims;”
7. Establish crime prevention workshops within early childhood development centres to inform learners from a young age;
8. Mobilise communities to be more involved in schools; and
9. Promote the image of SAPS within schools and communities and strengthen relationships between schools, police stations, children and communities.⁴⁵⁶

The roles of the Safe School Committees should be clearly identified and recoded. Each school will have its own security problems that are unique to it. Therefore, the committees should engage regularly with learners, staff, police and community members. The *National School Safety Framework* builds on the Hlayiseka Early Warning System, adding:

- Tools to assist schools in understanding and identifying security issues and the threats;
- Guidelines on how schools can effectively respond to the security threats that have been identified;
- Assist in teaching to create reporting systems and managing reported incidents; and
- Assisting schools in monitoring techniques so that it may record progress over time.

Moreover, the SAPS strategic plan 2014 to 2019 objectives include strengthening partnership policing.⁴⁵⁷

⁴⁵⁶ DBE. 2013. *Safety in Education., Partnership between the DBE and SAPS.*

⁴⁵⁷ SAPS. 2014. *Technical Indicator Description Strategic Plan 2014 to 2019.*

16 CONCLUSION

This social audit report will serve as a resource for Equal Education members, and our partner organisations and supporters, as we continue our campaign for safer schools and improved sanitation conditions for learners across the Western Cape and across South Africa. The report brings together an extensive review of existing research with original data and analysis developed by Equal Education's members and staff. The result is a document – which provides clear evidence of multiple crises in the South African education system that must be taken seriously. EE members will not allow politicians and policy-makers to ignore the rights of South Africa's learners.

16.1.1 Summary of literature review

The triple focus of our literature review – on structural factors affecting learners and school communities; the current research, legislative and policy framework on violence in schools; and the provision and funding of sanitation facilities and school infrastructure in general – lays down firm and rigorous foundations in which to house the findings of the social audit.

The Social Context

- Inter- and intra-racial inequality remains massive. As a result, 40% of the population continues to live below the poverty line of R653 a month.
- The Western Cape has the highest rate of crimes per person in the country and nearly half fear crime in their neighborhoods. Crime is concentrated in poorer, under-served, and historically oppressed communities.
- The distribution of basic services, particularly SAPS resources and sanitation infrastructure, remains unequal. For example, the township of Khayelitsha has a fifth the number of policemen per person compared to the suburb Wynberg.

Violence in Schools

- Schools in the Western Cape have the highest rate of threats of violence and robbery in the country. It has the second highest rate of learners reporting experiences of assault and sexual assault. Finally, violent crimes in schools increased between 2008 and 2012.
- Existing interventions by the WCED currently lack the finances and capacity to improve the school safety crisis in the province. Internal monitoring and evaluation of national and provincial school safety interventions is irregular and lacks transparency.

Infrastructure Funding and Provision

- Lack of appropriate sanitation is a threat to learners' health, safety, dignity, and ability to get a good education.
- There are no specific guidelines or regulations regarding maintenance of education sanitation infrastructure by schools and PEDs.
- The WCED strategy to deal with this backlog is mainly to delay the upgrading of schools built of inappropriate materials, exclude public schools on privately owned land from upgrades, and to plan to close smaller schools.
- School maintenance budgets are set to be slashed by 19% in real terms in 2017.

16.2 SUMMARY OF METHODS

EE members and staff, together with members of partner organisations audited 244 schools, serving 217,388 learners between September and November 2015.

Audits at each school involved three components:

1. Interviews with administrators
2. Recording of physical observations
3. Questionnaires completed by learners

EE worked with partner organisations, including the Social Justice Coalition and the International Budget Partnership, to create the research tools used in the audit and to train auditors. Working to ensure a representative sample of the province, EE partnered with the Triangle Project, the Women on Farms Project, and members of the Methodist Church to audit rural schools.

As a result of these efforts, EE collected a highly representative sample of schools with very similar demographics to the general population of schools. This allows for strong estimates of the conditions of Western Cape schools.

To reinforce our audit data, EE conducted interviews with government officials and NGOs, filled fourteen PAIA requests with the WCED, and analyzed both government and school budgets.

In an attempt to ensure the quality of the analysis presented in this report and the methodology used, the full report and survey instruments have been reviewed by 6 education and research experts. These are: Rajendra Chetty (CPUT), Shaun Franklin (WISER, Wits University), Zukiswa Kota (PSAM, Rhodes University), Ursula Hoadley (UCT), Sara Muller (UCT), and Debra Shepherd (AMERU, Wits University). We thank them once more for their invaluable feedback as we conclude this report.

16.3 KEY FINDINGS

While innumerable findings are explored in the full report, the following illustrate the depth of the crisis in Western Cape schools.

16.3.1 On violence and school safety:

1. Learners are unsafe at school and unsafe going to/from school

An estimated two in five learners have experienced, and three in five have witnessed, a violent event.

2. Sexual harassment and rape is taking place in schools

At 16% of schools surveyed, at least one learner reported being or seeing someone sexually harassed. Furthermore, 4% of secondary school administrators reported a rape occurring at the school in the last year. This is despite it being well-established that sexual assault and rape are significantly underreported.

3. Corporal punishment is rife in the Western Cape

Learners are beaten at 83% of schools sampled. It is a daily occurrence at 37% of schools.

4. Lack of access control facilitates violent crime and costs us millions each year

Only about half of school fences were considered sturdy enough to keep intruders out, with 42% having gaps or holes. More than half of the schools surveyed lack a full-time security guard. According to the WCED's own data, schools in the province lost R35.2 million (an average of R22,889 per school) to burglaries and vandalism between 2013 and 2015.

5. The current Safe Schools Programme is inadequate

There is a serious lack of funding for and capacity in the WCED's Safe Schools Programme to deal with the extent of the security crisis in schools. The SSP employs just 46 staff to serve over 1,600 schools. Just eight of these coordinate work at district-level and only 25 conduct fieldwork at school-level. The data also reveals that learners make the least use of the SSP call centre – just twelve calls in two years. It should also be noted that, despite its significant mandate, the call centre staff consists of only five trained psychologists to serve 1600+ schools.

16.3.2 On sanitation conditions:

1. Only one in four schools have sanitation infrastructure for disabled learners

At 74% of schools in the sample there was no toilet for persons with disabilities to be found. This was even worse for rural schools, where 86% of the sample lacked a toilet for disabled learners.

2. Sanitary pad provision is inadequate and hugely unequal

While 64% of learners do have some access to sanitary pads at school, in at least 15% of schools, learners must purchase the sanitary pads from the administration. Inequality in sanitary pad access is enormous. While only one in five learners going to quintile five schools reported no access to sanitary pads, more than half of learners at quintile one schools reported lacking access. Furthermore, while only 8% of female learner toilet blocks at quintile one schools had a sanitary bin, 72% of female learner toilet blocks at quintile five schools did: a nine-fold difference.

3. More than half of schools fail to meet minimum learner to toilet ratio

Without accounting for broken toilets, 42% of Western Cape schools sampled do not have enough toilets and urinals to meet the WCED minimum of one toilet for every 35 learners. When accounting for the fact that 43% of toilets are broken, this number increases to 57%.

4. There is distinct inequality along economic lines in access to decent sanitation.

The median number of learners per working toilet at an urban quintile five schools is 36, but at an urban quintile one school it is 54. The same inequality exists when one looks at the condition of toilet blocks - half of learner toilet blocks at quintile five schools are in good condition, only 17% of quintile one learner toilet blocks are.

