

WESTERN CAPE PROVINCIAL LEGISLATURE

FRIDAY, 29 NOVEMBER 2024

QUESTION FOR WRITTEN REPLY

12. Mr M K Sayed to ask Mr D J Maynier, Minister of Education:

- (1) (a) How many cases are currently being litigated by the WCED in the courts and (b) how much money did this litigation cost the taxpayers in the (i) 2020/21, (ii) 2021/22, (iii) 2022/23 and (iv) 2023/24 financial years;
- (2) (a) what are the total legal costs incurred to date regarding the case of a certain person, whose name has been furnished to his Department for the purpose of his reply, and (b) what is the total cost for the (i) internal disciplinary hearing, (ii) appeal process, (iii) arbitration hearing, (iv) Labour Court considering this matter since October 2020 and (v) High Court considering this matter?

Answer

12. My department and the Department of the Premier have informed me of the following:

- (1) (a) 332
- (b) Information available at our disposal:

2020/2021	2021/22	2022/23	2023/24	2024/25 (current)
R6,947,695,92	R6,638,204,46	R 7,504,168,13	R 4,792 ,085,68	R 5,211, 686, 55

- (2) (a) R3 092 50.96

The WCED concluded the matter in 2021, following an internal disciplinary hearing. The educator was dismissed after being offered a demotion to a Head of Department post (with the opportunity to apply for a principal post after a 12-month period), as an alternative to dismissal.

However, the educator took the matter further to the ELRC for arbitration, which found in the WCED's favour citing that the dismissal was "procedurally and substantively fair."

The educator has taken the matter further to the Labour Court.

The majority of legal fees have thus been as a result of challenges brought forward by the educator, who continues to bring new applications to court, which the department is obliged to defend.

- (b) (i) Internal disciplinary hearing: R1 187 132.50
- (ii) Appeal process costs: R235 870.75 [launched by the educator]
- (iii) Arbitration hearing costs: R1 858 442.45 [launched by the educator]
- (iv) Labour Court costs: R506 546.25 [launched by the educator]
- (v) High Court: none

MINISTER OF EDUCATION
DATE: 13 December 2024