

Kathryn Johnson

From: lara@saha.org.za
Sent: Monday, August 19, 2013 12:07 PM
To: kathryn@saha.org.za
Subject: Fwd: RE: Submission of internal appeal against decision relating to PAIA request SAH-2013-DBE-0002
Attachments: PAM Documents Part-1.pdf

- - - Original Message - - -

Subject: RE: Submission of internal appeal against decision relating to PAIA request SAH-2013-DBE-0002

Date: 2013-08-08 05:41

From: Leukes.0 <Leukes.c@dbe.gov.za>

To: South African History Archive <foip@lsaha.org.za>

Cc: "Eksteen, Kirsten" <Eksteen.K@dbe.gov.za>, "Machaka, Johanna" <Machaka.J@dbe.gov.za>

Dear Mr Maimane

Your appeal for request of information refers. You requested the following information:

Any and all records relating to;

(i) Policy and procedures regarding discipline of teachers and administrators

The policies and procedures are contained in the Employment of Educators Act 76 of 1998 (EEA) and more specifically in section 17,18 and Schedule 2 of the Act. The Act can be accessed on the Internet. I could if you so wish also provide you with a copy of the Act.

(ii) A list detailing the names, qualification and post of teachers and administrators

There are over 400 000 teachers in the country. The Department cannot make this information available as it will disclose personal information of teachers and administrators. The request for this information is accordingly denied in terms of section 34 of the PAIA Act.

(iii) The minimum required qualifications of teachers and administrators

See chapter B paragraph 6 of Personnel Administration Measures (PAM) as published under GN 222 in GG 19767 of 18 February and amended in various other government Gazettes. The PAM as amended is attached hereto. I am due to the size of the document sending this in five parts.

(iv) Job description of teachers and administrators

This information is contained in Chapter 4 paragraph 4 of the PAM

(v) Employee reporting structure and hierarchy

See Chapter 4 par 4 of PAM

(vi) Union contracts or other documents describing accountability mechanisms, including but not limited to disciplinary powers and procedures

See section 17,18 and schedule 2 of EEA

(vii) Complaint policies and procedures

See Chapter H of PAM for grievance procedures

(viii) Records detailing the implementation of discipline

Discipline of educators are the prerogative of Provincial Education Departments as educators are in terms of section 3(1)(b) of the EEA employees of the Head of a provincial Education Department. The DBE does not have these records.

(ix) A record detailing a list of teachers, their offence and the disciplinary action taken.

The same answer in (vii) above applies here.

I trust that the above information is in order.

Regards

Chris Leukes

FROM: South African History Archive (SAHA) [<mailto:foip@saha.org.za>]
SENT: Thursday, August 08, 2013 10:00 AM
TO: Leukes.0
SUBJECT: Submission of internal appeal against decision relating to PAIA request SAH-2013-DBE-0002

To whom it may concern,

Re: Submission of internal appeal against decision relating to PAIA request SAH-2013-DBE-0002

Please find enclosed an internal appeal in relation to a request for information made in terms of the Promotion of Access to Information Act (PAIA) for your urgent attention. In accordance with PAIA, you are required to submit the internal appeal, together with your reasons for refusing access to the information, to the relevant authority to determine the appeal within 10 days of receipt of this appeal.

The relevant authority must determine the internal appeal within 30 days of submission to you.

Please note:

Received a call from Mr A.W Kutumela, Director: Educator, labour relations and conditions of service. He called to acknowledge receipt of

request and to seek clarity. He stated that either himself or his colleague will be in contact to formally acknowledge request via email.

Contact details:

0123513744

kufumela.w@dbe.gov.za

Yours faithfully,

Senkhu Maimane

South African History Archive (SAHA)

Past communication:

To: leukes.c@dbe.gov.za

Subject: Submission of PAIA request SAH-2013-DBE-0002

Sent on: 2013-04-23 12:00:03 via email

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