GOVERNANCE OF PUBLIC SCHOOLS IN RELATION TO THE EMPLOYMENT OF EDUCATORS: A CASE STUDY OF SELECTED SCHOOLS IN THE MOPANI DISTIRICT

By

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DEDICATION

This research study is dedicated to my three sons, Kgotso, Kabelo, Kamogelo and my husband Samuel for their support, encouragement and understanding during the period of the study. To my late beloved sisters Rirhandzu and Martha, it was not easy. I thank God for giving me strength to press on.

DECLARATION

I declare that the mini-dissertation hereby submitted to the University of Limpopo, for the **degree of Master of Public Administration**: **Governance of Public Schools In Relation To The Employment of Educators** has not previously been submitted by me for a degree at this or any other university; that is my work in design and in execution, and that all material contained herein has been duly acknowledged.

_____   <u>**06/03/2017**</u>

MONYELA G.E, (Mrs)   **DATE**

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ABSTRACT

Employment of educators has never been such a problem as it is now where race and ethnicity are at the centre stage in the recruitment and appointment of educators. The high rate of unemployment and exorbitant cost of living in the country also worsen the situation. The problem of employment in public education is compounded by the semi-literate School Governing Bodies (SGB) especially in most disadvantage rural schools, who are expected to recommend the appointment of educators to the Head of the Department.

Employment of educators remains a challenge in the Department of Education. This research study provides a critique and an analysis of the role played by the SGB in school governance as elucidated in the literature and also stated by the South African Schools Act 84 of 1996. The aim of the study is to ascertain the alignment of educators' employment policies to South African Schools in the Mopani District.

The research also highlights the challenges that hinder effective governance and management such as lack of knowledge and skills, to interpret and implement policies and regulations when appointing relevant educators. The study reveals an unethical behaviour amongst principals and governing body of policy non-adherence that amounts to corruption within the public service. The dysfunctionality of governance and management to hire relevant, competent and qualified educators to occupy promotional posts cause more problems in the society as a whole, such as lack of accountability in terms of best education for the learners who are our future generation. The department should revise the roles and laws concerning school governors. The maladministration occurring in public institutions and schools is to be punished by law and public servants are to be accountable for their wrong actions taken.

In conclusion the Public Service Act 103 of 1994, section 11 stipulates that filling of posts in the public service must be given a democratic values and must follow democratic principles. Appointments should be based on qualifications, skills and competences. Nevertheless educators are appointed into various positions through corrupt activities. This must come to an end for effective governance in education to prevail.

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

AASA   American Association of School Administration

DoE   Department of Education

ELAA   Education Law Amendment Act

ELRC   Education Labour Relation Council

EPA   Education Policy Act

HOD   Head of Department

LRA   Labour Relations Act

MEC   Member of Executive Committee

NCA   National Constitution Assembly

NECC   National Education Crisis Co-ordinating Committee

NPQH   National Professional Qualification for Headship

PTA   Parent Teacher Association

PTSA   Parent Teacher Student Association

RCL   Representative Council of Learners

SADTU   South African Democratic Teacher's Union

SASA   South African Schools Act

SDA   School Development Association

SG   School governance

SGB   School Governing Body

SMC   School Management Committee

SMI   School Management Initiative

SMT   School Management Team

SRC   School Representative Council

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INTRODUCTION

1.1 Background of the study

Before 1994, the South African education system had gone through various stages until the inception of one education system in the new democratic South Africa. Since the National Party came into power in 1948, it had brought many draconian laws. One of its policies was to separate education for blacks in one department. This department was called Bantu Education as a result of the promulgation of the Bantu Education Act no. 47 of 1953. The above education system created school committees to assist principals to manage schools in various areas.

After black parents and students had complained about Bantu Education, the National Party changed the Department of Bantu Education into department of Department of Education and Training (DET). This department was managed separately from other racial groups. The above department introduced the Parents Teachers Association (PTA) to assist the principals in managing the schools. They were given limited powers to participate in school governance.

After the collapse of the apartheid regime and of the homeland systems in 1994, the new government had introduced various systems based on democratic values and cooperate governance. The new Department of Education was not excluded from the above process; hence the *School Governing Body* was introduced by an act to assist the School Management Team (SMT) to manage the schools. The term *governance* has been defined by various authors from different perspective.

According to Kanyane (2007:10) governance in South Africa is broadly understood as a combination of political and institutional power to ensure the effective management of resources for development. Nyathi (2013:8) attests that governance entails power. This implies that school governing bodies, bodies of governors have certain powers attributed to vested in them to execute their duties and responsibilities at schools. The statement could be supported by the fact that the South African schools Act devolves a lot of decision-making power to the school governing body; it controls the school and has become the stakeholders' board by representing the interests of all communities involved in the school, such as

educators, parent and learners. Xaba (2011:314) states that governance is regarded as an act of determining policy and rules by which a school is to be organised and controlled, which includes insuring that such rules and policies are carried out effectively.

Nyathi (2014:8) defines school governance as stakeholders having influence on major school-level decisions about the school and its relations with others as having educational responsibilities. To support this statement, Mawila (2014:11) argues that governors can develop co-operatively and individually, if they are given the right information and powers.

School governance can be defined as the presence of parents that constitutes a liaison between the school and the community it serves (Nkuna 2013:5).

Ngobeni (2012:6) is of the opinion that school governors, educators and parents need to form a mutual relationship based on trust and understanding to work in partnership for the benefit of the school and learners.

Governance of public education in South African schools has made a provision for all education institutions to have a formally constituted governing body that should be involved in the overall management of school (RSA 1996:11)

According to Brown and Duku (2008:431), school governance is a feature of school leadership in schools and while there is considerable variation in the way school governance is defined, it could be argued that in the South African context, school governance relates to, inter alia, part of the processes and systems by which schools operate and use structures of authority and collaboration to allocate resources and co-ordinate or control activities linked to the management of school.

The Employment of Educators Act 76 of 1998 (3) (b) (i) states that when filling a post the governing body must submit to the Head of Department, a list of at least 3 recommended candidates in order of preference. Therefore, more often than not, this process is flawed as most SGBs are required to rubber stamp the chosen candidates.

The Constitution of Republic of South Africa of 1996 Section 195 (i) stipulates that the employment of personnel should be based on ability, objective, fairness, and the

need to redress the imbalance of the past. This, therefore, implies that both public and private South African institutions should participate in an objective and fair process in the selection and appointment of personnel regulated by policies. The South African Schools Act 84 of 1996 plays an important role in encouraging the principle of partnership and mutual responsibility in all stakeholders interested in education of the learners. Furthermore, the Public Service Act 103 of 1994, section 11(1) stipulates that in the filling of posts in the public service due consideration must be given to democratic values and principles, and appointment should be based on skills and competencies. Nevertheless, educators are appointed into various positions through corrupt activities. Roane (2013:1) states that corruption in the education sector can be observed at all levels, with the SGBs and principals being the most corrupt.

Corruption deters proper governance of schools as it violates legislations in relation to governance and basic conditions of employment. The Basic Condition of Employment Act 75 of 1997 advances the economic development and social justice of educators by establishing and enforcing fair labour practices. The Labour Relation Act 66 of 1995 advances democracy in the workplace. Furthermore, the Skills Development Act 97 of 1998 states that in recent years, training is of critical importance in South Africa. It fast-tracks the redress of the past unfair discrimination in education, training, opportunities, employment and adds to personnel and social development of every learner in totality and socio-economic development of the public. It facilitates access to and flexibility and progression within education training and career paths. It also enriches the quality of education training.

The South African Schools Act 84 of 1996 (SASA) has made it possible for the government to provide quality education. It affirms a number of rights such as those of School Governing Bodies (SGBs) to develop and adopt admission and language policies also ensures that well qualified educators are appointed in the right positions. Segwapa (2008:47) agrees by confirming that SGB structure should ensure that the school reflects the community in which it is situated and which it serves. International experience demonstrates that outstanding educators are the most important factor in the quality of education. Education is the conveyer of culture, of moral and normative attitudes, and of values. The school should be the

extension of family life and should reflect the culture, norms and values of a specific school community. Parents could therefore expect educators who are appointed at their school to be bearers of the culture and religious norms and values that are peculiar to the local school communities. Therefore, it is clear that the government policies and the Constitution set the act for practice of employment relations in South Africa and this puts more emphasis on the law which should strongly facilitate employees' involvement and decision making in the workplace.

The South African Schools Act of 1996 (vii) states that when a governing body makes recommendations to the Head of Department regarding the appointment of educators, it has to follow relevant criteria from provincial and notional level. This implies that SGBs in the execution of their duties, should always act in the interest of the school, and have an obligation to develop different policy of educators to guide and govern the schools. This is because the employment of educators has a bearing on the quality of education in South Africa. It is upon this premise that the researcher intends to explore the governance of public education in relation to employment of educators in Mopani District schools.

1.2 Problem statement

There is a general perception amongst local communities about lack of governance in public education, especially in the area of appointment of personnel in schools. Thus, the problem of employment of educators has gone to an extent that there are allegations of selling of posts including promotional posts. Masondo (City Press, 17 May 2015:1) reported that allegedly the selling of posts has happened in Kwazulu-Natal, Mpumalanga and Limpopo Province. It was said to be orchestrated by educator's union members of South African Democratic Teachers Union (SADTU) to secure posts; the payment amounted to three thousand rand, depending on the post one is interested in (where the higher the post the higher the amount of money to be paid). The allegations also highlight a lack of governance in the employment process of educators as the School Governing Body is tasked to oversee and recommend a suitable candidate to the Head of Department. Furthermore, there is inconsistency in the implementation of policies and procedures of employment of educators across the schools in the Mopani District. The employment of educators' policies and procedures seem to be handled differently from one school to another

within the Mopani District, even though the prescripts for the employment of educators are the same. The challenges which governance in public schools is facing may be caused by lack of knowledge on the part of the SGB in understanding policies related to employment of educators and lack of monitoring and support by senior departmental officials.

1.3 Rationale for the study

The motivation of the study is derived from section 195 (i) of Constitution of the Republic of South Africa of 1996, which states that employment of personnel / staff should be fair, without prejudice, objective and should represent the demographics of South Africa. According to Maynooth Unversity (2009:4) the success of any organisation is based on recruitment and selection of the best, suitable candidate who is qualified and competent to do the job appointed for. This implies that an institution that recruits people who are qualified, skilled and with required competencies will contribute to its high performance.

The selling of posts by union SADTU has prompted the researcher to pursue a study on the role of SGBs in the governance of education and hiring of educators. The study will also investigate if the SGBs adhere to the policies as prescribed by SASA. Mashele (2009) states that SGBs from previously disadvantaged schools and communities experience many problems as they try to govern schools effectively. Therefore, this study is envisaged to close the knowledge gaps in the governance of school through policy adherence in the employment of educators.

1.4 Significance of the study

The study will benefit the Mopani District in ensuring that the role of SGBs in the governance of education will be highlighted, especially in the appointment of educators. The study will further benefit the policy makers, education practitioners and researchers, by recommending strategies that will combat unethical behaviour in the appointment of educators.

The study will serve as platform for further dialogue in the Education Department to enhance professionalism, knowledge, adherence to policy and good service delivery in teaching and learning. The study will finally contribute and assist the entire

department with the information it needs in training SGBs every three years in the cycle of office about their role in the employment of educators

1.5 Aim of the study

The aim of the study is to investigate the governance of public schools in relation to the employment of educators.

1.6 Objectives

1. To investigate skills and knowledge of the SGB members in the Mopani District in relation to school governance;
2. To investigate whether the employment of educators in the Mopani District is conducted in accordance to the stipulated policies of the Department of Education; and
3. To ascertain the alignment of educator employment policies in the Mopani District to the South Africa Schools Act (SASA).

1.7 Research Questions

1. How skilled and knowledgeable are the SGBs in the Mopani District in relation to school governance?
2. How is employment of educators in the Mopani District schools conducted?
3. What strategies do Mopani District schools have in place to ensure that their employment policies are in accordance with the South African Act?

1.8 Definition of concepts

1.8.1 School Governing Body

The SGB is the body functioning in terms of section 16 of the SASA and is constituted in terms of that act. It exercises the functions accorded to it in terms of the decentralisation of power to school communities. The SGB of a school has to recommend to the Head of Department the appointment of educators at school as well as appointment of non-educators (section 20i-j of SASA).

1.8.2 The South African Schools Act

This is the act that provides new national systems for schools which redress past injustices in educational provision through creation of a uniform system for the organisation, governance and employment of educators. The Act gives the SGBs of public schools the right to recommend educators for employment at schools.

According to Potgieter (1997: 23) the SGB is a statutory body elected person to govern a public school as set by an Act of Parliament to represent the community. Chapter 3 of the Constitution of South Africa states that SGBs fall into one category of the level. According to what the constitution provides, deviating from it will result in violating government rules and regulations.

1.8.3 Public school

Section 12(3) of SASA states that a public school may be an ordinary public school, a public school of special needs, or a public school that provides education with special focus on talent, including sport, performing arts or creative arts.

1.8.4 School governance

School governance means determining the policy and rules by which a school is to be organised and controlled. This includes ensuring that such rules and polices are carried out effectively in terms of the law and budget of the school (SASA: 11).

1.8.5 Skills

Skills refers to the practical mastery or special ability to perform certain tasks at hand. It is an ability to do things (Nkosi, 2007).

1.8.6 Competencies

Competency is an underlying characteristic of an employee that is his (motive, trait of self–image, social role and knowledge), which results in effective and superior performance in a job (Boyatzis, 2007).

1.9 Ethical consideration

According to Burn (2000) both the researcher and the participants must have a clear understanding regarding the confidentially, privacy and anonymity of the results and finding of the study. This means that all participants' information and responses shared during the study will be presented in an anonymous manner in order to

protect the identities of the participants. This includes the assurance of audio-cassettes and recorded information being destroyed as soon as the study has been completed. Research should always maintain integrity by avoiding plagiarism and by acknowledging the sources where information has been extracted or drawn.

1.10 Outline of the research

Chapter 1: Background of the study

This chapter introduces the title and explains the background of the study by presenting the problem statement, the rationale, research objective, research questions and definitions of concepts.

Chapter 2: Literature review

This chapter outlines a literature review and gives detailed explanation on the employment of people including educators in the Mopani District schools by gathering information from other authors.

Chapter 3: Research design and methodology

The chapter outlines the research methodology that has been used in the execution of this study in order to understand the processes of appointment, selection of the relevant and competent candidates.

Chapter 4: Data analysis

The data gathered from interviews and documents are discussed, analysed and the findings are interpreted in this chapter.

Chapter 5: Conclusion and recommendation

The chapter gives a summary of the data obtained through participant's information, research objectives and findings interpreted.

1.11 Conclusion

The chapter indicates the aims of the study, including political interference by elites and union members during the employment of educators. Different sources from literature relevant to the study were considered. The research design was discussed to indicate the manner in which data was collected. The aim of the study was to

determine policy adherence with the SASA. At the end of the chapter concluded with ethical considerations that were adhered to. The next chapter provide data on anomalies experienced by SGB members during the process of employment.

CHAPTER TWO

LITERATURE REVIEW

2.1   Introduction

The purpose of reviewing literature is to explore what other researchers have already researched on, so as to locate the current study within the body of knowledge. This has assisted the researcher to link the theoretical knowledge within the practice in the Mopani District. The theories elucidate the problems (as stated in chapter one) and they form the basis of data collection (chapter four). The process has also helped the researcher to base her recommendations from the findings (chapter five).

