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TO: THE NATIONAL PLANNING COMMISSION
PER E-MAIL: comments@npconline.co.za

COMMENT: NATIONAL PLANNING COMMISSION: NATIONAL DEVELOPMENT PLAN, VISION FOR 2030

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The Equal Education Law Centre is managed and
controlled by the Equal Education Law Centre Trust.

–
Trustees:
Justice Arthur Chaskalson
Adv Vusi Pikoli
Adv Zanele Msweli
Kerry Williams

Itumeleng Mahabane
Dr Ursula Hoadley
Prof Mary Metcalfe
Yoliswa Dwane
Doron Isaacs

–
6 Spin Street
Cape Town 8001
–
T +27 21 461 1421 / 3551
–
info@eelawcentre.org.za
www.eelawcentre.org.za

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Trust is a registered Trust.*

INTRODUCTION

1. The following commentary on the National Planning Commission's (NPC) Proposed National Development Plan, Vision for 2030 (the Plan) is submitted in response to the NPC's call for public comment and feedback. This commentary has been prepared by the Equal Education Law Centre (EELC) acting on behalf of Equal Education (EE).
2. EE is a movement of learners, parents, teachers and community members working for quality and equality in the South African education system through research, analysis and activism. EE has approximately 1500 members who are active on a weekly basis in approximately 80 schools around the country. It has many more active supporters. It has a representative learner Leadership Committee of approximately 60 members. It also has a parents committee. EE has conducted awareness programmes and campaigns for the improvement of education in the Western Cape, Eastern Cape, Gauteng, Mpumalanga, KwaZulu-Natal, the North West Province and Limpopo.
3. Since its inception, EE has been concerned with learning conditions in poor and working class schools and communities. EE's very first campaign was aimed at ensuring that over 500 broken windows at a school in Khayelitsha were fixed so as to improve the school's physical conditions and to ensure that teachers and learners could better focus in the classroom.
4. Since 2010, EE has run campaigns against learners coming to school late in Cape Town and Ekurhuleni, as well as campaigns encouraging learners to return textbooks at the end of the school year. The campaign against late-coming has involved hundreds of learners, parents and civil society.
5. EE has campaigned for Minimum Norms and Standards for school infrastructure since 2010. What began as campaign for school libraries evolved into a larger campaign that called for all schools to be provided with a minimum level of school infrastructure. EE has recognised the importance of school infrastructure in creating a suitable environment where teaching and learning can happen. Since the beginning of the campaign, EE has petitioned, picketed, fasted, slept outside Parliament and protested repeatedly in an attempt to pressure the Minister of Basic Education (the Minister) to adopt binding regulations setting Minimum Norms and Standards for school infrastructure. On March 6, 2012, EE commenced legal action against the Minister, the Minister of Finance and all provincial education ministers. The case, which is currently pending before the Bhisho High Court, seeks an order compelling the Minister to enact regulations prescribing minimum norms and standards for school infrastructure.

6. EE believes that achieving quality and equality in education requires active citizenship. Therefore, when EE embarked on a national campaign for school libraries, it also established a library project located in an old bakery in Roeland Street, Cape Town called 'The Bookery'. Since 2010 the Bookery has collected more than 100 000 books from the public and has fully stocked more than 15 school libraries in working-class township schools.
7. EE has joined as amicus in an application by a private landowner to evict a farm school from a portion of land which the owner had recently purchased near the Cango Caves, Oudtshoorn, Western Cape. The school had been operating from the land for about 80 years. The case, captioned *Jacobus Du Plessis Botha NO & Others v. MEC for the Western Cape and Others*, highlights the challenges facing rural farm schools which lack security of tenure, the constitutional rights of rural learners, and the central role that schools play in rural communities. EE has called for the Western Cape MEC to consider expropriating the land for the benefit of current and future learners of the school.
8. EE welcomes opportunities to productively engage with government to advance the shared objective of achieving quality education and equal educational opportunities for all. EE values this opportunity to assist the NPC in shaping South Africa's national planning strategy as it relates to the improvement of basic education.
9. The EELC is a new, independently-funded law centre established in 2012 in order to provide specialised expertise in education law and policy in South Africa. The EELC is dedicated to advancing the right to a basic education through strategic litigation, sustained engagement with government and the provision of legal assistance to communities and community-based organisations. A component of EELC's work is assisting community based organisations, such as EE, to formulate their own education policy inputs and interventions. This commentary is prepared in that capacity.
10. EE welcomes that the Plan identifies improving the quality of education as one of the two critical and highest priorities for South Africa¹ and agrees that the Plan's twin objectives of eliminating poverty and reducing inequality over the next two decades is dependent on ensuring rising standards of education across the country.²
11. EE further welcomes the emphasis on education as a tool for building social cohesion and promoting national unity.³

¹ The Plan at 3 and 196.

