



PUBLIC PROTECTOR
SOUTH AFRICA

Accountability • Integrity • Responsiveness

REPORT NO. 27 OF 2024/25

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**INVESTIGATION INTO VARIOUS PUBLIC SCHOOLS IN THE
ZULULAND DISTRICT THAT WERE AFFECTED BY SEVERE
WEATHER CONDITIONS IN AUGUST 2023**

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LIST OF ACRONYMS AND ABBREVIATIONS

ACRONYM/ABBREVIATION	DESCRIPTION
CES	Chief Education Specialist
CONSTITUTION	Constitution of the Republic of South Africa, 1996
DoE	KwaZulu-Natal Department of Education
HoD	Head of the Department
IDT	Independent Development Trust
MEC	Member of Executive Council
NSNP	National School Nutrition Programme Kitchen
SCHOOLS ACT	South African Schools, 1996
NORMS AND STANDARDS	Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure, 2013 promulgated in terms of section 5A of the South African Schools Act, 1996
PUBLIC PROTECTOR ACT	Public Protector Act, 1994, as amended
PUBLIC PROTECTOR RULES	Rules Relating to Investigations by the Public Protector and Matters Incidental thereto, 2018, as amended
SGB	School Governing Body

1. INTRODUCTION

- 1.1 This is a Report of the Public Protector issued in terms of section 8(1) of the Public Protector Act, 1994 (Public Protector Act), which provides that: *“The Public Protector may, subject to the provisions of subsection (3), in the manner he or she deems fit, make known to any person any finding, point of view or recommendation, in respect of a matter investigated by the Public Protector”*.
- 1.2 This Report relates to an investigation conducted by the Public Protector on the impact of the August 2023 severe weather conditions at various schools in the Zululand District.
- 1.3 The Report is submitted in terms of section 8(1) read with section 8(3) of the Public Protector Act, which empowers the Public Protector to make known the findings of an investigation to affected parties for such persons to note the outcome of the investigation and to implement the recommendations, where applicable:
- 1.3.1. Mr Thami Ntuli, Premier of KwaZulu-Natal;
 - 1.3.2. Ms Nontembeko Boyce, Speaker of the KwaZulu-Natal Legislature;
 - 1.3.3. Mr Siphso Hlomuka, Member of Executive Council (MEC) for KwaZulu-Natal Department of Education;
 - 1.3.4. Mr Nhlakanipho Nkontwana, Member of Executive Council (MEC) for KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs;
 - 1.3.5. Mr Nkosinathi Ngcobo, Head of KwaZulu-Natal Department of Education;
 - 1.3.6. Cllr MB Khumalo, Mayor of Zululand District Municipality;
 - 1.3.7. Mr Zibuse Ntombela, Principal of Bantubaningi High School;
 - 1.3.8. Mr Thabo Pakkies, Principal of Mhlambansila Secondary School;
 - 1.3.9. Ms Nelisiwe Mbuli, Principal of Zombode Primary School; and

1.3.10. Ms Bongiwe Mazibuko, Acting Principal of Philibana Primary School.

1.4 The Public Protector's mandate is derived from section 182(1) of the Constitution of the Republic of South Africa, 1996 (the Constitution) and the Public Protector Act, to promote accountability, transparency and fairness in the public sector. The Public Protector continuously reviews and monitors the information gathered from complaints lodged with the office, with a view to identify the underlying root causes of the problems, complaints or undesired events within relevant public bodies or authorities.

1.5 The aim is to formulate and establish corrective actions to at least mitigate, if not eradicate, those root causes and to produce significant long-term improvements in public administration.

1.6 The point of departure is that any complaint might be a symptom of an underlying organisational failure, *inter alia*, in areas such as systems, procedures and human error. By addressing the underlying deficiencies in the systems that are the causes of complaints, the Public Protector aims to reduce the number of individual complaints, in turn, working collaboratively with stakeholders to get the problems resolved and to provide constructive feedback that will enable it to address the root causes of complaints and prevent recurrence.

2. OWN INITIATIVE INVESTIGATION

2.1 This is an own initiative investigation in terms of section 6(4)(a) of the Public Protector Act, 1994, following various media reports¹ of the extensive damage

¹ <https://www.sabcnews.com/sabcnews/houses-schools-destroyed-by-strong-winds-in-kzn/>
<https://witness.co.za/news/2023/08/28/hundreds-left-destitute-after-strong-winds-wreak-havoc-in-kzns-zululand-district/>
<https://www.businesslive.co.za/bd/national/2023-10-24-schools-damaged-in-kzn-storms-must-be-restored-before-matric-exams-urges-premier/>

