

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 9 NOVEMBER 2018

COMMITTEE REPORTS

1. **REPORT OF THE STANDING COMMITTEE ON FINANCE ON THE 2017/18 ANNUAL REPORTS OF PROVINCIAL TREASURY AND ITS ENTITY THE WESTERN CAPE GAMBLING AND RACING BOARD.**

The Standing Committee on Finance, having considered the Annual Reports of Provincial Treasury and the Western Cape Gambling and Racing Board for the 2017/18 financial year, reports as follows:

1. Introduction

Annual Reports are key instruments by which the Western Cape Provincial Treasury (the Department) and its Entity the Western Cape Gambling and Racing Board (WCGRB) reports on its performance during a financial year. The Department's performance and that of its Entity is measured against set targets and budgets as outlined in its Strategic Plans and its Annual Performance Plans for the period under review. In addition hereto, it accounts for the success of each Programme implemented.

The Annual Report Programme for the 2017/18 financial year was advertised in various newspapers, inviting stakeholders and members of the public to attend and participate in the discussions. The Committee deliberated on Part A: General Information, Part B: Performance Information and Part D: Human Resource Management of the Annual Reports of the Department and its Entity.

For the year under review the Department received its fifth consecutive clean audit report with recommendations. The Auditor-General recommended that Provincial Treasury

improve on its asset management practices and ensure that its budget is spent effectively and efficiently while exercising fiscal prudence.

2. Overview

The consideration of the Annual Reports of the Department and the WCGRB took place on 11 October 2018. As part of its oversight function, the Committee considered the Annual Reports as per Standing Rule 105(1) of the Western Cape Provincial Parliament. It provides standing committees with the power to consider Departmental Annual Reports submitted in terms of the Public Finance Management Act (Act 1 of 1999).

The Head of Department, Mr Hoosain, in his introductory remarks provided a brief overview of the operations of the Department during the 2017/18 financial year. He indicated that the Department focused most of its resources on achieving the Department's objectives and targets as set out in its Annual Performance Plan and that it has managed to achieve most of its planned targets.

The Committee commenced with a section-by-section consideration of Provincial Treasury's Annual Report followed by that of the WCGRB.

3. Provincial Treasury

3.1 Human Resource Management

3.1.1 Organisational structure

The current organisational structure of Provincial Treasury consists of 328 established posts. As at 31 March 2018 only 288 posts were filled. On page 106 of the Annual Report under table 3.1.1 a total of 396 employees were remunerated. The explanation provided was that 396 refers to all individuals remunerated during the reporting period. The total includes all 40 interns and 288 employees employed at a specific date.

3.1.2 Vacancies

The Chief Financial Officer retired on 31 October 2017. The post was filled permanently on 1 May 2018. Other vacant senior posts are the Deputy Director General Governance and Asset Management, Chief Director Public Policy Services, Chief Director Local Government Public Finance, Director Strategic and Operational Management Support and the Director Local Government Revenue and Expenditure Group One. Concern was raised regarding Provincial Treasury's vacancy rate, skill retention and on how it will be addressed.

3.1.3 Bursaries

Forty persons applied for study bursaries. No further bursary applications were received during the reporting period. After fulfilling their bursary obligations 13 interns left the Department.

3.2 Key policy developments and legislative changes

National Treasury issued instructions of compulsory participation in transversal contracts. It was issued via cost containment circulars/instructions which are inconsistent with National Treasury regulations 16A6.5 and section 38(1)(a)(iii) of the Public Finance Management Act, (Act 18 of 2012). The circular has since been withdrawn.

The review of the current SCM legislative framework by National Treasury is underway. The aim is to have a single set of public procurement legislation addressing all the legislative and regulatory inefficiency in the system. National Treasury is in the process of revising Treasury Regulations. The revised changes once issued may introduce a number of new requirements that may affect the operations of departments. Provincial Treasury is already in the process of pro-actively introducing the anticipated changes.

3.3 Supply Chain Management (SCM) and Financial Systems

The National Treasury's SCM Reform process compelled Provincial Treasury to manage and mitigate transversal risks and implementation challenges. Provincial departments and municipalities had to be provided with the required level of support, assistance and guidance to meet the implementation requirements to sustain previous clean audits in relation to supply chain and movable asset management. The use of technology, through business intelligence tools and data analyses procurement information was strengthened. SCM performance information secured from these intelligence tools was provided to departments to enable better procurement planning.