² The Plan at 1 to 2.

³ The Plan at 26.

12. EE's submits this comment to express its concerns with the Plan as it relates to school infrastructure development, the improvement of rural education, revising the current method of teacher allocation to ensure a more pro-poor method of funding teacher personnel, teacher appraisal and performance based remuneration and the issue of district capacity constraints.

IMPROVING SCHOOL INFRASTRUCTURE

(a) Context

13. EE strongly agrees with the Plan's statement that "[e]ducation, training and innovation are central to South Africa's long-term development"⁴ and that these elements are at the core of the stated goals of "eliminating poverty and reducing inequality"⁵. A strong relationship exists between the country's ability to educate its youth and its capacity for strong economic development. This relationship is recognised in the plan, which states that:

*"Helping people to develop their skills and enhance their capabilities is an essential part of a sustainable strategy for tackling poverty. Education, training and innovation are central to this. Highly educated and trained individuals have much better chances in the labour market and a nation with highly educated citizens, particularly in science, engineering and technology, and the humanities is more competitive and will be able to participate in the knowledge-driven economy in the future. The national economy benefits when there is a critical mass of highly skilled people as the current skills shortages have raised the cost of many vital skills."*⁶

14. The Plan states that for the nation to advance economically, it must develop its economy and work force in a manner which is globally competitive. The Plan stresses the need to consider challenges which global competition raise when planning for economic development. The Policy therefore emphasises that "[t]he world is not

⁴ The Plan at 261.

⁵ Same as above.

⁶ The Plan at 294.

*standing still...the economy is being reshaped by globalisation, climate change, technology and the rebalancing of the world. This means that we have to accelerate the process of building capabilities if we are to become more competitive.”*⁷

15. A commitment to providing all learners with access to quality school infrastructure is a vital component of assuring that all learners have access to their constitutional right to a basic education. Moreover, quality school infrastructure is necessary in producing the type of safe learning environment described in the Plan.⁸
16. However, to improve our economic development in a globally competitive world, we must address the substandard educational circumstances in which many South African learners find themselves. EE therefore agrees with the statement that “[t]he quality of education for the majority of black learners remains poor. Poor-quality education not only denies many learners access to employment – it also affects the earnings potential and career mobility of those who do get jobs, and reduces the dynamism of South African businesses.”⁹
17. South Africa’s education system is plagued by widespread systemic and continuing failure to provide adequate infrastructure to public schools. These failures most severely affect the poorest schools in the country. The enduring infrastructural backlog at these schools is an unacceptable perpetuation of apartheid patterns of race and class inequality and disadvantage which the Plan seeks to eliminate through its bold goals of eliminating poverty and sharply reducing inequality by 2030.¹⁰
18. Today there are still thousands of schools across South Africa that are operating without adequate resources and in unsafe conditions. Government reports, most notably the National Infrastructure Management System Report (NEIMS), detail the lack of resources at public schools in the country. The Report notes that of the 24 793 public ordinary schools:

⁷ The Plan at 327.

⁸ The Plan states at 266: “[b]y 2030, the schooling system is characterised by learners and teachers who are highly motivated; principals are effective managers who provide administrative and curriculum leadership; parents are involved in the schools their children attend; schools are accountable to parents; committed and professional teachers have good knowledge of the subjects they teach; schools and teachers are supported by knowledgeable district officials; the administration of education (including appointment and disciplining of teachers) is the preserve of the government, with unions ensuring that proper procedures are followed; learning materials are readily available; basic infrastructure requirements are met across the board; and high speed broadband is available to support learners.”

⁹ The Plan at 17.

¹⁰ The Plan at 266.

