



**Western Cape  
Government**

Education

# **WESTERN CAPE EDUCATION DEPARTMENT**

**REPORT IN RESPECT OF THE WCED'S INVESTIGATION INTO  
UNPLACED LEARNERS (2021) AT SCHOOLS WITHIN THE  
WESTERN CAPE PROVINCE**



**RESPONSE TO THE SA HUMAN RIGHTS COMMISSION  
REF: WC/2021/0208**

# REPORT IN RESPECT OF THE WCED'S INVESTIGATION INTO UNPLACED LEARNERS (2021) AT SCHOOLS WITHIN THE WESTERN CAPE PROVINCE

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## WESTERN CAPE EDUCATION DEPARTMENT

### REPORT IN RESPECT OF THE WCED'S INVESTIGATION INTO UNPLACED LEARNERS AT SCHOOLS, WITHIN THE WESTERN CAPE PROVINCE

#### 1. INTRODUCTION

This report serves to respond to a letter dated 20 April 2021, received from the South African Human Rights Commission (SAHRC), with reference number WC/2021/0208.

The SAHRC letter to the WCED is in response to a complaint received from MK Sayed (MPL) ANC Chief Whip in Western Cape Provincial Parliament.

The SAHRC's intervention was requested by the member of parliament and the Commission requested the following information to place it in a position to further assess the complaint submitted by the ANC.

#### 2. WCED RESPONSE

*a) SAHRC: A detailed report in respect of the WCED's investigation into the huge number of unplaced learners at schools, within the Western Cape Province*

2.1. There are currently **263** unplaced learners in the Western Cape as at 05 May 2021. The WCED is on track to place all learners.

DISTRICT	GR1 - 12	UPDATE ON PLACEMENTS
CAPE WINELANDS	1	1 new Gr 8 case. Place is available but parent unresponsive
EDEN AND CENTRAL KAROO	6	Last remaining cases, Placement to be confirmed
METRO CENTRAL	2	2 new cases. Placement is being resolved.
METRO EAST	220	The district has submitted its plan to place all the learners
METRO NORTH	3	3 New cases. It is being resolved.
METRO SOUTH	22	District is confident that all cases will be resolved.
OVERBERG	5	HoD has issued placement letters to the schools in question. It is expected that the cases will be resolved
WEST COAST	4	District is confident that all cases will be resolved
<b>TOTAL</b>	<b>263</b>	<b>WCED on track to resolve all unplaced learners</b>

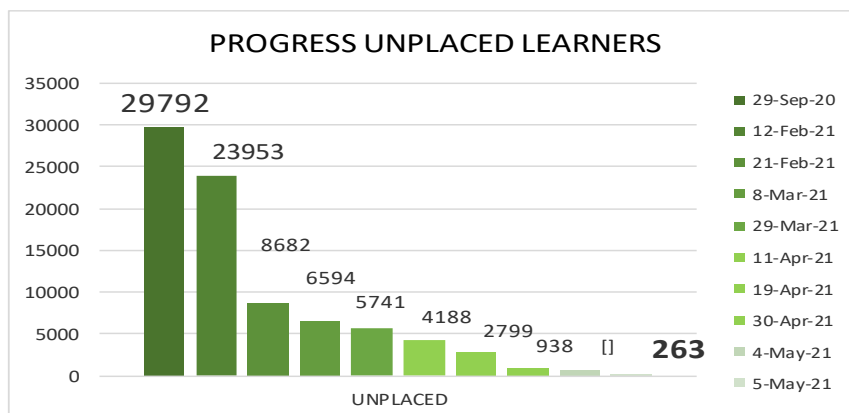
2.2. The above number of 263 excludes two other reported instances where learners must still be placed:

2.2.1. 117 Confirmed learners – in the process of being placed (in Eerste River)

2.2.2. 1800 (unconfirmed and unverified) in Mfuleni. Details follow in paragraph 2.7.2 below.

2.3. The WCED started the process of resolving unplaced learners in September 2020. A total of 29 792 learners did not get a place in schools for 2021 as at 29 September 2020. The

WCED Education District Offices immediately started the process of placing learners in schools which indicated available spaces. As mentioned, the current number of unplaced learners is 263. The following graph depicts the progress made with placement since 29 September 2020.