5. Lack of maintenance staff is a contributing factor to poor access and conditions

Schools have on average 214.2 learners per maintenance person, with a quarter of schools having more than 296 learners per maintenance staff. Conditions are worse in urban areas, where there is an average of 245 learners per maintenance person, and almost one in ten have more than 400 learners for each maintenance staff

member. There is one school in our Social Audit sample that has 1,206 learners per one maintenance staffer.

16.3.3 On general infrastructure conditions:

1. An estimated 8% were built entirely out of inappropriate materials

These schools require attention under the Regulations Relating to Minimum Norms and Standards for Public School Infrastructure. As per those regulations, these schools should be replaced before November 29 2016. Furthermore, 21 schools on private land have been unreasonably excluded from the backlog of school planned for upgrades.

2. Only 41% of schools surveyed were built entirely out of appropriate materials

In this audit, container classrooms were considered partially inappropriate structures – there are many schools where auditors reported principals and teachers complaining that some of these container classes have been in place for years, some even before 1994. The WCED continues to roll out new container classrooms en masse. In certain circumstances this can be justified, but it is unacceptable that these temporary structures be used on a permanent basis.

3. The WCED will not upgrade infrastructure for public schools on private land

In their *Strategy for the Elimination of Public School Infrastructure Backlogs in the Western Cape*, the WCED has said that it will exclude government schools on privately-owned land from the infrastructure upgrades set out in the *Norms and Standards*. This excludes 266 schools, 16% of all government schools in the Western Cape. In **Appendix G** of our full Social Audit report, EE and its partners at the Equal Education Law Centre show that the argument that the province is not responsible for school structures on private land is extremely dubious

4. Many schools still lack libraries

Just 42% of learners reported having access to a library that was well-stocked with books, while 21% of learners reported that their schools lacked a library altogether. Of those surveyed, 11% reported that their library was locked or used for purposes other than a library and 8% reported that they were not allowed access to the library because there was no librarian. This situation is worse in rural schools, at 30% of rural schools, learners report no library at all.

5. The majority of learners still report no access to a computer lab with internet

This is despite 91% of learners reporting that their schools have computers. There are a number of reasons learners are deprived of access: computers are limited to those in a computer related course, there is a lack of teachers to supervise learners using the equipment, computer access is limited to a certain grade or only to staff, and the computers are in disrepair.

16.3.4 On school budgets:

1. Inequitable allocations in the quintile system

The WCED provides substantially more in funding to quintile four and five schools than prescribed by the National Norms and Standards for School Funding (NNSSF). This is

especially a concern as most quintile one to three schools rely on NSSF funding for more than 70% of their funding, while only a third of quintile four and five schools do.

2. Day to day maintenance allocations may be insufficient

Schools appear to be failing to raise the necessary revenue to pay for necessary maintenance, resulting in budget deficits. It is very likely that the 6% recommended by the WCED is not sufficient for maintenance expenditures, especially at schools attended by the children of the working class. More than half of quintile one to three schools spent above the 6% recommendation.

3. More security funding is needed

Expenditure on security is a recurring non-personnel item which consists of a considerable amount of some school budgets. A third of schools spent more than R30,000 on security. Furthermore, while quintile four and five, and quintile one to three schools had similar median spending per learner on security (R22 and R24.5), wealthy schools had more of a capacity to spend substantial sums when needed: 16% of wealthy schools spent more than R100 per learner on security, while only 3% of poor schools did. This is despite poorer schools having a greater security need. Regular additional subsidy support from both the DBE and WCED, targeted at high risk schools, is needed.

4. NSSF allocations are not keeping up with inflation

NSSF allocations are not keeping up with inflation and therefore unlikely to be sufficient to cover most of the school's expenses – especially at no-fee schools. The WCED is encouraged to annually raise per learner allocations above, or at least at, the financial year's inflation rate.

5. There is evidence to suggest the use of non-personnel funding for salaries by schools, undermine their ability to provide maintenance or security

Three schools of the 13 no-fee secondary schools examined used a substantial portion (17% to 24%) of their discretionary funding on personnel. The WCED must ensure that all schools in the province are supplied with an adequate number of educator and non-educator personnel in order to prevent diversion of funds away from critical non-personnel materials and services.

16.4 ACTIONS GOING FORWARD

EE's efforts to engage the WCED on the findings of our social audit have been met with a mixed response. There have been positive engagements on the safety-related aspects of the audit and their implications between EE and senior Department analysts and bureaucrats . In these meetings the social audit methodology and data have been treated as an important contribution toward shared goals, rather than as a political threat. We remain hopeful that this will lay the basis for the eventual rollout of improved school safety and infrastructure programmes across the Western Cape.

Unfortunately, the same cannot be said for our experience with the WCED's political head, MEC Debbie Schafer. Both the MEC and the Premier of the Western Cape have repeatedly dismissed this entire project as a collection of “vague allegations” based

on piles of “loose papers”.⁴⁵⁸ We are confident that any reader of this report will come to the conclusion that the MEC is mistaken in this regard.

As such, the task of EE and its supporters must be to mobilise in the communities most affected by these crisis conditions, and in society more broadly, to force the Provincial Government of the Western Cape to develop the political will to reckon with the findings of this report. We are committed to taking whatever further steps are necessary to chart a just and equitable way forward for poor and working class learners in the Western Cape.

⁴⁵⁸ Manjra, Shuaib. 6 July 2016. “Education MEC must remember she works for the people.” *GroundUp*.

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17.3 WEBSITES

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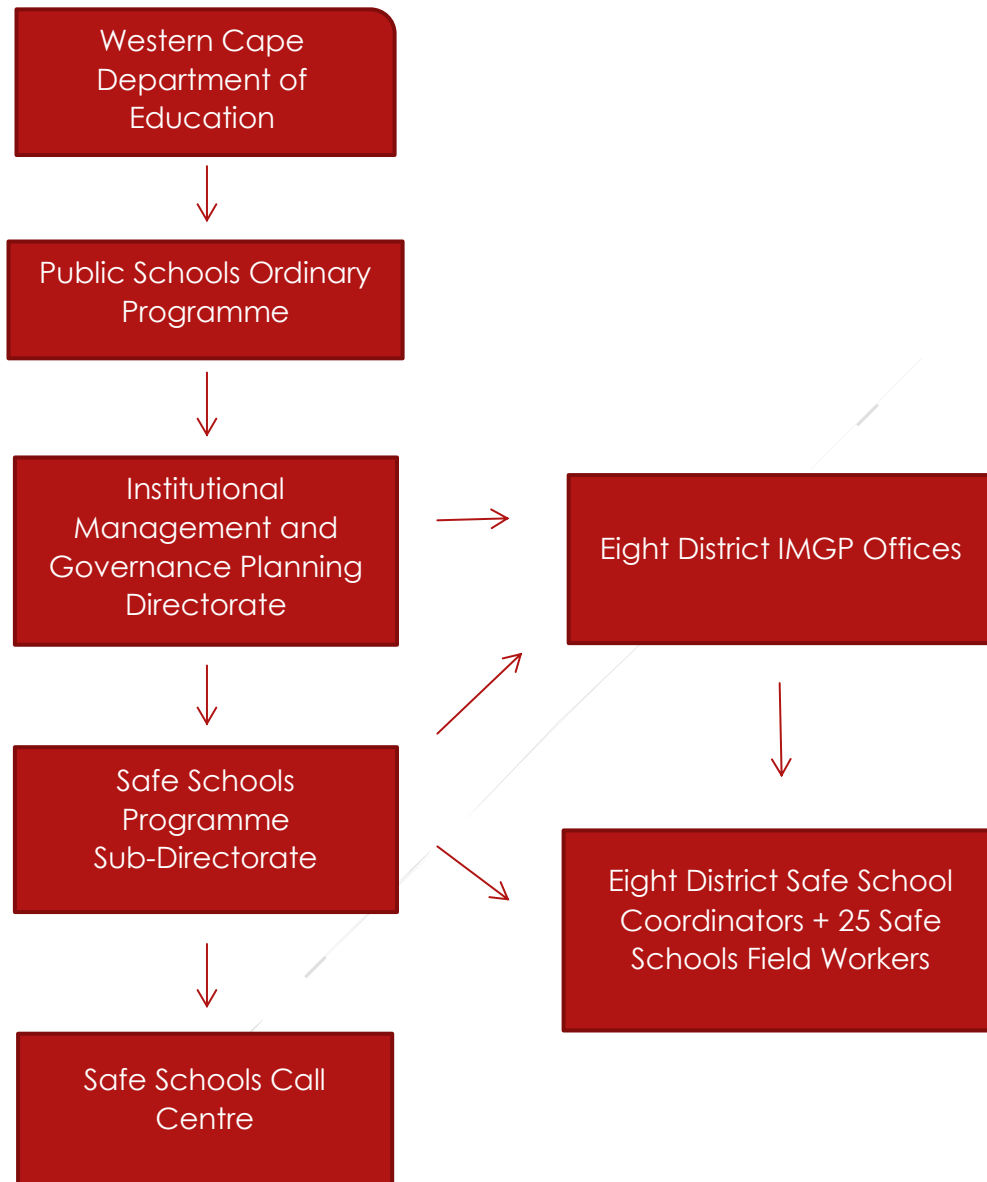
18 APPENDICES