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- caused by the storms at multiple schools within the Zululand District in KwaZulu-Natal in August 2023, resulting in the disruption of teaching and learning at the affected schools.
- 2.2 Section 6(4)(a) of the Public Protector Act provides *inter alia*, that the Public Protector has the powers to investigate, on his or her own initiative any alleged maladministration in connection with the affairs of government at any level.
- 2.3 On 04 and 05 September 2023, the Public Protector Investigation Team (Investigation Team) conducted on-site inspections at Bantubaningi Secondary School, Mhlambansila Secondary School, Zombode Primary School, and Philibana Primary School that were affected by the severe weather conditions in August 2023.
- 2.4 The objective of the *inspection in loco* was also to determine the support required by the schools and to ascertain rapid response measures implemented by the DoE to ensure the provision of an environment that is conducive to teaching and learning.
- 2.5 The Investigation Team visited the afore-mentioned schools and conducted interviews with school Principals and management to *inter alia*:
- 2.5.1. Inspect the damage caused by the natural disaster;
 - 2.5.2. Assess the adequacy of infrastructure for a conducive learning environment;
 - 2.5.3. Evaluate the availability of sufficient basic tools of trade and departmental support to the schools;
 - 2.5.4. Notify the DoE about the observations made by the Investigation Team at the respective schools; and

- 2.5.5. Solicit a response from the DoE, make findings based on the inspections, report on these findings, formulate recommendations and monitor the implementation of the DoE's plan of action.

3. POWERS AND JURISDICTION OF THE PUBLIC PROTECTOR

- 3.1 The Public Protector is an independent constitutional institution established under section 181(1)(a) of the Constitution of the Republic of South Africa, 1996 to strengthen constitutional democracy through investigating and redressing improper conduct in state affairs.

- 3.2 Section 182(1) of the Constitution provides that:

“The Public Protector has power as regulated by national legislation –

(a) to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice;

(b) to report on that conduct; and

(c) to take appropriate remedial action”.

- 3.3 Section 182(2) of the Constitution directs that the Public Protector has additional powers and functions prescribed by legislation. The Public Protector's powers are regulated and amplified by the Public Protector Act, which states amongst others that, the Public Protector has the powers to investigate and redress maladministration and related improprieties in the conduct of state affairs.

- 3.1 The DoE is an organ of state as envisaged in section 239 of the Constitution of the Republic of South Africa, 1996, and the conduct of its functionaries amounts to conduct in state affairs, as a result, the Public Protector is satisfied that the complaint falls within its competency to conduct an investigation as envisaged in section 182(1)(a) of the Constitution and section 6(4)(a)(i) of the Public Protector Act. Furthermore, the jurisdiction of the Public Protector was not disputed in this regard.

4. ISSUE IDENTIFIED FOR INVESTIGATION

- 4.1 Based on the analysis of the information gathered during the inspection *in loco*, meeting/s held with the DoE and reports received from the DoE, the following issue was identified and investigated:

- 4.2 Based on the analysis of the complaint, the following issue was identified to inform and focus the investigation:

- 4.2.1. Whether the KwaZulu-Natal Department of Education acted efficiently in implementing rapid response and long-term measures to ensure the continuation of schooling at the schools affected by the storms, if not, whether such conduct is improper as envisaged in section 182(1)(a) of the Constitution and amounts to maladministration, undue delay and improper prejudice as envisaged in section 6(4)(a)(i), (ii) and (v) of the Public Protector Act.

5. THE INVESTIGATION

5.1 The Investigation Process

- 5.1.1. The investigation was conducted in accordance with section 182(1) of the Constitution and sections 6 and 7 of the Public Protector Act. The Public Protector

Act confers on the Public Protector the sole discretion to determine the format and procedure to be followed in conducting any investigation.

5.1.2. The investigation process included inspections *in loco*, interviews, meetings and correspondence exchanged with the DoE. Documents obtained during the course of the investigation were analysed and evaluated. The process also included a consideration and application of the relevant law and prescripts.

5.2 Approach to the investigation

5.2.1. The investigation was approached using an enquiry process that seeks to determine:

- (a) What happened?
- (b) What should have happened?
- (c) Is there a discrepancy between what happened and what should have happened and does that deviation amount to maladministration, undue delay and improper prejudice?

5.2.1.1. The question regarding what happened is resolved through a factual enquiry relying on the evidence provided by the parties and independently sourced during the investigation. Evidence is evaluated and a determination is made on a balance of probabilities. In this particular case, the factual enquiry principally focused on the measures taken by the DoE to ensure the continuation of teaching and learning at the schools affected by the storms.

5.2.1.2. The enquiry regarding what should have happened, focuses on the law or rules that regulate the standard that should have been met by the DoE.

5.3 Key Sources of Information

5.3.1. Correspondence and documents

- 5.3.1.1. Email from the Investigation Team relating to an inspection and observations made during the site inspections at the affected schools to the Head of Infrastructure at DoE, Ms Weziwe Mhlongo, dated 21 September 2023;
- 5.3.1.2. Response from Mr Nkosinathi Ngcobo, Head of Department of Education, dated 28 September 2023;
- 5.3.1.3. Letter from the Investigation Team to Mr Ngcobo, dated 03 October 2023;
- 5.3.1.4. Email from the Investigation Team to Mr Zibuse Ntombela, Principal of Bantubaningi High School Principal Zibuse Ntombela, regarding the progress and the Implementation Plan by DoE, dated 08 February 2024;
- 5.3.1.5. Email from the Investigation Team to Ms Nelisiwe Mbuli, Principal of Zombode Primary School Principal Nelisiwe Mbuli, regarding the progress and the Implementation Plan by DoE, dated 13 February 2024;
- 5.3.1.6. Email from the Investigation Team to Ms Busisiwe Nxumalo, the then Principal of Philibana Primary School, Principal Busisiwe Nxumalo, regarding the progress and implementation plan by DoE, dated 13 February 2024;
- 5.3.1.7. Email from the Investigation Team to Mr Thabo Pakkies, the Principal of Mhlambansila Secondary School regarding the progress and implementation plan by DoE, dated 13 February 2024;

