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PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi zaziso zilandelayo zipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

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PROVINCIAL NOTICE

**REGULATIONS ON THE ISSUING OF PERFORMANCE INDICATORS BINDING ON
PUBLIC SCHOOLS, 2015**

The Provincial Minister responsible for education in the Western Cape, under section 63(1)(cH) of the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997), has made the regulations set out in the Schedule.

SCHEDULE**Definitions**

1. In these regulations a word or expression to which a meaning has been assigned in the Act bears the same meaning and, unless the context indicates otherwise—
 - “**activities**” means the processes that are followed or actions taken to produce the intended outcomes;
 - “**Department of Basic Education**” means the national government department responsible for basic education;
 - “**education district**” means an administrative unit of the Western Cape Education Department;
 - “**impact**” means the long-term direct or indirect effects on a situation, whether intended or unintended, proven to be the consequences of a policy, programme or project intervention;
 - “**inputs**” means the resources a public school is provided with in order to carry out its responsibilities;
 - “**outcomes**” means the intended or unintended consequences of a policy, programme or project intervention;
 - “**outputs**” means the activities of a public school and the Western Cape Education Department;
 - “**performance indicators**” means the performance indicators contemplated in regulation 3;
 - “**performance information**” means information that a public school and the Western Cape Education Department uses to measure the progress made to achieve strategic goals and objectives;
 - “**performance targets**” means a specific level of performance, or a particular activity within a given time period, that the Western Cape Education Department aims to achieve, as measured by performance indicators;
 - “**strategic objectives**” means the objectives determined by the Western Cape Education Department in order to achieve the intended outcomes;
 - “**the Act**” means the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997).

Scope and application

2. These regulations apply to all public schools in the Province.

Determination and issuing of performance indicators

3. (1) The Head of Department may determine and issue performance indicators that are binding on public schools in order to measure the performance of public schools.
- (2) The Head of Department may base the performance indicators on—
- (a) education priorities identified by the Western Cape Provincial Government;
 - (b) education priorities identified by the Department of Basic Education;
 - (c) a core set of indicators identified by the Department of Basic Education;
 - (d) a five-year strategic plan of the Western Cape Education Department; and
 - (e) an annual performance plan of the Western Cape Education Department.

Application of performance indicators

4. (1) The Western Cape Education Department must apply the performance indicators in order to—
- (a) measure the performance of a public school in respect of inputs, activities, outputs, outcomes and impact;
 - (b) monitor and improve the performance of education in public schools in the Province;
 - (c) ensure that performance information underpins—
 - (i) planning;
 - (ii) budgeting;
 - (iii) implementation; and
 - (iv) accountability;
 - (d) promote transparency and expenditure control in the use of public resources;
 - (e) promote the economical, efficient, effective and equitable use of public resources;
 - (f) support programme planning and the management of reporting; and
 - (g) measure progress and achievements against strategic goals and objectives.

Duty to inform public schools of performance indicators

5. The Head of Department must inform public schools before, or as soon as practicable after, the start of the school year of the performance indicators.

Performance targets

6. (1) The principal of a public school must annually before the end of the first school term—
- (a) set performance targets based on the performance indicators;
 - (b) ensure that performance targets are informed by the past performance trends of the public school; and
 - (c) table with the governing body of the public school the performance targets before the submission of the performance targets to the relevant education district.
- (2) The principal of a public school must make available performance information for monitoring and auditing purposes as may be reasonably required by the Head of Department, from time to time.

Support to public schools

7. (1) The Western Cape Education Department may provide support to public schools—
- (a) that need assistance with implementing performance indicators and the setting of performance targets contemplated in subregulation 6(1); and
 - (b) in the form of recommendations on—
 - (i) the risk areas for compliance; and
 - (ii) training and development needs, which may include mentoring, substitution and formal training of the principal, the school management team and the governing body of the public school.
- (2) The Western Cape Education Department may, in a manner determined by the Head of Department, monitor progress with regard to the activities of public schools, the implementation of performance indicators and the setting and achievement of performance targets contemplated in subregulation 6(1).

Failure to comply

8. A principal who fails to comply with these regulations may be charged with misconduct and disciplinary steps may be initiated against him or her as determined in the Employment of Educators Act, 1998 (Act 76 of 1998).