18.1 APPENDIX A: CRIME STATISTICS FOR THE WESTERN CAPE⁴⁵⁹

CRIME CATEGORY	April 2013 - March 2014	April 2014 - March 2015	Case Difference	Percent Change
CONTACT CRIMES (CRIMES AGAINST THE PERSON)				
Murder	2,904	3,186	282	9.7%
Total sexual offences	7,760	7,369	-391	-5.0%
Attempted murder	3,345	3,727	382	11.4%
Assault with the intent to inflict grievous bodily harm	24,806	26,200	1,394	5.6%
Common assault	37,183	39,150	1,967	5.3%
Common robbery	13,107	13,420	313	2.4%
Robbery with aggravating circumstances	19,484	23,116	3,632	18.6%
Total contact crimes (crimes against the person)	108,589	116,168	7,579	7.0%
CONTACT-RELATED CRIMES				
Arson	649	782	133	20.5%
Malicious damage to property	26,458	29,289	2,831	10.7%
Total contact-related crimes	27,107	30,071	2,964	10.9%
PROPERTY-RELATED CRIMES				
Burglary at non-residential premises	13,472	13,719	247	1.8%
Burglary at residential premises	50,503	47,783	-2,720	-5.4%
Theft of motor vehicle and motorcycle	9,460	8,918	-542	-5.7%
Theft out of or from motor vehicle	42,549	42,221	-328	-0.8%
Stock-theft	789	831	42	5.3%
Total property-related crimes	116,773	113,472	-3,301	-2.8%

⁴⁵⁹ SAPS, 2015. *The Crime Situation in South Africa*.

18.2 APPENDIX B: ORGANISATIONAL STRUCTURE WCED SAFE SCHOOLS PROGRAMME



18.3 APPENDIX C: WCED SAFE SCHOOLS PROGRAMME IMPLEMENTATION BUDGET ALLOCATIONS 2013/14 -2015/16⁴⁶⁰

Financial Yr	2013/14		2014/15				2015/16			
	Main budget	% share	Main budget	% share	% nominal growth rate 2013/14 - 2014/15	real % growth rate 2013/14- 2014/15	Main budget	% share	% nominal growth rate 2014/15 - 2015/16	real % growth rate 2014/15 - 2015/16
R'000										
Crime Control	17,487	75.00%	18,449	75.00%	5.50%	-0.09%	18,932	74.00%	2.62%	-2.08%
Crime Prevention	5,830	25.00%	6,150	25.00%	5.49%	-0.11%	6,652	26.00%	8.16%	3.21%
Total	23,317	100.00%	24,599	100.00%	5.50%	-0.10%	25,584	100.00%	4.00%	-0.76%

All figures (R'000) are nominal (they do not factor in the effect of inflation on buying power), with the exception of the “Real growth rate” columns. The percentages in this column were calculated using real figures using CPI figures provided by the National Treasury in the 2015 Budget Review (p.19) – 5.8% (2013/14); 5.6% (2015/15); 5.9% (2015/16); These CPI figures were used to calculate Real Change between-2013/14 and 2015/16). The CPIX figures were also used to calculate average growth over MTEF.

⁴⁶⁰ WCED. 13 October 2015. SSP Programme Budget 2013/14; 2014/15 and 2015/16

18.4 APPENDIX D: WCED 2015/16 INFRASTRUCTURE DEVELOPMENT PROGRAMME BUDGET BY SUB-PROGRAMME⁴⁶¹

Sub Programme	Adjusted Appropriation 2014/15	Main budget 2015/16	Nominal average growth rate 2014/15 - 2015/16	Real average growth rate 2014/15 - 2015/16	MTEF 2016/17	Nominal average growth rate 2015/16 - 2016/17	Real average growth rate 2015/16 - 2016/17	MTEF 2017/18	Nominal average growth rate	Real average growth rate 2016/17 - 2017/18	Real annual average growth rate
R'000											
Administration	21,355	17,724	-17.00%	-20.80%	9,760	-44.93%	-48.00%	10,000	2.46%	-2.97%	-30.02%
<i>Public Ordinary Schools</i>	<i>1,303,600</i>	<i>1,324,106</i>	<i>1.57%</i>	<i>-3.08%</i>	<i>1,179,788</i>	<i>-10.90%</i>	<i>-15.86%</i>	<i>1,203,411</i>	<i>2.00%</i>	<i>-3.41%</i>	<i>-10.62%</i>
Special Schools	10,855	56,287	418.54%	394.79%	51,908	-7.78%	-12.92%	54,909	5.78%	0.17%	165.81%
ECD	61,692	29,110	-52.81%	-54.98%	40,483	39.07%	31.32%	20,000	-50.60%	-53.22%	-36.17%
Total	1,397,772	1,427,227	2.11%	-2.57%	1,281,939	-10.18%	-15.18%	1,288,320	0.50%	-4.83%	-10.68%

The outer years are MTEF projections (projected allocations) with exception of the adjusted and main appropriation figures for 2014/15 and 2015/16 represent the initial allocations for that financial year. All figures (R'000) are nominal (they do not factor in the effect of inflation on buying power), with the exception of the "Real growth rate" columns. The percentages in this column were calculated using real figures. CPIX figures provided by the National Treasury in the 2015 Budget Review – 5.6% (2014); 4.8% (2015); 5.9% (2016); 5.6% (2017). These CPI figures were used to calculate the consumer price Index in order to calculate what the real buying power will be for this financial year and the next two years compared to last year (Real Change between-2014/15 and 2015/16). The CPIX figures were also used to calculate average growth over MTEF.

⁴⁶¹ Western Cape Provincial Treasury. 5 March 2015. *Budget Estimates of Provincial Revenue and Expenditure 2015*.