3.4 Integrated Work Plan for Provincial and Municipal Planning

The Western Cape Government has introduced a process to respond to chapter 4 of the Municipal Finance Management Act, (Act 56 of 2003), to comment on the budget and Integrated Development Plans (IDP's) of Municipalities. The Department of Local Government created their own separate process to assess the IDP's of municipalities. The process did not align with the programmes of Provincial Treasury and the Local Government Medium Term Expenditure Committee. The Strategic Integrated Municipal Engagement and the Technical Integrated Municipal Engagement was introduced.

3.5 Conditional Grants

Conditional Grants provide financial assistance to municipalities to improve overall financial governance within municipalities including optimisation and administration of revenue, improving credibility and responsiveness of municipal budgets, improving of municipal audit outcomes and addressing institutional challenges. An amount of R33,130 million was transferred to municipalities as at 31 March 2018. Provincial Treasury indicated that they will resubmit the table on the Financial Capacity Building Grant and the Financial Support Grant and provide reasons for the municipalities not taking up the transfer payments.

3.6 Department of Agriculture 2016/2017 and 2017/2018 Financial Years

The Department of Agriculture and the Auditor-General are in disagreement on the classification of goods and services and transfer payments. Due to the ongoing impasse the Department of Agriculture has decided to submit an application before the Western Cape High Court on Monday, 15 October 2018 in which it will seek to have the Auditor-General's findings set aside.

3.7 Gender Budget

The Department acknowledged a requirement for a Gender Budget. Provincial Treasury is in the process of finalising its Integrated Planning Budgeting Process for the 2019 Medium Term Expenditure Framework where a statement on Gender Budgeting will be added. In addition hereto they still need to finalise a strategy to include the Gender Budgeting into the Medium Term Budget Policy Statement (MTBPS) which can be included into the 2019 budget. Further research and analysis is being done to ascertain how Gender Budgets can be implemented. Provincial Treasury has held discussions with the Commissioner of Gender Equality for comments that can be included into the MTBPS.

3.8 Public Participation

Discussions were held on how IDP's influence budgets and how public participation is crucial to budget prioritisation. It came to light that public participation needs to be strengthened throughout the Budget Process to ensure that the IDP's provide a true reflection of what is required in terms of prioritisation.

3.9 Public Private Partnerships Projects

Provincial Treasury provides an oversight role over the project cycle of the potential Public Private Partnerships (PPPs) to determine affordability, value for money, risk transfer and a monetary role on PPP close deals. There are three PPPs that have been awarded within the Provincial Government and are monitored by Provincial Treasury. These are:

- Chapman's Peak Drive Toll Road;
- Western Cape Rehabilitation Centre and Lentegeur Hospital; and
- Cape Nature: De Hoop Nature Reserve.

3.10 Infrastructure challenges

Dr Meyer, the Minister of Finance and International Relations, indicated that he is in consultation with the Minister of Transport and Public Works to discuss the damage done to infrastructure. A new Security Framework Agreement has been put in place to protect staff and assets. Schools have been equipped with a new type of fencing that would provide greater safety for schools. The Department of Transport and Public Works is trying to roll out the new type of fencing more extensively.

3.11 Utilisation of Consultants

The Barret Value Centre was awarded the bid to provide Provincial Treasury with the Barrett Cultural Survey 2017 on Organisational Culture Assessment.

It was noted that there was no uniformity in populating templates and required information when finalising documents for the utilisation of consultants.

3.12 Plans to grow foreign investment

Minister Meyer, as part of his diplomatic engagements to grow the foreign investment, met with:

- The Japanese Consul General to host various proudly south African events that would boost the economy;
- GIZ a German company from Bavaria to provide Technical Assistance;
- Taiwan authorities to discuss vehicle imports;
- Business representatives to discuss ports authority administrative challenges hindering foreign investment; and
- Indonesian authorities to discuss the halaal market they want to introduce.

4. Information requested from Provincial Treasury

4.1 The Committee REQUESTED that Provincial Treasury provide it with a report on the:

- 4.1.1 Vacancies within Provincial Treasury;
- 4.1.2 Rectification of the Western Cape Financial Management Support Grant and the Financial Capacity Grant as set out in the Annual Financial Statements of the year ended 31 March 2018, on page 204 of the Annual Report, including reasons why the affected municipalities did not take up the transfer payments;
- 4.1.3 Continuation of services of the Western Cape Rehabilitation Centre and on value for money in terms of the three Public Private Partnerships; and
- 4.1.4 Barrett Cultural Survey 2017.

