

Ms Polly Boshielo
MEC of Education, Limpopo Province
Per email: matloumj@edu.limpopo.gov.za / Mashabakm@edu.limpopo.gov.za

Copied: The State Attorney, Pretoria
By email: PrKhosa@justice.gov.za

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18 August 2020

Dear MEC Polly Boshielo,

SECOND REPORT PROVIDED IN TERMS OF THE COURT ORDER IN *EQUAL EDUCATION & OTHERS v MINISTER OF BASIC EDUCATION & OTHERS (22588/2020)*

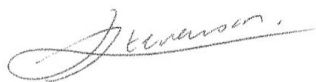
1. We acknowledge receipt of the consolidated report of the national and provincial departments of education, filed in terms of paragraphs 103.10 and 103.12 of the judgment in the case of *Equal Education & Others v Minister of Basic Education and Others (22588/2020)* and received in unsigned form on 7 August 2020 and in signed form on 11 August 2020.
2. In our letter of 6 August 2020, we laid out in some detail the ways in which the province's first report was deficient.
3. We have reviewed the information provided in the consolidated report, which was filed in lieu of your second report, and consider that in order for your report to comply with the order made by the Court, a province-specific report must be provided and it must include the following information which was not contained in this report:
 - 3.1. The province's plan for the implementation of the programme is still not provided.
 - 3.2. The province records a 100% feeding rate but acknowledges that it is recording the distribution of meals to schools not the actual to learners who are receiving meals. It is critical that reports provide information on the latter.
 - 3.3. It remains unclear whether transport is being provided to all learners for the purposes of meal collection. No detail is provided on the days and times learners will be fetched

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to collect food or hampers; the numbers of learners on a bus; and the space of time within which learners are returned home. This is necessary to ensure that learners are not at school for extended periods during the peak of the pandemic.

- 3.4. It says scholar transport is reaching schools without commuters, yet no communication plan has been provided to inform families that meals and transport are being provided and that all COVID-19 protocols will be observed by the school. No communication is referenced beyond communication with SGBs and principals.
 - 3.5. The first report referred to the provision of food hampers, whereas the second report refers only to cooked meals. This inconsistency is not explained.
 - 3.6. We note that Annexure E purports to be provincial monitoring plans but, in fact, just appears to be provincial rosters reflecting annual school visits. They do not specifically report on monitoring during the period of school closures and the phased re-opening of schools and also do not distinguish between planned visits and visits that actually happened. These “monitoring plans” do not reflect what monitoring tools are being used or what data is being collected. The Consolidated Report refers to NSNP monitors being utilised in each province, however the questionnaires completed by monitors and the findings emanating from these visits, are not included in the Consolidated Report. It would be useful if future monitoring reports could report on schools not implementing social distancing guidelines and measures taken to remedy this situation. In addition, it would be useful if these reports monitored reasons for low uptake and remedies put in place.
 - 3.7. There are still no contact details of school/district/provincial officials provided in cases of non-compliance or where caregivers can access more information.
4. We request that this information be provided in your next report.
 5. Once we have received your next report, we shall consider whether it is necessary for us to approach the Court for further relief in terms of paragraph 103.13 of the Court Order.

Yours sincerely,



Sasha Stevenson
Attorney
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