- 3 544 schools still do not have electricity, while a further 804 schools have an unreliable electricity source;
 - 2 401 schools have no water supply, while a further 2611 schools have an unreliable water supply;
 - 913 schools do not have any ablution facilities while 11 450 schools are still using pit latrine toilets;
 - 22 938 schools do not have stocked libraries, while 19 541 do not even have a space for a library;
 - 21 021 schools do not have any laboratory facilities, while only 1 231 schools have stocked laboratories;
 - 2 703 schools have no fencing at all; and
 - 19 037 schools do not have a computer centre, while a further 3267 have a room designated as a computer centre but are not stocked with computers.
19. A major cause of the widespread inadequacy and inequality in infrastructure and amenities in schools is the legacy of the apartheid education system. Racist apartheid laws and policies, and the apartheid government's deliberately unequal allocation of resources, favoured schools reserved for white learners, to the detriment of black learners (African, Coloured and Indian). The implementation of these laws and policies resulted in massive racial inequality which continues to be reflected in the infrastructure backlogs that exist in South Africa's historically disadvantaged schools.
20. The Minister has emphasised this inequality in the *National Policy for an Equitable Provision of an Enabling School Physical teaching and Learning Environment*. Therein she states that the physical teaching and learning environment “has historically been one of the most visible indicators of inequitable resource inputs.”¹¹
21. Most schools in South Africa were built during apartheid. Accordingly, the infrastructure reflects the racial inequality which was then a matter of policy. Moreover, community members in many poor, rural areas were forced to build their schools themselves, using the limited resources that they had.

¹¹ National Policy for an Equitable Provision of an Enabling School Physical teaching and Learning Environment (National Policy) at 7.

22. The Department has emphasised the link between access to adequate school infrastructure, and learners' abilities to succeed in school. In her foreword to the abovementioned *National Policy* the Minister characterised the link between access to proper school infrastructural and learner results as follows:

“School infrastructure remains a critical issue on the social agenda for South Africa for a number of reasons. In the first place, infrastructure differentials are so large in South Africa and some of the infrastructure available so inadequate that it is inconceivable that it does not impact on learner performance. Secondly, the highly unequal access to quality facilities remains critical in the light of our Constitution and the Bill of Rights which demand equity and equality.

23. Moreover, the National Policy states:

“Yet as recent studies show, there is a link between the physical environment learners are taught [in], and teaching and learning effectiveness, as well as learning outcomes. Poor learning environments have been found to contribute to learner irregular attendance and dropping out of school, teacher absenteeism and the teacher and learners' ability to engage in the teaching and learning process. The physical appearance of school buildings are shown to influence learner achievement and teacher attitude toward school. Extreme thermal conditions of the environment are found to increase annoyance and reduce attention span and learner mental efficiency, increase the rate of learner errors, increase teacher fatigue and the deterioration of work patterns, and affect learning achievement. Good lighting improves learners' ability to perceive a visual stimuli and their ability to concentrate on instructions. A colourful environment is found to improve learners' attitudes and behaviour, attention span, learner and teacher mood, feelings about school and reduces absenteeism. Good acoustics improves learner hearing and concentration, especially when considering the reality that at any one time, 15 percent of learners in an average classroom suffer from some hearing impairment that is either genetically based, noise-induced or caused by infections. Outdoor facilities and activities have been found to improve learner formal and informal learning systems, social development, team work and school-community relationships.”¹²

¹² National Policy at 7. See also pages 23-25.

(b) The Plan's Proposal

24. With respect to the development of school infrastructure, the Plan states that:

*"We propose a campaign to improve infrastructure in poor schools, especially in rural areas."*¹³

*"Infrastructure backlogs need to be addressed so that all schools meet the basic infrastructure and equipment standards set by the National Department of Basic Education. This requires targeted action to address the lack of basic infrastructure, such as libraries, books, science laboratories, sports fields, electricity and running water."*¹⁴

25. Moreover, the Plan states that the Constitution's basis for equalising life chances and redressing past discrimination *"should begin with ensuring that everyone has access to quality services, quality healthcare and quality education."*¹⁵ The Plan states that in furthering this objective, it has included *"specific proposals to deal with infrastructural backlogs and the provision of an enabling environment at all educational institutions, particularly those in historically disadvantaged schools."*¹⁶

(c) Analysis and Recommendations

26. While the Plan does well by emphasising the need for educational infrastructure in all schools, the Plan could go further in insisting that quality infrastructural resources be made available to all learners. EE's concerns are in two parts and are addressed more fully below.