4.2 The Committee RECOMMENDED that Provincial Treasury ensure that there is uniformity when populating templates and information when finalising documents for the utilisation of consultants.

5. Western Cape Gambling and Racing Board (WCGRB)

5.1 Overview

The Chairperson of the WCGRB, Mr Lakay, made introductory remarks which was followed by a section-by-section consideration of the Annual Report of the WCGRB.

The WCGRB is authorised to have seven Board Members. During the year under review, the WCGRB only had five members. This was challenging when a quorum was required to decide on matters during Board meetings. Despite this constraint, the WCGRB was able to achieve its approved targets as set out in its Annual Performance Plan for the 2017/18 financial year.

5.2 Background

5.2.1 General Information

During the year under review the WCGRB achieved most of its set targets and honoured its mandate by processing 8 354 licence applications. Approximately 1 227 assessments were conducted on license holders and the WCGRB deliberated on 12 disputes. The WCGRB was instrumental in assisting punters with 14 self-exclusions.

5.2.2 Patron dispute

A Patron dispute is defined in the Western Cape Gambling and Racing Act (Act 4 of 1996) (the Act) as an alleged non-payment of winnings by a license holder licensed by the WCGRB. A dispute is lodged by either the license holder or the patron. The Compliance Department investigates the dispute once it has been referred. The case, if valid, is then escalated to the WCGRB to make a ruling on the matter. A report is drafted on the findings and submitted to Legal Services. A written decision is drafted quoting the relevant legislation and sent to both parties. For the year under review the WCGRB received 12 patron disputes.

5.2.3 Exchange transactions, Route Operator Fees and loss of revenue

The year under review resulted in the budgeted revenue from exchange transactions being reduced by R7 132 925. The loss of income arose due to the expiry of the Route Operator fees, which were intended to be payable in perpetuity, for as long as operator licences exist.

Mr Lakay informed the Committee that the issue pertaining to the Route Operator Fees could lead to litigation. He also mentioned that the loss of the Route Operator Fees are being addressed through legislative amendments and that further discussions on the matter could have a prejudicial impact on the WCGRB and its fiscus.

The Acting Chairperson of the Committee informed the Committee that the WCGRB would brief the Committee by 14 November 2018 on the:

- 5.2.3.1 Amendments to the Western Cape Gambling and Racing Act with specific reference to the R7 132 925 million loss of Route Operator Fees which added to the WCGRB's fiscus;
- 5.2.3.2 Subordinate legislation of the WCGRB; and
- 5.2.3.3 Approximately R17,6 million relating to the annual operator fees that expired in 2014.

5.2.4 Self-sufficiency of the WCGRB

Comparative studies were conducted on best practice strategies of Gambling Boards in other provinces. The following were considered while doing the study:

5.2.4.1 Funding models;

5.2.4.2 Expenses that can reasonably be recovered from the industry; and

5.2.4.3 A reduction of the WCGRB operating expenditure.

The Route Operator Fees and the Limited Pay-out Machines fees will be addressed through the 19th Amendment Bill. When legislation is enacted it will address a major part of the WCGRB's revenue. Currently there are funds coming to the provincial fiscus. The annual license fees that will be paid to WCGRB once the amendments to the legislation have been finalised. The revenue options are still being discussed with Provincial Treasury.

5.2.5 Financial Intelligence Centre Act, (Act 38 of 2001)(FICA)

There were three amendments made to the FICA of (Act 38 of 2001) (the Act). The amendments changed the approach in which the accountable institutions had to provide information to the supervisory bodies, namely the WCGRB. The last amendment to the Act was made on 2 October 2018. The amendment relieved the WCGRB as a Financial Intelligence Centre supervisory body in August 2018 and will therefore no longer be responsible for compliance inspections. The function will be taken over by the Financial Intelligence Centre who will be accompanied to the accountable institutions by the WCGRB. Due to the hesitation to implement the new provisions the Financial Intelligence Centre visits were placed on suspension. The WCGRB has since resumed with the duties of compliance inspections due to a delay in having the legislation approved.

5.2.6 New player card

Internal desktop research was conducted into the legal aspects of introducing a compulsory player card system in the Western Cape. The report will be completed in the 2018/19 financial year. The WCGRB is currently busy with the refinement and editing of the report after which it will be circulated to stakeholders for their input before it will be finalised.

