

**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1615.**

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**INTERNAL QUESTION PAPER: 13/2025**

**1615. Ms N V Mente-Nkuna (EFF) to ask the Minister of Basic Education: to ask the Minister of Basic Education:**

(1) Whether she has been informed about the sad state of affairs at Tyinzima High School in King Sabatha Dalindyebo, in the Eastern Cape, which is without water, toilets and infrastructure, yet it is expected to deliver effective learning and teaching under such inhumane circumstances; if not, what is the position in this regard; if so, what intervention is she going to make to address the situation;

(2) what is her department's position with regard to the temporary arrangement of a service provider who is providing bucket system toilets to the school, which are not drained daily, with the service provider citing issues of nonpayment for the services provided while such toilets cannot be used as they gather maggots, thus exposing learners to health hazards;

(3) what urgent steps is she going to take with regard to the high rate of teacher resignations at the school, resulting in classes being overcrowded as they accommodate no less than 140 learners in a class?

## **NATIONAL ASSEMBLY**

### **WRITTEN REPLY**

#### **QUESTION 1615.**

#### **Response**

(1) – (2)

The Minister of Basic Education has not been formally informed of the circumstances at Tynzima High School in King Sabatha Dalindyebo, Eastern Cape, but will raise these with the MEC for Education in the Eastern Cape.

In terms of the South African Schools Act, read with the Government Immovable Asset Management Act, provinces are responsible for the planning, provisioning, management and maintenance of public school infrastructure. Liability for acts or omissions arising in the use of provincial property is regulated by the Government Immovable Asset Management Act.

The Minister of Basic Education, supported by the Department of Basic Education (DBE), is responsible for setting norms and standards for public school infrastructure. The DBE provides support and oversight to Provincial Education Departments (PEDs) (including the Eastern Cape Department of Education) and, in some instances, implements projects through programmes such as the Accelerated Schools Infrastructure Delivery Initiative (ASIDI) and the SAFE Initiative.

As MECs for Education and their respective PEDs are responsible for the provisioning of public school infrastructure in their respective provinces but do not report directly to the Minister and Deputy Minister of Basic Education or the DBE, heightened collaboration and oversight between the national and provincial education departments is required to ensure that national priorities are effectively implemented at the provincial level. PEDs should not be returning funds to the National Treasury while public school infrastructure backlogs persist.

The Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure require PEDs to include their annual progress reporting information on how infrastructure backlogs will be addressed. PEDs are finalising infrastructure plans that identify outstanding backlogs and outline strategies to address them.

PEDs, in collaboration with the DBE where necessary, are continuously working to address infrastructure challenges in public schools. Plans for infrastructure improvement are prioritised based on available funding and urgency. The timelines for implementation are determined by PEDs based on their respective infrastructure delivery plans.

The Medium-Term Budget Policy Statement now outlines the integration of multiple conditional grants, including the Education Infrastructure Grant (EIG) and the School Infrastructure Backlog Grant. While this reform aims to streamline resource allocation,

## **NATIONAL ASSEMBLY**

### **WRITTEN REPLY**

#### **QUESTION 1615.**

it reduces the ability of the DBE to directly influence infrastructure delivery at a provincial level. Consequently, provinces will play an even greater role in the implementation of public school infrastructure projects.

Under the EIG, PEDs have submitted infrastructure plans that include the upgrading of existing facilities. These plans consider population growth, urbanisation and the distance learners travel to school.

The DBE is in the process of submitting a budget bid to the Budget Facility for Infrastructure (BFI) to supplement the EIG, assisting provinces in eliminating backlogs related to overcrowding, infrastructure deficiencies and inadequate classroom availability.

Accountability mechanisms will need to be strengthened to prevent systemic negligence and to ensure the safety and dignity of all learners. In this regard, the Minister of Basic Education intends to review the Regulations relating to Minimum Uniform Norms and Standards for Public School Infrastructure to ensure that they are clear, provide for clear oversight mechanisms and can lead to improvements in infrastructure delivery at a school level.

Given the above, the questions relating to Tyinzima High School in King Sabatha Dalindyebo, Eastern Cape fall under the executive authority of the MEC for Education in the Eastern Cape. In terms of Section 92(3)(b) of the Constitution of the Republic of South Africa, 1996, and Rule 134(5)(b) of the National Assembly Rules, the Honourable Member is therefore kindly advised to refer the questions to the MEC for Education in the Eastern Cape.

(3)

According to section 3 of the Employment of Educators Act:

- the Head of a PED is the employer of all educators in the service of that PED in posts on the educator establishment of public schools for all purposes of employment, except for the determination of salaries and other conditions of service (for which the Minister of Basic Education is considered the employer); and
- a public school is the employer of all persons in the service of that school in posts created and funded by the School Governing Body of that work (which excludes principals of public schools).

The DBE therefore does not directly manage staffing, resource allocation or funding for the employment of educators within provinces, as these responsibilities fall under

## **NATIONAL ASSEMBLY**

### **WRITTEN REPLY**

#### **QUESTION 1615.**

the jurisdiction of the respective PEDs. The responsibility for ensuring that public schools are adequately staffed for the 2025 academic year lies with each PED, which manages educator recruitment based on available vacancies, funding and school needs.

In line with national policy, PEDs recruit and employ qualified educators on an ongoing basis, depending on vacant funded posts at schools. Educator vacancies arise in two primary ways:

1. Permanent vacancies due to attrition: When a post is vacated due to retirement, resignation or other forms of attrition, the post is either immediately filled permanently or temporarily filled pending an appointment in that post on a permanent basis.
2. Temporary vacancies due to short-term absences: When educators (including school principals) are on maternity leave, ill-health leave or other temporary absences, substitute educators are appointed for the duration of the absence.

To streamline the recruitment process and minimise delays, public schools are permitted to:

- Advertise vacant posts locally, allowing for a quicker turnaround in filling positions;
- Select candidates from recruitment databases maintained by PEDs, where such systems exist; and
- Make temporary appointments to vacant promotional posts, ensuring that school management structures remain functional while recruitment processes for permanent appointments are underway.

PEDs are mandated to ensure that vacant posts, including those of educators, are filled in a timely and transparent manner. This includes maintaining updated records of vacant positions, and ensuring proper procedures are followed for recruitment, selection, and appointment.

Vacant posts are typically advertised through the provincial bulletins issued by each PED. These bulletins detail available positions, requirements, and deadlines for application. The process ensures that recruitment is conducted in a standardised and equitable manner across all public schools.

## **NATIONAL ASSEMBLY**

### **WRITTEN REPLY**

#### **QUESTION 1615.**

The DBE plays an oversight and support role, including monitoring provincial performance on educator provisioning and facilitating system-level improvements in recruitment and retention.

Given the above, the question relating to Tynzima High School in King Sabatha Dalindyebo, Eastern Cape falls under the executive authority of the MEC for Education in the Eastern Cape. In terms of Section 92(3)(b) of the Constitution of the Republic of South Africa, 1996, and Rule 134(5)(b) of the National Assembly Rules, the Honourable Member is therefore kindly advised to refer the question to the MEC for Education in the Eastern Cape.