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- 5.3.1.8. Letter from the Investigation Team to Mr Ngcobo, regarding progress made by DoE, dated 13 February 2024;
 - 5.3.1.9. Progress Report from Ms MC Frazer, the former KZN MEC for Education, dated 29 February 2024;
 - 5.3.1.10. Progress report from Mr Ngcobo, dated 14 March 2024;
 - 5.3.1.11. Email from Ms Gugu Xhakaza, Deputy Head of Infrastructure, of the DoE in KZN;
 - 5.3.1.12. Response from Mr Ngcobo, dated 15 July 2024;
 - 5.3.1.13. Progress report from, Ms Nontokozi Maphumulo, Director: Legal Services of the KZN DoE dated 25 September 2024; and
 - 5.3.1.14. Situational Report from Mr Ntombela for Bantubaningi, High School, dated 28 October 2024.

5.3.2. **Meetings**

- 5.3.2.1. Meeting between the Public Protector's Investigation Team, Mr Ngcobo, and Ms MC Frazer, former MEC for DoE on 16 November 2023.
- 5.3.2.2. Meeting between the Investigation Team and Ms XP Cele: Chief Education Specialist: Mahlabathini Circuit on 29 October 2024.

5.3.3. **Inspections *in loco* conducted at the schools**

- 5.3.3.1. Inspections conducted at Bantubaningi Secondary School on 04 September 2023 and 22 February 2024;

- 5.3.3.2. Inspections conducted at Mhlambansila Secondary School on 04 September 2023 and 22 February 2024;
- 5.3.3.3. Inspections conducted at Zombode Primary School 05 September 2023 and 23 February 2024;
- 5.3.3.4. Inspections conducted at Philibana Primary School 05 September 2023 and 23 February 2024; and
- 5.3.3.5. Inspections conducted at the four affected² schools by the Public Protector, Adv Kholeka Gcaleka and the Investigation Team on 09 November 2023;
- 5.3.3.6. Inspection *in loco* conducted at Sizabonke High School on 23 February 2024; and
- 5.3.3.7. Onsite inspections conducted at Bantubaningi on 29 and 30 October 2024 .

5.3.4. **Applicable Law**

- 5.3.4.1. Constitution of the Republic of South Africa, 1996;
- 5.3.4.2. Public Protector Act, 1994;
- 5.3.4.3. Rules Relating to Investigations by the Public Protector and Matters Incidental thereto, 2018 (as amended);
- 5.3.4.4. South African Schools Act, 1996;

² Bantubaningi Secondary, Mhlambansila Secondary, Zombode Primary and Philibana High Schools

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- 5.3.4.5. Occupational Health and Safety Act, 1993; and
 - 5.3.4.6. Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure, 2013.

6. THE DETERMINATION OF ISSUES IN RELATION TO THE EVIDENCE OBTAINED AND CONCLUSIONS MADE WITH REGARD TO THE APPLICABLE LAWS AND PRESCRIPTS

- 6.1.1. **Whether the KwaZulu-Natal Department of Education acted efficiently in implementing rapid response and long-term measures to ensure the continuation of schooling at the schools affected by the natural disasters, if not, whether such conduct is improper as envisaged in section 182(1)(a) of the Constitution and amounts to maladministration, undue delay and improper prejudice as envisaged in section 6(4)(a)(i),(ii) and (v) of the Public Protector Act**

Common cause

- 6.1.1. On 25 August 2023, the Zululand District experienced a series of severe thunderstorms that had a devastating impact on the region. These storms resulted in significant damage to numerous households and educational institutions, leaving many in disastrous conditions.
- 6.1.2. The intensity of the storms led to the destruction of infrastructure and interruption of essential services which disrupted the lives of the community.
- 6.1.3. The aftermath of these thunderstorms highlighted the vulnerabilities of the district's infrastructure and the urgent need for effective disaster management strategies. Many families were displaced, and schools faced significant

challenges in continuing educational activities due to the damages sustained.

- 6.1.4. This situation necessitated an immediate response from both local authorities and the provincial government to assess the extent of the damage, provide necessary relief and develop long-term recovery plans.
- 6.1.5. On 27 October 2024, the Zululand District experienced further severe thunderstorms that left Bantubaningi and other schools damaged.

Issues in dispute

- 6.2. The issue for the Public Protector's determination is whether the KwaZulu-Natal Department of Education implemented sufficient measures at the schools affected by the thunderstorms to ensure the provision of an environment that is conducive to teaching and learning.