26.1. The targeted action called for by the NPC to address the lack of basic infrastructure appears to be founded on the mistaken belief that binding *"basic infrastructure and equipment standards"*¹⁷ exist, and have been *"set by the Department of Basic Education."*¹⁸ The NPC's suggested

¹³ The Plan at 18.

¹⁴ The Plan at 266.

¹⁵ The Plan at 416.

¹⁶ Same as above.

¹⁷ The Plan at 266.

¹⁸ Same as above.

interventions cannot be implemented effectively without legally binding regulations prescribing minimum norms and standards for school infrastructure.

- 26.2. The Plan would be substantially enhanced if it were to state a vision of the substantive areas of school infrastructure that should be accessible to all South African learners at all schools and incremental time periods stating when such facilities should be delivered.
27. Based upon the critical need to substantially improve school infrastructure, as outlined above, the NPC should set a cohesive plan to fix the infrastructure backlog. EE recommends that the following three steps need to be employed by the Department, namely:
- Continuous tracking and quantifying of the backlog;
 - Development of a national policy and legislative framework – including planning prioritising and establishing benchmarks against which progress can be measured; and
 - An effective and accountable implementation plan.
28. The Plan can therefore go further in demanding that quality infrastructural resources be made available to all learners throughout South Africa.
29. EE is particularly concerned with the Plan’s statement that “[i]nfrastructure backlogs need to be addressed so that all schools meet the basic infrastructure and equipment standards set by the National Department of Basic Education”.¹⁹ This targeted action appears to be founded on the mistaken belief that binding “basic infrastructure and equipment standards” exist, and have been “set by the Department of Basic Education.”
30. The National Government has recognised that the prescription of legally binding minimum norms and standards for school infrastructure is key to addressing the underlying systemic failures dealing with inequality, and ensuring that the enduring vulnerability of historically-deprived schools is addressed.²⁰ When enacted as

¹⁹ The Plan at 266.

²⁰ One of the mechanisms created by Parliament to ensure adequate education for all, and some measure of equality, is contained in section 5A of the South African Schools Act (Act). It was inserted in the Act in 2007 to give effect to the recognition in the Preamble to the Act that it is “necessary” to set uniform norms and standards for the education of learners at schools throughout the Republic. It provides in pertinent part that the Minister may, after consultation with the Council of Education Ministers, by regulation prescribe

regulations, these standards would define the basic infrastructure that all schools must have in order to function properly and would clearly advise all education MEC's which infrastructural resources they must provide to schools. However, the Department has not, as of yet, enacted these legally binding regulations.

31. Planning for spending and the development of school infrastructure must be guided by a legally binding clear policy framework with defined and measurable targets. Clear binding norms and standards would further notions of government accountability because all stakeholders, including school officials, learners, parents, communities and civil society members would know what they would be entitled to require from government. Regulations governing minimum norms and standards would enable all stakeholders to monitor national, provincial and local governments' performance, hold government accountable for meeting its obligations, and ensure that government meets those obligations. Accordingly, the notions of transparency and accountability that would be furthered by binding minimum norms and standards for school infrastructure would be fully in-line with the Batho Pele principles emphasised throughout the Plan.²¹

32. The Plan has missed an opportunity to set out a 2030 vision for the extent to which school infrastructural facilities should be made accessible to South Africa's learners. While the Plan does call for "*targeted action to address the lack of basic infrastructure, such as libraries, books, science laboratories, sports fields, electricity and running water,*" the Plan would be improved if it set its own vision of the extent to which these facilities should be made available to learners over the next two decades.²²

minimum uniform norms and standards for school infrastructure. These Norms and standards must provide for direction with respect to "*classrooms; electricity; water; sanitation; a library; laboratories for science, technology, mathematics and life sciences; sport and recreational facilities; electronic connectivity at a school; and perimeter security.*" The Act further provides for reporting mechanism by which the MEC's must ensure compliance with these norms and standards.