In the next section first an overview is provided of the origin of school governance in the South African Public Education System. The researcher then briefly summarises the work of PTSA during the apartheid and home land systems.

2.2 International perspective on school governance

The concept or term of school governance as a phenomenon advocated in the South African Schools Act (SASA), Act 84 of 1996 was still a fairly new concept in South Africa at the time. In this study, the researcher needs to explore the challenges and experiences faced by School Governing Bodies in executing their responsibilities as stated in the SASA. The study specifically investigates the most important key areas, such as appointment of staff or educators in school. The research study also looks at the development of governance of public schools in relation to the appointment of educators in other countries and how they handle key areas such as appointment of staff. Through the findings and experiences of other countries, it will assist the South African authorities to review some of its policies in public education.

2.2.1 School governance in England
The development of schools governing bodies.

In the nineteenth century the Anglican Church which is known today as Established Church of England was largely responsible for pre-education or home-based education in England. The Anglican Church authorities influenced the education system emphasizing a particular religious instruction. Selected boards of managers from affluent sections of the community started developing schools to provide education for learners from poor and disadvantaged families. The British government started to support these schools by providing them with special grants for the construction of their school building infrastructure. The emerging and development of the Local Education Authorities (LEAs) or school boards began after numerous functional challenges faced by the management of these schools. The Anglican Church and local politicians were mainly the representatives of the School Boards.

In the 1970s, parents wanted to become involved in their learner's education. Parents openly expressed their dissatisfaction to the British Central Government. Their main concern was over the level of expenditure and dubious quality of education. As a result, the British Government demanded better education results from those schools which had previously posted failing results. The criticism had led the British government to go an extra mile of inspection of schools at least four times each year with an assessment procedure for all educators and principals. After the inspection an intervention and development programme was drawn up; later the LEAs were stripped off their power with a move towards decentralization and the notion of self-managing schools. However, School Governing Bodies were not functional in England up until the 1980s.

The Education Reform Act of 1980 and the Taylor Commission made provisions for the promulgation of School Councils or School Boards at schools. This was called the Local Management of Schools (LMS). The legislation delegated the functional responsibility to the School Governing Bodies and was jointly managed by the parents and trustees. The constituents of governing bodies were mostly parents, business people who had special interest in education and local community members. The emergence and introduction of these governing bodies constituted a new and radical reform in education. Their role and functions was stipulated by the British Government and underpinned by the Department of Education and Science (DES).

The School Governance Constitution of England Regulations (2007) further emphasized in partnership between the LEAs, Central Government and the new governing bodies. The new decentralization in education led the principals and parents to become more involved in the decision making at schools in England. The School Governing Bodies' term of office was extended to a cycle of four years. The size of membership of the School Governing Bodies ranges from nine to twenty members as stipulated by the Government Constitution of England Regulations (DFES, 2007). The parental component of SGBs are not involved in the day-to-day running of the school; teachers and head teachers are the ones responsible for the management of daily programmes in schools.

The Education Reform Act of 1998 brought about significant change in a way in which schools were governed. In relations to legislation, all governors were given equal rights and responsibilities amongst the members of School Governing Bodies. Therefore new governing bodies had more power over the government of staff including educators, learners discipline, school finances and admission policy .Challenges were noticed as many governing bodies lack skills, knowledge and abilities to manage their schools effectively.

It is vital to take into consideration that if any member of a governing body acts beyond the rule of law in their duties, he or she was liable to be suspended from his or her portfolios and positions. The British Secretary of State for Education and Government Ministers control central major policies that govern the schools. The Secretary of State is the one who has power to appoint additional governors if one resigns and he or she also has power to dismiss and replace any existing governors where necessary. The School Teachers Association was elected for the purpose of fundraising for schools. It was a matter of choice for the school to decide to develop the PTAs in their schools.

The Education Regulations of 1989 gave the school governing body powers and responsibility to reduce their number of members to five. The amendments brought about conflicts among governing bodies members. Sex education was also restricted as stated by the Education Act of 1993.

In 1998 the powers and responsibilities of Local Education Authorities (LEAs) were reduced. The LEAs served the purpose of managers for schools within the jurisdiction of their geographical location. The decentralization gave greater autonomy to schools but their school financial budgets were still delegated to the LEAs according to their geographical location of each school. Apparently all stated-funded schools in England were funded by the LEAs and it depended on enrolment numbers of learners per school. The LEAs role was becoming problematic since they were also responsible for the admission of learners.

Decentralizing in a fast pace in England resulted in greater control over staff appointments, budgets, and the management of day-to-day of schools. The emulation of decentralization developed the relationship of co-operation and mutual trust between the state, the LEAs and the governing bodies. The principal became a member of the School Governing Body, as an ex-officio and had to attend all meetings. Only a learner governor was permitted to be a school governor, a learner prefect. All the petition and concerns of learners in school were addressed to the school principal by a learner prefect.

From the Children Act of 2004 emerged forms of a new community of governance. The new reform created a greater access to resources and therefore professional development was enhanced. The new reforms involved partnerships with learning communities, federations, and institutions with the aim of strengthening the governing bodies.

2.2.1.1 The structures of the School Governing Board

According to the new legislation of education in England, the appointed governors and the elected governors both serve for the period of four years. Appointed governors consist of the head teacher and the LEA governor. The elected governors comprise of the representative of the parents, teaching staff and non-teaching staff. A sub-committee is also appointed by the SGB members responsible for personnel, finances, health and safety, and school development. They give feedback on meetings held and they have to report back to the School Governing Bodies.

2.2.1.2 The membership of school governing bodies

The membership of school governing bodies in the English education system is as follows:

Selected parent governors who must be parent of a registered learner at the school.

i. Community governors that represent the interest of the community.

ii. Educator governors depending on the learner enrolment (size).

iii. LEA governor is any eligible person appointed by the LEA.

iv. Sponsor governors who provide substantial assistance to the school.

2.2.1.3 Functions of the School Governing Board

Section 21 of the Education Reform Act states that the School Governing Board is assigned to promote educational excellence:

The conduct maintenance of school shall be under the direction of the school governing body and that, the governing body shall conduct the school with the view to promote the standards of educational achievement at the school.

This implies that the governing body plays a vital role to the head teacher and supports all the teachers in their role, work performance and duties.

The Statutory Instrument Act No. 2122 of 2000, School Government states that responsibilities of the school governing board as follows:

- Setting aims and objectives;
- Setting policies for achieving these aims and objectives;
- Setting targets for achieving these aims and objectives;
- Formulation of educational policies for the school to achieve its aims and objectives;
- Setting the schools vision and strategic aims;
- Making the appointment of head teachers;
- Deriving a strategic plan for long term goals;
- Presenting financial statements at the end of the financial year;
- Determining the admission policy of the school;
- Preparing an annual school budget; and
- And proposing annual budget for the year.

2.2.1.4 Challenges in staff appointments

DFES (2004) and DIES (2007), Earley and Creese (2003), and Ramson and Tomlison (1994) stated the following challenges with regard to appointment of staff in school:

- Discrepancies were reported between the School Governing Bodies and the SMT.

- Conflict between the head teacher and school governing with regard to the appointment to promotional posts were reported.

- The problem of appointment of staff displayed a greater challenge in rural disadvantaged areas.

- Nepotism and irregular practices were mostly reported in rural areas. In most cases, school heads governing bodies were at loggerheads regarding their recommendations.

- The challenges of lack of knowledge and skills in understanding the role and function of governing bodies in recommending staff appointments were detected.

- School heads were perceived committing all sorts of corruption involving conflicts of interest, bribery and exhortation. Governing bodies were side-lined and overlooked in terms of appointment of educators.

- Cases of unprofessional appointment of staff decisions made by school governing bodies were reported. School heads in staff appointment had dominance and influence and it also created a huge tension amongst the members of school governing bodies.

- Currently evidence of disputes between school governing bodies and LEAs resulted in non-appointment of educators in most disadvantaged schools.

2.2.1.5 Strategies employed to ensure challenges in staff appointment.

DFES (2004) and DIES (2007), Deem (1995), Earley and Creese (2003), Hopkins (2007), Ranson (2005), Huber (1997), and Ramson and Tamlison (1994) have identified the following strategies to ensure fair and correct procedures of appointment of staff.

- A plan towards the promotion of creative partnership and the improvement of schools has been put forward by the Department of

Education to handle the challenges with regard to the appointment of staff. A National Strategy Programme has been established to ensure transparency and accountability in matters of promotional posts improvement of school management and leadership governed by the SGBs (DCSF, 2007).

- Hopkins (2007) emphasizes more the devolving of responsibility of SGBs as units of accountability in order to assist the powers of employment in schools.
- To strengthen and improve school governing bodies in the execution of their duties, and to engage schools in a constant programme of self-evaluation.
- The National Professional Qualification for Headship (NPOH), The Leadership Programme for New Head Teachers (HEADLAMP) and the Leadership Programme for Serving Heads (LPSH) become stepping stones for the improvement of school governance and management.
- A constant programme to be employed to strengthen and improve school governing bodies in the execution of their duties.

2.2.2 School Governance in Zimbabwe

In 1960s Zimbabwe was known as Rodesia and the country was governed by Great Britain. After a civil war in the 1980s political independence was established and it was named Zimbabwe. Prior to independence the education system was changed to bridge the gap created by colonialism in the past. Similar to South African education, there was a drastic shift or change of policies and legislation to bridge the gap caused by racial discrimination, inequalities and imbalances. The Education Act for Zimbabwean education was developed in 1979. The aim of establishing a democratic society was to redress the inequalities of the past in Zimbabwe (Nziramasanga, 1999:61).Reported cases of corruption in the appointment of staff and mismanagement of funds led to the Zimbabwe government establishing a new form of democratic school governance.

Decentralization emerged as laws and rules were changed (Zvobgo, 1996:38).

Section 62 of the Education Act of 1987 enshrined the Statutory Instrument of No. 87 of 1992 into the Statutory Instrument of No. 70 of 1993. The amendments were used as a tool in the establishment of School Development Committees (SDC) and the School Development Association (SDA). Governance of schools in Zimbabwe had to abide by the laws stipulated in Section 29 of the Education Act Amendment of 1991 that affirm the establishment for non-governmental schools. School Development Associations (SDAs) were established. The aim of the establishment of SDCs was to incorporate effective involvement of communities to take ownership of governance and management of education in various schools in Zimbabwe. The African Education Act of 1979 was replaced by the emergence of Parent Teacher Associations (PTAs). The paramount aim of the change was to turn government schools into community owned schools. The starting point of the decentralization of the functions of administration and governance at school level emerged (Chikoko, 2008: 247).

The SDCs were expected to develop and manage schools at the best interest of the Zimbabwean laws of education guided by the Statutory Instrument No.87 of 1992. The SDCs responsibility was to deliver services to parents and to utilize resources for the improvement of education. The SDAs and SDCs were to employ a spirit of team work to promote empowerment and involvement of teachers and non-teaching staff members towards maintaining the quality of education in Zimbabwean schools. Responsibilities of SDCs as governed by Statutory Instrument No.70 of 1993 stated below.

i. Promote and encourage programmes of interest, both social and educational, for the benefit of the pupils, teachers and of the community at large.

ii. Promote, encourage and improve the development and maintenance of the school.

iii. Assist the advancement of the cultural, moral, physical, spiritual and intellectual wellbeing of the learners at the school.

The education system of Zimbabwe indirectly involves learners, the SDCs (mainly comprised of principals) and parents; but learners are not involved in the decision making at the school level.

Zvobgo (1996:38), states that private schools were managed by a Board of Governors. The Cluster Coordinating Committee was developed and approved by the government of Zimbabwe, where all clusters were mandated to include SDC representatives. Zvogbo (2004:110) further explains that decentralisation was meant to increase effectiveness in government schools with the hope of improving services. Employment of relevant educators through the correct procedure results in effective education in schools. This committee was aimed at empowering and training the SDCs, and to promote the best interest of the school in terms of government and financial management planning.

2.2.2.1The structure of the School Development Association

The committee consists of five elected governor parents (who are biological or legal guardians of registered learners at the school), the school principal and a representative of the registered authority. The period of appointment is for one year. Subject to subsection (2) and (3) of the statute, SDC consist of:

i. The head of the school;
ii. Deputy head of the school;
iii. A teacher at the school, who shall be appointed by the secretary;
iv. A local authority representative or councillor appointed by a local authority; and
v. Five persons elected, subject to these regulations by parents of pupils at the schools.

2.2.2.2 Functions of School Governance

According to Section 29A of the Education Act, the SDCs is responsible for the following:

- Develop the mission statement of the school;
- Recommend to the Head of Department the appointment of teachers and other staff members of the school;
- Ensure that quality education is offered to every learner;
- Hire, screen and interview potential members of staff in consultation of the Head of Department, provided that they are under seventy years of age and

irrespective of whether they are applying for part-time or full-time teaching posts;

- Adopt a code of conduct for learners of the school following consultation with the learners, parents and educators of the school;

- Apply to the government for funds;

- Assist in employing staff members according to the needs of the school;

- Suggest ways to improve and extend their school, provided this finds agreement with the Head of Department; and

- Allow the school to be used for community, social and school fundraising purposes.

2.2.2.3 Challenges in the handling of staff appointments

Research has revealed that the SDCs were unable to deal with the appointment of staff members due to the high illiteracy levels of many of the parent governors. Furthermore, parent governors were given the authority to appoint and terminate staff members according to the requirements of the school. Decisions were often not accepted by the teaching staff, who reported that the appointment of teachers was made by illiterate parents (Van Wyk 2000). Disagreements between the school staff members, principals and parents persisted to cause serious rifts in many schools as a result of the staff appointments. Cases of corruption and nepotism within the interview committees had also been identified and reported. These often were the cause of many grievances and were a deliberate contravention of state legislation and laws. Therefore, many SDCs suffered liability to legal action.

Many SDCs also reported being demotivated at the irregular practices and unfairness of the school principals. Principals from disadvantaged schools appeared to dominate the entire interview process and pushed through their personal preferences (Garudzo-Kusereka 2009). The appointment of the staff had been a great challenge to the SDCs as the school principals did not know how to handle the dynamics of interviewing and staff selection (Chivore 2009).

A current study reveals that many school principals and SDCs are lacking the expertise and knowledge in following the regulations as laid down by the Department of Education. As a result, the challenge in selecting quality staff for secondary schools, particularly within the rural areas has been an on-going one (Garudzo-

Kusereka 2009). Parental involvement in staff appointments has also been highly controversial as parents from affluent areas are more involved in the learners' education, unlike the parents from disadvantaged rural communities. The challenge was heightened in the rural schools as the illiteracy levels of the parent-governors disadvantaged the SDCs and hence the committees failed to interpret and comprehend the educational legislation policies and procedures in terms of processing equal and fair just staff appointments. Lastly, limited knowledge on education matters and related legislation prohibited the SDCs from functioning optimally and serving in the best interests of the public school (Nziramasanga, 1999:76).

