

**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 2968.**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 09/09/2022**

**INTERNAL QUESTION PAPER: 31/2022**

**2968. Ms A M van Zyl (DA) to ask the Minister of Basic Education: to ask the Minister of Basic Education:**

- (1) Whether her department has any policy and/or legislation in place to deal with the displacement of educators; if not, why not; if so, what are the relevant details;
- (2) whether she will furnish Ms A M van Zyl with a copy of the policy and/or legislation; if not, why not; if so, what are the relevant details;
- (3) whether she has found that the policy is being implemented; if not, what is the position in this regard; if so, what are the details of how the policy is being implemented;
- (4) whether her department has held workshops and cascaded the policy to districts and schools; if not, why not; if so, what are the relevant details?

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#### QUESTION 2968.

#### Response

1. Whether her department has any policy and/or legislation in place to deal with the displacement of educators; if not, why not; if so, what are the relevant details;

#### Response:

1. No. The Department does not have any policy and/or legislation in place to deal with the displaced educators. The concept "displaced educators" is not contained in our policies and/or legislation. However, we are aware of educators, especially principals, who are placed in district or circuit offices because the communities do not want them. Such incidences are sporadic and come as a result of allegations against such individuals. The Departments view has been that provincial departments must investigate any allegations which are levelled against any educator and depending on the outcome of the investigation, the outcomes of the findings must be shared with any person who who made averments of impropriety, and then be implemented. The Department cannot make legislation or policy in this regard because the Labour Relations Act provides for remedies of unfair labour practice which could be pursued by those educators who find themselves unfairly treated. Developing legislation and/or policy dealing with this phenomenon will be institutionalising unfair labour practice.

(2) whether she will furnish Ms A M van Zyl with a copy of the policy and/or legislation; if not, why not; if so, what are the relevant details;

**Response:** As indicated in (1) above, there is no legislation and/or policy on dealing with the "displacement of educators".

(3) whether she has found that the policy is being implemented; if not, what is the position in this regard; if so, what are the details of how the policy is being implemented;

**Response:** As indicated in (1) above, there is no legislation and/or policy on dealing with the "displacement of educators"

(4) whether her department has held workshops and cascaded the policy to districts and schools; if not, why not; if so, what are the relevant details?

**Response:** As indicated in (1) above, there is no legislation and/or policy on dealing with the "displacement of educators".

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