²¹ In emphasising the need for top-down and bottom-up accountability, the Plan at 384 emphasises that "*it is vital that citizens know their rights, and have the ability and inclination to claim these rights.*" The Plan further emphasises that Batho Pele principles were implemented to "*encourage public participation and promote responsive governance. Notable among these principles is that 'government departments should inform citizens about the level and quality of public services they will receive so that they are aware of what to expect' and that 'citizens should be given full and accurate information about the services they are entitled to.'* These principles emphasise transparency and information as key to accountability. Translating transparency into responsiveness, however, can only work if the information is available at the point of delivery and if the officials are empowered to act".

²² The Plan at 266.

33. The Plan, for instance, states that *“every primary and high school should have access to adequate facilities to practice school sport and physical education”*²³ The Plan would be significantly enhanced by stating a vision of the extent to which other school infrastructural facilities should be delivered to learners. Accordingly, the Plan should state its own independent vision of how adequate classrooms, electricity, water, sanitation, libraries, science and technology laboratories, internet connectivity and perimeter security should be made available to all learners.

IMPROVING RURAL EDUCATION

(a) Context

34. As a result of our apartheid history rural schools continue to endure the consequences of a legacy of massive shortages of facilities, poor quality infrastructure and chronic poverty amongst learners and their families. Rural schools operating on private land face the additional obstacle of operating under conditions of insecure tenure.
35. The Ministerial Committee on Rural Education issued a report dealing extensively with the quality of education in rural areas. The Ministerial Report notes that
- “Not only are farm schools amongst the poorest in the country, in physical infrastructure, the provision of facilities and services and teaching resources, but also retention rates are significantly lower at farm schools than at all other schools.”*²⁴
36. The Ministerial report states further that *“data indicates that the conditions at approximately one in five schools are neither safe nor secure. The majority of schools in a poor or very poor condition, having poor sanitation, and without water, are farm schools.”*²⁵
37. Rural schools are plagued by a critical shortage of qualified educators. The difficult working environments in which teachers are required to teach prompt teachers to opt to leave these posts and also discourage other teachers from taking up these posts. From EE’s own interaction with teachers in the former Transkei almost all teachers that teach in villages do not live in those villages. In most cases they live in town resulting in transportation costs. Commuting becomes near impossible during cold and raining conditions resulting in high rates of absenteeism.

²³ The Plan at 303

²⁴ The Ministerial Committee Report on Rural Education, May 2005 at 50.

²⁵ Same as above at 53.

(b) The Plan's Proposals

38. The Plan lists, as one of its objectives, improving the opportunities of South Africa's rural communities to become meaningful participants in the *"economic, social and political life of the country"*²⁶ and states that *"these opportunities will need to be underpinned by good quality education"*.²⁷
39. The NPC's proposes that a rural development strategy focuses on the delivery of *"quality basic services, particularly education"*.²⁸ The Plan envisages a 2030 South Africa where all rural residents have access to quality schooling.²⁹
40. In addressing the need for good quality teachers in the education system overall the Plan recommends that the teacher bursary scheme *"be strengthened and expanded"*³⁰ and measures put in place to ensure *"graduates are immediately absorbed into schools."*³¹
41. The Plan further states that in the first five-year roll out period there will *"need to be a focus on . . . investigating and then introducing new incentive structures for teachers."*³²

(c) Analysis and Recommendations

42. In realising the rights of rural residents to access quality education the Plan is silent on the need to adopt measures to attract quality teachers into rural schools.

²⁶ The Plan at 15.

²⁷ Same as above.

²⁸ The Plan at 196

²⁹ The Plan at 213

³⁰ The Plan at 283.

³¹ Same as above.

³² The Plan at 293.

43. The Plan should require that in the first five year period, there be an investigation into and the introduction of new incentive structures that focus on the need to attract quality teachers into rural classrooms. In this regard the Plan should require that the recommendations contained in the Ministerial Report— Engage in a recruitment drive amongst rural communities to attract residents into the teaching profession by earmarking bursaries for them; and encourage them to stay by improving conditions of service— should be reflected in a National Education Policy Document which specifically focuses on achieving quality education in the rural schools.
44. In addition to these recommendations the Plan should suggest increasing the remuneration of teachers teaching in rural areas in a manner that sufficiently incentivises teachers to take up and continue to stay in rural teaching posts. Further incentives should include accommodation and travel allowance