2.2.2.4 Strategies employed to deal with handling the challenges in staff appointments.

- It was believed that the school management teams (SMTs) have excelled in Zimbabwe due to the induction programmes of newly appointed school heads, excellent job training skills of the school heads, on-going SMT conferences and seminars that included skills in corrective staff appointments (Moyo 2009);

- One of the strategies identified to improve the quality of education at Zimbabwean school was to ensure that the SDCs and the school principals work together in defining the staff position, ensuring that the right candidate was appointed in a fair and equitable manner while taking into consideration the Educator Employment Act laws and legislations;

- Each Cluster Coordinating Committee was devoted to empowering and training the SDCs towards better governance practices;

- To assist the SDCs in their work performances SDCs and in problematic situations, Cluster Coordinating Committees have been appointed in each district;

- Many of the SDCs followed the national educational goals, laws and legislation of the country to prevent various forms of corruption and unfairness taking place in governance.

2.3. Models of School Governing Bodies

School governance is a dynamic and changing phenomenon; hence new models are continuously being introduced. Two models are briefly discussed and examined as assisting in school governance: The Traditional Governing Model and the Collegial Governing Model (Baruth 2013:155). These models explore how school governing bodies fulfil governance as a practice. The relevance of each model will be indicated and its strengths and weaknesses will be highlighted.

2.3.1. Traditional governing model

Marishane (1999) speaks of the traditional governing model that is characterised by the lack of collaboration and of partnership. Baruth (2013:155) further argues that it is applicable where the principals dominate the decision-making process and where there are lacks of collaboration. A top-down approach exists whereby vertical hierarchy in the model and decisions are adopted. This model emphasises authority, order and control. However, this model fails due to its rigidity and top-down structure. The school principal and the SGB work side by side in this model collaboratively to ensure effective school governance (Baruth 2013:155).

To support the above discussion, the diagram below illustrates the traditional governing model.

