

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case No: 22588/2020

In the matter between:

EQUAL EDUCATION	1 st Applicant
THE SCHOOL GOVERNING BODY OF VHULAUDZI SECONDARY SCHOOL	2 nd Applicant
THE SCHOOL GOVERNING BODY OF MASHAO HIGH SCHOOL	3 rd Applicant

and

MINISTER OF BASIC EDUCATION	1 st Respondent
MEC EDUCATION, EASTERN CAPE	2 nd Respondent
MEC EDUCATION, FREE STATE	3 rd Respondent
MEC EDUCATION, GAUTENG	4 th Respondent
MEC EDUCATION, KWAZULU-NATAL	5 th Respondent
MEC EDUCATION, LIMPOPO	6 th Respondent
MEC EDUCATION, MPUMALANGA	7 th Respondent
MEC EDUCATION, NORTHERN CAPE	8 th Respondent
MEC EDUCATION, NORTH WEST	9 th Respondent
MEC EDUCATION, WESTERN CAPE	10 th Respondent
CHILDREN'S INSTITUTE	<i>Amicus curiae</i>

**AFFIDAVIT IN TERMS OF PARAGRAPH 103.12 OF THE ORDER OF
COURT: MPUMALANGA DEPARTMENT OF EDUCATION**



I, the undersigned,

JABULANI ROLLAND NKOSI

hereby declare under oath as follows:

1

1.1 I am a major male, Acting Head of the Mpumalanga Department of Basic Education.

1.2 My office is situated at Ikhamanga Building, Government Boulevard, Riverside Park, Mbombela.

1.3 The facts deposed to herein fall within my person knowledge, save where otherwise stated, and are true and correct.

2

The purpose of this Affidavit is to report back to the above Honourable Court in terms of paragraph 103.12 of the Order of the above Honourable Court dated 17 July 2020.

3

In respect of the steps that the Provincial Education Department ("*PED*") has taken, I first of all refer the above Honourable Court to the previous Affidavit filed on behalf of the PED, dated 31 July 2020.

4

I annex hereunto as annexure "**JN1**", an Excel spreadsheet containing the information which has to be reported back on to the above Honourable Court.

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5 I furthermore annex hereunto as annexure "JN2", the monitoring tool employed by the Mpumalanga Department of Education, pertaining to the NSNP.

6 I also annexure hereunto as annexure "JN3" a further document namely the **SCHOOL SUPPORT AND MONITORING ON FEEDING OF LEARNERS DURING THE COVID-19 ERA.**

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DEPONENT

SIGNED and sworn to before me at MISOUMBELE on the 27 day of AUGUST 2020, the deponent having acknowledged that he/she knows and understands the contents of this affidavit and all the provisions of Act 16 of 1963 and the Regulations promulgated in terms thereof concerning the taking of the oath having been complied with in my presence and within the area for which I have been appointed as Commissioner of Oaths.

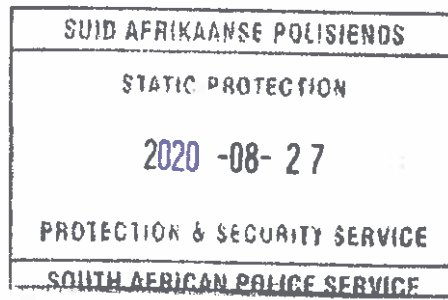
2163142 Sgt
Ameswelle

COMMISSIONER OF OATHS

Capacity:

Full names:

Physical address:



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1. Description of the Project		2. Estimated Construction Costs		3. Estimated Annual Operating Costs		4. Estimated Annual Revenue		5. Estimated Annual Net Income		6. Estimated Annual Cash Flow		7. Estimated Annual Depreciation		8. Estimated Annual Tax		9. Estimated Annual Profit		10. Estimated Annual Return on Investment	
Year	Project Description	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2	Year 1	Year 2
1	Construction of a new building	1,000,000	2,000,000	500,000	1,000,000	1,500,000	3,000,000	1,000,000	2,000,000	1,500,000	3,000,000	1,000,000	2,000,000	1,500,000	3,000,000	1,000,000	2,000,000	1,500,000	3,000,000
2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Year	Construction Costs	Operating Costs	Revenue	Net Income	Cash Flow	Depreciation	Tax	Profit	ROI
Year 1	1,000,000	500,000	1,500,000	1,000,000	1,500,000	1,000,000	1,500,000	1,000,000	3,000,000
Year 2	2,000,000	1,000,000	3,000,000	2,000,000	3,000,000	2,000,000	3,000,000	2,000,000	6,000,000

The above information is provided for informational purposes only. It is not intended to constitute an offer of any financial product or service. The information is subject to change without notice. Please consult your financial advisor for more information.