Inspections in loco

- 6.3. On 04 and 05 September 2023, the Investigation Team conducted inspections *in loco* at the affected schools following the storms that occurred on 25 August 2023:

Bantubaningi Secondary School

- 6.3.1 During the inspection *in loco* at Bantubaningi High School on 04 September 2023, the investigation Team was assisted by the school principal, Mr Mr Zibuse Ntombela (Mr Ntombela) and Ms Cele, the Chief Education Specialist from eMahlabathini Circuit Office.
- 6.3.2 Bantubaningi High School (Bantubaningi) is a public secondary school located in the

Mhongozini area, within the Zululand District Municipality in KwaZulu-Natal. The area is predominantly rural, situated seventy-eight (78) kilometers from the nearest town of Ulundi; and

- 6.3.3 The school was opened in 1991 and was established through the efforts of the local community. The academic performance of the school is relatively good, with a pass rate exceeding 90%; As a rural, Quintile 1 school, Bantubaningi serves a student body of three hundred and sixty-five (365) learners and twelve (12) educators.



Figure 1: Bantubaningi High School

School infrastructure

- 6.3.4 The general physical condition of Bantubaningi and its surrounding yard environment was in a dilapidated state, necessitating a comprehensive upgrade. Bantubaningi grounds were uneven and unpaved, resulting in significant mud accumulation during rainy periods. The condition of the grounds during the inspection posed accessibility challenges for individuals with physical disabilities.
- 6.3.5 The schoolyard was properly fenced, and the gates were locked during school hours. The school lacked sufficient lockable cabinets and did not have a

dedicated staff office, resulting in books and other important documents being stored on tables and in boxes. The school did not have any laboratories or a library, and it lacked adequate learning materials and equipment, such as projectors. The school had access to electricity and water, however, it utilises pit toilets for both learners and staff.

Damage suffered by Bantubaningi Secondary School

6.3.6 As a result of the natural disaster that occurred on 25 August 2023, Bantubaningi sustained severe damages; and several classrooms were destroyed by the storm.



Figure 2: Classes destroyed by the storm

6.3.7 Six (06) of the nine (09) classrooms were rendered uninhabitable, leaving the school with only three (03) partially damaged classrooms available for use as shown in the pictures below:



Figure 3: Uninhabitable classes damaged by the storm



Figure 4: Uninhabitable classes damaged by the storm

6.3.8 The remaining classrooms were utilised to accommodate Grade 11 and Grade 12 learners, as the September Trial examinations had commenced on 04 September 2023.



Figure 5: Partially damaged classrooms

- 6.3.9 Additionally, the storm caused damage to fourteen (14) steel cabinets, twelve (12) teachers' tables, and fifteen (15) laptops. The kitchen and kitchen utensils, including the stove, were also destroyed in the storm.
- 6.3.10 Due to the damage to the school's infrastructure, an interim measure was implemented where all Grade 11 learners were accommodated into one (01) classroom, whilst two (02) classrooms were designated as exam rooms for Grade 12 learners who were writing trial examinations.



Figure 6: Damaged roof

- 6.3.11 As a result of the conditions observed, Grade 8 to Grade 10 learners were asked to remain at home, due to a lack of safe space at the school and the facilities could only accommodate Grade 11 and Grade 12 learners for examination

purposes. There are no nearby community halls from which assistance could be sought to accommodate learners and teachers to ensure the continuation of teaching and learning; and

- 6.3.12 The utilisation of the three (03) classrooms for exams posed a safety risk to both learners and educators due to the extensive structural damage.

Department's intervention at Bantubaningi High School

- 6.3.13 Following the storms on 25 August 2023, the DoE implemented the following interim intervention:

6.3.1.1. On 28 August 2023, Ms Thobile Ndlovu (Ms Ndlovu), an inspector from the Department of Public Works and Infrastructure, attended the school to conduct an assessment. On 30 August 2023, Mr PD Ndlovu (Mr Ndlovu), the District Director visited the school to assess the extent of the damage and determine necessary urgent interventions.

6.3.1.2. During the inspection and subsequent interview Mrs XP Cele (Mrs Cele) from the DoE Circuit Office, she advised that as part of DoE's immediate intervention, she would approach the principal of Mhongozini Primary School, to explore the possibility of accommodating Bantubaningi Grade 11 and Grade 12 learners.

6.3.1.3. Mrs Cele also indicated that Ms SE Ngubane (Ms Ngubane), the District Chief Education Specialist has submitted a situational report to the Provincial Office for further assistance regarding the interventions needed at Bantubaningi.

Mhlambansila Secondary School

- 6.3.14 During the inspection *in loco* at Mhlambansila Secondary School (Mhlambansila)

on 04 September 2023, the investigation Team was assisted by the school principal, Mr Thabo Pakkies (Mr Pakkies).

- 6.3.15 Mhlambansila is a public secondary school situated in CEZA, within the Zululand District Municipality of KwaZulu-Natal. The school serves a total of two hundred and ninety-eight (298) learners and has a staff complement of nine (09) educators. Mhlambansila was established in 1987 and is classified as a Quintile 1, no-fee-paying institution.