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┌─────────────────────────────────────────┐
│       National Education Department       │
└─────────────────────────────────────────┘
                     ▼
┌─────────────────────────────────────────┐
│       Provincial Education Department     │
└─────────────────────────────────────────┘
                     ▼
        ┌───────────────────────┐
        │     District Office     │
        └───────────────────────┘
                     ▼
          ┌───────────────────┐
          │   Regional office   │
          └───────────────────┘
                     ▼
        ┌───────────────────────┐
        │     SGB <-> Principal   │
        └───────────────────────┘
                     ▼
            ┌───────────────┐
            │     Staff       │
            └───────────────┘
                     ▼
            ┌───────────────┐
            │    Learners     │
            └───────────────┘
```
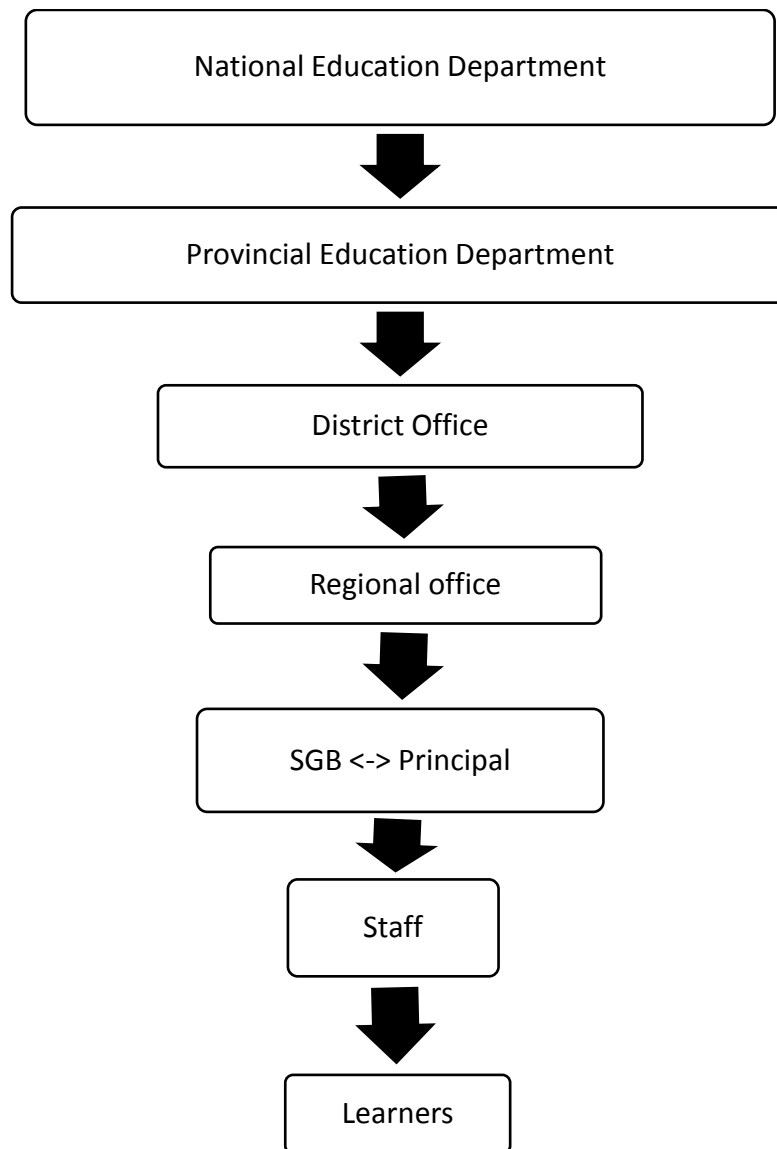
Figure 1: The traditional governing model

2.3.2 The collegial model

The collegial model corresponds to democratic societies and replaces the traditional governance models. In this model, decision making is shared, open discussion and participative management is encouraged. Here all members are to be on par and to hold equal positions. There is no longer a single level of authority and the model, which encourages strong mutual relationships between each stakeholder where an individual's contributions are considered as an enrichment. All members within this model work interactively and make decisions jointly. According to Section 20.1(e) of the SASA states that SGB must support the principal, educators and other staff of the school in the performance of their professional functions.

Below are outlined the responsibilities and main roles and their functions for each stakeholder to make a model; there are overlapping to functions and responsibilities which can bring about chaos and conflicts.
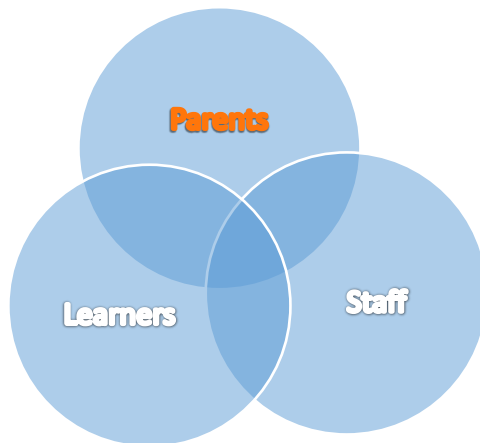
Figure 2: The Collegial Governing Model

2.3.1.1 Its implication to governance and employment of educators

Bush (2003; 64) defines collegial models as determining policies and making decisions through process of discussions leading to consensus. Power is shared among members of school who share the same aim of the institution.

The management of every organisational structure depends on the type of model and theory that the public managers use to achieve the intended objectives.

From the theories and models proceeding from the above, it is evident that if some of them can be used appropriately; they can assist the members of school governance in public education to employ educators in an ethical and professional manner.

For example, in using a traditional model members will always be governed by those who want to give instructions from the top. This is called a top-down approach in management. Elite members, in the traditional model, always dictate terms to their sub-ordinates. To relate this in the process of employment, the dominant group always dictates other members to appoint the one they want from the process of selection up to the level of appointment. These members always encourage discrimination, unfair labour practice, violation of human rights and constitutional

requirements. According to the United Nations Global Compact Principles six supports the elimination of discrimination in respect of employment and occupation. In the case of the employment of educators, the union members from the bureaucratic structures commands and dictates uneducated members of SGB to appoint its affiliates into higher positions without relevant and required qualifications. King II Report (2002,102-105) states that stakeholders should be actively involved in the process of identifying the ethical principles and standards that will guide organisational practice, in terms of behaviour and accountability areas such as employment practices ,including equality of opportunity, occupational health and safety ,and other principles related to employers and employees.

In contrast members who are following and employing a collegial model believe in mutual collaboration and consensus in decision-making. Their decisions are based on democratic values. All members' views and ideas are respected by fellow members in the governance.

In terms of an educator's employment, all members in governance reach consensus before the final decision of appointment. All candidates are treated equally before the appointment panel. This process is used, starting from the selection, shortlisting and interviewing processes of the candidates until at the end of the appointment stage.

2.4 School governance in South Africa
2.4.1 Legislative framework
2.4.1.1 The employment of educators in South Africa
Introduction

In the previous discussion it was mentioned that school governing body has power to govern the school. This was mentioned in SASA (1996a) which was democratically introduced through the election of SGB, in South African Schools. The SGB are statutory bodies which ensure participation of principals, educators, parents non – teaching staff, learners and co-opted members of Public School in South Africa (Bechman & Blom, 200;1) According to SASA Section 16 (1), governance of public

school is rested in its governing body at the principal as an ex – officio and given authority over the management of school. The Education White Paper 2 states that Schools by means of their governing bodies address the issues of redress by using public resources to improve the quality of education and promote for democracy in decision making in public schools.

2.4.1.2 The role and functions of SGB in the employment of educators

SASA 1996 states that in the context of the South African public education system, the SGB is a democratically-elected body that comprises of parents, educators, non-teaching staff and community members. The establishment of SASA by the national party provides guidelines to be adhered to; they govern, manage, administer and control education at the school level. The SASA outlines more strategic direction and guidance for the organisation, governance and funding of schools to ensure the quality of education at all schools.

Mawila (2014:8) describes the SGB as a statutory body of stakeholders that is democratically elected to govern school organisations. This means, SGBs serve as the democratic governance in public schools, embracing the concepts of representatively, accountability, liability and partnership. The body is solely responsible for public schools which will be in line with the national policies and regulations (RSA 1996).

To support the above definition, Nyathi (2014:7) describes the School Governing Body as a committee that is established or chosen at a learning institution through voting. It comprises of representatives of all the stakeholders of that particular institution (Mlondzo 2010:7). To support this statement, the Department of Education (1997b:24) declares that the governing body of an ordinary school is made up of three groups of people, namely members who are elected, the school principal and members who are co-opted but not elected. Apart from the above definitions, school governance and SGB play an important role both management of the school and the employment of educators.

Brown and Duku (2008:431) describe school governance as a feature of the school leadership in schools; and while there is considerable variation in the way school governance is defined, it could be argued that in the South African context, school governance relates to, inter alia, part of the processes and systems by which schools

operate and use structures of authority and collaboration to allocate resources and co-ordinate or control activities linked to the management of a school.

For school governance to function successfully, it should not only co-ordinate resources and control activities. It is also necessary to determine policies and rules by which public school can be organised and controlled. Furthermore, school governance should also uphold the rights of all stakeholders and to promote and funding of school in partnership with the state (Mabuza 1997: vi).

To support the above function, the South African Schools Act provides for a uniform system for organisation, governance and funding of public schools. Mabunda (2012:6) attest that school governance has powers to recommend the appointment educators and also promotional positions in the school.

To emphasise to the role of school governance, the following responsibilities and duties are granted to the members of school governing body:

- To develop the mission statement of the school (that refers to what the school wants to achieve).
- To adopt a code of conduct (that refers to rules of behaviour for learners at the school).
- To ensure that Educators are subject to the Employment of Educators Act No. 76 of 1998 and the Labour Relations Act No. 66 of 1995;
- To make recommendations for the positions of principal and the deputy principal as well as consider disciplinary actions and hearings;
- To support the principal, educators and other staff in carrying out their professional functions.

2.4.2. Anomalies in the employment of educators in South Africa

Moeti (2014:112) defines different kinds of unethical conducts that are observed in the workplace.

- **Corruption**: Van Rooyen (2013:7) maintains that corruption can be described as a situation where someone gives or offers to give a benefit to another in exchange for favour.

Both parties, the giver and the receiver are committing corruption if the offer is accepted.

An individual being the giver and the other party being the receiver.

The favour or money that is offered does not have to be for one of the involved, merely offering to do something or to accept something is corrupt - even if the offer is not accepted; and it is significant to take in to consideration that there is no need for money to be involved for the unethical conduct of corruption to be committed. There are different kinds of corruption like, awarding a tender with the intentions of benefitting in return, or giving someone a job or donation in return of something.

- **Extortion** – when threats, intimidation or promise are used to encourage a government official to act in a way in which enriches a third party at the expense of the state (Pauw:2009). Extortion can be also defined as illegal use of one's official position or powers to obtain property, funds, or patronage. It also includes threats, intimidation or even promises that are used to encourage a government officials to cut corners in a way which enriches a third party at the expense of the state. Forcing or threatening someone to do illegal business outside government guidelines is unethical. Corruption has been alleged to some of the educators who are union bearers of SADTU and the selling of posts by certain principals of school seem to degrade the value of the teaching profession. A City Press Newspaper report dated 15 May 2015 reported that the South African Democratic Teachers' Union (SADTU) is selling educator's promotional post. The report was followed by another City Press report dated the 6 of December 2015 claiming that the department set to reduce influence of unions to stop teachers who pay for jobs from getting posts.

- **Favouritism**: The Code of Conduct (2002: 27) indicates that this means that certain singled out employees are appointed, promoted, transferred, or given generous treatment based on subjective considerations such as friendship, returning a favour and others. This is unprofessional and unethical because the public servants, including

educators, are not supposed to be giving favours to anyone but rather give credit where it is due, based on merit and set requirements.

- **Bribery:** is a specific ethical offence which concerns the practice of offering something, usually money to gain an illicit advantage and corruption is an abuse of position of trust in order to gain an undue advantage. This happens when a supplier offers an official or officials some personal benefit in exchanges or particular position of employment for him / her. It usually involves these officials circumventing the laid-down processes and thus disregarding the requirement of fairness and honesty in government institutions.

- **Nepotism:** Van Rooyen (2013:7) explains nepotism as a scenario in which a public servant ensures that family members are appointed to public servant positions. Section 4.3.3(b) of the Code of Conduct indicates that nepotism refers to an employee who is selected or promoted only based on the fact that he or she has family or other ties with the person in a position to approve such actions.

Pattillo (2012) refers to the practice of placing comrades to management positions as 'cadre deployment'. Pattillo (2012) describes cadre deployment as a form of unwritten policy of patronage based political appointments to leadership positions. Buthelezi (2001) states that through cadre deployment, people have been placed in positions for which they are not qualified. Reference to cadre deployment can also be made to the number of SADTU loyalist positions since 1994.

Section (2) Act 78 of 1998 of the EEA dictates that promotions of any teacher may only be conducted with the approval of the SGB. The principal acts as a resource person during the employment process at school level. The departmental representative oversees that all process take place according to resolution 6 of 1998, Section (2.4) of the EEA. The district officials at the district level recommends the appointment in the presence of union representatives who act as union observers. Validation of the selected candidate is the role of SGB before it can be sent to the Head of Department (HOD) who has the final say of appointing the candidate. However the process is reportedly flawed with contrivances and has become a

matter of concern amongst the public and educationist to oppose maladministration and ineffective governance in schools in terms of appointment of educators, as reported by Sipho Masondo (City Press 17 May 2015). Diko and Letseka (2009:231) contend that there are sufficient numbers of teachers qualified with Honours, Masters and Doctoral degrees that are overloaded when promotions are made. Diko and Letseka (2009:237) emphasise that such irregularities may lead to teacher attrition due to low morale. They further attest the recruitment and quality of recruited teachers is basically driven by competition for salary packages. Therefore they resort to selling posts.

Sebola (2014:301) argues that nepotism and favouritism are key problems which are associated with the recruitment and selection of employees, whose interests are directed to the benefit of a particular association or political groupings. The problem of nepotism and favouritism is considered bad when some members of the public coming from a minority group are discriminated against.

Mpehle (2010:38) asserts that it happens quite regularly that in filling a position there is no accountability and employees disobey the constitution in their daily duties; certain institutions are mostly surrounded by corrupt activities and at the same time people are advancing their own personal interests, their political and personal loyalty over merits and lack of public engagement in the running of public affairs. This also happens in schools during the process of employment of educators.

2.5. School Governance in South Africa
 Introduction

According to the Constitution (Section 12 (2) the best interest of the child is of paramount importance in every child matter concerning the child in Hence SGB should determine policies that address all educational needs of all learners in public schools. According to Lemmer (2002; 211), number of legislations emphasising parental involvement were passed, catering for parents of different population groups. These legislations include the Education Policy Act, Act No: 76 of 1984,

Regulation No: 634 of 18 March 1966, the white paper on the provision of education of 1983 and the General Education Affair Act. The above legislations made tremendous progress on maximising correct procedure on the employment of educators.

2.5.1. Legislation and policy

It is crucial that SGB members operate within the South African Schools Act 84 of 1996, so that they are able to support the professional governance and management of the school in its mission to provide quality education. The reality is that non-adherence to policy has become a habitual challenge for schools and the department. School governors must understand and apply relevant sections of the constitution and all legislation such as collective agreements and regulations that impact on school governance. Therefore, if every action is taken within the realm of the law, then the action by the SGB are defensible.

Members of the school governing body should be able to:

- Identify and apply supporting legislation, regulations and policy related to school governance
- Understand and fulfil their roles, functions and responsibilities in contradistinction to school governance and management
- Understand and implement SASA as the legal basis for the school governance
- Identify and apply the relevant sections of the Constitution of South Africa in relation to governance

2.5.2. School governance policies initiatives

The above Act came as a result of South African Governance Policy initiatives. For the purpose of this study, the researcher discusses the three important policy initiatives which support the research study. The following policies will be outlined:

        2.4.2.1 The Hunter's Committee Report;

        2.4.2.2 Education Policy white paper; and

        2.4.2.3 The1996 South African Schools Act

2.5.2.1. The Hunter's Report

The Hunter's committee (Report of the Committee to Review the Organisation, Governance and Funding of Schools, August 1995:1) can be seen as the forerunner to the South African School Bill. The committee's brief was to recommend:

> "a national framework of school organisation funding and ownership, and norms and standards on school governance and funding which are likely to command the widest possible public support and to improve the effectiveness of school".

The Hunter's committee anticipated that schools should operate in two categories in South Africa, public and private. Parents, students, teachers, and non-teaching staff and the principal (as an ex-officio) should serve on the governing bodies. The South African School Act, 84 of 1996 is also quite clear about the rights and responsibilities of parents. The Act has given parents of public schools full power over governance. This implies according to SASA (1996a) parents are fully involved in the role and decision making process.

Provisions were made for all stakeholders in the community to form part of the school governing body. These various community representatives should be nominated by parents or guardians and elected by the governing body. This body could be commercial owners, representatives of the sponsoring bodies, or of tribal authorities. Bengu (1997b:5) indicates that a governing body stand in a position of trust towards a school and its main purpose will be to help the principal on behalf of the school community ,to manage and organise the activities of the school effectively and efficiently.

It must be taken into consideration that the community representatives investigated should be skilled people with expertise who could make a concrete contribution to the improved functioning of the school. The above does not apply to people from the community who would be unable to reflect the views and feelings of the public whatever these may be. The Hunter's committee indicates that parents and guardians should have the majority representation of the constituencies represented on the governing body.

The Hunter's committee anticipated two sets of functions and powers of the school governance:

(i)   Basic powers were those that all governing bodies possesses and they include powers such as code of behaviour for learners, school budget priorities, and community use of school facilities. Furthermore, powers to recommend the appointment of teachers at school level, the selection of temporary teachers and also appointment to promotional post such as that of principal or deputy principal and Head of Department posts.

(ii)   These powers are conditionally delegated to school governing bodies. The governing body would have to satisfy the provincial education department that it has got the ability to manage and execute the additional functions according to the standards of provision specified by the provincial and the school community and has got the will to sustain this responsibility. If the provincial authority is not convinced of a governing body's ability to continue exercising such duties and functions, the province could withdraw these responsibilities from the governing body.

(iii)   Negotiable powers are those which the province can provide on contract to the school or be contracted privately, where the province gives authority or mandate to school to do so. According to SASA Section 21.1(a) this includes powers to maintain and improve the school's property, buildings and grounds occupied by the school, including school hostels.

2.5.3. The Education Policy and White Papers

The Government of South African's response to Hunter's committee took the form of two Policy White Papers (White Paper 2a: November 1995 and White Paper 2b: February 1996). The White Paper 2a contains the Hunter's committee's proposals and the Ministry's response to them, while the White Paper 2b simply lists the policy choices. In terms of providing an outline of developments leading to South African

School Act, the White Paper 2b is more defined and directed in the deals specified on policy issues.

The White Paper 2b suggests a similar compositions of school governing bodies to that of the Hunter's committee. The main difference is that community representatives are elected by the governing body and not by the community. The Ministry's motivation for this was that community representatives must be acceptable to all school-based constituencies. Due to the legal and financial decisions for which governing bodies would be responsible, elected representatives of parents and guardians should hold the majority in a public school.

After holding extensive discussions, consultations and deliberation, the White Paper 2b of 1996 was amended to incorporate the South African Schools Act (SASA) No. 84 of 1996, which became law on the 1 January 1997. Below the SASA will be looked at in detail, ascertaining its relevance to the SGB within the South African public education system.

2.5.4. The South African Schools Act No. 84 of 1996