2. Other Major Risks to the Project
 The project is subject to various risks, including but not limited to: construction delays, cost overruns, market fluctuations, and regulatory changes. These risks could significantly impact the project's timeline and profitability. Mitigation strategies include regular communication with stakeholders, flexible budgeting, and staying abreast of regulatory updates.

3. Financial Projections
 The following table provides a summary of the project's financial performance over a two-year period. All figures are in US dollars. The projections are based on current market conditions and assumptions regarding future demand and costs.

4. Assumptions
 The financial projections are based on several key assumptions, including: a constant inflation rate of 3%, a discount rate of 10%, and a project lifespan of 10 years. These assumptions are used to calculate the present value of future cash flows and to determine the project's internal rate of return (IRR).

5. Sensitivity Analysis
 A sensitivity analysis was conducted to evaluate the impact of changes in key variables on the project's net present value (NPV). The variables analyzed include construction costs, operating costs, and revenue. The results show that the NPV is most sensitive to changes in construction costs, followed by operating costs and revenue.

6. Conclusion
 Based on the analysis, the project is considered financially viable. The positive NPV and IRR indicate that the project is expected to generate a return that exceeds the cost of capital. However, the risks identified in section 2 should be carefully managed to ensure the project's success.

INI

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JN 2



MPUMALANGA NSNP MONITORING TOOL

Interview at the office – request to see NSNP educator and file

SECTION A School Details	A1	Name of school					
	A2	Name of official monitoring					
	A3	Date		A4	Time in		
	A5	District		A6	Circuit		
	A7	Quintile		A8	EMIS no		
	A9	Respondent 1			Respondent 2		
		Name			Name		
		Position			Position		
		Contact number			Contact number		
	A10	School enrolment					
	A11	Number of NSNP approved learners					
	A12	Water facilities at the school					
		Borehole	Municipal	Rain tanks	Other		
	A13	By what time is the feeding of learners attending school completed (Gr 11-12 / Gr R, 6-7)?					
		By 10:00am	10:00am - 11:00am	11:00am - 12:00pm	After 12pm or no feeding		
	A14	Are learners in grades not yet attending school being offered food/meal?		Y	N		
	A15	If 'YES' to A14	Estimate the % of learners in grades not yet attending school that are taking advantage of this food/ meal?	< 25%	+/- 50%		
				+/- 75%	All/ Most		
How are the learners receiving the food/ meal? Circle the most appropriate answer(s)		Come to school and eat the meal on site					
		Collect cooked meals to eat at home					
		Collect food parcels from school to take home					
A16	If 'NO' to A14 then indicate why not Circle the most appropriate answer(s)		We are not ready to be able to offer this yet				
			We were not aware that we had to do this				
			Learners in those grades don't come to school				

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Inspect the NSNP file for evidence of key management practices

Yes	No
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SECTION B Record Keeping and Practices	B1	From a review of the current month's feeding register is there evidence that the school served the intended weekly menu across a full week?	1	0	
	B2	Is the Food Handler attendance register up to date for the current month?	1	0	
	B3	Is there proof that the Food Handlers signed for their payment last month?	2	0	
	B4	Are the signed Food Handler terms of engagement and proof of ID on file?	2	0	
	B5	Have the correct number of food handlers been engaged by the school?	1	0	
	B6	Has the school paid the UIF contribution for Food Handlers to the Department of Labour? If "No" please explain why _____	Y	N	
	B7	Has the school purchased protective clothing for Food Handlers? If "No" please explain why _____	Y	N	
	<i>The interview now moves to the kitchen/food preparation area</i>				
	B9	Is the standard duty list for Food Handlers on the wall in the kitchen?	1	0	
	B10	Is there evidence that the school is using the "Daily Meal Preparation Quantity Calculator" to determine the correct amount of food to prepare?	2	0	

RECORD KEEPING AND MANAGEMENT PRACTICES SCORE	<u>L10</u>
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SECTION C AND CALCULATION PAGE

FOOD GROUP	A Product	B Quantity Description <small>(eg: 2 x 5kg bags, 20 x 425g tins, etc)</small>	C Quantity Prepared <small>(Kg, tin, litre, each)</small>	D Quantity Should Have Prepared <small>(Kg, tin, litre, each)</small> Daily Meal Preparation Quantity Calculator	E Percentage Prepared (%) Column C + D x 100
		From observation in the kitchen			
Starch					
Protein					
Fruit / Vegetable					