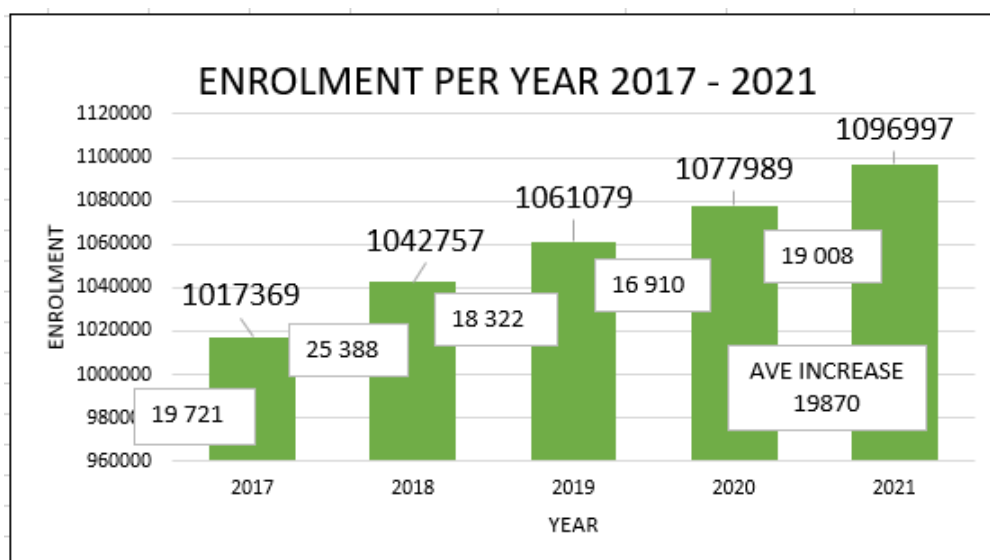


2.4. An intervention that assisted greatly to reduce numbers to 263, was the approval of a Placement Plan by the Head of Department on 15 April 2021. This Placement Plan made provision for the procurement and establishment of 129 mobile units and the creation and distribution of 179 teaching posts.

2.5. **Key Factors contributing to learners being unplaced in 2021:**

**Significant annual increase in Learner Enrolment**

2.5.1. The graph below illustrates that the WCED has faced an average annual increase of **19 870** learners annually from 2017 to 2021.



2.5.2. The Western Cape has experienced a population growth over the past decade with concomitant growth in numbers of learners in our schooling system. On average, the learner numbers grew with approximately 19 870 learners per annum

(2017 – 2021), whilst the WCED budget increase can only respond to about one third (1/3) of consequential demands caused by that growth number.

2.5.3. This average annual learner growth translates into a requirement of average 19 schools (of 1 000 learners each), 450 teachers, administrative staff, support resources (LTSM, furniture, LTS, NSNP, etc.) for each year.

2.5.4. The WCED does not have the funding (budget) to expand capacity at that rate and to respond appropriately to all the demands.

### Late applications and enrolment

2.5.5. The increase in enrolment was further exacerbated by **15 014** (see table below) late applications and late arrivals and / or relocations as from 1 January 2021. Many of these learners have been placed since schools reopened on 15 February 2021.

2.5.6. A total of **2 418** of these late application learners were still unplaced as at the end of March 2021.

GR, REQ.	GR R	GR1	GR2	GR3	GR4	GR5	GR6	GR7	GR8	GR9	GR10	GR11	GR12	Gr. Total
CWED	576	174	40	30	35	33	35	27	123	57	26	10	4	1170
ECK	506	242	50	27	18	22	18	25	73	18	19	7	1	1026
MCED	524	249	94	64	71	49	35	17	796	187	183	74	12	2355
MEED	682	384	161	172	152	120	100	75	659	171	112	91	13	2892
MNED	544	254	125	90	151	92	93	81	963	246	211	105	17	2972
MSED	681	336	113	85	117	104	66	60	914	220	357	89	18	3160
OED	121	52	17	13	15	23	11	16	181	45	73	21	2	590
WCED	98	97	49	34	51	52	43	38	197	78	68	42	2	849
<b>Gr. Total</b>	<b>3732</b>	<b>1788</b>	<b>649</b>	<b>515</b>	<b>610</b>	<b>495</b>	<b>401</b>	<b>339</b>	<b>3906</b>	<b>1022</b>	<b>1049</b>	<b>439</b>	<b>69</b>	<b>15014</b>