The South African Schools Act (SASA) functions as a legislation to promote the democratic transformation of institutions and it currently outlines the requirements and standards for institutions such as schools, their governance and the employment of educators in schools. The SASA 1996 serves as a foundation to the radical restructuring and transformation within the South African Public Education, aimed at involving all stakeholders, including educators, learners, parents and community members in the governance and employment of staff in schools. The SASA 1996 came about as a by-product of the 1996 constitution of the Republic of South Africa which maintains that parents are the most important stakeholders of the school, together with the educators, non-teaching staff and the school principal, who serves as ex-officio in education at the primary level. This could be supported by the fact that that the South African Schools Act devolves a host of powers of decision making to the school governors (RSA, 1996:14).

According to SASA (1996:1), this implies:

> "To provide for a uniform system for the organisation, governance and funding of schools; to amend and recall certain laws relating to schools and to provide for matters connected therewith."

The SASA encourages and makes provision for cooperative efforts of all stakeholders interested in education, instead of individual's decisions (Marishane 1999). Schools benefit more from decisions made by local community members than that of the state, as the local people could easily identify the problem areas and deal with them immediately. The promulgation of the SASA (1996) gave rise to a new era which aimed to redress the past inequalities in the public education of South Africa. In short, the SASA provided and promoted the active participation of all members of the community in shared decision-making and the rights of all stakeholders in the governance of school organisation (Department of Education, 2000).

The drive and purpose of the SASA (1996:1) is stipulated as follows:

- The country requires a new national system for schools which will redress past injustices in educational provision, provide an education of progressively high quality for all learners and in so doing lay a strong foundation for the development of all our people's talents and capabilities, advance the democratic transformation of society, combat racism and sexism and all other forms of unfair discrimination and intolerance, contribute to the eradication of poverty and the economic well-being of the society, protect and advance our diverse cultures and educators and promote their acceptance of responsibility for the organisation, governance and funding of schools in partnership with the state. It is necessary to set uniform norms and standards for the education of learners at schools and organisation, governance and funding of schools through the Republic of South Africa.

As its major purpose, the SASA seeks to transform the previous racially-divided society into a free and fair, democratic country. The SASA promotes a democratically-governed school system that creates partnership among all stakeholders (Heirber 2001). It stipulates legislation which - after the amendments of education laws Amendment Act No. 53 of 2000 - introduced the instrument of the School Governing Body (SGB). The SASA acknowledges and maintains that parents are important constituents of the SGB, as they serve as partners in education.

This means that the SASA recognises that parents need to take on their role actively to positively influence the decision making at the schools through the structures of

the SGB. The aim of the South Africa Government was to transfer more responsibility to parents through the instrument of the SASA. This view is supported by Baruth (2013:5) who argues that parents are not only responsible for their learners' education but need to be partners in the provision of governance in public schools.

2.5.5. Employment of Educators Act, 1998 (Act No.76 of 1998)

Chapter 3 of the Employment of Educators Act subject to the Labour Relation Act or any collective agreement concluded by the Education Labour Relation Council states that any appointment, promotion or transfer to any post on the educator's establishment of the public school or further education and training institution may be made on the recommendation of the governing body of the public school of the further education and training institution.

Subsection (2) affirms with the provision stated on the chapter and Labour Relation Act or any collective agreement concluded by the Education Labour Relation Council appointments in promotions or transfer to any educator establishment under this Act shall be made in accordance with such procedure and such requirements as the Minister may determine.

Subsection 7(1) states that when a post of any educator establishment under that Act is filled, regard shall be given to equity, equality and the democratic values and principles which are contemplated in section 195(1) of the Constitution of the Republic of South Africa, 1996.

The Employment of Educators Act stipulates (6A) that the governing body must ensure:

- That the applicant to be appointed matches the requirements of the post.
- That the applicant has presented qualifications.
  Therefore, the governing body must guard against any form of corruption such as nepotism, exhortation and conflicts of interest. A person failing to comply with the laws and regulations stated above will be charged of misconduct.

On the other hand it must not:

- Fail to comply with or contravene the Act or any other statute, regulation or legal obligation relating to educators and the employment of educators

.

- Unjustifiably prejudice the administration, discipline or efficiency of the Department of Education, an office of the state or school, further education and training institutions or adult learning centres.
- Unfairly discriminate against the other persons on the basis of race, gender, disability, sex, pregnancy, colour, disability, culture, political opinion or any other grounds prohibited by the constitution.

2.5.6. Collective Agreement No.1 of 2008

The resolution of 2008 deals with the employment of educators and it states the scope of the binding agreement. It also implies that all the employers of employees in the Employment of Educators Act, 1998 - whether such employees are members of trade union parties to the agreement or not - must pull their energies together in order to emerge with disposition that will once and for all restore the confidence of the nation, the morale of the educator workforce and rejuvenate the culture of learning and teaching.

The Occupational Specific Dispensation (OSD) puts in place a proper career pathing model that does not entail automatic increases, but is looking forward to a systematic increase of salaries after predetermined periods based on specific criteria such as performance, qualifications and competencies, scope of work and experience.

Staffing of educators for major role of the SGBs when it comes to the employment of educators.SGB as democratically statutory role together with the school management team are responsible of hiring and employment of teaching & non-teaching staff. This implies that is their role to play in managing and monitoring staff appointment, staff contract of employment, appointment procedures and staff remuneration packages. The committee should take into consideration on strategies for the recruitment and retention of staff members. Educators who are resigning should be given an opportunity to state their reason for resignation. Union office bearers also play an important role.

Procedures for sifting, shortlisting and interview procedures.

(a) Purpose

- To provide guideline on sifting, shortlisting and interviews, in line with the statutory requirements.

- To promote the values of fairness, equity and transparency in the filling of educator posts.
- To provide clear procedures and guidelines in order to minimize the number of candidates applied

(b) Parties to chamber note:
- The content of the ELRC Resolution No 5 of 1998 as well as the Limpopo Province ELRC Chamber Resolution No 1 of 2000 on shortlisting and interview guidelines.
- The Education Laws Amendment Act of 2005, the South African Schools Act 84 of 1996, Employment of Educators Act 76 of 1998, on appointment, promotion and transfer to any post on the educator establishment of a public school.

(c) Establishment of an interview committee
- The School Governing Body shall establish an interview committee at the educational institution where there are advertised vacancies. The committee may comprise of members from the School Governing Body. Additional members of the interview committee may be co-opted by the School Governing Body. Committee members should have the necessary competencies to interview candidates for the advertised posts.
- The interview committee shall be responsible for the shortlisting of applications to a required number per post and for the interviewing of shortlisted applicants.

(d) Composition

The interview committee comprises of the following:
- One departmental representative as an observer and resource person; the principal can occupy this position.
- The principal of the school is not the departmental representative, except in the case where the person is an applicant.

- Four members appointed by the School Governing Body (or five, in case the principal is a departmental representative or an applicant) excluding educator members who are applicants to the advertised posts.

- One representative union that is party to the Limpopo Chamber of the ELRC as an observer.

- Members of the interview committee including observers, shall sign a declaration form provided before the commencement of the shortlisting and interviewing processes.

(e) Chairperson and secretary

- Each interview committee shall appoint a chairperson and a secretary from amongst its members. The chairperson shall preside over the shortlisting and interview processes. The secretary shall keep accurate records of all proceedings.

(f) Records and proceedings

- There shall be accurate keeping of records of all meetings. Records shall indicate the dates, names of all attendees and the institutions they represent.

- Records shall reflect relevant information in respect of the various selection processes such as shortlisting, interviews, decisions and ranking of candidates.

- It is the responsibility of the employer to ensure the safekeeping of all documents for at least 6 months.

(g) Observers

- Unions that are party to the Limpopo Chamber of the ELRC have a right to appoint one representative per union, as observer to the process of shortlisting, interviews and ranking of candidates by the interview committee.

- The School Governing Body shall give at least five working days written notice to the offices of each union.
- Proper records of transmission of notices should be kept.
- The non-attendance of observers will not preclude the selection process from proceeding provided the School Governing Body has informed unions of the scheduled meeting.

Role of Observers

- The observer will be present at all meetings of the interview committee during the shortlisting and interviewing processes.
- The observer will not be directly involved in the processes of shortlisting and interviewing but will verify that approved procedures and practices are adhered to in a fair, consistent and uniform manner.
- The observer has the right to draw the attention of a departmental representatives to any irregularities observed during the proceedings.
- In such instances, the observer shall conduct him/herself in the following manner:
    a. The observer must not discuss any question or comment in the presence of the candidate.
    b. Discussion concerning the perceived irregularity must take place after the candidate has left.
    c. The observer must first attempt to resolve any concern with the departmental representative. Should consensus not be reached the SGB must inform the departmental representative of the candidates' intention to lodge a grievance.
    d. The observer must continue to participate in the process while the grievance is being addressed.
  - The observer must sign all the relevant documents for shortlisting and interviews.
  - The observer must sign the declaration form and uphold the code of confidentiality as per Annexure F.

(h) Shortlisting

The Interview Committee should conduct shortlisting in terms of the following regulation:

- The criteria used must be fair, non-discriminatory and in keeping with the constitution of the country.

- The list of shortlisted candidates should not exceed five and should not be less than three per post. In the event that less than three candidates have been shortlisted, the interview shall be conducted after the School Governing Body shall have obtained approval from the Head of Department.

- A permanent serving educator who acted for twelve or more continuous months in a promotion post and meets the minimum requirements must be shortlisted. The educator must have been authorized by the Head of Department to act in the position.

- Shortlisting should be conducted according to the shortlisting procedure as contained in Schedule 1 of the Collective Agreement.

- The interview committee shall submit names of shortlisted candidates on an SL-1 FORM, to the School Governing Body for the purpose of the School Governing Body to invite candidates for interviews.

- Members of the interview committee shall append their signature to the form provided.

(i) Inviting candidates and unions for interviews

The School Governing Body shall be accountable for the convening of the interview committee and must ensure that all candidates and unions are informed of the date, time and venue of the interview at least five working days prior to the interviews. In instances where the principal is a candidate, a departmental official shall assist the School Governing Body.

Announcements of interviews shall be conveyed to the candidates on the shortlist by:

- Effecting personal serving of the notice on the candidate concerned provided the notice is signed and a copy is retained;

- Posting of a registered letter containing the notice and retaining the registration slip;

- Telefaxing the notice to the candidate and retaining the transmission report;

- Sending a telegram;

- Emailing the notice to the candidate.
  Proper records of proof of transmission of notices should be kept.

- Telephonic notification should only be used as a back up to any of the above modes of transmission.

(j) Travel and other costs

- All candidates invited to an interview shall travel to the venue of the interview at their own expense.

(k) Interviews and ranking by the interview committee

- The interview shall be conducted according to agree upon guidelines as per the schedule provided in the Collective Agreement.

- The interview committee shall familiarize itself with the applicable interview dimensions as set out in Schedule 2 of this Collective Agreement.

- The interview session should be structured in such a way that it addresses the key duties, functions and responsibilities of the post under consideration as per the dimensions in Schedule 2, Annexure A to D of the Collective Agreement.

- All candidates must receive similar treatment during the interviews, i.e. a structured interview where similar case studies and/or questions based on the post dimensions shall be used for all candidates. The interview committee shall set questions / case studies on the day of the interview prior to the commencement of the interview session.

- Where possible, interview committee shall make use of audiotapes to record the proceedings of the interview.

- At the conclusion of the interviews, the interview committee shall rank the candidates in the order of the scores obtained, together with a brief

of motivation, and immediately submit these on the same day on an RF-1 FORM, to the school governing body for their recommendation to the Head of Department.

- Members of the interview committee present at the interview session shall append their signature to RF-1 FORM.

(I) Recommendation by the School Governing Body

- The School Governing Body should at a formally constituted meeting where members form a quorum, rank candidates in order of preference.
- In recommending candidates, the School Governing Body must ensure that principles of equity, redress and representatively are complied with and the governing body must adhere to the following procedure:
  - The democratic values and principles
  - The procedure collectively agreed upon and determined by the minister for the appointment, promotion or transfer of educators which the candidate must meet,
  - a Procedure whereby it is established that the candidate is registered with the South African Council for Educators,
  - Procedures that would ensure that the recommendation is not obtained through undue influence on the members of the governing body.

The governing body should submit the following, in order of preference, to the Head of Department:

- At least three names of recommended candidates.
- Fewer than three candidates in consultation with the Head of Department.
- When the Head of Department considers the recommendation as contemplated in the above paragraph, they must ensure that the governing body has met all the requirements, before making an appointment.

- The School Governing Body shall, within two working days after receiving the interview results, submit recommendations in order of preference on an RF-2 FORM provided to the Head of Department.
- Members of the School Governing Body present at the recommendation session shall append their signatures to the RF-2 FORM.

(m)   Recusal
- A member of a governing body or an interview committee must withdraw from the shortlisting, interviews and ranking of candidates for the duration of the discussion and decision making on any of the above matters in which the member has a personal interest (e.g. as in the case of close relatives and or close friends who are applicants for the post).

A candidate may request that a particular member of the interview committee recuse themselves from the interview. The interview committee, after having considered the motivation given, will make a decision on the matter.

(n)   Appointment

The Limpopo Province Department of Education shall make the final decision on appointment subject to:
- Satisfying itself that agreed upon procedures were followed, and
- that the decision is in compliance with the Labour Relations Act 66 of 1995, Employment of Educators Act of 1998, South African Schools Act 84 of 1996 and the Education Laws Amendment Act of 2005.

2.6 Strategies for employment of educators
2.6.1 Policy adherence

According to the Constitution Section 12 (2) the best interest of the child is of paramount importance in every matter concerning the child, hence SGB should

determine policies that address all educational needs of all learners in public schools.

2.6.1.1 Recruitment and selection

It is the responsibility of a school to establish posts for educators and non-teaching staff and to employ in addition to the establishment determined by the school. According to SASA 84 of 1996 as amended, the SGB is required to make recommendation to the Head of the Department on the appointment of educators at a school. In terms of SASA, the SGB may recruit and select candidates for various posts within the school and make recommendations to the Head of Department. The SGBs has a legal obligation to recommend suitable candidates for the post, who are not chosen because of social status, or any other reason outside of fair, equity and the inherent requirement.

Therefore SBGs should have skills and knowledge of the following:

- Demonstrate an understanding of human resource management,
- Plan and prepare the selection process;
- Plan and prepare for recruitment;
- Conduct interviews and recommend shortlisted applicants and
- Conclude the contractual process with the SGB

2.6.1.2 The role of SGB in recruitment and selection processes of educators

Thebe (2014:115) states that before 1994 the main purpose of legislations and regulations was to redress the unfair discrimination practiced against non-white people, which took place during the apartheid era. Professionalism fairness and ethical conduct play a crucial role in the recruitment and selection of employees, due to applicable legislations and regulations. This entails that the personnel recruitment and selection of employees should be conducted in a fair, unbiased manner, not discriminating against any gender, colour, religious beliefs or ethnicity.

Phago (2014:44) emphasizes that selection procedures of employees are regarded as fair if they include, among other things, policies that are used to guide and enforce the selection of employees and the honesty of panel members when making

decisions, by ensuring that candidates who are subjected to an interview and most importantly those appointment should be selected based on qualifications, competencies and skills.

Cloete (1994:63) however states that those who are working for public service should respect and abide in specific guidelines or rules that govern their day to day conduct in the workplace and outside working hours. A code of principles covers the fundamentals of anti-corruption. These are regarded as common principles like fairness, impartiality, loyalty, integrity, transparency, accountability and being responsible in utilising the state resources (Van Rooyen 2013:177).

2.6.2 Upskilling of SGBs
Introduction

The system of school governance on school attempts to ensure the effective consideration of responsiveness expertise and accountability of all stakeholders. (ANC draft Document, 1994:6). This implies that schools should aim at establishing governance structures that will enable elected representatives in the learning organisation to assume active and responsible roles in the determining and adoption of policies in schools. However illiteracy level of some of parent's governors is very high. They are not well equipped, skilled and knowledge for their expected responsibilities, hence skills development is necessary for all elected SGB members.

2.6.2.1 Skills and attribute development

Certain skills need to be fostered to ensure that schools are centres of excellence. Due to the changes that the country has undergone after the advent of democracy, it is important that SGBs display skills and knowledge that support, respect and recognize the important task that is expected of governors. The primary aspect of the task is dealing with various stakeholders. The members of SGB are therefore required to have significant and complex communication and negotiation skills to govern the schools. Amongst others, in the employment of educators school governors are expected to exercise knowledge, skills and wisdom when applying educational procedures in their institutions (Guideline for capacity building of SGBs 2015).

Members of SGB should be able to:

- Communicate with stakeholders using various communication methods.
- Involve themselves in self-development programmes;
- Apply conflict resolution strategies;
- Liaise between the school and interested parties and
- Apply learner disciplinary procedures.

2.6.2.2 Policy development