School infrastructure

- 6.3.16 The overall physical condition of the school and its surrounding environment was in a dilapidated state, requiring a complete upgrade. The school grounds were uneven and unpaved, resulting in significant mud accumulation during rainy periods. This condition renders the school inaccessible to individuals with physical disabilities. The schoolyard was adequately fenced, and gates were secured during school hours.



Figure 7: Mhlambansila Secondary School

- 6.3.17 There was a shortage of lockable cabinets, and the administration block was in a dilapidated condition. Important documents and books were stored on tables and in boxes due to the lack of proper storage facilities.



Figure 8: Principal's office

- 6.3.18 Several classrooms did not have doors and had broken windows, compromising the security and learning environment of **both teachers and** students.



Figure 9: Classrooms with broken windows and doors

- 6.3.19 The school lacked both a laboratory and a library, which limits access to essential educational resources. Additionally, there were insufficient learning materials and equipment, such as projectors, which hinders effective teaching.
- 6.3.20 The school has access to electricity and water. The ablution facilities were newly

constructed and became operational in October 2022, however, the school continued to utilise pit toilets for learners and staff due to the lack of water.

- 6.3.21 Despite these challenges, teaching and learning were ongoing at the school, with staff making efforts to ensure educational continuity for the learners.

Damages suffered by Mhlambansila Secondary School

- 6.3.22 Mhlambansila sustained damage to the school hall, which was utilised as a Grade 12 classroom. The hall was critical as it accommodated ninety-five (95) Grade 12 learners. The damage further strained the school's capacity to provide adequate learning space for its learners.



Figure 10: Damaged roof

Department's intervention at Mhlambansila Secondary School

- 6.3.23 During the inspection, meetings and interviews with Mr Pakkies, it was conveyed that the situation had been reported to the District Offices of the DoE. The school requested assistance in securing mobile classrooms to ensure the continuation of teaching and learning, particularly to safeguard against any adverse effects

to the Matric Trial examinations.

- 6.3.24 Additionally, Mr Pakkies highlighted a persistent shortage of furniture, which has been a concern since 2021. Mr Pakkies mentioned that during the COVID-19 pandemic, the school received twenty (20) tables and forty (40) chairs as part of DoE's support. Furthermore, it was indicated that a shipment of ten (10) tables and twenty (20) chairs, originally intended for a school in Nquthu, were redirected to their school and were in use.

Zombode Primary School

- 6.3.25 The Investigation Team conducted an inspection *in loco* at Zombode on 05 September 2023 and was assisted by Ms Nelisiwe Mbuli (Ms Mbuli), the school principal.
- 6.3.26 Zombode is a public primary school located in the Ekushumayeleni area, within the Zululand District Municipality in KwaZulu-Natal. The school offers primary level subjects, including Foundation Phase (Grade R – Grade 3), Intermediate Phase (Grade 4 – Grade 6), and Senior Phase (Grade 7).
- 6.3.27 Zombode serves one hundred and ninety-two (192) learners and has a staff complement of eight (08) educators and five (05) assistant educators. It is classified as Quintile 1, a no-fee-paying school.

School infrastructure

- 6.3.28 The general physical condition of the school and the surrounding environment was in a dilapidated state, necessitating a total upgrade. The school grounds were uneven and not paved, resulting in significant mud accumulation during rainy periods. The school was not accessible to individuals with physical

disabilities. The school yard was properly fenced, and the gates were locked during teaching and learning hours.



Figure 11: Fencing at the school

6.3.29 The school is comprised of two (02) main blocks and four (04) prefabricated classrooms. One block sustained complete damage and was unusable, whilst the other block was fully functional, featuring newly installed windows, doors and recent paintwork.



Figure 12: Damaged of classrooms

6.3.30 The floors of the prefabricated classrooms were deteriorating, with multiple holes posing a safety hazard to learners and educators. Additionally, the stairs leading to the classrooms were damaged, making it unsafe for people to enter and exit without having to jump.



Figure 13: deteriorating mobile classrooms floors

- 6.3.31 The school did not have access to electricity and water. Although a borehole was installed in 2021, it ceased functioning in September 2021. As a result, learners fetch water from a neighboring house during school hours.



Figure 14: Learners fetch water from a neighbouring house

- 6.3.32 There are insufficient lockable cabinets, and the school lacked a dedicated administrative block. Important documents and books were stored on tables and boxes in one of the prefab classrooms, which served as both the principal's office and staff room.
- 6.3.33 The school has pit toilets available for both learners and staff, however, the

ablution facilities were in poor condition, with broken windows and doors.

- 6.3.34 Additionally, the roofs of some of the toilets had been blown off, further compromising their functionality, safety and hygiene.



Figure 15: Ablution facilities in poor condition

Damages suffered by Zombode Primary School

- 6.3.35 Ms Mbuli reported that extensive damage already occurred due to a storm in 2018, which rendered one block of the building uninhabitable.
- 6.3.36 As an interim measure, the school was issued with prefabricated classrooms to ensure continuity in teaching and learning. Unfortunately, these prefabricated classrooms also suffered damage during the 25 August 2023 storm.
- 6.3.37 Additionally, the school's prefabricated kitchen was completely destroyed during the 2018 storm, and the school was, at the stage of the inspection, utilising a container as a mobile kitchen.



