



SUBMISSION TO THE PORTFOLIO COMMITTEE ON BASIC EDUCATION

SCHOOL SAFETY IN SOUTH AFRICA

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SUBMITTED BY:

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Overview

Equal Education welcomes the opportunity to present findings on school safety in South Africa to the Portfolio Committee on Basic Education. Our submission is structured as follows:

1. In **Part 1**, we provide an overview and background of Equal Education.
2. In **Part 2**, we detail the school safety crisis in South Africa and draw on findings from the National School Violence Study conducted by the Centre for Justice and Crime Prevention.
3. In **Part 3**, we highlight the extent of this safety crisis through a case study of school safety in the Western Cape.
4. In **Part 4**, we review the National School Safety Framework (NSSF) as an intervention to address this crisis and emphasise the need for the Department of Basic Education (DBE) to provide regular and updated feedback on the measures taken to ensure that the objectives of the NSSF are met.

Part 1: Background

Equal Education (EE) is a membership-based, democratic movement of learners, parents, teachers and community members. Our core objective is to work towards achieving quality and equality in the South African education system. In order to do this, we conduct a broad range of activities. These include campaigns grounded in research and policy analysis, in support of public action and mobilisation. Where necessary, we use legal processes to advance the value of, and contribute to, a strong civil society that holds government, private interests and individuals accountable.

EE's core membership base is high school learners, known as 'Equalisers', who actively advocate for quality education across five provinces, namely, Eastern Cape, Limpopo, KwaZulu-Natal, Western Cape and Gauteng.

Part 2: School Safety: A National Crisis

While the classroom should essentially be a site conducive to effective teaching and learning, severe safety issues continue to plague a large number of South African schools. Many have become places of violence and crime; with assault, drugs, sexual violence and gangsterism being commonplace.¹ The dynamics around the prevalence of criminal activity on school

¹ Centre for Justice and Crime Prevention, *The National School Safety Framework*, 2016.

grounds are complex and are dependent on broader social and systemic factors such as poverty and unemployment.²

The Centre for Justice and Crime Prevention (CJCP) - a nongovernmental organisation engaged in the field of social justice and violence prevention, with a particular focus on children and youth - conducted a National School Violence Study (NSVS) in 2008 and 2012. The 2012 study surveyed a nationally representative sample of secondary schools which comprised 5,939 learners, 121 principals and 239 educators.

The CJCP defines school violence as being both physical and non-physical in nature, resulting in either bodily or emotional harm to the victim. It manifests in a number of ways including bullying, corporal punishment, sexual and gender-based violence as well as assault and fighting. Both NSVS reports found disturbingly high levels of violence in South African public schools.³

The 2012 NSVS recognises the correlation between provincial incidences of crime and their potential influence on the levels of violence within schools in that province, as schools invariably reflect the characteristics of their communities. The report highlights that the capacity of school authorities to address safety-related concerns and the monetary resources available to secure school grounds are important factors that can contribute to the reduction of school violence. Interventions by provincial departments also play a crucial role.

The 2012 NSVS explored the prevalence of four specific types of violence among secondary school learners occurring within school grounds. These were threats of violence, assault, sexual assault and robbery. The study found that assault was most widespread in the Western Cape, the same province where the highest rate of both the number of threats of violence and robbery were observed and the third highest rate of incidents of sexual assault.

According to the reports, the Western Cape, Limpopo and Free State were found to have the highest rate of threats of violence in both 2008 and 2012. Threats of violence may have a psychological effect on learners, even in the absence of physical harm. Feelings of fear resulting from threats of violence may negatively affect learners' school attendance and academic performance.⁴

Alarmingly, the 2012 NSVS found that an estimated **one in five learners - which translates into 1,020,597 learners across the country - are victims of violence at school each year.**

² Equal Education, *Of "Loose Papers and Vague Allegations"*, 2016. Available: <https://equaleducation.org.za/wp-content/uploads/2016/09/Western-Cape-Schools-Safety-and-Sanitation-Social-Audit-Report.pdf>

³ Patrick Burton and Lezanne Leoschut (Centre for Justice and Crime Prevention), *School Violence in South Africa: Results of the 2012 National School Violence Study*, Accessed 9 May, Available at: http://www.cjcp.org.za/uploads/2/7/8/4/27845461/monograph12-school-violence-in-south_africa.pdf

⁴ *ibid*

Violence in this regard referred to assault, sexual assault, robbery, and verbal abuse. The study also found that:

- One in eight learners reported threats of violence
- One in sixteen learners reported assault, and;
- Approximately one in twenty learners had experienced sexual assault.

Worryingly, the report found that half of the learners surveyed experienced corporal punishment. This despite Section 10(A) of the South African Schools Act (SASA) stipulating that no person may administer corporal punishment at a school against a learner.

In 2008 and 2012, the Free State and Western Cape emerged as the provinces with the highest frequency of incidents across all the identified crime categories. The level of violence found in Western Cape schools is consistent with the findings of Equal Education's 2015 social audit report, which revealed worrying safety conditions and environments not conducive to teaching and learning.