A MORE EQUITABLE DISTRIBUTION OF TEACHERS

(a) Context and (b) Analysis

45. The unequal distribution of teachers across South Africa’s public schools perpetuates the inequality in learners’ ability to gain access to quality education. This is a key issue that must be addressed on a pro-poor basis.
46. The Plan states that since 1994 “*school funding policies have been pro-poor*”.³³
47. Whilst this holds true for non-personnel expenditure the same cannot be said for expenditure on teacher salaries.
48. In a recent Department budget review meeting the Director General, in response to a question on the salary bill of teachers in the overall budget, pitched the figure spent on educator salaries at “*about R120 billion*”³⁴ and stated that “*in some provinces about 80% of the budget was spent on teacher salaries alone*”.³⁵ It is therefore clear that by

³³ The Plan at 268.

³⁴ Department of Basic Education: 2011 Strategic Plans and Budget Review (Day 2): Specific Programmes, 29 March 2011 accessible at <http://www.pmg.org.za/report/20110330-budget-review-south-african-council-educators-sace-budget-review-educ>

³⁵ Same as above.

far the largest percent of the education budget is expended on teacher salaries.

49. The allocation of teachers to schools in the provinces takes place in accordance with a post provisioning model. Although the current model states that the *“head of a provincial deparment must set aside a certain percentage of its available posts for poverty redress based on the department’s relative level of internal inequality”*³⁶ this is subject to the Minister exercising her discretionary power to *“set the maximum percentage that provincial departments may use for this purpose.”*³⁷ This Minister has set this maximum limit at 5%.
50. However, the current model for teacher post-provisioning does not account for the amount of additional teachers that privileged schools can hire, or for the fact that most of the better suburban schools attract better qualified teachers who receive higher salaries from government and that suburban schools often offer a wider subject selection. The resultant effect, in real terms, is that the government spends more on every child in these suburban schools than it does on learners in township schools.
51. That a 5% *“pro-poor”* allocation adjustment falls far short of achieving the need for an equitable distribution of teachers goes without saying. In addition the distribution of teacher qualifications across the public schooling system is not reflective of a sufficiently *“pro-poor”* stance.

(c) Recommendations

52. Because of the ineffectiveness of the current teacher allocation model the Plan should stress the need to further adapt the post-provisioning model in a manner that furthers the need for school funding policies to be *“pro-poor”*.
53. An adapted post provisioning model should take into account the number of additional educator posts which are established and funded through SGB-collected funds as well as teacher qualifications. Accordingly, the post-provisioning model should be balanced in favour of poorer schools that are unable to provide teachers above and beyond the posts which the Department allocates to them. This will ensure that the problem of overcrowded classrooms in townships and rural schools can be more

³⁶ Regulations for the Creation of Educator Posts in a Provincial Department of Education and the Distribution of Such Posts to the Educational Institutions of Such a Department, Annexure 1: “Weighting Norms” at section 5(a).

³⁷ Same as above.

adequately and equitably dealt with.

TEACHER PERFORMANCE APPRAISALS

(a) Plan's Proposals

54. The Plan in its overview section states that proposals are made in relation to teacher “*performance measurement (**based on learner scores**) . . . Teachers both individually and collectively (at school level) must be held accountable for learner performance, with due recognition of the learning environment.”³⁸*
55. Later it states that “*teacher remuneration should be linked to their performance while taking into account mitigating factors such as the school environment and the social economic status of learners.”³⁹*
56. However under the heading “*Change the pay structure to attract and retain good teachers*”⁴⁰ the Plan acknowledges that “*performance-based incentives often prove highly controversial. However, it is possible to identify some indicators of improvements in teachers’ performance that can be used to reward teachers for enhancing their skills. Remuneration and promotion systems should take such indicators of a teacher’s level of expertise and commitment into account.*”⁴¹

(b) Analysis and Recommendations

57. EE notes that the Plan’s actual proposal in respect of rewarding teachers for improvement in their performance steers clear of linking this reward to learner performance outcomes.
58. Based on the Plans recognition of the highly controversial nature of performance

³⁸ The Plan at 18. See also action point no. 49 at 35 which reads “*Link teacher pay to learner performance improvements.*”

³⁹ The Plan at 265.

⁴⁰ The Plan at 283.

⁴¹ The Plan at 283 to 284.

based incentives and due to the inherent complexities and difficulties associated with engaging in an exercise that attempts to isolate the correlation between teacher contribution and learner performance, EE strongly recommends that the reference to performance based rewards linked to learner scores be removed.