Figure 16: Mobile container utilised as a kitchen

- 6.3.38 There was no night security at the school, which resulted in frequent break-ins. Teaching resources were stolen, necessitating constant replacements which further strained the school's limited resources.

Department's intervention at Zombode Primary School

- 6.3.39 Ms Mbuli informed the Investigation Team that the school had not received any assistance from DoE since the storm on 25 August 2023. At the time of the inspection *in loco*, Zombode the DoE had still not provided assistance to the school.

Philibana Primary School

- 6.3.40 On 05 September 2023, the Investigation Team conducted an inspection *in loco* at Philibana Primary School (Philibana) and was assisted by Ms BN Nxumalo (Ms Nxumalo), the then school principal, who had been serving at the school as the principal since 2006. Ms Nxumalo retired on 30 September 2024, and Ms Bongwiwe Mazibuko (Ms Mazibuko) was appointed as the Acting Principal.
- 6.3.41 Philibana is a public primary school located in the Kwacencethu area, approximately ninety-one (91) kilometers from the nearest town of Ulundi. The

school falls within the Zululand District Municipality in KwaZulu-Natal. Philibana serves two hundred and seventeen (217) learners and has a staff complement of seven (07) educators, along with one (01) permanent assistant educator and ten (10) assistant educators, whose contracts were set to expire at the end of September 2023.

- 6.3.42 The school commenced operations in 2004, having been established to provide more accessible education option for children in the Kwacencethu area. It originated from a school called KwaNdeni, which was located in a neighbouring area and deemed too far for the local children to attend regularly.

School infrastructure

- 6.3.43 The general physical condition of Philibana and its surrounding environment was in a dilapidated state, necessitating a comprehensive upgrade. The school grounds were uneven and unpaved, resulting in muddy conditions during rainy periods. The school caters for learners from Grade R to Grade 7 and consists of two (02) blocks and three (03) mobile/prefabricated classrooms. The schoolyard was properly fenced, and the gates were locked during schooling hours.
- 6.3.44 The school lacks lockable cabinets and a dedicated staff office. There is no designated administration block, as a result, books and other important documents were kept on tables and in boxes within the classrooms. The school previously utilised a park home as an administration block, however, this space has been converted back into a classroom to accommodate learners.
- 6.3.45 The school has electricity and access to water. It is equipped with four (04) Jojo tanks for water storage. However, three (03) Jojo tanks were damaged during the storm, leaving only one (01) functional. The school received assistance from the Municipality for the refilling of the water tanks.



Figure 17: Jojo tank in good condition

- 6.3.1.4. The school utilises pit latrines for both learners and staff, however, the doors and windows to the pit latrines were damaged. There was no access to water for handwashing after use.



Figure 18: ablution facilities with broken doors

- 6.3.1.5. Several classrooms had broken windows as a result of the storm. The prefabricated classrooms sustained damage, with pieces of steel protruding from the floors, which posed a significant safety hazard to both educators and learners alike. These protruding pieces of steel were present at multiple locations throughout the classrooms and alongside various holes in the floors.



Figure 19: Damaged classroom

- 6.3.1.6. During the inspection, the school was utilising an informal zinc structure as a kitchen as shown below:



Figure 20: informal structure utilised as a kitchen

Damages suffered by Philibana Primary School

- 6.3.2. During an inspection at Philibana Primary School on 05 September 2023, the Investigation Team was informed by Ms Nxumalo, that the school was affected by the storm in 2014 which caused extensive damage to several classrooms.

- 6.3.3. Ms Nxumalo further indicated that during 2014, she submitted a situation report to the DoE's District Office reporting the damage suffered by Philibana. She provided a copy of the situational report to the Investigation Team which stated, *inter alia*, that:

Situational report dated 15 January 2014

- 6.3.4. The situational report which was addressed to the Infrastructural Department of DoE requested Philibana to be provided with temporary classrooms due to a shortage of classes. The report outlined that the school had only three (03) permanent classrooms, while it operated from grade R up to grade 7.
- 6.3.5. The DoE provided interim measures to Philibana, which included the installation of mobile classrooms as requested in the report.

Damages as a result of the August 2023 storm

- 6.3.6. Philibana sustained severe damage as a result of the storm on 25 August 2023. Six (06) classrooms were extensively damaged leaving the school with only three (03) partially damaged prefabricated classrooms to accommodate learners.
- 6.3.7. During consultations with Ms Nxumalo, it was noted that the prefabricated classrooms were utilised as they represented the sole alternative for instructional space. These classrooms were initially damaged in the storm of 2014 and have since been further compromised by the 2023 storms. Although the 2014 storm was reported to the DoE, the school had yet to receive further assistance to address the damages caused by the August 2023 storm.
- 6.3.8. Due to the inadequate infrastructure and to ensure the continuation of teaching and learning, the school resolved to combine classes. During the inspection,

Grades R and 1 as well as Grades 4 and 5, shared a classroom.