Short title

9. These regulations are called the Regulations on the Issuing of Performance Indicators Binding on Public Schools, 2015.

PROVINSIALE KENNISGEWING

REGULASIES VIR DIE UITREIKING VAN PRESTASIE-AANWYSERS WAT BINDEND IS OP OPENBARE SKOLE, 2015

Die Provinsiale Minister verantwoordelik vir onderwys in die Wes-Kaap het kragtens artikel 63(1)(cH) van die Wes-Kaapse Provinsiale Wet op Skoolonderwys, 1997 (Wet 12 van 1997), die regulasies in die Bylae uiteengesit, gemaak.

BYLAE

Woordomskrywing

1. In hierdie regulasies het 'n woord of uitdrukking waaraan 'n betekenis in die Wet geheg is dieselfde betekenis en, tensy dit uit die samehang anders blyk, beteken—
 - “**aktiwiteite**” die prosesse wat gevolg word of handelinge wat verrig word om die voorgenome uitkomstes op te lewer;
 - “**Departement van Basiese Onderwys**” die nasionale staatsdepartement verantwoordelik vir basiese onderwys;
 - “**die Wet**” die Wes-Kaapse Provinsiale Wet op Skoolonderwys, 1997 (Wet 12 van 1997);
 - “**impak**” die direkte of indirekte uitwerking op 'n situasie in die lange duur, hetsy voorgeneem of onbedoel, wat bewys is die resultaat van 'n beleid, program of projek-ingryping te wees;
 - “**insette**” die hulpbronne waarvan 'n openbare skool voorsien word ten einde sy verantwoordelikhede uit te voer;
 - “**onderwysdistrik**” 'n administratiewe eenheid van die Wes-Kaap Onderwysdepartement;
 - “**prestasie-aanwysers**” die prestasie-aanwysers beoog in regulasie 3;
 - “**prestasie-inligting**” inligting wat 'n openbare skool en die Wes-Kaap Onderwysdepartement gebruik om die vordering te meet wat gemaak word om strategiese doelstellings en doelwitte te bereik;
 - “**prestasiemikpunte**” 'n spesifieke vlak van prestasie, of 'n bepaalde aktiwiteit binne 'n gegewe tydperk, wat die Wes-Kaap Onderwysdepartement beoog om te bereik, soos gemeet deur prestasie-aanwysers;
 - “**strategiese doelwitte**” die doelwitte bepaal deur die Wes-Kaap Onderwysdepartement ten einde die voorgenome uitkomste te bereik;
 - “**uitkomste**” die voorgenome of onbedoelde gevolge van 'n beleid, program of projek-ingryping;
 - “**uitsette**” die aktiwiteite van 'n openbare skool en die Wes-Kaap Onderwysdepartement.

Omvang en toepassing

2. Hierdie regulasies is van toepassing op alle openbare skole in die Provinsie.

Bepaling en uitreiking van prestasie-aanwysers

3. (1) Die Departementshoof kan prestasie-aanwysers bepaal en uitreik wat bindend is op openbare skole, ten einde die prestasie van openbare skole te meet.
- (2) Die Departementshoof kan die prestasie-aanwysers grond op—
- (a) onderwysprioriteite geïdentifiseer deur die Wes-Kaapse Provinsiale Regering;
 - (b) onderwysprioriteite geïdentifiseer deur die Departement van Basiese Onderwys;
 - (c) 'n stel kernaanwysers geïdentifiseer deur die Departement van Basiese Onderwys;
 - (d) 'n strategiese vyfjaarplan van die Wes-Kaap Onderwysdepartement; en
 - (e) 'n jaarlikse prestasieplan van die Wes-Kaap Onderwysdepartement.