18.5 APPENDIX E: WCED 2015 BUDGET⁴⁶²

Programme	2014/15		2015/16		2016/17			2017/18			Nominal % growth rate 2017/18	Real % growth rate 2016/17 - 2017/18	Real Annual % growth rate	
	Adjusted Appropriation	% share	Main budget	% share	Nominal % growth rate 2014/15 -2015/16	MTEF 2016/17	% share	Nominal % growth rate 2015/16 - 2016/17	Real % growth rate 2016/17 - 2017/18	MTEF 2017/18				% share
R'000														
Administration	1,222,754	7.36%	1,410,236	7.95%	15.33%	1,414,510	7.62%	0.30%	-5.29%	1,505,085	7.74%	6.40%	0.76%	1.68%
Public Ordinary Schools														
Education	12,083,075	72.75%	12,854,456	72.44%	6.38%	13,711,569	73.87%	6.67%	0.73%	14,416,766	74.15%	5.14%	-0.43%	0.60%
Independent School Subsidies	90,326	0.54%	95,384	0.54%	5.60%	99,544	0.54%	4.36%	-1.45%	104,521	0.54%	5.00%	-0.57%	-0.42%
Public Special School Education	1,045,531	6.30%	1,059,085	5.97%	1.30%	1,115,143	6.01%	5.29%	-0.57%	1,182,555	6.08%	6.05%	0.42%	-1.16%
Early Child Development	515,449	3.10%	619,191	3.49%	20.13%	649,810	3.50%	4.95%	-0.90%	683,278	3.51%	5.15%	-0.43%	4.37%
Infrastructure Development	1,397,772	8.42%	1,427,227	8.04%	2.11%	1,281,939	6.91%	-10.18%	-15.18%	1,288,320	6.63%	0.50%	-4.83%	-7.12%
Examination & Education Related Services	253,717	1.53%	279,349	1.57%	10.10%	290,211	1.56%	3.89%	-1.90%	262,406	1.35%	-9.58%	-14.38%	-3.92%
Total payments and estimates	16,608,624	100.00%	17,744,928	100.00%	6.84%	18,562,726	100.00%	4.61%	-1.22%	19,442,931	100.00%	4.74%	-0.81%	-0.04%

The outer years are MTEF projections (projected allocations) with exception of the adjusted and main appropriation figures for 2014/15 and 2015/16 represent the initial allocations for that financial year. All figures (R'000) are nominal (they do not factor in the effect of inflation on buying power), with the exception of the "Real growth rate" columns. The percentages in this column were calculated using real figures. CPIX figures provided by the National Treasury in the 2015 Budget Review – 5.6% (2014); 4.8% (2015); 5.9% (2016); 5.6% (2017). These CPI figures were used to calculate the consumer price Index in order to calculate what the real buying power will be for this financial year and the next two years compared to last year (Real Change between-2014/15 and 2015/16). The CPIX figures were also used to calculate average growth over MTEF.

⁴⁶² Western Cape Provincial Treasury. 5 March 2015. Budget Estimates of Provincial Revenue and Expenditure 2015.

18.6 APPENDIX F: WCED 2015/16 INFRASTRUCTURE PROGRAMME BUDGET BY PROJECT⁴⁶³

Infrastructure Projects (R'000)	2015/2016		2016/2017				2017/2018			
	Main Budget	% Share	MTEF 2016/17	% Share	% Nominal Growth Rate 2015/16 – 2016/17	% Real Growth Rate 2015/16 – 2016/17	MTEF 2016/17	% Share	% Nominal Growth Rate 2015/16 – 2016/17	% Real Growth Rate 2015/16 – 2016/17
Expansion classrooms	15,004	1.05%	20,000	1.56%	33.30%	25.87%	20,000	1.55%	0.00%	-5.30%
Upgrade and additions (incl. Ad hoc and special school infrastructure)	91,842	6.43%	80,489	6.28%	-12.36%	-17.24%	109,920	8.53%	36.57%	29.32%
Fencing	5,000	0.35%	20,000	1.56%	300.00%	277.71%	5,000	0.39%	-75.00%	-76.33%
Grade R: classrooms	29,110	2.04%	40,483	3.16%	39.07%	31.32%	20,000	1.55%	-50.60%	-53.22%
Office buildings	50,66	0.25%	7,760	0.76%	92.66%	81.92%	10,000	0.78%	2.46%	-2.97%
HR capacity	6,000	0.42%	0	0.00%	-100.00%	-100.00%	0	0.00%	0.00%	0.00%
Maintenance	328,518	23.02%	332,911	25.97%	1.34%	-4.31%	285,120	22.13%	-14.36%	-18.90%
Relocation of mobile classrooms	10,000	0.70%	20,000	1.56%	100.00%	88.86%	20,000	1.55%	0.00%	-5.30%
Hotspot mobiles	10,000	0.70%	10,000	0.78%	0.00%	-5.57%	10,000	0.78%	0.00%	-5.30%
New schools	423,038	29.64%	413,904	32.29%	-2.16%	-7.61%	435,012	33.77%	5.10%	-0.47%
Replacement schools	484,149	33.92%	301,892	23.55%	-37.64%	-41.12%	360,768	28.00%	19.50%	13.17%
School furniture (new schools)	2,500	0.18%	2,500	0.20%	0.00%	-5.57%	2,500	0.19%	0.00%	-5.30%
Capacity consultants/SGB projects	7,000	0.49%	10,000	0.78%	42.86%	34.90%	0	0.00%	-100.00%	-100.00%
School hall programme	10,000	0.70%	20,000	1.56%	100.00%	88.86%	10,000	0.78%	-50.00%	-52.65%
Grand total	1,427,227	100%	1,281,939	100%	-10.18%	-15.18%	1,288,320	100%	0.50%	-4.83%

The outer years are MTEF projections (projected allocations) with exception of the adjusted and main appropriation figures for 2014/15 and 2015/16 represent the initial allocations for that financial year. All figures (R'000) are nominal (they do not factor in the effect of inflation on buying power), with the exception of the "Real growth rate" columns. The percentages in this column were calculated using real figures. CPIX figures provided by the National Treasury in the 2015 Budget Review – 5.6% (2014); 4.8% (2015); 5.9% (2016); 5.6% (2017). These CPI figures were used to calculate the consumer price Index in order to calculate what the real buying power will be for this financial year and the next two years compared to last year (Real Change between-2014/15 and 2015/16). The CPIX figures were also used to calculate average growth over MTEF.

⁴⁶³ WCED. 2015. Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018.

18.7 APPENDIX G: LEGAL ARGUMENT REGARDING WCED RESPONSIBILITY FOR NORMS AND STANDARDS IMPLEMENTATION AT SCHOOLS ON PRIVATE LAND

Firstly, the *South African Constitution*⁴⁶⁴ places a duty upon the state to respect, protect, promote, and fulfil everyone's right to a basic education. This includes ensuring that learners have access to education in a safe learning environment that advances a learner's dignity, and promotes the best interests of the child. **This is not limited to only learners educated on publicly owned land.**

Secondly, the *Norms and Standards for School Infrastructure (Norms and Standards)*⁴⁶⁵ are applicable to **all public schools, and do not distinguish between public schools on State land, and public schools located on private property.** Rather, section 2(a) of these regulations stipulate that one of the objectives of the regulations is "to provide minimum uniform norms and standards for public school infrastructure". In addition, section 3 of these regulations state that the regulations apply to all schools. Therefore, no public school should be excluded from the application of these regulations. Therefore, the WCED may not exercise a discretion as to which schools should be excluded from the application of the Regulations.