6. Information requested from the WCGRB

6.1 The Committee REQUESTED that the Western Cape Gambling and Racing Board provide it with:

6.1.1 The comparative internal research study conducted on the Western Cape Gambling and Racing Board's Self Sufficient Financial status; and

6.1.2 A report on the budgeted revenue from exchange transactions that was reduced by R7 132 925.

7. Conclusion

The Acting Chairperson thanked the Minister, the Head of Department and the Western Cape Gambling and Racing Board for the preparation and responses to the questions raised by the Committee members.

2. REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON THE 2017/18 ANNUAL REPORTS OF THE DEPARTMENT OF COMMUNITY SAFETY AND THE WESTERN CAPE LIQUOR AUTHORITY, DATED 2 NOVEMBER 2018.

The Standing Committee on Community Safety, having considered the Annual Reports of the Department of Community Safety and the Western Cape Liquor Authority for the year ended 31 March 2018 referred to it, reports as follows:

1. Introduction

The Western Cape Provincial Parliament's Annual Report programme for the 2017/2018 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. The Committee considered the Annual Reports of the Department of Community Safety and the Western Cape Liquor Authority on 25 October 2018 as part of its oversight function. Before proceeding to the consideration of the report of the Western Cape Liquor Authority (WCLA) and the Department of Community Safety (the Department), WCLA's Governing Board Chairperson and its Chief Executive Officer, the Minister and the Head of Department were given an opportunity to make opening remarks.

The Department was examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report.

Members of the public were also given an opportunity to pose questions and to make input during the discussions.

2. Western Cape Liquor Authority

Overview

The Chairperson of the WCLA's Governing Board, Adv T Sidaki, provided introductory comments. Dr Mdunyelwa, the Chief Executive Officer, also provided an overview of the WCLA's year in review. The WCLA reported on specifically the focus on upstreaming prosecutions to combat illegal alcohol trade. Of particular note were the efforts to foster sustainable partnerships with the South African Police Service (SAPS) in the fight against illegal alcohol trade, increased public awareness and education of liquor licensing, as well as the use of fines to regulate licensee compliance.

2.1 Key points from the discussion

- 2.1.1 One of the most testing challenges that the WCLA faced is balancing the economic benefits of the liquor industry and maintaining effective mechanisms that reduce the harms associated with this industry.
- 2.1.2 In order to better facilitate financial settlements for licensing transgressions, the WCLA moved towards a formal hearing approach for licence transgressors in order to seek an admission of guilt during hearings. Fines issued during these hearings are then referred to the Liquor Licensing Tribunal for approval.
- 2.1.3 The WCLA has intensified its communication strategy to facilitate better awareness programmes and has allocated many of its resources to focus on areas identified by the Alcohol Harms Reduction Game Changer processes.
- 2.1.4 Some of the key avenues for awareness programmes include training NHWs, CPFs, interviews on radio stations, providing assistance to applicants to ensure that they are legally compliant, and door-to-door campaigns with SAPS as part of the *Be Conscious* Campaign.
- 2.1.5 The WCLA explained that its flat organisational structure, which provides little room for growth and career pathing, contributes to the vacancy turnover rate.

2.2 Public input

The Committee Chairperson opened the meeting to the public. There was no public input.

3. Department of Community Safety

Overview

The Minister of Community Safety, Mr D Plato, provided an overview of the success and challenges faced by the Department of Community Safety during the 2017/18 financial year. He reported that the Department focused on the implementation of the Western Cape Community Safety Act (Act 3 of 2013), (WCCSA), especially regarding support to the Community Police Forums (CPF's) and Neighbourhood Watches (NHW's), youth development through the Chrysalis Academy, and growing the Walking Bus Project in the province. He added that the Department continues to create safer spaces via its Youth Safety and Religion Programme (YSRP) during school holiday periods. He also referred to the alarming concerns of gangsterism in the province and highlighted the serious effects of the use and availability of illegal and stolen firearms. He did however, commend the SAPS for the base camps in select gang areas.

3.1 Key points from the discussion

- 3.1.1 The Department works with the Western Cape Education Department and the SAPS to facilitate raids at schools. The Department however has a supporting role rather than an operational function in the actual raids. This support is however void of any formal crime intelligence structures other than CPF's and NHW's.