Toepassing van prestasie-aanwysers

4. (1) Die Wes-Kaap Onderwysdepartement moet die prestasie-aanwysers toepas ten einde—
- (a) die prestasie van 'n openbare skool te meet ten opsigte van insette, aktiwiteite, uitsette, uitkomst en impak;
 - (b) die prestasie van onderwys in openbare skole in die Provinsie te monitor en te verbeter;
 - (c) toe te sien dat prestasie-inligting ten grondslag lê aan—
 - (i) beplanning;
 - (ii) begroting;
 - (iii) implementering; en
 - (iv) verantwoordbaarheid;
 - (d) deursigtigheid en uitgawebeheer met die gebruik van openbare hulpbronne te bevorder;
 - (e) die ekonomiese, doelmatige, doeltreffende en billike gebruik van openbare hulpbronne te bevorder;
 - (f) programbeplanning en verslagdoeningsbestuur te ondersteun; en
 - (g) vordering en prestasies teen strategiese doelstellings en doelwitte te meet.

Plig om openbare skole van prestasie-aanwysers in kennis te stel

5. Die Departementshoof moet openbare skole voor, of so spoedig moontlik na, die begin van die skooljaar van die prestasies-aanwysers in kennis stel.

Prestasiemikpunte

6. (1) Die prinsipaal van 'n openbare skool moet jaarliks voor die einde van die eerste skoolkwartaal—
- (a) prestasiemikpunte gegrond op die prestasie-aanwysers stel;
 - (b) toesien dat die vorige prestasietendense van die openbare skool ten grondslag aan die prestasiemikpunte lê; en
 - (c) die prestasiemikpunte by die beheerliggaam van die openbare skool ter tafel lê voordat die prestasiemikpunte by die tersaaklike onderwysdistrik ingedien word.
- (2) Die prinsipaal van 'n openbare skool moet prestasie-inligting vir die doeleindes van monitering en ouditering beskikbaar stel soos wat die Departementshoof van tyd tot tyd redelijkerwys kan vereis.

Steun aan openbare skole

7. (1) Die Wes-Kaap Onderwysdepartement kan steun bied aan openbare skole—
- (a) wat bystand benodig met die implementering van prestasie-aanwysers en die stel van prestasie beoog in subregulasie 6(1); en
 - (b) in die vorm van aanbevelings oor—
 - (i) die risikogebiede vir voldoening; en
 - (ii) opleidings en ontwikkelingsbehoefes, met inbegrip van mentorskap, vervanging, en formele opleiding van die prinsipaal, die skoolbestuurspan en die beheerliggaam van die openbare skool.
- (2) Die Wes-Kaap Onderwysdepartement kan vordering ten opsigte van die aktiwiteite van openbare skole, die implementering van prestasie-aanwysers en die stel en bereiking van prestasiemikpunte beoog in subregulasie 6(1) monitor op 'n wyse bepaal deur die Departementshoof.

Versuim om te voldoen

8. Enige prinsipaal wat versuim om aan hierdie regulasies te voldoen, kan van wangedrag aangekla word en dissiplinêre stappe soos bepaal in die Wet op Opvoeders, 1998 (Wet 76 van 1998), kan teen hom of haar ingestel word.

Kort titel

9. Hierdie regulasies heet die Regulasies vir die Uitreiking van Prestasie-Aanwysers wat Bindend is op Openbare Skole, 2015.

ISAZISO SEPHONDO

IMIMISELO ENGOKUKHUTSHWA KWEZALATHI-NKQUBELA EZIBONISA INTSEBENZO NEZIZIBOPHELELAYO IZIKOLO ZIKARHULUMENTE, 2015

UMphathiswa wePhondo ophathiswe ezemfundo eNtshona Koloni, phantsi kwecandelo 63(1)(cH) loMthetho weMfundo weZikolo zePhondo leNtshona Koloni, (uMthetho 12 ka-1997), wenze le mimiselo icaciswe kule Shedyuli.