Part 3: Case Study of School Safety in the Western Cape and the WCED's Safe Schools Programme

A lack of security at, and on the way to and from school are realities for an overwhelming number of learners in schools across the Western Cape. In an effort to understand the nature and complexity of these problems, and building on previous research, EE's Western Cape members undertook a social audit between September and November 2015, effectively auditing 244 schools serving 217 388 learners. Given the large size of the sample, as well as the similarity between the sample's demographics and the population of schools, it was possible to draw strong estimates as to the conditions of schools in the Western Cape and use these findings as evidence requiring the urgent attention of the provincial department.

The audit found that:

- Less than half (47%) of schools have a full-time security guard.
- Corporal punishment takes place at 83% of schools in the sample.
- 4 out of 5 learners report that teachers use sticks, batons, pipes, and other objects to hit them.
- 98% of schools were fenced, however, 42% of these schools have holes in their fences.
- 16% of schools sampled had received reports from learners on incidences of sexual assault.

In order to confront and alleviate school safety issues in the province, the Western Cape Education Department (WCED) developed a provincial education Safe Schools Programme (SSP) which, according to the WCED, works alongside schools to *“ensure safe and successful*

school environments".⁵ The SSP comprises a number of activities to create safe schools, including 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 SSP has a *Safe Schools Call Centre* which is intended to provide a contact point for learners reporting cases of physical, verbal and / or emotional abuse, burglaries, vandalism and other incidents relating to safety. The call centre has a toll free number for educators, learners and parents to report violence, abuse, alcohol and drug use, and vandalism occurring at schools. Call centre statistics provided to Equal Education in November 2015, show that the call centre received 4,009 calls in 2014/15, and 2,117 calls by the end of the second quarter in 2015/16.⁶

In response to widespread concerns around safety in schools, the DBE developed the National School Safety Framework (NSSF) in 2015. The NSSF does not represent a new approach to confronting school safety but instead, consolidates existing strategies and programmes aimed at fostering safe schools and reducing violence in them. The NSSF is informed by legislative and policy instruments, such as the South African Constitution, the Children's Act and the South African Schools Act, which are intended to guide the national department as well as provincial education departments in a coordinated effort to address violence occurring within schools.

Part 4: The National School Safety Framework (NSSF) and the need for the Department of Basic Education and other relevant role players to provide regular, updated and publicly accessible feedback on the measures taken to ensure that the objectives of the framework are met

The NSSF is an effort to provide a comprehensive framework addressing issues pertaining to school safety. It is intended to be a tool through which minimum standards for school safety can be set, implemented and monitored, and for which schools, districts and provinces can be held accountable. The NSSF explains that each person in the school context experiences safety differently and has different safety needs. It therefore aims to provide schools with the necessary tools and resources to identify the nature of these experiences, and the steps that need to be taken to address individual needs through data collection on key safety indicators.⁷

The extent to which the noble intentions of the NSSF are realised is dependent partly on the degree to which it is implemented, monitored and evaluated over time. Furthermore, the

⁵ Equal Education, *Of "Loose Papers and Vague Allegations"*, 2016. Available: <https://equaleducation.org.za/wp-content/uploads/2016/09/Western-Cape-Schools-Safety-and-Sanitation-Social-Audit-Report.pdf>

⁶ Western Cape Education Department. Call Centre Statistics for 2013/14; 2014/15 and 2015/16. October 2015.

⁷ Centre for Justice and Crime Prevention, *The National School Safety Framework*, 2016.

comprehensive safety strategy presented in the NSSF can only be properly and effectively implemented in well-run and appropriately-resourced schools. The NSSF details a “school safety diagnostic” which is a tool intended to determine if the school has the basic requirements in place to be able to implement it. For example and in terms of this diagnostic, schools without an appointed School Safety Officer or a School Safety Committee would not be equipped to implement the NSSF. Ensuring that schools are well-prepared to implement the NSSF would require provincial governments to support school leadership, with the additional support of the school governing body. The 2012 NSVS recommended that the NSSF “*be prioritised and accompanied by a roll-out and implementation plan, as well as progress monitoring systems to hold individual schools accountable for implementation*”.⁸

Due to its status as a guiding document, there are no legal ramifications for provinces who do not implement the NSSF and for stakeholders who do not fulfil the obligations of the roles outlined by the document.

The DBE and other government stakeholders identified in the NSSF need to provide feedback on the measures taken to ensure that the NSSF is workable, and that it reaches all relevant stakeholders. Feedback regarding efforts to capacitate and support at-risk and less resourced schools is also needed.

Notably, the NSSF makes reference to the Regulations for Safety Measures at all Public Schools (Safety Regulations) published in terms of SASA, *inter alia*, in the context of assessing if a school has the basic requirements or minimum standards in place to implement the NSSF. The primary aim of the Safety Regulations is to ensure violence and drug free school environments and to regulate access to school premises. In terms of the Safety Regulations, the Head Of Department (HOD) or the principal of a particular school may “*take such reasonable steps as he or she may consider necessary for the safeguarding of public school premises, as well as for the protection of people therein*”.

