



Western Cape
Government

Annexure A

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WESTERN CAPE EDUCATION DEPARTMENT (WCED)

Pro Forma *TERMS OF* *REFERENCE* OF THE DISTRICT ASSESSMENT IRREGULARITIES COMMITTEE (DAIC)

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1. INTRODUCTION

In terms of the *Regulations pertaining to the Conduct, Administration and Management of the National Senior Certificate Examinations*, published in *Government Gazette* No. 31337 of 29 August 2008, as amended on 30 April 2019, each district must establish a District Assessment Irregularities Committee (DAIC).

2. PURPOSE

The DAIC is responsible for the management or handling of assessment irregularities at school and district level.

3. JURISDICTION AND SCOPE

3.1 The DAIC has jurisdiction over any alleged internal assessment irregularities that occur at the schools within the control of the district. These irregularities relate to the following processes:

- registration of learners;
- compilation of internal assessment marks;
- monitoring and moderation of internal assessment;
- capturing and processing of data in respect of internal assessment;
- setting and moderation of internal assessment question papers;
- quarterly assessment school reports; and
- any other irregularities related to internal assessment, which cannot be resolved by the School Assessment Irregularities Committee (SAIC).

3.2 The DAIC has the right to call on experts/investigators and/or officials to assist with the investigations of cases. The DAIC will develop a standard operating protocol for investigations and must include a minimum of two experts/investigators when interviews are conducted.

4. COMPOSITION OF THE COMMITTEE

The following officials must form part of the core DAIC:

- The district director or his/her representative will serve as the chairperson of the DAIC;
- The Assessment and Examinations Coordinator of examinations at the district level;
- The Head of Curriculum Assessment at district level;
- The Head of Governance and Management at district level;
- The Employee Labour Relations Officer at district level;
- Circuit managers (maximum of ten); and
- One member of the Provincial Examinations Irregularities Committee (PEIC). (This official will serve as a link between the PEIC and DAIC).

In addition, but not part of the core:

- subject area specialists from the district, co-opted on a needs basis, based on the nature of the irregularity being handled.

The following persons will be appointed as observers:

- one representative from each of the recognised teacher unions (SADTU, NAPTOSA, SAOU).

5. APPOINTMENT OF DAIC MEMBERS AND OBSERVERS

The Head of Department (HoD) must establish the DAIC based on the recommendations from the district director and the Head of Examinations in the province. Each DAIC member must be appointed in writing. Recommendations for replacement of members can be made to the Head of Examinations.

6. CHAIRPERSON

The DAIC will be chaired by the district director, however, the director can delegate (Curriculum Education Specialist level only) to his/her representative in writing. The chairperson must ensure that the agenda is informed by the discussion items and number of irregularity cases investigated or reported on.

7. SECRETARIAT

The role of the secretariat will be managed by the office of the district director.

Duties of duly appointed secretariat:

- Keep minutes of all meetings of the committee;
- Keep proper record of the attendance, minutes, recommendations and decisions;
- Provide the agenda, minutes and accompanying documents to members seven days preceding a scheduled meeting via email or file sharing platform;
- Schedule dates of meetings before the end of the quarter for the next quarter;
- Share and follow up on all action list items and report to the next meeting on progress;
- Ensure administrative compliance of all members with a secrecy clause;
- Report, in writing, to the district director if non-compliance is observed or identified; and
- Ensure that all members attending the meeting complete a confidentiality form.

8. TERM OF OFFICE

The duration of the term of office of the DAIC is three years. A cycle will commence as per agreement of the Head of Examinations and if practically possible. The start of the cycle should be 01 April of an academic year in which the three year term expires. The HoD, in consultation with the Head of Examination, may decide to withdraw the functions of the DAIC due to non-compliance with legislative mandates or performance.

9. MEETING MANAGEMENT

(a) Meeting frequency

- The DAIC committee shall convene during each academic term or at the discretion of the chairperson for extraordinary matters as part of the structured programme of the district. *Ad hoc* meetings may be called to address cases that need to be escalated or require urgent decisions.

(b) Adoption of minutes

- Two DAIC members must adopt the minutes.

(c) Proposals

- Any attendee in the meeting may propose or second a proposal during the meeting.
- The chairperson or his/her delegate retains the right to decide on day-to-day *ad hoc* operations to ensure efficient functioning of the DAIC.

10. QUORUM

At least 50%, plus one member present (excluding observers) at the meeting shall constitute a quorum. Meetings may be cancelled by the chairperson if the attendance is less than 50%, excluding the chairperson, secretariat and observers.

11. RIGHT TO VOTE

All members and observers may participate in the meeting. However, only members of the DAIC have the right to vote on matters brought forward to the DAIC for decisions. However, decision making, by reaching consensus, must be promoted by the chairperson.

12. DECISION-MAKING

The DAIC must refer the recommendations of the DAIC to the PEIC for ratification. This is done by the secretariat. The PEIC's decision regarding the recommendation remains final.