Section 6.2 of the SASA stipulates that School Governing Bodies must develop policy governing, the constitution of the SGB and policy guidelines relating to learners admission, language, religion, a staff employment policy and a code of conduct for both leaners and teachers. The SGB is not limited to those policies stated in the SASA. Therefore it may develop any policies that may ascertain and improve the effectiveness of its governance.

South African schools should provide many opportunities to engage in practices that are needed in an open society. School governing bodies are the vanguard of policy making and implementation; therefore they face a monumental challenges of regulating school as an institution in a spirit and attitude of transparency and fairness.

According to the Guideline for Capacity Building of SGB for the year 2015, all school policies established by the governing body must be consistent with the national and provincial legislation. This implies that policy formulation must be a democratic process. The guideline further states that school governors must be able to review current school policy and either amend existing policy or develop more appropriate policies (Guidelines for capacity building of SGB 2015).

Members of a School Governing Body should be competent in:

- Formulating a policy;
- Understanding and implementing the principle of policy development within the context of a school;
- Developing a plan for policy implementation;
- Monitoring and evaluating policy implementation;
- Developing and reviewing a SGB constitution and

- The bill responsibility.

2.6.3 Stakeholder collaboration

School governance requires that all parties must observe and adhere to the principle of collaboration in governance for the school in order to attain its primary and fundamental duty, which is effective teaching in public schools. Ramphele (2013:17) states that school governance recommends that education is a shared responsibility of professional staff, parents, learners (in secondary schools) and members of the community. This implies that all stakeholders have both the right and responsibility to participate in the governing of public education in schools including appointing qualified, competent and relevant educators to open vacant posts relevant to their subjects and positions qualified or specialised for.

According to Mabuza (1997: xv) governors must always put the best interest of the school before any personal benefit. This means that a governing body must ensure that the school is managed in the best interest of the learners and the society as a whole. For a governance of schools to be effective, it is important that the education system ought to be structured in such a way that all stakeholders are fully involved. This indicates that collaboration must be a people-driven process, committed to render effective and quality education. Team building is enhanced through collaboration as members of SGB, unions bearers and educators work together enthusiastically and having a joint responsibility aimed at effective governance and oriented towards their common goal.

School governance is vested in the governing body for success in meeting its goals. SASA 84 of 1996:516(1) indicates that the governing body of a public school must support the educators, the principal and all stakeholders in performing their professional functions affectively. Therefore for the school to achieve its desired goals, collaboration amongst all stakeholders must be adhered to and acknowledged. Byars and Rue (2000:206) attest that for partnership to have an effect, both should manage the school effectively in its learning and teaching. This implies that without effective governance in the employment of relevant educators for the required post it would be difficult to achieve effective teaching and learning.

Through the adherence to SASA, schools will be able to make provision for both governance and professional management of employment of educators to be facilitated in a healthy working environment. The question remains whether schools remain as a platform for stakeholder collaborative governance in solving the current governance and management trend. Molepo (2000:73) in his study suggests that the three groups of stakeholders (parents, learners and educators) have to be empowered to work like a three legged pot, where one could not work without the other; therefore each party must acknowledge and value the presence and the need of the other two.

2.7 Conclusion

The requirements of governance are becoming increasingly complex in the employment of educators in public education. Therefore, both the members of SGB and other stakeholders need to be aware of all the legislations and acts that govern it and of the theories and models that the process of employment is based upon.

Members of governance are expected to change from being undemocratic in their behaviour into those of transformative and democratic nature. In order for the members of the SGB to meet the criteria, they should adhere to and comply with democratic process and constitutional requirements. They should also understand the theoretical underpinnings and the role of governance towards the employment of educators in the public education. The role of governance and the function of the School Governing Body have assisted the researcher to achieve the intended objectives of the study.

From the above discussion it is clear that members of the SGB cannot succeed in managing the process of educators' employment, if they do not abide in democratic values and constitutional requirements. This process should be based on good labour practice and governance to improve the educators' employment process in the area of study in Mopani District Schools.

In the next chapter, the research approaches, methods and techniques will be discussed in full. This chapter will help the researcher to identify relevant research instruments that will assist the researcher to then collect, analyse and discuss research results in chapter four.

CHAPTER THREE

RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

The previous chapter reviewed relevant literature related to governance and employment of educators in public education. The purpose of exploring literature was to locate the present study within the body of knowledge. The main focus in this chapter is to describe research methods, design, approaches and other related research techniques that assisted the researcher to collect and analyse data. This entails an exposition of how the study deals with governance of employment of educators and how these issues were resolved in terms of investigation procedures such as collection of data, population size, and sampling. The research method has also assisted the researcher to identify factors that impact negatively on governance and employment of educators in the Mopani District.

The research comprises of qualitative components to ensure that the findings contain relevant information and views of respondents. The researcher used qualitative approach to investigate whether the employment of educators in the Mopani District are conducted in accordance with the stipulated policies of the Department of Education. The data collection methods used of collecting data were interviews, observation and questionnaires because the study is based on human subjects. Questionnaires were used to triangulate the data collected through observation and interviews in order to get into the depth of the research study.

3.2 Research design

According to Henning, Van Rensberg and Smith (2004:30), research design is defined as the manner in which the research is visualised and carried out, and the findings are eventually put together.

Mpehle (2010:141) specifies that for any research study to be fruitfully completed, there must be a research design that is comprehensive because it is an instrument used to properly structure the major components of the research plan for the purpose of getting preferred outcomes as outlined on the research objectives and through important questions that need to be responded to. Mouton (2013:55) defines the *research design* as a plan of how a researcher is intending to conduct the

research and the data collection. The research design will help the researcher to anticipate the outcome and validate it. It is a plan of how the researcher obtains the participants and collects data from them. Disaloane (2011:138) describes research design as rules and process that are established for the purpose of addressing the research question of the study. Research design is regularly employed in social science research and explains the variables, participants and interrelationships that build up a research. There are two main types of research approaches namely, qualitative and quantitative. The study has used a qualitative research approach to investigate whether the employment of educators is conducted according to the stipulated policies of the Department of Education in the Mopani District schools.

3.2.1 Qualitative research approach

McMillan and Schumacher (2006:317, cited by Rangongo, 2011:64) state that a qualitative research approach is based on:

- Assumptions about the world: Qualitative research is based on a constructivist philosophy that assumes that reality is a multi-layered, interactive, shared social experience that is interpreted by individuals. Reality is a social construction, that is, individuals and group derive or ascribe meanings to specific events, persons, processes and objects from individuals and collective perception.

- Research goal: It deals with understanding phenomena from participants' views. Understanding is achieved by analysing the contents of the participants' responses and by giving the participants' opinions for these situation and events.

- Research methods and process: Qualitative researchers study the participants' perspective with interactive strategies: participants' observation, in-depth interviews and supplementary techniques. In qualitative research there is a great deal of flexibility in both strategies and in the research process. Qualitative researchers use an emergent design and revise decisions about the data collection strategies during the study.

- Researcher's role: Qualitative researchers become immersed in the situation and the phenomena being studied through interactive social

roles which they record through observations and interviews with participants in a range of contexts.

- Importance of the context in the study or context sensitivity: Qualitative research develops context bound summaries. The qualitative researcher believes that human actions are strongly influenced by the settings in which they occur. The researcher cannot understand human behaviour without understanding people's thoughts, feelings and actions.

Maree (2013:70) defines qualitative research as a plan or strategy which moves from underlying philosophical assumptions to specifying the selection of respondents, the data gathering techniques to be used and data analysis to done. According to Lichtman (2010:15), qualitative researchers collect data in natural settings through observations for example at school or through interviews at the workplace of the person interviewed. Qualitative study is a method that focuses on defining and evaluating performance and putting into practice rather than quantifying of data (Mouton 2013:161). Moshela (2013:7) also affirms that the aim of qualitative methods is to capture human being involvements and conduct that cannot be quantified.

Lichtman (2010:13) argues that qualitative research tends to be "ever-changing". According to the author, qualitative research does not always start out with fixed plans on how to conduct the research. This implies that the researcher may change questions as the study progresses and the researcher collects and analyses the data. Gijana (2014:39) argues that qualitative methods are the greatest way to choose to obtain the inside perspective or the respondent's definition of the circumstances; this means that these methods can be used to study the lived experiences of people, including people's significances and purposes. Welman, Kruger & Mitchell (2005:9) say that in qualitative research, a holistic approach is applied to collect a wide array of data using various sources like documents, records, observation, interviews and case studies.

3.2.2 Quantitative research approach

Brynard, Hanekom and Brynard (2014:39) define a quantitative research approach as a type of research approach that is analytical and that requires experimental methods and questionnaires to produce the results that are required. According to Mouton (2006:279) a quantitative research approach involves the collection of primary data from the sample and projecting the results to a wider population. According to White (2005:81), quantitative research seeks to establish relationships and to explain causes of change in measured social facts. This implies that quantitative research is based on what is called a positivist philosophy which assumes that there are social facts within a single, objective reality, and is separated from the beliefs and feelings of people. Charles and Mertler (2002) define a quantitative researcher as an investigator, who relies on numerical data to test the relationships between the variables.

3.3 Study area

The study area will be the Department of Education in the Limpopo Province, in the Mopani District which comprises of 690 school and 24 circuits. The Mopani District has a larger number of primary schools than secondary and independent schools.

3.4 Population

According to Strydom (2011:223), *population* is regarded as a limited number of persons that hold certain requirements that assist the particular study at hand. Brynard and Hanekom (2014:57) say that population is a group in the universe which possesses specific characteristics. The universe refers to all subjects who possess the attribute in which the researcher is interested in. It is the elements from which the researcher would like to select the sample for the study. A population is thus the full group of potential participants from whom a researcher wants to generate the findings of the study (Masoga 2012:49). Disoloane (2012:147) defines population as the totality of persons, events, organisation units, case records or other sampling units with which the research problem is dealing.

The population of this study consists of four schools from different socio-economic backgrounds. This district comprises of 690 rural and urban previously disadvantaged public schools and 24 former model C schools.

3.5 Sampling

Braynard and Hanekom (2014:56) define sampling as a technique employed to select a small group with a view of determining the characteristics of a large community. It defines the elements from which the researcher would like to select the sample for the study. The population of the study is four schools from different socio-economic background.

In respect of the schools that form the population the following people will be interviewed: 4 Principals, 4 Chairpersons, 4 Deputy Chairpersons, 4 SGB Secretaries, 4 SMT Educators and 20 educators (four from each school). Open-ended questionnaires were randomly given to twenty educators ten HODs and ten CS1 educators to complete.

Niewenhuis (2013:79) argues that sampling in a qualitative study is usually based on the selection of a percentage of the population for the particular study, mostly using purposive sampling, while random sampling is usually preferred in quantitative study. To support the above view, Nkatini (2012:50) indicates the challenges that are encountered when sampling, since it is not feasible to survey the entire population. Sample surveys are alternatively valid under the following circumstances:

- When it is not practical to survey the whole population.
- The researcher has not budgeted to survey the entire population.
- When time constraints prohibit successful survey of the entire population and when the researcher has collected all data but needs the results quickly.

The above reasons justify choosing the sampling method in this study, rather than to survey the entire population.

Patton (1990) identified 16 sampling strategies, the three most commonly used by beginners in qualitative research are stratified purposeful sampling, snowball sampling and criterion sampling. Burke and Larry (2011:230) classify non-random sampling techniques into categories; however, this study will only engage purposive sampling where the researcher ascertains the characteristics of the population of interest and locates individuals with the respondent's.

According to Johnson and Christensen (2008:239) purposive sampling is a non-random sampling technique in which the researcher solicits persons with specific

characteristics to participate in a research study. Babbie (2008:204) defines purposive sampling as a type of non-probably sampling in which the units to be observed are selected on the basis of the researcher's judgment about which one will be the most representative.

3.6 Data collection and methods

The researcher applied various methods of data collection such as interviews, observations and questionnaires during the study. A letter of request to conduct research was sent to the Head of Department of Education Limpopo Province, to obtain permission for research among the sampled schools and circuit managers. Permission was given from different levels of the Education Department such as the Head Office, the Circuit Office and the four sampled schools, (See ANNEXURE: A2, A11-A14). The primary data were collected from selected two public schools and two former model C schools.

Appel (2006:9) defines data collection as a way of collection information concerning the study from various participants. Mouton (2002:156) and Yin (1989:85) further state that data collection techniques in a qualitative research study are observations, records, interviews and documentation. Primary data are original in nature. Welman, Kruger and Mitchell (2005:148) affirm this and define primary data as the original data that are collected by the research study. The researcher used a qualitative approach which employs interviews, observations and questionnaires.

3.6.1 Interviews

Kumar (2011:389) states that interviewing is one of the commonly used methods of data collection in the social sciences; it involves asking questions of respondents and recording their answers. According to Nieuwenhuis (2013:87), interviews allow researchers to see the world through the eyes of participants. This implies that through a two-way communication the researcher can detect the seriousness of the problem at hand. Greef (2014:342) states that interviews are a popular method for data collection in a qualitative research because the researcher interacts with individuals and/or sample population selected for the study to get the required information and knowledge. Semi-structured interviews and open-ended questions were employed to allow new ideas to be generated during the interview process. Hopkins (2005) states that open-ended questions are used to generate research

hypothesis, closed questions are used to test research hypothesis. An open-ended schedule of questions was prepared before the interview process, see Annexure. The selected participants were SGB members such as 4 Chairpersons, 4 Deputy Chairpersons, 4 Secretaries, 4 Deputy Secretaries, 4 Principals and 20 educators, four from each school were randomly selected an given questionnaires to shared their experiences on the issues of school governance in terms of employment of educators in schools in each of the four sampled schools. Face-to-face interviews were conducted. Patton (2002:21) agrees that open-ended responses permit the researcher to understand the world as seen by respondents.

3.6 2 Observations

According to Johnson and Christenson (2012:206), observations are explained as watching of behavioural patterns of people in certain situations so as to obtain information about the phenomenon of interest. Henning and Van Rensburg (2004) summarise observation as a systematic process of recording behavioural patterns. The researcher endeavours to be fully involved in the research study and become a member of the group during the shortlisting and interview processes while making observations. This method is emphasised by De Vos and Strydom (2000). The researcher begins to feel and understand what the respondents are actually going through with the problem at hand during the process; the feelings, beliefs and attitudes of the SGB are observed. Participant's facial expression, attitudes and reactions are observed at the meetings. It is, however, explained to the participants that they must not be intimidated by the researcher's presence. Through observation the researcher understands how the participants perceive and give expression to their frustrations, to understand the phenomenon of school governance. The researcher recorded the data collected through observation by journaling writing or. Therefore, a good and sound   relationship between the researcher and the participant can enhance the collection of more data from the participants through the interviews that were conducted. This helps to get more insight and deeper understanding of the challenges that the SGB are encountering during the employment process of educators.

3.6.3 Questionnaires

Babbie (2007:246) defines a *questionnaire* as a paper that comprises of questions that are intended to implore information suitable for analysis. The study considered questionnaires as a tool to gather quantitative data, and the questionnaires were hand-delivered by the researcher and a well-trained research assistant. Questionnaires were randomly distributed to a total of 20 educators from the four sampled schools with the aim of acquiring different views on participants' understanding of school governance in relation to the procedures followed during the process of employment of educators in schools.

Secondary data were acquired from, *inter alia*, sources such as books, articles, journals, dissertations and theses, annual reports, internet sources and newspaper reports.

3.6.4 Documentary study

Document analysis is a systematic procedure for reviewing or evaluating documents (both printed and electronic computer-based and internal-transmitted materials). Corbin and Strauss (2008) state that like other analytical methods in qualitative research, *document analysis* requires that data be examined and interpreted in order to reach at meaning, gain understanding, and develop empirical knowledge. Mawila (2013:5) argues that document analysis is often used in combination with other qualitative research methods as a means of triangulation (which is the combination of methodologies in a study of the same phenomenon).Data analysis were interpreted through the use of secondary data were acquired from, *inter alia*, sources such as legislations, books, articles, journals, dissertations and theses, annual reports, newspaper ports and internet.

3.6.5 Triangulation