59. On the same basis EE recommends that the reference to a teacher performance reward system that makes provision for mitigation of “*factors such as the school environment and the social economic status of learners*” also be removed if this reward is tied in to learner performance.
60. EE voices no objection, in principle, to a “*remuneration and promotion system*” that takes into account “*indicators of a teacher’s level of expertise and commitment*” provided that this is in no way linked to learner performance and provided further that such a system is implemented in a fair and just manner. In particular such a system should prioritise rewarding those teachers who work under challenging learning environments especially in schools serving underprivileged communities including rural communities.

DISTRICT CAPACITY

(a) Context

61. To date no national legislative or policy document exists which clearly outlines the roles and responsibilities of education districts. That this has severely hindered service delivery in education is acknowledged by the Department in its recently released Draft National Policy on the Organisation, Roles and Responsibilities of Education Districts.⁴²

The respective delegated powers, roles, relationships and lines of accountability of head offices, district offices and education institutions are not clearly formulated, understood and exercised.

Many district offices do not have devolved authority to plan and develop their programmes, manage their own budgets and recruit or deploy staff members in their own offices or in education institutions. District directors need adequate delegated decision-making authority to effect necessary changes that are designed to improve learning performance. The absence of clearly delegated powers causes intolerable bureaucratic delays in service delivery since many decisions cannot be taken promptly but must be referred to higher authority.

⁴² Department of Basic Education’s Draft Policy on the Organisation, Roles and Responsibilities of Education Districts, Notice 180 of 2012.

*Districts need more financial resources and the delegated authority to use such resources effectively. Lack of such powers creates uncertainty, impedes delivery and hampers quality management.*⁴³

62. However, the Draft policy as currently structured falls short of committing to a core level of essential services that education districts must deliver to schools.
63. It goes without saying that this lack of clarity diminishes stakeholders ability to hold education districts accountable for fulfilling their mandates. This is contrary to the Batho Pele principle that roles and responsibilities of government bodies should be clear *“government departments should inform citizens about the level and quality of public services they will receive so that they are aware of what to expect.”*⁴⁴

(b) The Plan’s Proposals

64. The Plan states at the outset that a key ingredient for its success is *“an effective and capable government”*.⁴⁵
65. The Plan goes on to attribute ineffective governance resulting from weak capacity as the primary cause for the failings of the school system:

*“The primary cause [for the failing of the school system] is weak capacity throughout the civil service – teachers, principals and system-level officials, which results not only in poor schooling outcomes, but also breeds a lack of respect for government.”*⁴⁶

The Plan recognises that there exist critical shortages of skilled staff such as curriculum advisors in district offices.⁴⁷

66. The Plan thus emphasises that *“Education institutions must have the capacity to implement policy and, where capacity is lacking, immediate measures need to be taken to address it.”*⁴⁸ And requires the building of *“a strong and coherent set of institutions for delivering quality education”*⁴⁹ and that the *“foundations for achieving*

⁴³ Same as above at 7.

⁴⁴ The Plan at 384.

⁴⁵ The Plan at 27.

⁴⁶ The Plan at 270.

⁴⁷ The Plan at 24.

⁴⁸ The Plan at 265.

⁴⁹ The Plan at 263.

[this] *should be fully established within the first five years of the plan to allow for expansion in the subsequent period.*⁵⁰

67. The Plan speaks of a 2030 South Africa where schools and teachers receive support from knowledgeable district officials.⁵¹ Districts are to *“provide targeted support to improve practices within schools and ensure communication and information sharing between authorities and schools.”*⁵²
68. To achieve this target the Plan calls for an education pact in which all sectors of society work together to improve the schooling system. The pact requires government to commit to improving the management of the education sector⁵³ and one of the pact’s intended spin offs is that *“districts [are] able to help school principals manage schools more effectively, and to support classroom teachers in improving their teaching skills”*. District officials will thus receive continuous training.⁵⁴
69. In relation to improving the capacity of districts to support schools the Plan states that *“A clearer understanding of the functions of districts is required. Lack of capacity may limit what can reasonably be delegated to district offices. Since it takes time for professional capacity to be built up in districts, the focus should be on improving the availability of intervention tools that can be used by district officials and other bodies that support schools”*⁵⁵
70. The Plan states further that within the first five years of the plan *“there will need to be a broader approach to building capacity by training district officials . . . to address gaps in both subject knowledge and administrative skills.”*⁵⁶

(c) Analysis and Recommendations

71. The Plan should require that there be a National Policy on education districts that commits to a core level of service that districts are required to deliver to the schools and communities they serve. Clearly identifying the minimum level of services required of education districts will go a far way in enhancing accountability across the

⁵⁰ Same as above.