13. OVERSIGHT

The DAIC must exercise an oversight function over all activities and investigations of the School Assessment Irregularities Committee (SAIC). The DAIC will require all SAICs to supply a comprehensive report of the irregularities reported to them and their decisions on a quarterly basis.

14. TRAINING OF DAIC MEMBERS

Training of DAIC members and observers will take place at the start of the new term or whenever is practically possible or needed.

ROLES AND RESPONSIBILITIES of the DAIC (Refer to the *Regulations pertaining to the Conduct, Administration and Management of the National Senior Certificate Examinations*, published in *Government Gazette No. 31337 of 29 August 2008*, as amended on 30 April 2019, section 8 (e) to (l), for clarity of statements.)

- Must investigate and make recommendations to the PEIC regarding appropriate action in respect of all cases and irregularities reported on;
- Support the schools in the establishment of a SAIC and review the recommendations of the SAIC;
- Build capacity of the SAIC in terms of identification, investigation, imposition of sanctions, and reporting of irregularities;
- Ensure that the sanctions, as formulated by the PEIC, with regard to School-based Assessment (SBA) and the Practical Assessment Task (PAT)/Language Oral Assessment, are implemented consistently across all schools;
- Coordinate and support the SAICs in the handling of assessment irregularities in their respective schools;
- Receive reports from the SAICs on a regular basis, on all irregularities committed by educators and learners during the SBA and the PAT/Language Oral Assessment process;
- Intervene in the case of SBA and the PAT/Language Oral Assessment irregularities that cannot be resolved by the SAIC;
- Investigate any other SBA and the PAT/Language Oral Assessment irregularity as and when requested by the district director or his/her nominee;
- Ensure that assessment irregularities are handled in a consistent manner across the district;
- Identify schools that have recurring irregularities or high frequency of irregularities and offer support in solving the problems;
- Investigate or assist in the handling of examination irregularities as requested by the PEIC or the Head of Examinations;

- Pronounce on irregularities involving learners that may refuse to abide with the minimum requirements in respect of the compilation of marks for internal assessment or present work that is not their own as per **Annexure M** of the *Regulations pertaining to the Conduct, Administration and Management for the National Senior Certificate Examinations*, published in Government Gazette No. 31337 of 29 August 2008, as amended on 30 April 2019, section j(iii)(aa to gg); and
- Pronounce on irregularities involving educators that misrepresent or fraudulently present internal marks without authentic sources of how the mark was generated, wilfully and intentionally exclude tasks as per the Programme of Assessment, alter marks of learners, and/or provide assistance to learners in an unfair manner.

15. **RELATIONSHIP OF THE DAIC WITH THE DIRECTORATE: ASSESSMENT MANAGEMENT (DAM)**

The DAIC will register cases, appoint investigators and report to the PEIC via the DAM in an informed manner to allow for ratification of their decisions.

16. **PAYMENT OF TRAVEL EXPENSES AND SUBSISTENCE ALLOWANCES**

DAIC members are not compensated for their participation in the activities/functions of the DAIC. The WCED shall not pay or reimburse any member in respect of travelling expenses to attend DAIC meetings.

17. **CONFIDENTIALITY**

Both during or after their term of office, members of the DAIC must treat the personal/examination irregularity information which comes to their knowledge in the course of the performance of their official duties as confidential, except if the communication of such information is required by law or in the proper performance of their duties.

18. **AMENDMENTS**

The review of this document will be mandated by the PEIC. Proposed amendments to the *Terms of Reference* must be substantiated in writing and discussed by the committee. The *Terms of Reference* must be reviewed before the new cycle commences.

19. RELEVANT DOCUMENTATION

- The assessment policy of each school forms the foundation on which all investigations are built.
- *Regulations pertaining to the Conduct, Administration and Management of the National Senior Certificate Examinations*, published in *Government Gazette* No. 31337 of 29 August 2008, as amended on 30 April 2019
- *Regulations for the Conduct, Administration and Management of Assessment for the Senior Certificate*, published in *Government Gazette* No. 28156 of 21 October 2005
- Constitution of the Republic of South Africa, 1996
- Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- South African Schools Act, 1996 (Act 84 of 1996)
- Employment of Educators Act , 1998 (Act 76 of 1998)

20. LIST OF ABBREVIATIONS/ACRONYMS

Abbreviation	Description
DAIC	District Assessment Irregularities Committee
DAM	Directorate: Assessment Management
DBE	Department of Basic Education
FET	Further Education and Training
GET	General Education and Training
NEIC	National Examinations Irregularities Committee
NSC	National Senior Certificate
PEIC	Provincial Examinations Irregularities Committee
SAIC	School Assessment Irregularities Committee
SC	Senior Certificate
WCED	Western Cape Education Department

Name	Role	Date	Signature
BJ Loriston	Deputy Director-General: Curriculum and Assessment Management		
B Walters	Head: Education		