2.5.7. This growth puts the WCED under tremendous pressure to accommodate and resource additional learners on short notice. Late arrivals at short notice and the increase in enrolment places huge demand on WCED funding in terms of the concomitant expenditure on:

- a) Classrooms
- b) Teachers and support staff
- c) Learning and teaching support material
- d) Learner Transport
- e) School meals and nutrition

### In-Migration (First Time Registrations from outside province on CEMIS for 2021)

2.5.8 The number of learners from other destinations into the province for 2021 is 19 452,



2.5.9 Current CEMIS records indicate that in-migration is a key factor contributing to the annual learner growth.

2.5.10 The WCED budget is put under severe pressure to fund and appropriately resource the learner growth (refer paragraph 2.5.4).

#### **Impact of COVID in placement of learners in 2021**

2.5.11 The application period was extended due to COVID. As a result, parents and schools concluded the admissions process late.

2.5.12 Many learners did not continue with school due to COVID and many re-entered the system or relocated.

- b) SAHRC: details on the WCED's plans including timeframes, for addressing the huge number of unplaced learners at schools, within the Western Cape Province*
- c) SAHRC: details of action taken, if any, by the WCED to address the issue of huge numbers of unplaced learners at schools in the Western Cape Province noting that the province is faced with the same challenge year-on-year.*
- d) SAHRC: details of steps taken to place the remaining learners who have not yet been placed as at date hereof noting that the first term of the school academic year is nearing the end*

The 3 questions above overlap and the following response serves to respond to all 3 requests.

2.6. As illustrated in paragraph 2.3. the WCED has worked at placing all learners since September 2020 to date. The details of the WCED plan to resolve unplaced learners is as follows:

- 2.6.1. The WCED released 409 growth posts in March 2021, mainly to deal with overcrowding in schools which have taken in additional learners.
- 2.6.2. It also allowed principals to take in additional learners which contributed to the huge reduction in unplaced learners from 23 953 on 12 February to 5741 on 29 March 2021 (See par. 2.3).

2.6.3. By the end of March, the WCED had exhausted all options to place learners and those schools with additional spaces offered to take learners on condition that teaching posts are allocated to them.

2.6.4. After engagement and consultation with the Premier and Provincial Treasury, a plan was submitted and approved by the Head of Department on 15 April 2021. The plan contains the following elements:

- a) Opening of 43 additional classrooms with 57 Posts allocated at existing schools.
- b) Procurement of 129 mobile classrooms to be placed at identified schools, as well as the creation of 179 additional teaching posts.
- c) Schools receiving mobile classrooms were issued with the posts so that learners could be admitted in the interim using Covid Temporary Revised Education Plans (differentiated timetabling model) to accommodate them.
- d) The schools in (c) agreed to accommodate learners in alternative spaces (such as in the school hall or other specialist classrooms) until the classrooms are constructed.

## 2.7 Additional unplaced cases:

Two additional cases of unplaced learners are on record – Forest Village (Eerste River and Rosendal House (Mfuleni). These two cases are instances where the learner information was not known beforehand and the WCED needed to verify the learner information to be able to confirm that the learners are indeed unplaced and to resolve the cases.

### 2.7.1 Forest Village Informal School in Old Faure Road, Eerste River.

- a) Many families have been relocated from various townships to a new housing development in Eerste River.
- b) The community started an informal school under the trees to demand a new school in the area as learners had to travel to schools outside of the area.
- c) The WCED was provided with 3 lists [210+136+600] of unplaced learners to resolve. These lists contained many duplications which have now been removed.
- d) The WCED processed the 3 lists and the data was verified against the WCED CEMIS Database.
- e) It was found that there were only 336 unique learners after duplications had been removed. The table below depicts the grade distribution of the 336 learners.