ISHEDYULI

Inkcazo-magama

1. Kule mimiselo, igama okanye ibinzana-magama elinikwe intsingiselo kulo Mthetho, lihlala linaloo ntsingiselo liyinikeyo yaye, ngaphandle kokuba umxholo ophethweyo walatha okunye—
 - “**imisebenzi**” ithetha iinkqubo ezilandelwayo okanye amanyathelo athathwayo okuvelisa iziphumo ezinqwenelekayo;
 - “**iSebe leMfundo esiSiseko**” lithetha isebe lemfundo likazwelonke elithweswe uxanduva lokuphumeza imfundo esisiseko;
 - “**i-ofisi yesithili semfundo**” ithetha iyunithi yolawulo yeSebe leMfundo leNtshona Koloni;
 - “**ifuthe**” lithetha isiphumo sexesha elide esichaphazela ngqo okanye ngandlela yimbi imeko ethile, nokuba ngaba bekukho injongo yaso okanye bekungekho njongo yaso, nesithe sangqinwa ukuba sisiphumo songenelelo ngoncedo ngomgaqo-nkqubo, ngeprogram okanye ngeprojekthi;
 - “**amagalelo afakiweyo**” athetha izibonelelo isikolo sikarhulumente esibonelelwe ngazo ukwenzela ukuba sibenako ukwenza imisebenzi eluxanduva lwaso;
 - “**iziphumo ekujoliswe kuzo**” zithetha iziphumo ezizalwa yinjongo ebekujoliswe kuyo okanye ebekungeyonjongo yazo zongenelelo ngoncedo ngomgaqo-nkqubo, ngeprogram okanye ngeprojekthi;
 - “**imisebenzi eziziphumo**” ithetha imisebenzi yesikolo sikarhulumente neSebe leMfundo leNtshona Koloni;
 - “**izalathi-nkqubela ezibonisa intsebenzo**” zithetha izalathi-nkqubela ezibonisa intsebenzo ezichatshazelweyo kummiselo 3;
 - “**ingcaciso yentsebenzo**” ithetha ingcaciso esetyenziswa sisikolo sikarhulumente neSebe leMfundo leNtshona Koloni ukubonisa umlinganiselo wenkqubela eyenziweyo ukufikelela kwiinjongo ezicwangciswe ngobuchule;
 - “**iithagethi zentsebenzo**” zithetha inqanaba elithile lentsebenzo iSebe leMfundo leNtshona Koloni elinenjongo yokufikelela kulo, njengoko oko kubekwa kumlinganiselo zizalathi-nkqubela ezibonisa intsebenzo, okanye ngumsebenzi othile ngexesha elinikiweyo;
 - “**iinjongo ezicwangciswe ngobuchule**” zithetha iinjongo ezimiselwe liSebe leMfundo leNtshona Koloni ukwenzela ukufikelela kwiziphumo;
 - “**lo Mthetho**” uthetha uMthetho weMfundo weZikolo zePhondo leNtshona Koloni, 1997 (uMthetho 12 ka-1997).

Umhlaba oza kufikelelwa nosetyenziso

2. Le mimiselo isebenza kuzo zonke izikolo zikarhulumente ezikweli Phondo.

Ukumiselwa nokukhutshwa kwezalathi-nkqubela ezibonisa intsebenzo

3. (1) INTloko yeSebe inokumisela yaye ikhuphe izalathi-nkqubela ezibonisa intsebenzo ezisibophelelayo isikolo sikarhulumente ukwenzela ukubeka umlinganiselo wentsebenzo yezikolo zikarhulumente.
- (2) INTloko yeSebe inokuzisekela izalathi-nkqubela ezibonisa intsebenzo kwezi zinto—
- (a) iiprayorithi zezemfundo ezichongwe nguRhulumente wePhondo leNtshona Koloni;
 - (b) iiprayorithi zezemfundo ezichongwe liSebe leMfundo esiSiseko;
 - (c) isethi eyingxam yezalathi-nkqubela ezichongwe liSebe leMfundo esiSiseko;
 - (d) isicwangciso sobuchule seminyaka emihlanu seSebe leMfundo leNtshona Koloni; kunye
 - (e) nesicwangciso sentsebenzo sonyaka seSebe leMfundo leNtshona Koloni.

