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Leshupelo :
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Reference : L2.12.2.1.2
Tshupelo
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Verwysings :

DISTRICT DIRECTORS
DISTRICTCES: INSTITUTIONAL DEVELOPMENT AND SUPPORT
DISTRICT CES: CIRCUIT COORDINATION
CIRCUIT MANAGERS
DISTRICT IMGD OFFICIALS
SCHOOL GOVERNING BODIES
PRINCIPALS

INSTITUTIONAL MANAGEMENT AND GOVERNANCE DEVELOPMENT (IMGD) ACTIVITIES EMANATING FROM LEGISLATIVE COMPLIANCE

Compliance to the legislative framework by School Governing Bodies and School Management Teams is pivotal in realising the quest for quality public education as well as service delivery.

The Institutional Management and Governance Development Unit (IMGD) must complement Circuit Managers in ensuring that schools adhere to all requirements of the South African Schools Act No. 84 of 1996 as amended, including all Provincial Notices. The following activities must be monitored and supported by IMGD District Officials and Circuit Managers.

(1) ELECTIONS FOR REPRESENTATIVE COUNCILS OF LEARNERS

Official Notice 10 of 2003: Guidelines for the Establishment, Election and Functioning of Representative Council for Learners in Public Schools in the Northern Cape

Section 5 (1) states:

"The election of a representative council of learners (RCL) must take place annually during the first four weeks of the first term" i.e. 13 January 2014 to 13 February 2014.

Districts need to request schools with grade 8 and higher to submit election dates annually during November, monitor a sample of schools' RCL elections and submit written reports on the process to Head Office annually at the end of February.



(2) FINANCIAL RECORDS AND STATEMENTS OF PUBLIC SCHOOLS

South African Schools Act Section 42 (b) states:

The governing body of a public *school* must -

(b) "as soon as practicable, but not later than three months after the end of each financial year, draw up annual financial statements in accordance with the guidelines determined by the *Member of the Executive Council*, i.e. on or before end March annually." The annual financial statement must be submitted for auditing with a registered chartered accountant for auditing.

Circuit Managers, as part of their cluster meetings with Principals, need to remind School Governing Bodies annually of the process and ensure schools understand the benefits of this exercise for the auditing process.

(3) ANNUAL AUDITED FINANCIAL STATEMENTS

South African Schools Act Section 43 (5) states:

"A *governing body* must submit to the *Head of Department*, within six months (30 June annually) after the end of each financial year, a copy of the annual financial statements, audited or examined". A copy of the audited financial statements must be lodged with the Institutional Funding Unit at Head Office and to the respective Circuit Manager. Circuit Managers must develop a system to monitor the submission of the annual audited statements and interact with Principals that are not complying.

The CES: Circuit Coordination need to request the School Governing Body Chairpersons to submit the names of their auditing firms/auditors to their respective Circuit Managers.

Head Office will communicate general findings emanating from the audited financial statements to the CES: Circuit Coordination, Circuit Managers and IMGD Officials, for further action and support by the relevant units in the district annually during April.

(4) TERM OF OFFICE FOR OFFICE - BEARERS OF SCHOOL GOVERNING BODIES

South African Schools Act Section 31 (3) states:

"The term of office of an office-bearer of a *governing body* may not exceed one year".

All School Governing Bodies are expected to adhere to the aforementioned section on or before the end of March 2014. Principals must support the Governing Body during this process which includes notifying the IMGD district officials on the logistics of the meeting and chairing the meeting when the chairperson needs to be elected.

Districts need to request all School Governing Bodies to submit in writing the dates of meetings and minutes of such meeting to the IMGD Unit. A sample of meetings should be monitored by the district IMGD Officials.

The Principal must submit the names of the newly elected office-bearers to the relevant Circuit Manager and IMGD unit at District level for future reference and record purposes as per SGB Data Form attached.

(5) ANNUAL APPLICATION FOR THE NATIONAL SCHOOL NUTRITION PROGRAMME AND SUPPLIER CONTRACTS

The School Nutrition Programme is managed as part of Section 21 (e) of the South African Schools Act.