GRADE	1	2	3	4	5	6	7	8	9	10	Grand Total
GR R						1					1
PLACED		26	26	43	15	24	20	32	7	25	218
UNPLACED	1	9	10	22	6	15	7	33	5	9	117
<b>Grand Total</b>	<b>1</b>	<b>35</b>	<b>36</b>	<b>65</b>	<b>21</b>	<b>40</b>	<b>27</b>	<b>65</b>	<b>12</b>	<b>34</b>	<b>336</b>

f) One (1) case was a grade R learner and it was confirmed in the other 218 cases that the learners were already attending WCED schools and thus marked as current on the WCED CEMIS system. Only 117 learners still need to be placed.

g) The District office tabled a plan to place all the remaining 117 learners at local schools in the Eerste River area as outlined below:

PLACEMENT SCHOOLS	Gr.1	Gr.2	Gr.3	Gr.4	Gr.5	Gr.6	Gr.7	Gr.8	Gr.9	Gr.10
<b>UNPLACED</b>	<u>1</u>	<u>2</u>	<u>10</u>	<u>22</u>	<u>6</u>	<u>16</u>	<u>7</u>	<u>33</u>	<u>5</u>	<u>9</u>
SPURWING PS	1	3	5							
PALM PARK PS		3								
TUSCANY GLEN PRIM		3								
BLUE DOWNS PRIM										
FOREST HEIGHTS PRIM				17	6	16	7			
FOREST VILLAGE PRIM				5						
TUSCANY GLEN HIGH										9
EERSTE RIVER SEC								33	5	
<b>TOTALS</b>	<b>1</b>	<b>9</b>	<b>5</b>	<b>22</b>	<b>6</b>	<b>16</b>	<b>7</b>	<b>33</b>	<b>5</b>	<b>9</b>

### 2.7.2 Roosendal House informal school in Mfuleni

- Community leaders allege that there are 1800 learners attending the school which is housed in a building owned by the department of Higher Education.
- The WCED has made several attempts to engage the leaders/"teachers" to gain learner information, but without success. The leaders indicated at the meeting of 19 April 2021 that they will provide the information
- The WCED Placement Plan has made provision for these learners once their information could be confirmed. The Plan includes, amongst others:
- A mobile school on Erf 1 in Mfuleni (10 mobiles).
- A permanent school is in the planning stage to be built on the same site. Hence, the WCED cannot fill the site with too many mobiles.
- In addition, mobile classes have been approved to expand and provide additional capacity at schools in the area.
- The plan intends to accommodate all the learners if their information can be verified.
- The learner information was finally given to the department on 5 May 2021. The department is now in a process to verify the learner numbers and learner information and will run it against the SAMI and CEMIS systems in the department. Appropriate placement of qualifying learners will start once this process has been completed.

e) *SAHRC: Details of plans in place to deal with influx of learners from other provinces for the 2021 school year and constraints faced by the WCED in giving effect to such plans.*

2.8 All learners, including those from other provinces are included in the WCED placement plan.



- 2.9 Placement Teams in districts focus on hotspot areas and areas where there has been evidence of in-migration.
- 2.10 District information as well as information on WCED systems form part of the WCED Placement Plan.

*f) SAHRC: historic plans which have been made to accommodate an influx of learners, numbers of existing learners, expected increased numbers and the basis of that expectation:*

- i. The Department's infrastructure plans are contained in its approved User-Asset Management Plan (U-AMP).
- ii. Schools complete an exercise called 'Planned Enrolment' in advance for the following year.
- iii. Schools project their accommodation needs and plan accordingly.
- iv. The principal and Circuit Manager sign off the 'planned enrolment' for the following year.
- v. The placement needs were tabled in a formal submission in September 2020 after the admissions period had to be extended due to COVID. However, due to fiscal constraints, the plan could not be approved.
- vi. This is an annual process to manage the placement of learners and the demand has always outstripped the supply, especially in terms of infrastructure and teachers.