- 3.1.2 The Department liaises regularly with municipalities and various national and provincial government departments to address infrastructural concerns such as sufficient street lighting and the installation of functional CCTV cameras, all of which aid anti-crime initiatives.
- 3.1.3 Not all the CPFs are compliant and some CPFs refuse to sign Transfer Payment Agreements with the Department.
- 3.1.4 The Department has launched a School Resilience Safety Tool.
- 3.1.5 The full implementation of the Khayelitsha Commission of Inquiry recommendations has been hindered by the vacancy of a permanent Cluster Commander for the Khayelitsha Cluster.
- 3.1.6 The Department ensured that it inspected 83% of institutions that applied for the YSRP funding.
- 3.1.7 Funding for the YSRP is limited and despite it being youth focused, the programme itself is not a behavioural change programme.
- 3.1.8 The Department conducted a study on the demilitarisation of the SAPS visible policing, specific to the Western Cape, as part of a national study on this topic.
- 3.1.9 The Department informed the Committee that there are 1000 organisations registered on its organisational database. Organisations may voluntarily register on the automated system. The Department does not have any formal agreements with any of these registered organisations.
- 3.1.10 The Department reported that most of the province's 150 police stations are under resourced both in terms of human and physical resources.
- 3.1.11 The Department reported that the National Minister of Police has indicated that crime statistics will be provided on monthly basis to the Ministers and Members of Executive Councils (MINMEC) on a monthly basis.

4. Public input

Mr M Mbiko, representing the Nyanga Development Forum (NDF), requested details of the proposed joint operation in Nyanga for the Safer Schools Programme as well as the anti-gang programme. The Department committed to invite the NDF to the next Policing Needs and Priority meeting for the Nyanga Cluster.

Mr G Titus, representing the People's Rights Party, requested feedback regarding the Department's communication with municipal and departmental structures about infrastructural concerns that hinder crime fighting efforts. The Department responded to his concerns regarding effective street lighting, and the clearing of obstructions in field areas that pose as danger to safety.

5. Requests for information

- 5.1 A report detailing the reasons that Community Police Forums (CPF) refuse to comply with the criteria that render a CPF functional. The report must include a list of the non-compliant CPFs, the reasons for the non-compliance, and the plan of action to resolve their non-compliant and/or dysfunctional status.
- 5.2 Copies of the Policing Needs and Priority safety plans for the various Clusters.
- 5.3 A list of the schools identified for piloting the School Safety Resilience Tool.

- 5.4 A copy of the Department of Justice's legal opinion, submitted to the Department of Community Safety, regarding the arrest of persons after police raids on illegal liquor outlets, as well as the confiscation of liquor.
- 5.5 A list of the organisations registered on the Department's organisational database.
- 5.6 A copy of the summary report on the monitoring of the implementation of the Khayelitsha Commission of Inquiry recommendations submitted to the Premier in August 2017.
- 5.7 A copy of the study on the demilitarisation of the SAPS visible policing in the Western Cape.
- 5.8 A progress report on engagements between the Department of Community Safety, the Western Cape Education Department and the Nyanga Development Forum, six months after the Annual Report 2017/18 discussion.
- 5.9 A report on how the City of Cape Town used the R5 million allocated for the School Resource Officers and the Safer Zones.

3. REPORT OF THE STANDING COMMITTEE ON EDUCATION ON THE ANNUAL REPORT OF THE WESTERN CAPE EDUCATION DEPARTMENT FOR THE YEAR ENDED 31 MARCH 2018, DATED 30 OCTOBER 2018.

The Standing Committee on Education, having considered the Annual Report of the Western Cape Education Department for the year ended 31 March 2018 that was referred to it, reports as follows:

1. Introduction

Annual reports are the key instruments for departments to report on performance measured against performance targets and budgets as outlined in the strategic plans and annual performance plans of departments. The Standing Committee on Education considered the Annual Report of the Western Cape Education Department (hereinafter WCED or Department) on 12 October 2018 as part of its oversight function.

The Western Cape Provincial Parliament's Annual Report Programme for the 2017/18 financial year was advertised in newspapers to invite stakeholders and members of the public to attend and participate in the discussions. Before proceeding to the consideration of the report of the WCED, the Minister and the Head of Department were given the opportunity to make opening remarks.

The Department was examined on:
 Part A: General Information;
 Part B: Performance Information;
 Part C: Governance; and
 Part D: Human Resources Management.

Members of the public were also given an opportunity to pose questions and to make input during the discussions.

2. Overview

The Minister of Education, Hon D Schäfer, provided an overview of the successes and challenges faced by the WCED during the 2017/18 financial year. The WCED vision is to ensure that it improves education outcomes and opportunities for youth development. This is encapsulated in the Department's Provincial Strategic Goal 2. The Minister stated that, during the 2017/18 financial year, the WCED committed itself to spend money on projects, resources and people who provide quality education and opportunities in order for the youth to realise their full potential.