When providing feedback on the workability of the NSSF, the Department of Basic Education and other stakeholders must also provide feedback on measures to ensure the Safety Regulations are workable and effectively implemented. Feedback in this regard would be updated reports, which are publicly accessible- through websites for example- as well as briefings to relevant parliamentary committees. Additionally, feedback regarding efforts to capacitate and support at-risk and less resourced schools is also required. For instance, while the Safety Regulations allow the HOD or principal to take steps to safeguard school premises by, for example, erecting fences or employing a security guard, there may be insufficient resources to pay for such a fence or security guard.

⁸ Patrick Burton and Lezanne Leoschut (Centre for Justice and Crime Prevention), *School Violence in South Africa: Results of the 2012 National School Violence Study*, Accessed 9 May, Available at: http://www.cjcp.org.za/uploads/2/7/8/4/27845461/monograph12-school-violence-in-south_africa.pdf

We note that the Safety Regulations require the HOD to provide guidelines to assist schools in developing action plans to counter threats of violence which may have a negative impact on school activities. Schools should have provided the HOD with such plans within 6 months after commencement of the Safety Regulations. It is critical that the Committee oversee the process of these plans being finalised and schools being given adequate support to effectively develop and implement them. It is also critical that schools which are under resourced are provided with additional support and, where necessary, infrastructure, to make safety plans effective.

Relevant stakeholders must therefore provide feedback on the measures taken and the mechanisms in place to ensure the above-mentioned guidelines are issued, and that schools are sufficiently capacitated and supported when developing and implementing safety actions plans.

The NSSF acknowledges that ensuring safe schools, and maintaining and managing gains made towards school safety, is dependent on ongoing data collection and analysis. It is also essential to adjust school safety interventions at the school, district, provincial and national level in response to these analyses.

To this end, this Committee can exercise a critical oversight role by assessing the executive's functioning in collating and analysing data across these levels and providing infrastructure and other support interventions on the basis of such data. Supporting the development of effective safety plans, in terms of the Safety Regulations, would depend largely on the executive's ability to do this.

We note that the DBE, after consultation with civil society organisations and other experts, has developed protocols relating to corporal punishment and sexual violence and harassment in schools. The protocols are intended to provide schools, districts and provinces with standard operating procedures/guidelines when addressing allegations of sexual abuse and harassment or corporal punishment, and to specifically detail how schools must respond to reports of sexual abuse and harassment and corporal punishment perpetrated against learners. The DBE must advise on the status of implementation of these protocols and how they are intended to operate in relation to the NSSF.

Conclusion

The issue of school safety is a national crisis and requires the urgent intervention of all stakeholders to ensure the safety and security of all learners are realised. For interventions to be truly impactful, it is necessary for them to be tailored and to take into account the varying safety concerns across different schools in different communities.

EE has engaged in strong empirical research relating to school safety, with its campaigns across five provinces relating to the safety of learners in differing school contexts. In addition to our campaigns, we have engaged with government, protested, picketed and conducted a social

audit to raise awareness about the dangerous conditions which learners are exposed to both on the school grounds and on their way to and from school. Our actions around school safety also seek to call on government to hold all stakeholders to account and to ensure that all programmes and measures to reduce school violence are effectively implemented, monitored and evaluated, and that schools are sufficiently resourced and capacitated.

EE welcomes the NSSF as an intervention which centres on a “whole-school approach” to the safety crisis and is encouraged by its comprehensive objectives in reducing school violence and fostering a safe and secure school environment that is conducive to effective teaching and learning. The NSSF is a guideline which provides a critical, integrated approach to safety. Effective implementation of the NSSF across all schools, as well as providing adequate support and resources to facilitate this implementation, will therefore likely contribute to the reduction of school violence.

We urge the Portfolio Committee on Basic Education to engage with the Department of Basic Education to -

- Assess the extent to which the NSSF has adequately achieved its *“central goal.. to integrate many of the existing school safety strategies and policies and to provide a more simplistic yet comprehensive approach to addressing the violence prevention needs of schools.”* To the extent that the NSSF is failing to achieve this aim, the Committee should engage the department on where the shortcomings in the NSSF lie, as well as potential shortcomings in the strategies and policies, as well as the Safety Regulations, themselves.
- Ensure that the effective implementation, monitoring and evaluation of the NSSF is prioritised.
- Ensure that the DBE makes information relating to the training of NSSF master trainers and school based NSSF training available to the Committee and to the public.
- Encourage the DBE to make the outcomes of the process of monitoring and evaluating of the implementation of the NSSF accessible to the public and civil society.
- Strongly encourage the DBE and other government stakeholders identified in the NSSF to provide feedback on the measures taken to ensure that the NSSF is workable and that it reaches all relevant stakeholders.