Thirdly, the *Norms and Standards*, as well as sections 58(C)(1) and (3) of *South African Schools Act (SASA)*⁴⁶⁶, indicate that **the provincial MEC is ultimately responsible for the planning and implementation of the norms and standards on school infrastructure.**

Fourthly, both of *SASA* and the *Western Cape Provincial School Education Act (WCA)*⁴⁶⁷ indicate that the MEC must enter into an agreement with a private land owner when leasing private property upon which a public school is located. **This agreement must provide for the maintenance and improvement of school buildings and the property upon which it is located on, as well as provide for the supply of necessary services. Therefore, the WCED cannot unilaterally determine that it will not invest money into public schools located on private land, or exclude such schools from the determination of infrastructure backlogs** in its implementation of the *Norms and Standards*. The responsibilities imposed on the private land owner and the MEC must be clearly indicated in an agreement between the two parties.

As mentioned above, both of *SASA* and *WCA* indicate that the agreement between the MEC and the land owner **must provide for the maintenance and improvement of school buildings** and the property upon which it is located on, as well as provide for the supply of necessary services. Therefore, **there is a legislative obligation to address these aspects of school infrastructure on public schools located on private property.**

Section 7(3) of the *Regulations Relating to the Minimum Requirements of an Agreement between the Member of the Executive Council and the Owner of the*

⁴⁶⁴ Constitution of the Republic of South Africa. 1996.

⁴⁶⁵ Government Gazette. 2 November 2013. *Regulation Relating to Minimum Norms and Standards for Public School Infrastructure.*

⁴⁶⁶ Government Gazette. 15 November 1996. *South African Schools Act, 1996 (Act No. 84 of 1996).*

⁴⁶⁷ Western Cape Provincial Gazette. 1997. *Western Cape Provincial School Education Act, 1997. (Act No. 12 of 1997).*

*Private Property (MOU Regulations)*⁴⁶⁸ seems to contemplate that another, separate, agreement must be entered into by the land owner, and the education department, (or an SGB in certain cases) if improvements are made to school buildings, or new buildings are erected, which could result in a stand-off. If such a situation arises, the *SASA*, *WCA*, and *Norms and Standards* indicate that **the obligation to affect improvements to schools, or erect new buildings remains the State's obligation, and that no room should be made for a situation in which neither party is responsible for these obligations. Consequently, to the extent that the *MOU Regulations* might allow for a standoff, they cannot be lawful and must be invalid.** In addition, they cannot allow the MEC to stand back from her responsibility towards learners. Therefore, the MEC must at least take reasonable steps to reach an agreement about how each school will meet the *Norms and Standards* and, if no agreement can be reached, must make alternative arrangements, such as building a new school, or capacitating schools to which learners can be transported, etc.

⁴⁶⁸ Government Gazette. 19 December 1997. *Regulations Relating to the Minimum Requirements of an Agreement between the Member of the Executive Council and the Owner of the Private Property.*

18.8 APPENDIX H: WCED MAINTENANCE BUDGET BY PROJECTS (2015/16 – 2017/18)⁴⁶⁹

Financial Yr	2015/16		2016/17				2017/18			
	Main budget	% share	MTEF 2016/17	% share	% nominal growth rate 2014/15 - 2015/16	real % growth rate 2015/16- 2016/17	MTEF 2017/18	% share	% nominal growth rate 2016/17 - 2017/18	real % growth rate 2016/17 - 2017/18
R'000										
Repair and Flood damage	4,858	1.48%	0	0.00%	-100.00%	-100.00%	0	0.00%	0.00%	0.00%
<i>Scheduled maintenance</i>	<i>152,818</i>	<i>46.52%</i>	<i>130,490</i>	<i>39.20%</i>	<i>-14.61%</i>	<i>-19.37%</i>	<i>175,120</i>	<i>61.42%</i>	<i>34.20%</i>	<i>27.09%</i>
Emergency maintenance	20,000	6.09%	10,000	3.00%	-50.00%	-52.79%	10,000	3.51%	0.00%	-5.30%
<i>Maintenance WIDTH Initiative</i>	<i>150,842</i>	<i>45.92%</i>	<i>192,421</i>	<i>57.80%</i>	<i>27.56%</i>	<i>20.46%</i>	<i>100,000</i>	<i>35.07%</i>	<i>-48.03%</i>	<i>-50.79%</i>
Total	328,518	100.00%	332,911	100.00%	1.34%	-4.31%	285,120	100.00%	-14.36%	-18.90%

The outer years are MTEF projections (projected allocations) with exception of the adjusted and main appropriation figures for 2014/15 and 2015/16 represent the initial allocations for that financial year. All figures (R'000) are nominal (they do not factor in the effect of inflation on buying power), with the exception of the "Real growth rate" columns. The percentages in this column were calculated using real figures. CPIX figures provided by the National Treasury in the 2015 Budget Review – 5.6% (2014); 4.8% (2015); 5.9% (2016); 5.6% (2017). These CPI figures were used to calculate the consumer price Index in order to calculate what the real buying power will be for this financial year and the next two years compared to last year (Real Change between-2014/15 and 2015/16). The CPIX figures were also used to calculate average growth over MTEF.

⁴⁶⁹ WCED. 2015. Western Cape Education Department Annual Performance Plan (APP) 2015/2016 – 2017/2018.

18.9 APPENDIX I: SAMPLE OF VS. ALL WESTERN CAPE SCHOOLS

Schools Surveyed (N = 244)		Western Cape 2015 Master List ⁴⁷⁰ (N = 1,693)	
Public v. Independent		Public v. Independent	
Public	98.8%	Public	86.5%
Phase		Phase	
Primary	52.5%	Primary	64.0%
Secondary	36.5%	Secondary	21.9%
Intermediate	7.4%	Intermediate	6.0%
Combined	3.3%	Combined	8.1%
Ownership of Land		Ownership of Land	
Public	79.9%	State	67.9%
Private	14.8%	Private	21.7%
Unknown	5.3%	Unknown	10.4%
District		District	
Cape Winelands	31.1%	Cape Winelands	17.4%
Eden and Central Karoo	0.4%	Eden and Central Karoo	14.4%
Metro Central	10.7%	Metro Central	15.6%
Metro East	18.0%	Metro East	10.9%
Metro North	9.8%	Metro North	14.8%
Metro South	15.6%	Metro South	12.8%
Overberg	9.0%	Overberg	5.8%
West Coast	5.3%	West Coast	8.3%
No Fee		No Fee	
Yes	66.4%	Yes	68.2%
Allocation		Allocation	
Median	R1059	Median	R1059
Mean	R917.4	Mean	R666.3
Urban vs Rural		Urban vs Rural	
Urban	80.3%	Urban	71.0%
Rural	19.3%	Rural	29.0%
Size		Size	
Micro	5.3%	Micro	18.1%
Small	13.1%	Small	14.3%
Medium	9.8%	Medium	16.7%
Large	25.8%	Large	22.4%
X-Large	45.5%	X-Large	26.9%
Quintile		Quintile	
1	21.3%	1	18.2%
2	18.4%	2	9.7%
3	24.6%	3	11.6%
4	20.1%	4	19.4%
5	14.3%	5	27.0%

⁴⁷⁰ DBE. June 2015. Schools Master List Data - Quarter 1 of 2015: Western Cape.