Struwig and Stead (2001:145) state that various methods can be used to analyse the data, such as observation, qualitative, quantitative measures, interviews, or documents. For the research study the researcher focused on, semi-structured interviews and the analysis of the school documents and observations. Three types of instruments have been used in this study to allow for triangulation. The researcher used interviews, observations and questionnaires to get into the depth of this research study. Newman and Benz (1998:200) state that triangulations refers to combining two or more data collection methods or techniques in one design. Terre

Blanche and Kelly (2004:22) affirm this and define that triangulation entails collecting material in as many different ways and from as many diverse sources as possible. Patton (2002:248) further explains the advantages of triangulation over studies that use only one single method and that are more vulnerable errors which linked to that particular method than studies that use multiple methods in which different types of data provide cross-data validity forms.

3.7 Data analysis

Samara (2011:208) defines it as a study where researchers may employ an inductive approach in their data analysis that is the constant comparative method which entails taking information from data collection and comparing it to emerging categories.

For Saunders and Lewis (2009:381) the nature of qualitative data has implications for both its selection and its analysis. Ary and Jacobs (2006:490) assert that qualitative data analysis involves attempts to understand the phenomenon under study, to synthesize information and to explain relationships and theories about how and why the relationships appear as they do, and to recommend the new knowledge in correlation to what is already known.

Mahlokwane (2012:29) states that a key characteristic during data analysis in interpretative research is the production of high quality, meaningful and relevant data that makes it possible for valuable insights to emerge within a social context. This is the reason why the researcher selected contents analysis as a technique to analyse transcribed textual data: to comprehend the meaning of the text, action, narrative through process of interpreting the emergent themes.

In this study, the researcher collected a variety of results from SGB members, educator's components and all stakeholders serving in the governance and employment process in the schools. Its purpose is also to explore whether SGB members and government officials reflect on the challenges that are highlighted above. Qualitative data collected suggest that lack of policy adherence by the members of the SGB and panellist members involved in the process of shortlisting, selection and interview processes was revealed. Qualitative data analysis assist the researcher to reflect back on data collected through recorded interviews and observations during meetings. This was done concurrently with gathering data, making interpretation and writing report. Information that was repeatedly mentioned

during observation and interview meetings were compered. Quantitative data was also used to research deeper into the core matter of the employment of educators. When analysing data information revealed that experienced and highly qualified relevant educators experience challenges during the process of employment due to nepotism,

exortation and favouritism amongst the panel members, hence unqualified family and friends members are selected during the employment process.

3.8 Validity and reliability

3.8.1. Validity

Mock (2005:9) indicates that *validity* is a component of the research design that consists of strategies used to identify and attempt to rule out alternative explanations. It is therefore important to think of specific validity threats and to try to think of what strategies are best to deal with these. The instruments used in the collection of data must be constructed in such a way they collect valid data required in order to answer the reason questions as closely as possible (Mabuza 2011:3).

3.8.2. Reliability

According to Thomas (2009:105) *reliability* refers to the extent to which a research instrument will give the same results on different occasions. This implies that for a research tool to be reliable, it should give the same results when testing is done all the time, or in all occasions. The researcher eliminated biases in the case studies and interviewing process by concentrating on the research questions and eliminating posing personal views to establish credibility of the information collected.

The researcher, however, had to rely on the "trustworthiness" of the participants since their responses cannot be based on being *reliable* or *valid*.

3.8.3. Trustworthiness

Baruth (2013:201) attests that the notion "trustworthiness" has replaced more conventional views of reliability and validity in qualitative research. Trustworthiness of data is linked to authenticity, neutrality, conformability, consistency, applicability, credibility, transferability and dependability and it is equated to external validity, internal validity, reliability and objectivity in a qualitative research design. De Vos

(2001:182) affirms that trustworthiness addresses ways to ward of biasness in the results of qualitative and quantitative analysis. This means that to ensure trustworthiness (validity) of the research study, each interview session was digitally recorded and transcribed. This was done to present an accurate account of what the participants actually spoke during the interviews and information given on the study.

3.9. Elimination of bias

The researcher tried to eliminate biasness by not permitting the personal biasness of participants to influence how they respond to and analyse data or information. The care consideration was done when developing observation of cases and semi-structured interviews questions, so that all respondents would have a crystal clear understanding of the process. Therefore all possible biasness was eliminated. The section also took the issue of biasness into consideration by selecting one man and one women who were chosen as respondents.

3.10. Ethical consideration

Throughout the study the researcher tried to adhere to ethical standards. As Mahlokoane (2012:47) states the importance of ethics is that they are set of moral principles that are suggested by an individual or group that are widely accepted and which offer rules and behaviour expectations about the most correct conduct.

In this study, the following ethics are taken into consideration.

3.10.1. Ensuring participants have given informed consent

The researcher conducted the research only with participants who had agreed to be part of the study. A voluntary informed consent form was distributed to all respondents from the four sampled schools before the study proceed (See ANNEXURE B).

3.10.2. Ensuring no harm comes to participants

An assurance was given to the participants about their safety during the research study. The researcher ensured that names of all respondents are not made public. During the meetings the researcher made it a point that interactions with participants are conducted in an ethical manner without intimidation or manipulation of the participants into providing the information that the researcher required.

3.10.3. Ensuring, confidentiality and anonymity

The data that were given by the participants were treated with the confidentiality and respect that they deserve. The names of the participants are not mentioned in the study to maintain anonymity. Employment of staff including educators is a controversial topic. Schools were referred as A, B, C and D. All respondents' and participants' information and opinions were protected and kept confidential.

3.10.4. Ensuring permission is obtained

Permission was requested and granted from the Head of Department to conduct the research in the Department of Education, Mopani District. Request letters to conduct research were submitted, permission from circuit managers and school principals was granted (See ANNEXURE A 2).

3.11. Conclusion

This chapter has presented the researcher design and methodology adopted to investigate governance of public schools in relation to the employment of educators in the Mopani District. Qualitative approaches were discussed in detail to investigate whether governance in relation to employment of educators by the SGB are conducted in accordance with the stipulated policies of the Department of Education. The research instruments such as interviews, observations and documentary analysis were outlined in this chapter. Data analysis techniques and process were also discussed. The elimination of biasness and ethical considerations were also presented. Chapter 4 will present the data collection, analysis, interpretation and discussion of results and the data collected.

CHAPTER FOUR
DATA ANALYSIS, INTERPRETATION AND DISCUSSION

4.1 Introduction

This chapter presents an analysis and interpretation of data derived from the selected members of the SGB and government officials within the objectives of governance and employment of educators in public schools. Kruger, De Vos, Fouche` and Venter (2005:218) state that the purpose of analysis is to reduce the data to an intelligible and interpretable form so that the relations between the research problems can be studied and tested and conclusions can be drawn. Due to the large number of respondents in Mopani, the researcher has used purposive sampling to achieve the intended objectives of the study. Factors that impact negative on the employment of educators were identified and presented from the observations and semi-structured interviews. Challenges such as lack of clarity on policies, inadequate knowledge on labour laws, nepotism, misuse of powers, and other related issues that impact negatively on governance in relation to the employment process of educators by SGB will be presented.

The study data were collected between August and September 2015 through interviews and observations with different stakeholders at various levels. The researcher used four schools and the data collected from members of SGB through structured interviews and observations.

These respondents were taken from the target population and the interview schedule was divided into themes such as biographical data, appointment and school governance.

4.2 Presentation of data collected through interviews

There were challenges in arranging interview meetings with the SGB members irrespective of several calls and arrangements reminding them about the appointment. Some of the chairpersons were interviewed during weekends in convenient venues due to their busy schedules. Interviews with educators and principals were conducted in their respective schools. Anonymity and confidentiality of the participants (not to disclose their names) was taken care of. There are 22

questions divided into themes for each four schools. They mainly focused on the role of the SGB in governing the process of employment of educators.

4.2.1. Biographical data of participant

Table 1

SCHOOL	DESIGNATION	AGE	ETHNICITY	HOME LANGUAGE	GENDER	LEVEL OF EDUCATION	EXPERIENCE IN SGB
School A	Principal	Above 50	African	Xitsonga	Male	Above grade 12	Above 9 years
	Chairperson	Between 40-50	African	Xitsonga	Male	Below grade 12	Between 3-6 years
	Deputy chair	Between 40-50	African	Sepedi	Female	Above grade 12	Between 3-6 years
	Secretary	Between 40-50	African	Xitsonga	Female	Above grade 12	Above 9 years
	Educator(smt)	Between 40-50	African	Sepedi	Female	Above grade 12	Between 3-6 years
School B	Principal	Between 40- 50	African	Xitsonga	Male	Above grade 12	Above 9 years
	Chairperson	Above 50	African	Sepedi	Female	Above grade 12	Between 3-6 years
	Deputy chair	Between 40-50	African	Xitsonga	Male	Grade 12	Above 9 years
	Secretary	Between 30-40	African	Xitsonga	Female	Above grade 12	Between 3-6 years
	Educator(smt)	Above 50	African	Sepedi	Male	Above grade 12	Above 9 years
School C	Principal	Above 50	White	Afrikaans	Male	Above grade 12	Above 9 years
	Chairperson	Between 40-50	African	Sepedi	Male	Above grade 12	Between 3-6 years
	Deputy chair	Between 40-50	African	Xitsonga	Male	Above grade 12	Between 3-6 years
	Secretary	Between 40-50	White	Afrikaans	Female	Above grade 12	Between 3-6 years

	Educator (smt)	Between 40-50	White	English	Female	Above grade 12	Above 9 years
School D	Principal	Above 50	White	Afrikaans	Male	Above grade 12	Above 9 years
	Chairperson	Above 50	White	Afrikaans	Male	Above grade 12	Between 3-6 years
	Deputy chair	Between 40-50	White	Afrikaans	Female	Above grade 12	Between 3-6 years
	Secretary	Between 30-40	White	Afrikaans	Female	Above Grade 12	Between 3-6 year
	Educator (smt)	Between 40-50	White	Afrikaans	Male	Above Grade 12	Above 9 years

Age of the principals

The data gathered through interviews disclosed that 75% of the principals of the four selected schools are above 50 years of age and the remaining 25% are aged between 40 and 50 years. The implication of the above findings alert the government that for the coming 10 to 15 years principals will be approaching retirement age. The majority of the principals were appointed before the transition to democracy, where the appointment of educators was the responsibility of the central government. Change management and governance training of principals in terms of appointment of staff and policy adherence is to be followed in Mopani public schools.

Ethnicity of principals

The findings disclosed that the sampled former model C school is headed 100% by white principals, irrespective of current democratic laws and policies that bridge the past injustices. In the previously disadvantaged schools, 100% black African principals are occupying these managerial posts. This implies that the transformation in relation to governance, leadership and management of appointment of staff in school is not yet achieved or reached.

Gender of principals

The results disclosed 100% of the sampled schools are headed by male principals. In this a gender imbalance was identified. Transformation through affirmative action will be needed to bridge the gap on gender equity between male and female educators in management and leadership positions. Female educators are equally qualified, competent, and skilled to be appointed and occupy governance and managerial positions in various level of government including schools.

Principals experience in the SGB

The principal's portfolio in the SGB are ex-offico. Responses to this question disclose that principals' experience of more than nine years are found in all the sampled schools. The findings indicate that school managers would have been exposed to a number of training events on governance and management of educator's employment processes as stated in section of the SASA.

Age and education qualification of the SGB chairperson and deputy chairperson

The data gathered in this question shows that 80% of the SGB are 50 and above years of age. It also shows that 100% of the deputy chairpersons are between 40-50 years of age. 20% of the sampled chairpersons and deputy chairpersons are at a level of education and qualification of primary education and grade 12 only (and they are all from rural areas). The SGBs' levels of education make it hard for them to understand government policies and prescripts on employment of staff such as the Collective Agreement No.1 of 2008. The data gathered in formers model C schools display that the qualification of the SGB chairperson and deputy chairperson was 100% above grade 12. Hence they understand the legal obligation stated in the SASA and the Education Policy White Papers.

Age and educational qualification of the secretary and the SMT member

Response to the question asked revealed that 50% secretaries are between the ages of 40-50 years and the remaining 50% are between the ages of 30-40 years. Response on educational qualifications disclosed that secretaries of the four sampled schools all have acquired tertiary qualifications. The data gathered of the SMT educators who are specifically sampled as union representatives (Site Steward) reveal that 75% are between 40-50 years of age and the remaining 25% are between 30-40 years of age. 100% of the educators who are SMT members and union representatives have acquired tertiary qualifications.

Age and experience SMT and SGB secretary

The answer to this question reveals that 90% of both SMT and SGB secretary and above 40 years whilst 10% are between 30-40 years of age. 90% of SMT and SGB members have an experience of three to six years, whereas the remaining 10% have 9 years of experience in governance. The information reveals that there will be a shortage of experienced educators in governance for the coming ten years.

4.3 Data collected through questionnaires

The researcher selected ten educators who are members of the SGB or SMT, or who once served in either an SGB or SMT committee. The educators were selected from each of the four selected sampled schools. This came to the total amount of twenty educators from public schools in rural areas and the former model C schools. The questionnaire prepared for all twenty participants and all questionnaires were returned back to the researcher.

From the data collected through questionnaires it can be seen how knowledgeable and skilled the SGB were. One of the SGB/educators stated that "*most of them are illiterate and therefore fail to execute the tasks delegated to them*". In support of the above comment another educator complained that SGB members are easily manipulated into making decisions. The data collected the questionnaires also reveal that most of the SGB in rural school have acquired only grade 12 as the highest education qualification. It was stated by some participants that the SGB had little power because they only partially understand the SASA and the powers and responsibilities it affords school governors. This calls for a sound knowledge of schooling, interpretation and policy development, acceptable writing skills and to verbalise policy content effectively.

Participant from schools A and B, when asked about how the appointments of educators are done in Mopani schools indicated that the SGB should not be given powers to appoint educators. Half of the participants complained and said that "*SGB members often look for people whom they know even though they do not have relevant qualification for the post*". This was commented by most educators attempting to answer the question at hand. Quoting words from one of the concerned educator: "*sometimes School Governing Body members have relatives at school so they choose their friends and relatives and ignore their competence*".

An educator responded with anger, expressing the following opinion:

> "*It makes me angry to allow the SGB to select, interview(s), appoint and promote educators while they have only finish[ed] grade12. Just imagine being interviewed by a person who is underqualified and less knowledge[able] about*

your profession. It is the duty for an educational specialist or any person who was higher qualification and experience".

When asked in the questionnaires whether the SGB follows the rules and guidelines stated in the SASA in terms of appointment of educators, the educator commented that "*the SGB threatened us that we cannot survive or get promotion without them*". Whereas another participant from school B, an educator, explained: "*SGB members lack confidence in powers to execute their duties, because they depend from the principal final word; the principal uses his professional position and powers to influence the SGB; that result(s) in taking uninformed decisions; that is against educational law and policy*".

In contrast participants from the former model C schools when answering the questionnaires revealed that over half of the educators indicate that their SGB fulfil their tasks as mandated by SASA, the Employment of Educators Act and other educational law and policy books. The educators indicated that SGBs are working together with educators, parents and with the principal. One of the principals from the urban school indicated that their SGB is effective because they plan, work and interact with teaching staff on issues pertaining to the smooth running of the school.

4.4 Data collected through observation

The data gathered from schools A-D reveal that there is a common factor in all schools that hinders the process of appointment of educators. Some of the common statements and remarks by the SGB during the meeting arranged with all sampled schools were as follows:

'I am not trained in labour relation issues, hence my contribution to the process of employment is lacking'.

Most of the participants indicated that they were lacking knowledge and skills related to labour issues including the Educator Employment Act. From the above information it is clear that members of the SGB lack the knowledge and skills which could contribute towards the employment of educators in the area of study.

Another common remark made by one member of SGB from the sampled schools goes as follows:

'I feel discriminated, as members do not allow me to participate fully in decision making'.

Although members of SGB were chosen by their constituencies, they are not participating actively in decision making, so as to ascertain whether the policies are in line with the Employment of Educators Act and SASA. From the observations it was clear that some members of SGB, who are illiterate, are suppressed by the elites from participating actively in decision making.

Participants in the interviews agreed that lack of alternative strategies encourage the elites to continue to ignore labour practice and employment regulations. Lack of alternative strategies to combat maladministration during the employment of educators will continue, as long as elite's union bearers are still dominating in the process. Unqualified and incompetent educators are still hired to promotional positions.

The current South African Statistics in Limpopo Province including Mopani District also indicates that male principals are still dominating at 68% while female principals at 32%, however through policy adherence of Employment Equity Act 55 of 1998, implementing affirmative action to achieve equality in the workplace.

4.5 Conclusion

The data were collected from literature sources, interviews, questionnaires, observations during meetings and document analysis. It should be indicated that all the participants and stakeholders involved in public schools need collaboration where every members of SGB will be effective in achieving goals set. These are effective governance and management of the employment process. Effective governance will yield good results through hiring of relevant educators for effective teaching and learning to prevail in schools. Improvement of learners' performance into excellent results through policy adherence by the SGBs will be enhanced.

CHAPTER FIVE
CONCLUSION AND RECOMMENDATIONS

5.1. Introduction

This chapter will include an overview of the study, findings from literature, primary findings and structured interviews. The motivated recommendations, limitations of the study and the general conclusion are given (or outlined).

5.2. Overview of the study