5



SECTION D : NUTRITION EDUCATION, HEALTH AND SAFETY

Area		Tool Question	Suggested Evidence/Guidance	Yes	No
School	1	Did the school conduct sanitization and screening at the school gate/entrance for all who enter the school?	Staff member(s) at the school gate(s) ensuring that all who enter: <ul style="list-style-type: none"> o Apply hand sanitiser AND o Have their temperatures taken 	1	0
	2	Are hand sanitizers visible at all entrances to kitchen, storeroom, classes	Alcohol hand sanitizers should be visible at the entrances to the meal preparation area, the storeroom and all classrooms	1	0
	3	Has the school received and displayed COVID-19 hygiene practice guidelines?	Any COVID-19 relevant guidelines/materials/posters should be displayed in the preparation area	1	0
	4	Have the Food Handlers been trained on COVID-19 hygiene practices?	This is a survey question to get an idea on whether all Food Handlers have been trained or not.	Y	N
Food Handlers	5	Are the food handlers clean and appropriately dressed?	All need to be in place to get 1 point: <ul style="list-style-type: none"> o Do they appear clean? o Are they wearing face masks? o Are they wearing aprons? o Are they wearing appropriate head covering? 	1	0
	6	Are food handlers observing the 1.5m social distancing rule at all times?	o Are food handlers more than 1.5m apart during the visit? (meal preparation area and during serving and washing up)	1	0
	7	Are food handlers washing their hands with warm water and soap?	Food handlers should wash their hands with warm water and soap for at least 20 seconds	1	0
Meal Prep Area	8	Is the meal preparation area clean and is there evidence that it has been correctly disinfected?	Is there a system in place to ensure that surfaces are disinfected using bleach every hour that it is in use (20ml bleach/litre of water or 400ml bleach/20 litre bucket) Schools could create a disinfecting register indicating who did so and when.	1	0
	9	Is the preparation area ventilated?	Windows and doors need to be open to reduce transmission the spread of the virus	1	0
	10	Are cooking and eating utensils being cleaned correctly?	<ul style="list-style-type: none"> o Washed with warm soapy water o Rinsed with disinfectant (water and bleach) 	1	0
	11	Is there a fire extinguisher in the meal preparation area and has it been serviced in the last 12 months?	Normally when fire extinguishers are serviced a sticker is placed on the extinguisher indicating the date of service and / or the date that the next service is due	1	0




Area	Tool Question	Suggested Evidence/Guidance	Yes	No
Meal Prep Area	12 If the school uses gas, is the gas canister outside, protected and locked?	If a school uses gas, all gas canisters should be kept outside in a lockable enclosure, protected from tampering and locked and food handlers should be familiar with the gas safety practices.	1	0
	13 Are sanitizers being positioned/stored away from flames/ the gas stove?	If the school uses wood or electricity to prepare the meal then they should get 1 point Sanitizers are alcohol based and as such highly flammable. As such they should not be left close to an open flame/gas stoves	1	0
	14 Does the school have a basic First Aid Kit in the preparation area?	At a minimum the basic first aid kit should contain plasters/bandages.	1	0
	15 Is waste being managed correctly?	Rubbish bins should have lids, bin liners and be emptied and disinfected regularly and discard in pits	1	0
	16 Is the storage area clean, safe and hygienic and correctly disinfected?	All need to be in place to get 1 point: <ul style="list-style-type: none"> o Is the storage area clean? o Is the food stored off the floor (shelves/pallets/bins etc)? o Is food stored away from chemicals/hazardous materials? o Is there evidence that the FIFO method is used to pack foods so that the oldest stock is used first? 	1	0
Store room	17 Is the food in the storeroom within its expiry date and in the original packaging?	It is not always practical to check the expiry dates and packaging on every product in the storeroom. It is suggested that you take a sample of products, focusing on the particularly high risk items (such as soya, which is often repackaged by suppliers)	1	0
	18 Are all learners washing their hands before and after eating?	All learners should wash their hands with soap and running water before and after the meal i.e. the school should provide evidence of disinfectants used for the washing of hands	1	0
Serving/ eating meals	19 Are learners eating in classrooms/dining hall, under the supervision of an educator and observing 1.5m social distancing?	<ul style="list-style-type: none"> o Learners should be supervised while eating in class o Learners should sit 1.5m apart o Learners should not share utensils 	1	0
	20 Is the food being prepared covered?	All cooked food should be covered and not on the floor (including when it is being taken to class for serving)	1	0
	21 Are the toilets clean and hygienic?	This must be observed first hand. Keep in mind that the focus is not on the infrastructure, but on the cleanliness (i.e. graffiti on the walls or the fact that it is a pit toilet does not mean that it is not clean and hygienic)	1	0