3. Findings

- 3.1. According to the WCED, they have placed great emphasis on ensuring the retention of as many learners in the school system for as long as possible. The Western Cape retained 64,3% of learners in the system from Grade 10 to 12. The Department of Basic Education's "inclusive basket of criteria" aims to report the result of the National Senior Certificate in a manner that includes retention rates, percentages of bachelor's passes as well as Mathematics and Science. Considering this measure, the WCED has been number one in retaining for the last two years nationally.
- 3.2. The WCED highlighted the following factors that had an impact on its work during the period under review:
 - (i) The extremely high learner influx into the province;
 - (ii) Severe fiscal constraints that do not keep pace with learner growth and the inflow into the province; and
 - (iii) Socio-economic conditions that adversely affect teaching and learning in the classroom. This is averaging around 25 000 extra learners per annum.
- 3.3. The WCED's budget challenges continued with the EIG being cut by R97,9 million for the 2018/19 financial year.
- 3.4. The WCED, as one of the role-players in the Apprenticeship Game-Changer, aims to improve the number of learners passing Mathematics at 50% and to encourage learners to take up further education in scarce skills, such as artisanship.
- 3.5. The WCED was awarded a clean audit for the fourth consecutive financial year under harsh conditions.
- 3.6. Mariëtte Vorster, formerly of Touwsrante Primary School, won the National Teaching Award for Excellence in Technology-Enhanced Teaching and Learning. Wendy Horn, Principal of the Protea Heights Academy, a school that focuses on Mathematics and Science, was listed as one of the 50 finalists in the Global Teacher of the Year Award 2017.
- 3.7. During the year under review, the WCED piloted the new School Evaluation Authority (SEA). The SEA intends to improve the quality of the school assessment framework and to establish a new SEA in the Western Cape to conduct independent evaluations of school quality that is credible, transparent and effective in enabling school improvement in the province.
- 3.8. The Collaboration Pilot Programme was launched in 2016 and has improved education in poor communities.

- 3.9. The Western Cape Government has provided high-speed broadband connectivity to almost every school in the province through a wide-area network (WAN), and alternative connectivity to schools that could not connect to the fibre-optic grid.
- 3.10. The WCED reported that it has made progress with regard to school safety, with one of its chief directors chairing the School Safety Priority Committee with the South African Police Service (ProvJoint Meeting). Communication with the SAPS and all safety role players has improved. The WCED was concerned that the criminal justice system does not appear to be coping with school safety challenges.
- 3.11. The drought had a tremendous impact on infrastructure as the WCED had to plan and prepare its institutions for Day Zero. Programme 6 describes the steps taken to address the ongoing infrastructure needs and the emergency actions taken to ensure that the Department was fully prepared for the impact of the drought crisis. In 2017, the WCED reviewed its approach to the provision of and use of water in schools generally and has used the opportunity to develop innovative strategies to improve the use of grey water in schools by reprioritising R300 million towards the drought crisis.
- 3.12. The WCED paid tribute to its Superintendent General, Mr Brian Schreuder, who was awarded a silver award for the 'Best Head of Department' and the WCED was awarded silver for the 'Best Functioning Provincial Department of the Year' at the national Batho Pele awards.
- 3.13. Through the E-Learning Initiative many teachers participated in the ICT integration courses, workshops and seminars across the province. The partnership with the Department of Cultural Affairs and Sport continued to strengthen and that resulted in the increase in after-school activities, which created opportunities for learners to flourish in the activities offered by the Mass Participation, Opportunity and Access, Development and Growth (MOD) Programme.
- 3.14. 2018: The Year of Values-Driven Learning found expression in many schools across the province embracing a selection of values which they showcased in their classroom pedagogy and throughout the school.
- 3.15. During the 2017/18 financial year, the WCED spent 99,25% of the adjusted budget. The under-expenditure amounted to R155,857 million or 0,75% of the adjusted budget, which is within the national benchmark of 2%.
- 3.16. The WCED will support the roll-out of the three-stream model in the Further Education and Training (FET) band, augmenting the academic stream with the technical and vocational stream. The latter is in pilot roll-out phase. The drive to increase the number of learners taking Mathematics in Grade 10, in order to grow the number of learners eligible to enter for vocational qualifications, will continue.
- 3.17. The WCED's Western Cape Provincial School Education Act, 1997 (Act 12 of 1997), (hereafter the Act), came into effect on 16 January 1998 and the first amendment of the Act was assented to on 6 December 2010. A number of provisions in the Act became redundant and some were superfluous as they were not aligned with the relevant legislative developments in South Africa. In addition, the Western Cape wishes to provide for several new initiatives in accordance with the concurrent competence as prescribed in the Constitution.