18.10 APPENDIX J: “EQUAL EDUCATION SURVEY OF SCHOOL SAFETY AND SANITATION”: ANALYSIS OF SOCIAL AUDIT DATA BY THE WCED

18.10.1 Introduction by EE

On 26 April 2016, over a thousand Equal Education members gathered to present data on safety from the social audit and a summary of key preliminary findings [**Appendix K: #DemandSafeSchools!**] to district heads and to the WCED. This handover and the accompanying demands for action were ignored for over a month, with the Minister of Education for the Western Cape publicly claiming that they had never received the data and deriding EE's members. However, after meeting with the Head of Education for the Western Cape, the WCED performed their own analysis of the data. This analysis, dated 11 July 2016, is below. All text is taken directly from the WCED's original analysis, however, formatting has been modified to match the overall formatting of this report.

18.10.2 The Sample

District	**Gr. Total	EnrIm.	Total Interviewed	% Interviewed	% Schools Sampled	ALL WCED Schools (2016)			
						PO	Indep.	Special	Total Schools
Cape Winelands	76	53294	286	0.5%	25%	271	24	10	305
Eden & C. Karoo	1	724	5	0.7%	0%	210	24	5	239
Metro Central	26	20295	86	0.4%	10%	201	53	15	269
Metro East	44	47790	227	0.5%	20%	171	38	11	220
Metro North	24	31143	81	0.3%	10%	188	38	10	236
Metro South	38	39001	104	0.3%	16%	198	29	10	237
Overberg	22	15392	87	0.6%	22%	84	16	2	102
West Coast	12	9749	34	0.3%	9%	126	11	3	140
Grand Total	243	217388	910	0.4%	14%	1449	233	66	1748

- **Excluded: Piketberg Christian School
- The sample also includes 1 Independent (Eagle's Nest Christian School), and 1 Special School (Agulhas School of Skills)
- The Enrolment given in the EE worksheet closely corresponds with the 2015 ASS, Gr R - Gr 12

18.10.3 Responses

18.10.3.1 How safe auditors felt at school (possible presentation of responses?) How safe auditor feels at the school (comment)

Element	Metro	Rural	Gr. Tot	Metro	Rural
Neither Safe Nor Unsafe	14	9	23	12%	10%
Safe	54	36	90	45%	40%
Unsafe	13	6	19	11%	7%
Very Safe	33	38	71	28%	42%
Very Unsafe	6	2	8	5%	2%
Total	120	91	211	100%	100%

18.10.3.2 How safe learners felt at school

Element	Metro	Rural	Gr. Tot	Metro	Rural
Very Safe	156	196	352	27%	41%
Safe	229	162	391	40%	34%
Unsafe	83	38	121	15%	8%
Very Unsafe	102	78	180	18%	16%
Total	570	474	1044	100%	100%

18.10.4 Transport

18.10.4.1 Getting to school

Option	Overall	Metro	Rural	PS	HS
Walk	66%	71%	60%	67%	63%
Taxi	9%	9%	8%	8%	9%
Bus paid for by school	10%	4%	16%	9%	10%
Bus paid for by family	5%	6%	4%	4%	7%
Train	2%	3%	1%	1%	3%
Car	8%	5%	11%	9%	5%
Other	1%	1%	2%	1%	2%
	100%	100%	100%	100%	100%

18.10.4.2 How long it takes to get to school

Option	Overall	Metro	Rural	PS	HS
0-15 min	49%	49%	50%	50%	48%
15-30 min	35%	34%	35%	36%	32%
30-60min	10%	10%	10%	9%	11%
1hr-1.5hr	1%	1%	0%	0%	1%
1.5-2hr	2%	2%	2%	2%	3%
2+ hrs	0%	1%	0%	0%	1%
Don't know	3%	2%	3%	2%	3%
	100%	100%	100%	100%	100%

The EE report makes mention of “large amount of learners live 34km from school.” The data does not prove this. Where do these learners travel from? Do they have no other options? (We know some rural travelling distances are long)

18.10.4.3 Does an adult accompany you to school

Option	Overall	Metro	Rural	PS	HS
Yes	18%	16%	21%	21%	14%
No	82%	84%	79%	79%	86%
	100%	100%	100%	100%	100%

18.10.4.4 How safe do you feel on your way to school?

Option	Overall	Metro	Rural	PS	HS
Very safe	28%	22%	36%	33%	22%
Safe	44%	42%	46%	44%	43%
Unsafe	21%	28%	13%	17%	27%
Very unsafe	5%	6%	4%	5%	5%
Not answered	2%	2%	1%	1%	3%
	100%	100%	100%	100%	100%

18.10.4.5 Have any of the following things ever happened to you on your way to school?

Option	Overall	Metro	Rural	PS	HS
Someone assaulted at all	17%	16%	17%	20%	13%
Threatened with violence	16%	16%	15%	15%	16%
Pickpocketed	17%	17%	16%	14%	19%
Mugged	15%	16%	12%	1%	0%
Physically assaulted without a weapon	1%	0%	1%	12%	18%
Physically assaulted with a weapon (excl. guns)	13%	12%	14%	14%	11%
Physically assaulted with a gun	6%	7%	6%	7%	5%
Verbally harassed	14%	14%	15%	14%	14%
Sexually harassed	2%	2%	3%	2%	3%
Raped	0%	0%	0%	0%	0%
	100%	100%	100%	100%	100%

18.10.4.6 Have you ever seen any of the following things happen to another learner?

Option	Overall	Metro	Rural	PS	HS
Someone assaulted at all	17%	17%	17%	18%	17%
Threatened with violence	13%	14%	11%	11%	15%
Pickpocketed	13%	13%	13%	14%	12%
Mugged	17%	18%	15%	18%	16%
Physically assaulted without a weapon	9%	10%	8%	9%	10%
Physically assaulted with a weapon (excl. guns)	13%	11%	15%	13%	12%
Physically assaulted with a gun	3%	4%	2%	3%	3%
Verbally harassed	11%	11%	12%	11%	11%
Sexually harassed	3%	2%	5%	3%	4%
Raped	1%	1%	1%	2%	0%
	100%	100%	100%	100%	100%

18.10.5 Observations during drafting report

1. The large percentage of primary school learners exposed to violence en route to school
2. Why would a metro learner travel more than 2 hours every day to get to school?
3. The huge number of PS learners who have witnessed some sort of violence on the way to school.
4. **Elements the WCED has "more control" over and can implement with almost immediate effect;**
 - 4.1 **Code of Conduct** for teachers at all schools. Should develop (SACE Code of Conduct as base); in all likelihood already happening at most schools. But which are the possible elements, e.g. reporting mechanism for complaints, etc. that need more robust structures?
 - 4.2 WCED does prescribe that SGB develop CoC for learners; does every learner/parent receive a copy at some point? Do the proper consultations take place and is every effort made to ensure that learners are at least vaguely acquainted with the content?

18.10.6 Notes

The EE research underlines the challenges facing the education department. The findings and concerns are aptly summarised in the EE report "#DEMANDSAFESCHOOLS!" and in this report the Department responds by providing additional analysis where it deems appropriate. A vital element in the design of intervention and prevention is detailed context and the EE report has been invaluable in this regard.

For convenience of reportage, the elements raised in the EE report are divided into the following three categories:

1. Social challenges

2. Infrastructure
3. Corporal punishment

While the solutions to certain challenges evolve over time, the WCED acknowledges that certain issues can receive immediate attention and definite steps be implemented immediately. In most cases there are ongoing activities, e.g. scheduled maintenance in respect of replacing fencing. The simple fact is that the available funds compel prioritisation which unfortunately means that certain urgent matters will stand over. This is a fact of most state institutions: at our hospitals we will have full waiting rooms, and frequently there are instances when snap decisions have to be made between cases of equal importance. In cases like this, it helps if all the facts are clearly communicated. And this is a strategy the WCED has to adopt as a matter of urgency.