The Provincial School Nutrition Programme dictates that School Governing Bodies that are interested in the Nutrition Programme must apply for funding in order for the school to qualify. After the call for quotations from prospective suppliers by the Provincial Office, followed by a selection process by the feeding committee at school level, a twelve month contract (April to March the following year) must be entered into between the SGB and the approved supplier/s. The same contract period is applicable to the food handlers. Circuit Managers must monitor the process of applying and have a list of appointed suppliers per school for the specific period. Circuit Managers and IMGD officials must engage with the monthly reports received from schools via the district School Nutrition Unit with the aim to assist in supporting School Governing Bodies.

(6) BY ELECTIONS

South African Schools Act Section 23 [subsections (2) (9) (10) (11) (12)] states:

"If a person elected as a member of a governing body ceases to fall within the category for which he or she was elected, he or she ceases to be a member of the governing body". A governing member with a child in the exit grade (7 or 12) must inform the governing body chairperson and principal three months in advance.

The submission of such information three months in advance will assist the school to plan ahead, issue notices for the by election and have the actual by – election in January when schools re-open. It is the responsibility of the Principal and SGB Chairperson to provide the District Director of such vacancies in writing. The District Electoral Officer will appoint a School Electoral Officer in writing. The Circuit Manager in liaising with district IMGD officials must monitor the process and ensure the logistics for the by election at the level of the school are in place. IMGD officials will submit a monitoring report of all by election processes to Circuit Managers, the District Electoral Officer and Head Office.

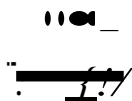
(7) ANNUAL BUDGET OF PUBLIC SCHOOLS AND PLANNING

South African Schools Act Section 38 (1) states:

" A governing body of a public school must prepare a budget each year according to prescriptions determined by the Member of the Executive Council in a Provincial Gazette, which shows the estimated income and expenditure of the school for the following financial year".

In terms of the Guidelines for the Preparation of a School Budget issued by the Department the Budget and Planning cycle is listed as:

- ./ School Self Evaluation and annual review of School Development Plan September 2014;
- ./ School Improvement Plan linked to the Budget – October 2014;
- ./ 30 day notice to parents – September/October 2014;
- ./ Compiling and tabling of a Draft Budget presentation –November 2014;



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HIV/AIDS is everyone's business

./ Final Budget – April 2015.

The Finance Committee and the SGB must monitor the activities of the budget against the actual expenditure very closely. It is the responsibility of the Circuit Managers with the assistance of the IMGD Unit to monitor and support schools planning and budgeting processes.

South African Schools Act Section 39 (1) states:

School fees may be determined and charged at a public school only if a resolution to do so has been adopted by a majority of parents attending the meeting referred to in section 38 (2)

(2) A resolution contemplated in subsection (1) must provide for:

- (a) the amount of school fees to be charged;
- (b) equitable criteria and for the total, partial or conditional exemption of parents who are unable to pay school fees; and
- (c) a school budget that reflects the estimated cumulative effect of -
 - (i) the established trends of non payment of school fees; and
 - (ii) the total partial or conditional exemptions granted to parents in terms of the resolution contemplated in sub section (4).

(3) The governing body must implement the resolution adopted at the meeting contemplated in subsection (1)

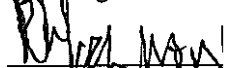
Districts must monitor a sample of schools during pre planning and draft budget approval meeting.

Please find attached an example of a resolution copy to charge school fees. This resolution is applicable to school levying school fees (Quintile 4 & 5).

The role of IMGD district officials and Circuit Managers are to sustain ongoing effective monitoring and support to schools and the regular reporting thereof on all the legislative compliance matters stated.

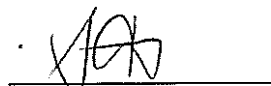
In conclusion, the governing body of a public school must promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners at the school. This can only be achieved if all stakeholders are involved, communication channels are open and the promotion of team work is at the centre of all envisaged activities of the school at all times.

Kind regards



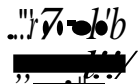
MR. L. M. Mtshali

DIRECTOR: INSTITUTIONAL DEVELOPMENT AND SUPPORT



MR. H. ESAU

CHIEF DIRECTOR: DISTRICT OPERATIONS



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