Usetyenziso lwezalathi-nkqubela ezibonisa intsebenzo

4. (1) ISebe leMfundo leNtshona Koloni liza kusebenzisa izalathi-nkqubela ezibonisa intsebenzo ukwenzela ukuba—
- (a) libeke umlinganiselo wokujonga intsebenzo yesikolo sikarhulumente ngokumalunga namagalelo afakiweyo, imisebenzi, iziphumo ekujoliswe kuzo, imisebenzi yesikolo sikarhulumente nefuthe;
 - (b) libeke esweni yaye liphucule intsebenzo kwimfundo ezikolweni zikarhulumente ezikweli Phondo;
 - (c) liqinisekise ukuba ingcaciso engentsebenzo ixhasa—
 - (i) ukucwangcisa;
 - (ii) ukubhajetha;
 - (iii) ukuphunyezwa;
 - (iv) ukumelwa kukuphendula;
 - (d) likhuthaze ukwenzela izinto ekuhleni nokulawula inkcitho ekusetyenzisweni kwezibonelelo zikarhulumente;
 - (e) likhuthaze usetyenziso lwezibonelelo zikarhulumente ngendlela eyonga iindleko, eyenziwa ngempumelelo nangobulungisa;
 - (f) lixhase ukucwangciswa kweeprogram nolawulo lokunika ingxelo; yaye
 - (g) libeke umlinganiselo wokujonga inkqubela nempumelelo xa zithelekiswa neenjongo ezicwangciswe ngobuchule.

Umsebenzi oluxanduva wokwazisa izikolo zikarhulumente ngezalathi-nkqubela zentsebenzo

5. INTloko yeSebe mayazise kwakamsinya izikolo zikarhulumente ngaphambi okanye ngokukhawuleza emva kokuqala konyaka wesikolo ngezalathi-nkqubela ezibonisa intsebenzo.

Iithagethi zentsebenzo

6. (1) Inqununu yesikolo sikarhulumente mayithi qho ngonyaka phambi kokuphela kwekota yokuqala yesikolo—
- (a) imisele iithagethi zentsebenzo ngokususela kwizalathi-nkqubela ezibonisa intsebenzo;
 - (b) iqinisekise ukuba iithagethi zentsebenzo zixhaswa ziimpawu zentsebenzo yexesha langaphambili zesikolo sikarhulumente eso; nokuba
 - (c) ithetha-thethane nebhunga lolawulo lesikolo sikarhulumente yaye iqinisekise ukuba ibhunga lolawulo liyazisayinela iithagethi zentsebenzo phambi kokuzingenisa kwi-ofisi yesithili echaphazelekayo.
- (2) Inqununu yesikolo sikarhulumente mayenze ifumaneke le ngcaciso yentsebenzo ilolu hlobo, ukulungiselela iinjongo zokubekwa esweni nokuphicothwa kwayo njengoko oko kunokufunwa yiNtloko yeSebe, amaxesha ngamaxesha.

Inkxaso enikwa izikolo zikarhulumente

7. (1) ISebe leMfundo leNtshona Koloni linokunika inkxaso izikolo zikarhulumente—
- (a) ezifuna uncedo ekuphumezeni izalathi-nkqubela ezibonisa intsebenzo nasekumiseleni iithagethi zentsebenzo ezichatshazelwe kummiselwana 6(1); kunye
 - (b) nokuzinika iingcebiso—
 - (i) ngemiba eyingxaki malunga nokuthotyelwa kwemimiselo; kunye
 - (ii) nangeemfuno zoqeqesho nophuhliso, nezinokubandakanya ukunikwa iingcebiso, ukufakwa kwisithuba somnye, uqeqesho olumiselweyo lwenqununu, lweKomiti yoLawulo yeSikolo nolwebhunga lolawulo lesikolo sikarhulumente.
- (2) ISebe leMfundo leNtshona Koloni linokubeka esweni inkqubela malunga nemisebenzi yezikolo zikarhulumente, ukuphunyezwa kwezalathi-nkqubela zentsebenzo nokufikelela kwiithagethi zentsebenzo ezichatshazelwe kummiselwana 6(1) ngendlela emiselwe yiNtloko yeSebe.

Ukungathotyelwa kwemimiselo

8. Nayiphi na inqununu engaphumeleliyo ukuthobela le mimiselo, inokubekwa ityala lokuziphatha kakubi yaye inokuthathelwa amanyathelo oluleko njengoko emiselwe nguMthetho wezeNgqesho yooTitshala, (Employment of Educators Act) 1998, (uMthetho 76 ka-1998).

Isihloko esifutshane

9. Le mimiselo ibizwa ngokuba yiMimiselo engokuKhutshwa kweZalathi-nkqubela eziBonisa iNtsebenzo neziziBophelelayo iZikolo zikaRhulumente, 2015.