18.10.7 The Survey Findings

Box 1: From: EE Report on School Safety & Sanitation

1 in 6 People Feel Unsafe!

There is a widespread lack of a sense of security among people attending school in the Western Cape. Our audit found that 16% of administrators and 16% of learners feel unsafe at school. In other words, **1 out of 6 people at schools in the Western Cape feel unsafe**. Auditors felt unsafe in 35% of schools visited.

This is worse for urban learners, secondary school learners, and learners at poorer schools. **Half of urban secondary school learners at a quintile 1 school feel unsafe**. This is twice the share of rural secondary school learners who feel unsafe.

Violence is experienced at 9 in 10 Schools!

Violence is extremely common. According to administrators, in the last three months: half of all schools surveyed have had a theft, a third have had physical violence against a learner, a third have had drug or alcohol use, and one in six had a gang presence. Furthermore, in the last year: more than half of schools have had a robbery, a quarter had a case of vandalism, one in six have had the significant injury of a learner, one in nine have had a stabbing, and 3% have had someone raped

The EE report concurs with their data captured and forwarded to the WCED. The EE report also aptly highlights matters that have posed continuous challenges to the WCED. In respect of the body of evidence/analysis, the WCED adds selected analytics. In brief, it hones in on particular elements, more in the desire to gain a better understanding of the different situations than to provide a quick and narrow solution.

18.10.7.1 Social Challenges

The difference at rural and metro schools in levels of feeling safe is highlighted. The problems include theft, physical violence, drug abuse and even a case of rape. The responses per Education District (ED) are as follows:

The high levels of violence frequently reported by the media is evident in the (survey) findings of EE. Inevitably our schools would be affected and it is indeed a complex problem to address effectively.

Educ. District	Schools	Burglary	Alcohol/ Drugs	Gang Violence	Theft	Any form of Assault	Assault of teacher	Assault of learner	Seen any violence at school
Cape Winelands	76	51%	32%	16%	43%	30%	13%	22%	54%
Eden & Central Kar	1	100%	0%	0%	100%	0%	0%	0%	100%
Metro Central	26	43%	19%	12%	35%	50%	8%	42%	69%
Metro East	44	72%	32%	11%	45%	36%	9%	32%	86%
Metro North	24	40%	54%	25%	54%	25%	13%	17%	58%
Metro South	38	47%	34%	16%	45%	34%	5%	29%	61%
Overberg	22	43%	23%	9%	27%	32%	0%	32%	59%
West Coast	12	44%	17%	0%	33%	42%	8%	33%	42%
Grand Total	243	51%	31%	14%	42%	34%	9%	28%	63%

Nil responses are excluded from calculations

18.10.7.2 School Safety & Security (Fencing, Security Guards, CCTV)

18.10.7.2.1 How safe learners feel at school

Educ. District	Total Responses	Very Safe	Safe	Unsafe	Very Unsafe
Cape Winelands	281	46%	41%	11%	2%
Eden & Central Kar	5	80%	20%	0%	0%
Metro Central	83	36%	46%	16%	2%
Metro East	221	34%	47%	15%	4%
Metro North	81	16%	48%	27%	9%
Metro South	101	37%	48%	15%	1%
Overberg	82	49%	45%	5%	1%
West Coast	33	61%	30%	9%	0%
Grand Total	887	39%	44%	14%	3%

The schools in the Metro North Circuits showing high rates for feeling unsafe at school

North Schools	Circ.	Responses	Safe	Unsafe
HECTOR PETERSON SEC.	2	5	60%	40%
HLENGISA PRIM.	2	0		
EKUTHULENI PRIM.	4	2	50%	50%
HINDLE HS	4	0		
NEW EISLEBEN SEC	4	4	100%	0%
SIMUNYE SEK.	4	1	0%	100%
DR. NELSON R. MANDELA HS.	5	6	17%	83%
LEIDEN SEC.	5	4	75%	25%
MASIBAMBANE SEC	5	10	10%	90%
ROSENDAAL SEK.	5	0		

18.10.7.2.2 School Fences

[Question: Whether auditors believe fence could keep someone out, including learners]

Educ. District	Total Responses	Don't know	Maybe	No	Yes
Cape Winelands	67	4%	16%	22%	57%
Eden & Central Kar	1	0%	100%	0%	0%
Metro Central	24	0%	33%	13%	54%
Metro East	41	2%	17%	37%	44%
Metro North	24	8%	13%	29%	50%
Metro South	37	3%	14%	32%	51%
Overberg	21	0%	0%	57%	43%
West Coast	10	0%	20%	50%	30%
Grand Total	225	3%	16%	31%	50%

[Question: Whether the school's fence has holes]

Educ. District	Total Responses	Don't know	No	Yes
Cape Winelands	66	2%	47%	52%
Eden & Central Kar	1	0%	0%	100%
Metro Central	24	0%	33%	67%
Metro East	40	3%	43%	55%
Metro North	24	0%	38%	63%
Metro South	36	0%	44%	56%
Overberg	21	0%	48%	52%
West Coast	10	0%	40%	60%
Grand Total	222	1%	43%	56%

[Question: Whether the school's has an alarm and CCTV]

Educ. District	Whether the school has an alarm				Whether the school has CCTV			
	Total Responses	No	Yes; and it works	Yes; but doesn't work	Total Responses	No	Yes; and it works	Yes; but doesn't work
Cape Winelands	74	7%	90%	3%	72	83%	15%	1%
Eden & Central Kar	1	0%	100%	0%	1	100%	0%	0%
Metro Central	21	10%	90%	0%	21	67%	29%	5%
Metro East	34	0%	91%	9%	33	61%	24%	15%
Metro North	21	10%	81%	10%	21	67%	33%	0%
Metro South	36	14%	78%	8%	36	67%	22%	11%
Overberg	21	5%	90%	5%	21	76%	24%	0%
West Coast	10	0%	90%	10%	10	50%	30%	20%
Grand Total	218	7%	88%	6%	215	72%	22%	6%

18.10.7.2.3 Alarms and CCTV at the different school types

Educ. District	Whether the school has an alarm				Whether the school has CCTV			
	Total Responses	No	Yes; and it works	Yes; but doesn't work	Total Responses	No	Yes; and it works	Yes; but doesn't work
Primary	134	8%	87%	4%	131	76%	22%	2%
Secondary	84	5%	88%	7%	84	65%	23%	12%
Grand Total	218	7%	88%	6%	215	72%	22%	6%

18.10.7.2.4 Corporal Punishment

Learner responses to the question that corporal punishment definitely takes place at school:

Educ. District	Total Responses	No	Yes
Cape Winelands	46	13%	87%
Eden & Central Kar	1	0%	100%
Metro Central	18	6%	94%
Metro East	40	10%	90%
Metro North	16	0%	100%
Metro South	27	11%	89%
Overberg	19	37%	63%
West Coast	11	73%	27%
Grand Total	178	16%	84%

Responses to daily use of corporal punishment

Educ. District	Total Responses	No	Yes
Cape Winelands	46	67%	33%
Eden & Central Kar	1	100%	0%
Metro Central	18	94%	6%
Metro East	40	63%	38%
Metro North	16	56%	44%
Metro South	28	79%	21%
Overberg	19	95%	5%
West Coast	11	100%	0%
Grand Total	179	75%	*25%
*Differs from EE's 30%. ?			

18.10.8 WCED Action

The WCED is hugely concerned about the any violence that learners and teachers are exposed to and regrettably realises that the root of the problems lie across all levels of society. Various policies and resources are allocated to address issues of school safety. Unfortunately all of these are linked to available budget. Etc.