Department's intervention at Philibana Primary School

- 6.3.8.1. Following the storms on 25 August 2023, the DoE implemented the following interim intervention:
- 6.3.8.2. Mr Sibisi, an official from the Circuit Office, visited the school on 28 August 2023 to assess the damage. Additionally, Ms Sibukelaphi Shandu from the District Office also conducted an assessment on the same date. Ms Nxumalo submitted a detailed situational and assessment report to the District Offices following the visits.
- 6.3.8.3. Ms Nxumalo further indicated that the school is utilising the existing three (03) available prefabricated classrooms to facilitate the continuation of teaching and learning. However, this arrangement posed significant risks to both learners and educators, as these classrooms sustained extensive structural damage, including areas where steel was sticking out from the flooring.

Response from Mr Nkosinathi Ngcobo, Head of Department

- 6.3.9. On 21 September 2023, the Investigation Team issued a preliminary inspection to Mr Nkosinathi Ngcobo Head of the Department (Mr Ngcobo), and Ms Mhlongo, Head of Infrastructure Unit; and requested their responses to the observations made during the site inspections at the affected schools.

Response from Mr Ngcobo

- 6.3.10. On 28 September 2023, Mr Ngcobo provided a written response, acknowledging the preliminary report submitted by the Investigation Team regarding the

inspections conducted at the four (04) schools impacted by natural disasters.

6.3.11. He confirmed the damages sustained by the schools due to natural disasters that occurred between 25 and 26 August 2023 in the Zululand District. Mr Ngcobo stated that the DoE consolidated the scope and compiled a list of the damaged schools, including a needs analysis for both short-term and long-term intervention requirements as detailed in the table below:

No.	Name of school	District	Short term requirements/interim measures		Long term requirements
			Mobile Classrooms	Mobile NSNP Kitchens	Repairs & Rehabilitations
1.	Bantubaningi High School	Zululand	14	1	Yes
2.	Mhlambansila Secondary School	Zululand	1	1	Yes
3.	Zombode Primary School	Zululand	3	1	Yes
4.	Philibana Primary School	Zululand	4	1	Yes
			22	4	

6.3.12. Furthermore, Mr Ngcobo provided the Investigation Team with an intervention plan outlining how the DoE intends to implement the intervention measures, including specified turnaround times. Mr Ngcobo indicated that the provision of mobile classrooms, mobile toilets and mobile NSNP kitchens is an interim measure being implemented whilst contractors for the rehabilitation of the storm-damaged classrooms was underway. He provided the Investigation Team with an intervention plan as shown in the tables below:

Implementation plan for provision of interim measures (mobile classrooms &

NSNP kitchens)

No	Description	Start Date	Finish Date	Status to Date
1.	Consolidation of list of Storm Damaged Schools	25 August 2023	08 September 2023	Completed
2.	Preliminary Conditional Assessment	25 August 2023	08 September 2023	Completed
3.	Analysis of Preliminary Conditional Assessment Findings	08 September 2023	15 September 2023	Completed
4.	Allocation to Implementing Agent	20 September 2023	20 September 2023	Completed
5.	Programme Briefing Meeting	22 September 2023	22 September 2023	Completed
6.	Advert for provision of Interim /Measures	27 September 2023	09 October 2023	Pending
7.	Evaluation of quotations	10 October 2023	12 October 2023	Pending
8.	Adjudication if quotations	16 October 2023	16 October 2023	Pending
9.	Award (issuing if appointment)	17 October 2023	17 October 2023	Pending
10.	Site Handover	19 October 2023	30 October 2023	Pending
11.	Practical Completion	30 October 2023	30 November 2023	Pending

Implementation Plan for Rehabilitation Works

No	Description	Start Date	Finish Date	Status to Date
1.	Consolidation of list of Storm Damaged Schools	25 August 2023	08 September 2023	Completed
2.	Preliminary Conditional Assessment	25 August 2023	08 September 2023	Completed
3.	Analysis of Preliminary Conditional Assessment	08 September 2023	15 September 2023	Completed

	Findings			
4.	Allocation to Implementing Agent	20 September 2023	20 September 2023	Completed
5.	Programme Briefing Meeting	22 September 2023	22 September 2023	Completed
6.	Appointment of Professional Service Providers	27 September 2023	17 October 2023	On-going
7.	Evaluation of Quotations	18 October 2023	24 October 2023	On-going
8.	Adjudication of Quotations	02 November 2023	02 November 2023	On-going
9.	Appointment letter	03 November 2023	03 November 2023	On-going
10.	Detailed Conditional Assessment	06 November 2023	17 November 2023	Pending
11.	Preparation of Tender Documentation	30 October 2023	30 November 2023	Pending
12.	BSC Meeting	30 October 2023	30 November 2023	Pending
13.	Tender Advert	01 December 2023	23 January 2024	Pending
14.	Briefing Session Meeting	13 December 2023	15 December 2024	Pending
15.	Tender Closure	24 January 2024	24 January 2024	Pending
16.	BEC	25 January 2024	05 February 2024	Pending
17.	BAC	12 February 2024	12 February 2024	Pending
18.	Award	13 February 2024	13 February 2024	Pending
19.	Site Handover	19 February 2024	19 February 2024	Pending
20.	Practical Completion	30 May 2024	30 May 2024	Pending

Stakeholder engagement at Zululand District, 09 November 2023

- 6.3.13. The Public Protector held a stakeholder engagement with officials from the DoE and representatives from the Zululand District, including the Deputy Mayor, Speaker and Executive Members of the Zululand District Municipality. Each local municipality from Ulundi, Nongoma, and Abaqulusi were represented by the Mayor, Speaker and Municipal Managers. This engagement comprised a formal meeting with stakeholders and an inspection of schools affected by storms in the Zululand District.