In chapter one the researcher has outlined the background of the problem, purpose, significance and the plan of the study. The researcher has reviewed relevant literature on school governance and its implications to the employment of educators in chapter two. The research design and methodology that have assisted the researcher to collect and assess the data are briefly outlined in chapter three. Data collection, analysis and the interpretation of the results were also discussed in chapter three. Chapter four presented the main findings of the primary data. The section based its findings on the objectives started in chapter one. The next section gives the recommendations, suggestions for future research, limitations and the general conclusions of the study.

5.3. Findings

The findings from the literature review, the primary research and from structured interviews are presented.

5.3.1. Findings from the literature:

- The term *governance* is not static but, can be defined and be interpreted by scholars from different perspectives.
- The concept needs to be defined and analysed within the context of education and labour practice.
- School governance is one of the processes that can be used to implement the labour policies during the employment of educators in the school as an organisation.

5.3.2. Findings from the primary data

The data from this section is derived from case studies and responses obtained through structured interviews.

Observations were conducted to find out about governance and employment of educators in the area of the study. From the observations, it was discovered that the majority of educators who were employed in higher positions without policy adherence. Furthermore, factors such as lack of knowledge amongst the SGB members and power relation also contributed to the above anomalies.

According to the respondents in the case study and from the responses to semi-structure interviews, there were challenges that made them not realise the unethical issues which were conducted by some of the elites in the School Governing Body members. The following finding emerged from the primary study:

- Lack of adequate knowledge amongst the community representatives impacts negatively during the process of employment of educators in the area of the study.

- Lack of certainty on labour policies impacts negatively on the employment of educators.

- Nepotism violates the rights of competent candidates during employment of educators in the area of the study.

- Bribery and buying of posts demonstrate competition of educators to apply for higher positions in the area of the study.

- Lack of political will impacts negatively on the employment of educators in the area of the study.

- Unfair labour practice and discrimination impact negatively on the employment of educators.

- The domination through labour unions discourages members of the SGB to make correct decisions during the process of employment of educators.

- Lack of alternative strategies on the employment of educators discourages members of the SGB to participate actively in the process of educators' employment.

5.4. Recommendations

On the basis of the findings from both the primary study and structured interviews, the following motivated recommendations are made:

- The policy makers should be encouraged to empower the members of the School Governing Body so as to assist them to adhere to labour practices during the employment of educators.

- The officials from the Department of Labour should be encouraged to clarify their policies to the members of SGB before an educator's employment process.

- Political interference should be completely discouraged and stopped; selection and appointment of candidates should be based on qualifications and skills only.

- The Department of Public Service should discourage the labour unions to be engaged in unfair labour practice during the employment of educators by the SGB.

- The government should be encouraged to use its political powers, so as to compel all members of SGB to comply with labour regulations during educators' employment processes.

- Policy adherence should be emphasised by the top management and trainings should be compulsory to the newly appointed SGB members.

- Members of the labour unions should be discouraged from unfair labour practice during the employment of educators in the area of the study.

- The Department of Education should be encouraged to take harsh disciplinary measures against the members of labour unions who engage in unfair labour practices during the employment of educators.

- The Department of Labour should be encouraged to develop alternative strategies that will empower the members of SGB to participate actively in the process of employment of educators.

- The department regains control of the management and administration of education in all provinces;

- Teachers and office-based officials must be forbidden from being office bearers of political parties, principals and senior managers must be barred from occupying union leadership positions;

- New unions must be formed for office-based officials;
- Measures must be put in place to ensure that "cadre deployment" in the department and in the schools be stopped immediately.

5.5. Recommendations for further research study

Every research is intended to suggest another research, because there is no research which is complete in itself. Here are some suggested areas of interest.

- The role of the Labour Act towards the employment of educators.
- The perception of educators towards their employment in the Mopani District.
- The impact of power relations in governance towards the employment of educators.
- The role of labour unions during the employment of educators.
- The impact of political will on school governance and transform.

5.6. Conclusion

The purpose of the study was to investigate governance and employment of educators in the Mopani District. The above problem has been left unattended for a long period of time, hence the study. Factors that impact negatively, during the employment of educators, have been appraised and discussed in chapter four. The suggestions and recommendations were discussed against the objectives and research questions stated in chapter one. It is now the responsibility of stakeholders to look upon the ideas of the researcher, so as improve the process of employment of educators in the area of the study.

5.7. Limitations of the study

The study cannot claim to have revealed all the challenges experienced by the members of the SGB related to the employment of educators in Mopani District schools. That would be unrealistic, since problems are not static but dynamic and situational. The researcher has experienced financial constraints; hence she used purposive sampling to reach the target population of the study. The researcher has used her limited resources at her disposal to achieve the intendent objectives.

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Annexure A1: Application to conduct research – Limpopo Department of Education.

P O BOX 939
TZANEEN
0850
17 SEPTEMBER 2015

THE DEPARTMENT OF EDUCTION
LIMPOPO DEPARTMENT OF EDUCATION
PRIVATE BAG X9489
POLOKWANE
0700

RE: APPLICATION TO CONDUCT RESEARCH OF SELECTED SCHOOLS IN MOPANI SCHOOLS IN LIMPOPO PROVINCE, STUDENT: MONYELA G.E, STUDENT NO: 200307368CONTACT NO: 0827323239

1. The above matter refers.
2. I am currently studying for a master of Public Administration with the University of Limpopo. As a requirement students must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Limpopo Province in Tzaneen, Nkowa-nkowa and Xihoko Circuits, Mopani District.
4. My research topic:"Governance of Public Schools in relation to the employment of educators, Limpopo Province", seek to identify new insight on the governance and employment practices in schools to improve their functionality. It is likely to contribute new knowledge of how SGBs should effectively execute their governance and employment mandate.
5. Ethical standards such as privacy will be followed.

Thanking you in anticipation.

Yours Faithfully

_____

Monyela GE (Mrs)

Annexure A2: Permission to conduct a research – Limpopo Department of education

LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION
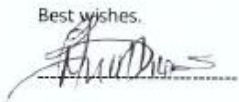
Enquiries: MC Makola PhD, Tel No: 015 290 9448 .E-mail: MakolaMC@edu.limpopo.gov.za

MONYELA GE
PO BOX 939
TZANEEN
0850

RE: Request for permission to Conduct Research

1. The above bears reference.

2. The Department wishes to inform you that your request to conduct research has been approved. Topic of the research proposal: "GOVERNANCE OF PUBLIC EDUCATION IN RELATION TO THE EMPLOYEMENT OF EDUCATORS ,LIMPOPO PROVINCE."

3 The following conditions should be considered:

3.1 The research should not have any financial implications for Limpopo Department of Education.

3.2 Arrangements should be made with the Circuit Office and the schools concerned.

3.3 The conduct of research should not anyhow disrupt the academic programs at the schools.

3.4 The research should not be conducted during the time of Examinations especially the fourth term.

3.5 During the study, applicable research ethics should be adhered to; in particular the principle of voluntary participation (the people involved should be respected).

3.6 Upon completion of research study, the researcher shall share the final product of the research with the Department.

4 Furthermore, you are expected to produce this letter at Schools/ Offices where you intend conducting your research as an evidence that you are permitted to conduct the research.

5 The department appreciates the contribution that you wish to make and wishes you success in your investigation.

Best wishes.

23/09/2015

MUTHEIWANA NB   Date

Acting Head of Department.

Request for permission to Conduct research : Monyela GE

Cnr. 113 Biccard & 24 Excelsior Street, POLOKWANE, 0700, Private Bag X9489, POLOKWANE, 0700
Tel: 015 290 7600   Fax: 015 297 6920/4220/4404

Annexure A3: Application to conduct research – Tzaneen Circuit

P.O Box 939
Tzaneen
0850
25 September 2015

CONTACT: 082 7323 239

TO: The Circuit Manager

Tzaneen Circuit

Department of Education

Private Bag x1420

LETABA

0870

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Tzaneen Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Department of Education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A4: Application to conduct research – Nkowa-nkowa Circuit

P.O Box 939

Tzaneen

0850

25 September 2015

CONTACT: 082 732 3239

TO: The Circuit Manager

Nkowa-nkowa Circuit

Letaba

0870

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Nkowa-nkowa Circuit, Mopani District.
4. My research topic:" Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
7. Attached please find a confirmation letter from the Department of Education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A5: Application to conduct research – Xihoko Circuit

P.O Box 939

Tzaneen

0850

25 September 2015

CONATCT: 082 7323 239

Email : gigigimonyela@gmail.com

TO: The Circuit Manager

Xihoko Circuit

N'wamitwa

0871

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Xihoko Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of educators by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Provincial department of education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A6: Application to conduct research – Unity Primary School

P.O Box 939

Tzaneen

0850

25 September 2015

CONTACT: 0827323239

TO: The Principal

Unity Primary School

Tzaneen

0850

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Tzaneen Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Department of education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A7: Application to conduct research – Hudson Ntsan'wisi High School

<div align="right">

P.O Box 939

Tzaneen

0850

25 September 2015

</div>

CONTACT: 082 7323 239

TO: The Principal

Hudson Ntsan'wisi High School

Letaba

0850

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Nkowa-nkowa Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Department of Education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A8: Application to conduct research – Sevengwana High School

P.O Box 939
Tzaneen
0850

25 September 2015

CONTACT: 082 7323 239

TO: The Principal

Sevengwana High

N'wamitwa

0871

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in N'wanedzi Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Department of Education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A9: Application to conduct research – Laerskool Tzaneen

P.O Box 939

Tzaneen

0850

25 September 2015

CONATCT: 082 7323 239

TO: The Principal

Laerskool Tzaneen

Tzaneen

0850

RE: APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOL IN TZANEEN CIRCUIT – MYSELF

1. The matter above refers.
2. I am currently studying for a Master of Public Administration with the University of Limpopo and as a requirement student must conduct empirical research in partial completion of their studies.
3. I hereby seek permission to conduct research at selected schools in Tzaneen Circuit, Mopani District.
4. My research topic: "Governance of Public Schools in relation to employment of education by School Governing Body (SGB), Limpopo Province", seek to identify new insight on governance and management practices in schools to improve their overall function. It is likely to contribute new knowledge of how the SGB should be equipped to effective execute their governance and management mandate in relation to employment of educators.
5. I will protect the privacy of research participants and satisfy ethical standards.
6. Attached please find a confirmation letter from the Department of Education.

Thanking you in anticipation.

_____

MONYELA G.E

Annexure A10: Permission to conduct research – Unity Primary School
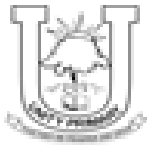
UNITY PRIMARY SCHOOL

EMIS No: 999503401

44 Makulu Street
Pompagalana
TZANEEN

Cell phone: 071 872 7424
Tel: 015 307 6381 or 015 308 0020 (new)
Fax: 015 307 2120
Fax to e-mail: 086 513 4882
e-mail: reception.unity@gmail.com
or: financeunityprimary@gmail.com

P.O. Box 1278
TZANEEN
0850

27 September 2015

To : Mrs Monyela GE
P.O. Box 939
TZANEEN
0850

Per e-mail: gigigimonyela@gmail.com

Attention Mrs   Monyela

RE: APPLICATION TO CONDUCT RESEARCH AT UNITY PRIMARY

We hereby wish to inform you that your request to conduct research at Unity Primary School has been approved. We therefore gives you permission to conduct the research.

Good Luck.

B.J. BEKKER
PRINCIPAL

Annexure A11: Permission to conduct research – Hudson Ntsan'wisi Senior Secondary School

Hudson Ntsanwisi

Enq   : Shikwambana J.M.
Tel/Fax : 015 303 1552
        : P/Bag x1438
        Letaba 0870

School

Senior Secondary

Quality Our Quarry

21 September 2015

UNIVERTSITY OF LIMPOPO (TGSL)

Sir / Madam

PERMISSION TO CONDUCT RESEARCH: MONYELA GE STUDENT NO- 200307368

1. The above school grants you permission to conduct your research on Governance in Public Education in relation to the Employment of Educators by SGB.

2. The school wishes you a successful research based on this topic and guarantees you full cooperation

Yours faith fully

PT Rikhotso (Dep principal)

PT OF EDUCATION · LIMPOPO PROVIN.
TSON NTSAN'WISI SNR. SEC. SCHOOL.

2 1 SEP 2015
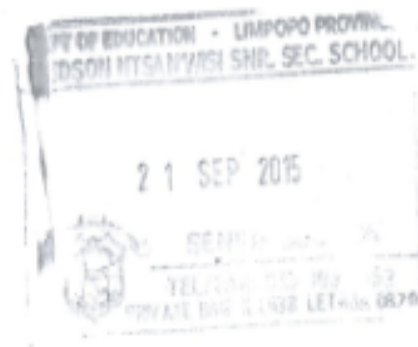
Annexure A12: Permission to conduct research – Sevengwana High School

DEPARTMENT OF EDUCATION - LIMPOPO PROVINCE

SEVENGWANA HIGH SCHOOL
XIHOKO CIRCUIT - MOPANI DISTRICT
EMIS NUMBER: 915530310

P.O. BOX 471
NWAMITWA
0871

CONTACTS: +27 78 590 7506 – +27 82 508 5592
Admin@sevengwanahighschool.co.za

STAND NO.
MAVI
NWAMITWA 0i

MRS MONYELA G.E.
P.O. BOX 939
TZANEEN
0850

DEAR MADAM

APPLICATION TO CONDUCT RESEARCH AT SELECTED SCHOOLS IN XIHOKO CIRCUIT-
SEVENGWANA SECONDARY SCHOOL

1. The matter above bears reference.

2. The school has received a letter of request from you dated 25 September 2015 and the school management and SGB have the following response:
   - The permission is granted to make the research.
   - You are further advised to observe the conditions as indicated by Head of Department.
   - You shall protect confidential information as indicated in your letter.

3. The school wishes you for the best.

PRINCIPAL

Annexure A13: Permission to conduct research – Nkowa-nkowa Circuit

LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

REF: 913155

ENQ: MADIDIBULA NR

DATE: 28 SEPTEMBER 2015

TO: Monyela GE
P O Box 939
TZANEEN
0850

SUBJECT: PERMISSION TO CONDUCT RESEARCH IN NKOWANKOWA CIRCUIT

1. The above matter has reference.

2. You are informed that your request to conduct research in Schools attached to Nkowankowa Circuit has been approved.

3. You are requested to ensure that your research should not disrupt the smooth running of our institutions.

4. We wish you success in your endeavors to develop the education of our country.

CIRCUIT MANAGER (MANZINI SD)
/nrm

Nkowankowa Circuit/Private Bag X 1413, LETABA, 0870
TEL NO. 015 303 1719/1720/ 2366 FAX NO. 015 303 1520

The Heartland of Southern Africa – development is about people

Annexure A14: Permission to conduct research – Xihoko Circuit

LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

Private Bag X1413
LETABA
0870
Tel. No. 015 303 3154
Fax No. 015 303 2196
Cell No. 071 679 3189

Enquiries: Ngomana ME
Contacts: 071 679 3189

Mrs. Monyela GE
PO BOX 939
Tzaneen
0850

Re: Request for permission to conduct research: Yourself

1. Your letter dated 28 September 2015 has reference.

2. Your request to conduct research at the selected school(s) in Xihoko Circuit has been granted. Your topic of the research proposal:"Governance of Public Education in relation to employment of educators by School Governing Body (SGB), Limpopo Province."

3. You are therefore advised to adhere to the conditions as outlined to you by the provincial department of education (refer to the letter dated 23/09/2015).

4. The Circuit office wishes you all the best in your studies as you academically capacitate yourself.

DEP. DIRECTOR

XIHOKO CIRCUIT

The heartland of Southern Africa - government is about people

Annexure B: Letter of consent to participant
UNIVERSITY OF LIMPOPO

RESEACHER: **GIGIGI EUNICE MONYELA (082 7323239)**

SUPERVISOR: **DR MATSHIDISO KANJERE (0784634001)**

CONSENT:

I..(please fill in your full name) hereby confirm that I understand the nature of the research project, and willingly consent to participate in the research project.

....

Signature of participant   **Date**

INTERVIEW SCHEDULE FOR PRINCIPALS, SGB CHAIRPERSONS, SECRETARIES AND SMT MEMBERS: A CASE OF SELECTED SCHOOLS IN MOPANI DISTRICT.

THEME 1: BIOGRAPHICAL DATA

1. Are you an educator or parent at school?

   Parent   Educator

2. In which age group would you place yourself?

   Less than 30 yrs   Between 30 and 40 yrs   Between 40 and 50 yrs   Above 50 yrs

3. Gender.

   Male   Female

4. Race.

   African   White   Coloured   Asian   Other

5. What is your language?

   Xitsonga   Sepedi   English   Afrikaans   Specify

6. What is your portfolio in the SGB?

   Chairperson   Treasurer   Secretary   Additional member

7. Where is your school located?

   Township   Urban   Rural   Farm

8. Do you have a learner in your SGB?

Yes   No

9. Level of educational qualification

| Primary education | Secondary education | Grade 12 | Tertiary and above |

THEME 2: APPOINTMENT.

10. Does your school have an appointment policy?

Yes   No

11. How many members in your SGB?

6   12   Above 12

12. How often do you hold meetings with SGB and school management teams?

Monthly   Quarterly   Annually   Never

13. Who is responsible for recommending the successful / appointed educators?

Principal   SGB members   Unions

14. Do all SGB members understand their legal duties and responsibilities?

Yes   No

15. Did you ever attend SGB workshop on governance?

Yes   No

THEME 3: SCHOOL GOVERNANCE

16. Does your school appoint staff according SASA regulations?

Yes   No

17. Does your school abide/follow the constitution of the Republic of South Africa?

Yes   No

18. Have you had disputes at your school?

Once   Twice   More than twic
                                  e

19. How is appointment of educators affecting your school?

_____

_____

20. What is your opinion about the future of the school?

_____

_____

21. Briefly explain the role of SGB during the process of appointment of educators?

_____

_____

_____

22. What are the roles of the unions during the process of appointment of educators?

_____

_____

QUESTIONARE OF EDUCATORS

GOVERNANCE OF PUBLIC SCHOOLS IN RELATION TO THE EMPLOYMENT OF EDUCATORS: A CASE OF SELECTED SCHOOLS IN MOPANI DISTRICT

Dear Sir/Madam

The aim of this is to examine the challenges faced by SGB during the process of employment of educators. Please complete this questionnaire to the best of your ability. The findings and recommendations may assist SGBs to effectively execute their employment/appointment management mandate. Your objective response will be highly appreciated.

NB: Please be assured that your privacy and anonymity will be protected.

A.BIOGRAPHICAL DETAILS: PLEASE PUT ON X WHRE APPROPRIATE.

1. What are your highest qualifications?

Diploma	Junior degree	Senior degree	Doctorate	Other (specify)
01	02	03	04	05

2. Race.

African	Asian	Colored	White	Other(specify)
01	02	03	04	05

3. In which age group would you place yourself?

Below 35 Years	36-40 Years	41-45n Years	46-50 Years	50 Years And Above
01	02	03	04	05

4. Gender

Male	Female
01	02

5. Please indicate the number of years as an educator.

Less than 10 years	11-20 years	21-30 years	31-40 years	40 years and above
01	02	03	04	05

SECTION B: **APPOINTMENT MANAGEMENT.**

6. How does your school manage the appointment of educators?

Satisfactory	Unsatisfactory	Highly dissatisfactory	Not sure
01	02	03	04

Give reasons for the answer you provided above:

....
....
....
....

7. Are SGB members subjected to training on appointment procedures?

Yes   No

01   02

8. If yes, how often?

Monthly	Semester	Annually	Never
01	02	03	04

C. Appointment / Employment

9. Does your school have an approved appointment policy?

Yes   No

01   02

10. Who arrange the process of appointment?

Principal	SGB	Educators	Employment committee	Other((specify)
01	02	03	04	05

11. Do you take part in the process of employment of staff?

Always	Often	Sometimes	Never
01	02	03	04

13. Are the successful candidate presented to the SGB for recommendations?

Yes   No

01   02

D.SCHOOL GOVERNACE

14. Does your school have school governing body?

Yes   No

01   02

Briefly explain

....
....
....
....

15. Are the SGB follow the SASA when appointing educators?

Yes   No

01   02

Briefly explain

....
....
....
....

16. Does the SGB involved in the process of shortlisting and interviews?

Yes   No

01   02

17. Does the interview panel report to the SGB?

Yes   No

01   02

18. Who develop the appointment policy?

Principal	Educators	Employment committee	SGB	Other (specify)
01	02	03	04	05

19. Does your school have appointment / employment policy?

Yes   No

01   02

Briefly explain

....

....

E. General

1. What would you say the major employment / appointment challenges are in your school?

....

....

....

2. What suggestions do you have addressing the employment / appointments challenges in your institution?

....

....

....

3. Any other comment?

....

....

....

Thank you for your co-operation.