A. Social challenges

a. Violence at schools:

- i. Is there a clear structure at school where learners can lodge complaints?
- ii. Is this structure "safe & secure"?
- iii. Does the WCED have structures of discipline that are non-discriminatory, fair and just, i.e. is it perceived to be an effective body in this regard?
- iv. Have schools clear procedures in, e.g. cases of violence, rape, assault, etc.?
- v. How can schools cultivate partnerships with the surrounding communities to increase the levels of safety for learners as well as assist as keepers of all school property?

b. Burglaries and Theft

- i. How can this be managed from a place outside of the school itself?
- ii. Are perimeter barriers enough? Should new schools include accommodation for a resident caretaker/groundsman?

B. School Safety & Security (Fencing, Security Guards, CCTV)

The concern is raised that “not enough is being done to educate teachers and learners about safety”. Also: “There is no security or guards in our yard. Learners can come inside with weapons and drugs.”

Are there dedicated funds for safety and security at schools? Does the WCED prescribe the spending of funds in this regard? Are allocations accommodating the establishment of good safety and security practices? Is there a relationship between sister-departments, inter alia WCED, Social Development, Community Safety and the Police to address communal problems in unison?

The 'lost report' of CCTV interventions (2008) is a matter of concern. Naturally the information would now be close to outdated, but what is happening currently?

C. Corporal punishment

- a. *What does our record say about action against offenders?*
- b. Corporal punishment: advocacy, heightening awareness NOT only of the consequences to teachers, but the value of progressive discipline and strengthening the channels/mechanisms available to teachers in dealing with problematic learners

Box 2: From: EE Report on School Safety & Sanitation

Learners reported experiencing or witnessing a violent event at 89% of surveyed schools:

- At half of schools, learners report being or seeing someone pickpocketed.
- At half of schools, learners report being or seeing someone threatened.
- At a third of schools, learners reported being or seeing someone mugged.
- At two thirds of school, learners reported being or seeing someone physically assaulted.
- Of those, nearly half are with a weapon, and one in ten are with a gun.
- At 16% of schools, learners reported being or seeing someone sexually harassed and, at
- 6 schools, administrators reported a rape occurring at the school in the last year.

18.11 APPENDIX K: #DEMANDSAFESCHOOLS!

[On 26 April 2016, over a thousand Equal Education members gathered to present data on safety from the social audit and a summary of key preliminary findings to district heads and to the WCED. Below is that summary of findings. While all text is the original, the formatting has been modified to match the format of the overall report. This is the document referred to be WCED analysts in **Appendix J.**]

Introduction

From September to November of 2015 Equal Education and partner organisations audited the safety and sanitation conditions of 244 schools in the Western Cape. This process included surveys of 912 learners, visible confirmation of conditions, and interviews with school administrators as well as extensive reviews of the existing literature and data request from government institutions.

1 in 6 People Feel Unsafe!

There is a widespread lack of a sense of security among people attending school in the Western Cape. Our audit found that 16% of administrators and 16% of learners feel unsafe at school. In other words, **1 out of 6 people at schools in the Western Cape feel unsafe.** Auditors felt unsafe in 35% of schools visited.

This is worse for urban learners, secondary school learners, and learners at poorer schools. **Half of urban secondary school learners at a quintile 1 school feel unsafe.** This is twice the share of rural secondary school learners who feel unsafe.

Violence is Experienced at 9 in 10 Schools!

Violence is extremely common. According to administrators, in the last three months: half of all schools surveyed have had a theft, a third have had physical violence against a learner, a third have had drug or alcohol use, and one in six had a gang presence. Furthermore, in the last year: more than half of schools have had a robbery, a quarter had a case of vandalism, one in six have had the significant injury of a learner, one in nine have had a stabbing, and 3% have had someone raped.

Learners reported experiencing or witnessing a violent event at 89% of surveyed schools:

- At half of schools, learners report being or seeing someone pickpocketed.
- At half of schools, learners report being or seeing someone threatened.
- At a third of schools, learners reported being or seeing someone mugged.
- At two thirds of school, learners reported being or seeing someone physically assaulted. Of those, nearly half are with a weapon, and one in ten are with a gun.
- At 16% of schools, learners reported being or seeing someone sexually harassed and, at 6 schools, administrators reported a rape occurring at the school in the last year.

1 in 4 Feel Unsafe On Their Way to School!

One in four learners (27%) feel unsafe on their journey to school. Those who walk more than 15 minutes unaccompanied to school (1 in 5 learners) feel significantly less safe (41% feel unsafe).

This fear stems from the high instances of muggings and violent assault that can occur on route to school. It is common for learners at many schools to experience violent events such as muggings (54%), assaults (57%), and harassment (43%) on their way to school. Again, these events are more likely in urban schools and in secondary schools: **at two-thirds of secondary schools, learners have witnessed or experienced a mugging on their way to school.**

At 83% of Schools Teachers Are Abusing Learners!

Given that corporal punishment is illegal and that the WCED has stated policies against it, one of the most remarkable findings of the audit is that **corporal punishment occurs in 83% of schools.** There is little variance between quintile or between age of learners. **It occurs daily in 37% of schools and at least once a week in 59% of schools.**

Furthermore, 64% of learners in our sample have personally been abused by or seen a fellow learner abused by a teacher weekly and **30% report witnessing corporal punishment daily.**

At 91% of schools with corporal punishment, teachers use weapon. The most used is a ruler/small stick (75% of schools), but pipes (44%) and batons/large sticks (11%) are also common.

Half of Fences Couldn't Keep Someone Out!

Nearly all of schools have a fence. However, the condition of the fences varies: 16% are below the government mandated 1.8 meters and 42% have holes in them. Most are made only of wire, with just a fifth made entirely out of sturdy materials like bricks, metal, or concrete. As a result, **only half of fences were assessed to be sturdy enough to keep people out.**

Most schools (93%) have an alarm, but of these 7% are broken. This means that about 1 in 7 schools are unprotected by an alarm. Further, at many schools these alarms are limited to only certain areas (admin blocs and computer labs for example.)

Finally, 72% of schools lack CCTV cameras, and of the schools that have CCTV cameras 6% the CCTV cameras do not work. Moreover, the effectiveness of these cameras in apprehending or deterring offenders is debatable – especially since the WCED has lost the assessment they did of CCTV interventions in 2008.

Causes of Violence

Learners and administrators named several reasons for this violence in schools:

- **Lack of access control:** "There is no proper gate or fence. Strangers can just walk into the school."
- **Lack of guards:** "There is no security or guards in our yard. Learners can come inside with weapons and drugs."
- **The presence of drugs and alcohol:** "Anything is possible when learners are on drugs."
- **The presence of weapons:** "Many other students bring weapons here, such as knives."

- **Community violence:** “When something happens in the community we feel very unsafe. Some of the learners do belong to gangs and the school is an easy place to get hold of.”
- **Gangsters:** “Gangsters come inside the school and sexually harass us and traumatize us.”
- **Lack of funding:** “School maintenance money is not enough; fundraising events don't work; security money needs to be more.” “School maintenance money is not enough. Currently its paying for 5 teachers and it's still has to do maintenance stuff.”
- **Lack of safety training:** “Not enough is being done to educate learners and educators about safety.”
- **Learner's long walks to school:** “Large amount of learners live 34km from school. There is no transport, the road they walk is dangerous: 2 learners were killed by trucks in the last 5 years. The WCED says no money for transport.”