NUTRITION EDUCATION, HEALTH AND SAFETY SCORE	<u>120</u>
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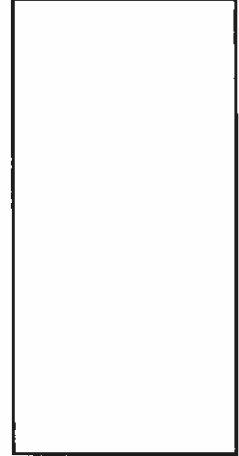

SECTION D NOTES	Q No.	DETAILED NOTES ON FINDINGS

NSNP SCHOOL MONITORING FEEDBACK FORM

School Name _____ EMIS _____ Date _____

<u>Category</u>	<u>Score</u>	<u>Observations/ Challenges identified</u>	<u>Recommendations / Action required</u>
Learners attending school (Gr 11-12) (Gr R,6-7)	-	Feeding Time	
	-	Balanced meal served (3 food groups)	
	-	Quantities prepared	
Feeding of Learners in Grades not yet attending school	-		
Record Keeping & Management Practices	10		
Health, Safety & Nutrition Education	20		

School Stamp



Monitors Signature _____

I have read and understood the report and the actions to be taken and I will ensure these are addressed
Principal's Signature _____

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education
MPUMALANGA PROVINCE
 REPUBLIC OF SOUTH AFRICA

Ikhanga Building, Government Boulevard, Riverside Park, Mpumalanga Province
 Private Bag X11341, Mbombela, 1200.
 Tel: 013 766 5552/5115, Toll Free Line: 0800 203 116

Litiko le Temfundvo, Umnnyango we Fundo

Departement van Onderwys

Ndzawulo ya Dyondzo

**NATIONAL SCHOOL NUTRITION PROGRAMME (NSNP)
 SCHOOL SUPPORT AND MONITORING ON FEEDING OF LEARNERS
 (COVID-19 ERA)**

SCHOOL INFORMATION	
School Name:	School Principal:
Email:	Principal contact No.:
School Quintile:	
Circuit office:	Circuit Manager's Initials & Surname:
Contact No.:	
Departmental official:	Contact No/s.:
Workstation:	Date of visit:



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JN 3

Key Focus Area	Questions	Yes/ No	Comments
Availability of PPE	Masks		
	Sanitizer		
	Water		
	Soap		
	Disposable apron		
	Latex hand gloves		
	Heavy duty cleaning gloves		

Key Focus Area	Questions	Yes/ No	Comments
Voluntary Food Handlers (VFH)	Was/ were the VFH orientated on COVID 19?		
	Are the VFH wearing masks?		
	Is/ Are the VFH wearing disposable apron?		
	Is there evidence that VFH temperature on the day was taken?		
	Do the VFH observe the physical distancing in the kitchen?		



20 10/11

Key Focus Area	Questions	Yes/No	Comments
Cleanliness of the Kitchen	Are the following items sanitized or constantly disinfected? Tables; Sink; Door handles, etc.		
	Are there enough plates and spoons to avoid the sharing of food?		
	Is there a feeding and monitoring plan that allows for physical distancing during the serving and eating of food?		

Key Focus Area	Questions	Yes/No	Comments
Food Storage	Is the food storage clean?		
	Is the food storage sanitized or cleaned on an ongoing basis?		
	Is the food packed according to the food labels?		

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Key Focus Area	Questions	No. of learners	Comments
Feeding of all learners (including learners not yet back at school)	How many learners are fed at school?		
	How many learners not yet back at school are provided with cooked meals to take home?		
	How many learners not yet back at school are provided with food parcels to take home and this done at the school?		
	How many learners not yet back at school are provided with food parcels to take home and this done at a distribution point?		

Key Focus Area	Questions	Comments
Communication strategy to parents	How does the school communicate with parents?	
	How does the school handle complaints on NSNP issues?	

Key Focus Area	Questions	Yes/ No	Comments
Cleanliness of the toilets	Are the toilets clean and sanitized?		



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Remarks:

Signature of Official

Date

Signature of Principal

Date

School Stamp



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