- 3.18. The WCED reported that they continuously strive to improve the teacher-learner ratio across the phases with particular attention placed on the Foundation Phase. During the start of the 2017 academic year there had been a total of 446 excess educators. As at 31 December 2017 the total number of excess educators reduced to 138 as a result of 125 exits and 183 placements or re-absorptions against vacant substantive posts. This is a reduction of 65% in excess educators.
- 3.19. Whole School Evaluations (WSE), conducted over 3 or 5 days depending on the size of the school, are based on nine areas for evaluation specified in the WSE policy: i) Basic functionality; ii) Leadership, management, and communication; iii) Governance and relationships; iv) Quality of teaching and learning and educator development; v) Curriculum provision and resources; vi) Learner achievement; vii) School safety, security, and discipline; viii) School infrastructure; and ix) Parents and community.
- 3.20. During the year under review, the Western Cape Education Department fed 471 376 targeted learners at 996 schools. The number of schools has reduced to 996 from schools in the Western Cape due to the closure of small schools.

4. Concerns

The Committee raised the following concerns:

- 4.1. The Committee kindly requests that the Minister of Education, Ms D Schäfer and the Head of the Department, Mr B Schreuder engages with the National Minister of Basic Education, with regards to the Learner Transport Policy and the concerns pertaining to learners that fall under the 5 km distance.
- 4.2. In light of the increasing issues relating to school safety, the Minister of Education, Ms D Schäfer to review the school safety plan and the budget.

5. Public comments

5.1. Mr M Mbiko of the Nyanga Tourism-Platform was afforded the opportunity to make an oral submission on the Annual Report of the WCED. The Minister of Education and the Head of Department duly responded to the questions posed and statements made by the member of the public.

6. Information requested

The Committee REQUESTED that the WCED provide the following information by 15 January 2019:

- 6.1. A list of school principals who were appointed from other provinces during the period under review.
- 6.2. The cost implications of the burglaries that took place in schools during the 2017/18 financial year.
- 6.3. The cost implications of Government Garage vehicles involved in accidents during the 2017/18 financial year.
- 6.4. A detailed breakdown of the R38, 778 million allocated to the Collaboration Schools Project. The breakdown should include the purpose for which the money was used and at which schools the money was spent.

- 6.5. A breakdown of the 39,1% of learners achieving bachelor's passes in the 2017 National Senior Certificate. The breakdown should include the names and locations of those schools.
- 6.6. A report on the rural former Model C schools which are currently serving poor and working-class communities but are still regarded as fee-paying schools in the province.
- 6.7. A report on underperforming schools in the Western Cape during the 2017/18 financial year and the report should outline how the WCED will be addressing it in future.

7. Conclusion

The Committee expressed its appreciation for the information provided by the Minister, the Head of Department, and the officials of the Western Cape Education Department and the members of the public. The manner in which the meeting was conducted was of high standard and the Committee thanked everyone who participated.

4. REPORT OF THE STANDING COMMITTEE ON CULTURAL AFFAIRS AND SPORT ON THE ANNUAL REPORT OF THE DEPARTMENT OF CULTURAL AFFAIRS AND SPORT, AND ITS ENTITIES, NAMELY, THE WESTERN CAPE CULTURAL COMMISSION, THE WESTERN CAPE LANGUAGE COMMITTEE AND HERITAGE WESTERN CAPE, FOR THE YEAR ENDED 31 MARCH 2018, DATED 30 OCTOBER 2018.

The Standing Committee on Cultural Affairs and Sport, having considered the Annual Report of the Department of Cultural Affairs and Sport, and its entities, namely, the Western Cape Cultural Commission, the Western Cape Language Committee and Heritage Western Cape, referred to it for the year ended 31 March 2018, reports as follows:

1. Introduction

The Western Cape Provincial Parliament's Annual Report programme for the 2017/18 financial year was advertised in newspapers inviting stakeholders and members of the public to attend and participate in the discussions. Before proceeding to the consideration of the report of the Department of Cultural Affairs and Sport (the Department), the Minister and the Head of Department were given an opportunity to make opening remarks. Before proceeding to the consideration of the reports of the Western Cape Cultural Commission, the Western Cape Language Committee and Heritage Western Cape, the respective chairpersons or representatives of each entity were given the opportunity to make opening remarks.