*g) details of the assistance the Commission could provide in giving effect to any outstanding plans.*

- i. The WCED has sought the assistance of the South African Human Rights Commission and Equal Education to help facilitate the release of credible learner data from Rosendal House. However, we have had no response from the SAHRC in this regard, and Equal Education has yet to produce any verifiable data.
- ii. As mentioned, the Forest Village learners have been resolved and the Rosendal House information is in the process of verification.
- iii. The commission could engage both Treasuries (Provincially and Nationally) regarding appropriate funding for the WCED.

*h) to provide all schools codes of conduct to determine whether they give rise to racially biased admission policies and to determine whether all schools are utilized to its full capacities as per the acceptable class sizes and teacher to learners' ratios.*

- i. The department made all efforts to get schools to upload the Admission Policies and Codes of Conduct by 09 May 2021. To date, we have succeeded to receive 1385 Admission Policies and 1379 Codes of Conduct (see summary on Annexure A). The Commission is requested to please send someone to the department with a device so that the department can share the actual documentation with you.

Further, the department will retrieve the outstanding documents and provide it to the Commission within the week if we receive same.

- ii. With respect to classrooms, class sizes and ratio the following information is provided:
  - No. of classrooms 35 262
  - Average size 9mx5m
  - Approximate average ratio 1:35

*i) SAHRC: to provide the number of schools that have been closed since 2014 vis-à-vis new schools that have been built.*

a) 55 schools were closed since 2014 and 51 New schools built. See Annexure B with list of schools attached.

*j) SAHRC: to provide the allocated budget within the Western Cape Province; and if any shortfall, the amount thereof.*

The allocated budget within the Western Cape Education Department is discussed in Annexure C attached.

*The Commission further requires additional information on the following:*

**Teachers**

*i. The number of additional teachers to be appointed by the Department in the Western Cape Province.*

- a) A total of 409 growth posts were released in March 2021.
- b) An additional 179 new posts were approved on 15 March 2021.
- c) All posts have been allocated to schools.

*ii. the anticipated timeframes for the appointment of such teachers.*

- a) Posts have already been released to schools.
- b) Schools/SGBs manage the appointment of teachers.

*iii. the estimated additional cost of the additional teachers.*

Educator posts are budgeted for at R436,66k per post (Cost to Company) for the 2021/22 financial year. The total budget set aside for the above posts amounts to R192,3 m to sustain these posts for the rest of the 2021 academic year.

**Mobile Classrooms**

*i. The number of mobile classrooms required to accommodate unplaced learners.*

*ii. The anticipated timeframes for the delivery of these mobile classrooms.*

- a) Attached Annexure D articulates the number and anticipated timeframes for delivery of the mobile units. Please note that 10 units were held back in anticipation of the verification of the Rosendal learner information.

*iii. The additional cost for the implementation of this measure.*

- a) The additional actual cost for implementation of mobile classrooms must still be verified at this stage but is estimated at a unit cost of R500k per unit.

**Scholar Transport**

- i. A detailed plan on the provision of scholar transport for learners placed outside their areas of residence.*
- ii. Details of how the Department will make provision for learners with disabilities.*
- iii. The anticipated cost relating to the provision of transport.*

- a) Not applicable. No learner transport was required.

**Provision for late placement of learners regarding Curriculum**

- i. Detailed information regarding the adjustment of the curriculum to cater for learners that are placed late for the academic year and/or the support that will be provided to them;*
- ii. Details of alternate resources that will be put in place to adjust the school curriculum.*

- a) Lesson packs for the 1st term will be made available at the schools where the learners have been/ will be placed. District officials will guide schools on how to support learners with a catch-up plan and will also be monitoring the learners' assessment results for the 2nd term to determine future support programmes.

- b) Attached Annexures E & F detail the support that is available to teachers/learners that we admitted late.

**CONCLUSION**

The WCED is on track to resolve all unplaced learners. The finalization of the Rosendal House learners will be resolved when learner information has been verified. Whilst many of the factors are external and beyond our control, the WCED remains committed to ensuring access to basic education for ALL learners. However, the support of all stakeholders is critical going forward as the demand for accommodation will always be bigger than what the department can supply. Whilst there are many factors outside our sphere of control, the department will always endeavor to improve internal systems and processes to facilitate the timeous placement of learners.

Kind regards



**B WALTERS**  
**HEAD: EDUCATION**  
**DATE: 9 May 2021**