⁵¹ The Plan at 266.

⁵² The Plan at 265.

⁵³ The Plan at 281.

⁵⁴ Same as above.

⁵⁵ The Plan at 285.

⁵⁶ The Plan at 293.

schooling system. As is made clear in the Plan's reference to the Batho Pele principles, stakeholders including the general public are best equipped to hold government officials accountable when they are aware of the extent of the services owed to them.

72. A vital method of ensuring a successful school system lies in strengthening the capacity of education districts to deliver on their mandate. However, sound solutions cannot be sought in the dark. In order to effectively address district capacity constraints, a deeper understanding of the precise nature of the problem needs to be acquired. Government needs to know the extent of the challenges faced. It is recommended that the Plan calls for an extensive audit on the capacity constraints faced by education districts. An audit should identify, among other things, (1) district personnel vacancies that must be filled; (2) gaps in the "*subject knowledge and administrative skills of district officials*" so that training programs can be designed and delivered accordingly; and (3) financial and other resource constraints inhibiting district functioning.
73. From the education pact perspective, districts should be encouraged to reach out to and meaningfully engage with school communities and NGO's in the schooling sector to find creative ways to work together to achieve the common objective of ensuring quality education for all.

RECOMMENDATIONS

74. The Plan should further emphasise the critical need for school infrastructural development by requiring:
- Continuous tracking and quantifying of the backlog;
 - Development of legally binding national uniform minimum norms and standards for school infrastructure which defines the basic infrastructure that all schools must have in order to function properly; and
 - An effective and accountable implementation plan.
75. The Plan should set its own vision of the types of infrastructural facilities that the NPC believes to be necessary for the carrying out of the economic development policy contained in the Plan. The Plan's vision should state the facilities such as classrooms, electricity, water, sanitation, libraries, science and technology laboratories, internet connectivity and perimeter security that should be made available to all learners over the next two decades. EE recommends that the National Development Plan set out incremental time periods detailing the extent to which current school infrastructural

deficiencies should be eradicated so the government's response to this critical area of development can be monitored by all stakeholders.

76. The Plan should require that in the first five year period, there be an investigation into and the introduction of new incentive structures that focus on the need to attract quality teachers into rural classrooms. In this regard the Plan should require that the recommendations contained in the Ministerial Report — Engage in a recruitment drive amongst rural communities to attract residents into the teaching profession by earmarking bursaries for them and; Encourage them to stay by improving conditions of service —should be reflected in a National Education Policy that specifically focuses on achieving quality education in rural communities.
77. The Plan should also suggest increasing the remuneration of teachers teaching in rural areas in a manner that sufficiently incentivises teachers to take up and continue to stay in rural teaching posts. Further incentives should include accommodation and travel allowance.
78. The Plan should stress that the current post-provisioning model be adapted in a manner that furthers the need for school funding policies to be “*pro-poor*”. The adapted model should take into account teacher qualification salary grade and the number of additional educator posts which are established and funded through SGB-collected funds.
79. The Plan's reference to performance based rewards based on learner scores should be removed.
80. The Plan's reference to a teacher performance reward system that makes provision for mitigation of “factors such as the school environment and the social economic status of learners” should also be deleted.
81. The Plan should require that there be a National Policy on education districts that commits to a core level of service that education districts are required to deliver to the schools and communities they serve.
82. The Plan should call for an extensive audit of the capacity constraints faced by education districts in order to inform government's approach to addressing the challenge.

CONCLUSION

83. EE welcomes the opportunity to submit a comment on the Plan. EE believes that if its recommendations are incorporated, the Plan will go a long way towards informing the strategic planning underpinning the achievement of a 2030 vision of quality education for all.

LISA DRAGA
EELC ATTORNEY
lisad@eelawcentre.org.za