The Department was examined on:

Part A: General Information,

Part B: Departmental Performance Information; and

Part D: Human Resources Management of the Department's Annual Report.

Members of the public were also given an opportunity to pose questions and to make input during the discussions. There was no input by members of the public.

2. Department of Cultural Affairs and Sport

2.1 Overview

The Minister of Cultural Affairs and Sport, Hon A Marais, provided an overview of the success and challenges faced by the Department of Cultural Affairs and Sport during the 2017/18 financial year. She reported that the Department focused extensively on building sustainable and innovative partnerships to extend its service footprint more effectively and more widespread across the Province. She added that the Department also geared its efforts towards identifying geographical names that are deemed offensive by the public as part of processes to strengthen a socially inclusive society.

3. Key points from the discussion

- 3.1 The Department met 103 of its 106 performance indicators during the period under review.
- 3.2 The Department reported that target setting remains a concern largely due to a mismatch of when it needs to submit its targets for the ensuing financial year and the finalised outcomes of the previous year's targets. This means that projections are made without verifying the final results of the previous year.
- 3.3 The Department's project to identify and change offensive geographical names is the first of its kind in South Africa.
- 3.4 District Sport Councils receive Conditional Grant funding, via the Department's transfer payment to the Western Cape Provincial Sport Confederation, and not from Equitable Share funding. Federations however, may apply directly to the Department for funding from the Equitable Share, during a set annual timeframe from April to September.
- 3.5 As part of its water saving initiatives within the sport sector, the Department allocated funding to municipalities to install boreholes to assist with maintenance of municipal sports grounds and facilities. In addition to this assistance, the Department will host a Water Summit in late 2018, which is aimed at raising awareness of water saving practices within the sport sector.
- 3.6 The Department's library books are not insured.
- 3.7 Most of the newly built centres are located in rural areas.
- 3.8 The Gugulethu and Zwelihle libraries were damaged due to protest action.
- 3.9 The Laingsburg Flood Museum is not an affiliated museum as the Museum has not applied to be an affiliated museum. The Department has however assisted this museum in various ways.
- 3.10 The Department is looking towards encouraging its museums to be better associated with relevant local tourism structures to enhance museum tourism, especially in smaller towns.
- 3.11 The Department is still in the process of revising arrangements for learner transport to accommodate MOD centre attendees and so allow learners to be transported home after participating in the MOD programme.

- 3.12 The Department's Cultural Facilities Usage Policy allows for more streams of revenue by offering diverse usage of its facilities.
- 3.13 The Department reported that the Western Cape representatives at the Indigenous Games claimed fourth position in the overall team medal standings.
- 3.14 The Department highlighted the challenges of addressing land invasions especially of areas demarcated for traditional initiation practices. However, the law enforcement and policing stakeholders on the Provincial Initiation Coordinating Committee are tasked with addressing such threats.
- 3.15 Meeting stipends or tariffs paid to chairpersons of Entities are based on the experience and qualifications of the person/s concerned.
- 3.16 Currently there are 29 registered cultural councils.
- 3.17 The Heritage Western Cape Council continues to work towards equipping municipalities with local heritage delegation powers.
- 3.18 Given the nature of the skills needed to serve on the Heritage Western Cape Council, ex members are often consulted for their input.
- 3.19 The Western Cape Language Committee reported challenges that included interpreters at police stations, the use of language specific forms at police stations located in non-English speaking areas, resignation of members from the WCLC, as well as tender relationship with the Pan South African Language Board (PANSALB). Reparations to this relationship is ongoing.
- 3.20 The WCLC also reported on the progress to allow deaf school learners to be assessed using Sign Language.

4. Request for information

The Committee requested that the Department of Cultural Affairs and Sport provide:

- 4.1 The rand value of the damage caused to the Gugulethu and Zwelihle libraries and any other facilities as a result of protest action.
- 4.2 The number of arrests, if any, of persons linked to causing damage to the Gugulethu and Zwelihle libraries.
- 4.3 The number of library centres that were opened during the 2017/18 financial year and the location of these centres.
- 4.4 A list of the proposed geographical name changes as well as an account of the progress to date in this name changing process.
- 4.5 Details of the funding provided for the anti-gang programme. Details should include the market strategies used and the locations where the programme was facilitated.
- 4.6 A breakdown of the funds allocated to and used for the facilitation of the MOD centres for the 2017/18 financial year.
- 4.7 A copy of the Department's Events Strategy.
- 4.8 A status report on the Western Cape Language Committee's relationship with the Pan South African Language Board.