- 6.3.14. During the formal engagements, several service delivery issues were discussed, with particular emphasis on the impact of storms on schools, which was the primary focus of the discussions.
- 6.3.15. Mr Sthembiso Mntambo (Mr Mntambo), the principal of Sizabonke High School (Sizabonke), reported during the stakeholder engagement that Sizabonke was among the schools most severely affected. He requested that the school be included in the intervention plan of the four schools identified by the Public Protector.

Further inspection in loco conducted on 09 November 2023

- 6.3.16. On 09 November 2023, the Public Protector, Adv Kholeka Gcaleka together with the Investigating Team and stakeholders conducted a second inspection *in loco* at Bantubaningi. The purpose of this inspection was to assess whether the matriculants have a safe and conducive environment in which to write their final matric exams, as well as to evaluate the effectiveness of the measures that were implemented by the DoE at the school.
- 6.3.17. During the inspection, it was confirmed that the DoE provided the school with three (03) mobile classrooms on 04 November 2023. Whilst these classrooms were delivered, they were not yet constructed and/or assembled or ready for occupation. As a result, they were unable to facilitate a conducive environment for the administration of examinations. The learners were still utilising the three (3) partially damaged classrooms.

Meeting between the Public Protector, MEC for KZN Department of Education and Head of Department, 16 November 2023

6.3.18. On 16 November 2023, a virtual meeting was held between the Public Protector and Ms Frazer, the then KZN MEC for Education and Mr Nkosinathi Ngcobo, the HoD. Ms Frazer, presented a progress report on the intervention measures implemented at the schools, as follows:

6.3.18.1. KwaZulu-Natal Province experienced storms on 25 and 26 August 2023, which resulted in damage to fifty-seven (57) schools. District Officials visited the affected schools to assess the extent, scope, nature, and estimated costs for rehabilitation.

6.3.18.2. The DoE engaged with the Independent Development Trust (IDT) as the Implementing Agent to facilitate the procurement of mobile classrooms as an interim measure and to initiate rehabilitation of the storm damage.



Figure 21: Procured prefabricated classrooms

6.3.18.3. The IDT provided two (02) Implementation Plans addressing interim measures and permanent interventions. The DoE also explored the availability of mobile classrooms in districts that were unutilised or under-utilised to expedite delivery and installation.

6.3.18.4. The DoE reported that no mobile classrooms were unutilised or under-utilised, leaving them with the option of engaging in formal public procurement to acquire new mobile classrooms.

6.3.18.5. The DoE further presented the Public Protector with an Implementation Plan for mobile classroom provision and a report on the progress made to date. Additionally, an Implementation Plan for permanent rehabilitation of the affected schools was provided.

6.3.18.6. In conclusion, DoE shared pictures of three (03) mobile classrooms that had already been commissioned, delivered and installed at Bantubaningi as shown in the pictures below:



Figures 22: Mobile classrooms delivered at Bantubaningi

Further inspection in loco conducted at Sizabonke Secondary School, 22 and 23 February 2024

6.3.19. On 22 and 23 February 2024, the Investigation Team conducted further onsite inspections at the schools affected by the storm, including Sizabonke Secondary School.

6.3.20. The purpose of the inspection *in loco* was to gather information and evidence regarding the progress made by the DoE following an engagement between the Public Protector and Ms Frazer on 16 November 2023. The DoE reported as outlined below:

Bantubaningi

6.3.20.1. The DoE delivered fourteen (14) mobile classrooms and one (01) mobile kitchen to the school. As part of the plan to relocate the school to a new site adjacent to the current location, eleven (11) mobile classrooms were set up on the new site and were already in use for teaching and learning.



Figure 23: Mobile classrooms delivered at Bantubaningi

6.3.20.2. Fencing of the entire school, encompassing both the current and newly identified site, was underway. However, there were delays caused by the service provider, who left the site in January 2024, citing the need to order additional fencing materials from the Gauteng Province.

6.3.20.3. This delay had been communicated to Mr Sithole, Acting Chief Director from the Provincial Office, with whom the principal was discussing the challenges during

the Investigation Team's visit.

- 6.3.20.4. The principal reported that the DoE and the School Governing Body (SGB) met and agreed to abandon the initial plan for refurbishment. It was decided that the old classrooms should be demolished, and new classrooms constructed.

Mhlambansila

- 6.3.20.5. The Investigation Team previously noted that Mhlambansila was not severely affected by the storms, except for one (01) classroom and a kitchen that were destroyed. During the onsite inspection, the DoE had already delivered one (01) mobile classroom and one (01) fitted mobile kitchen, as requested by the school as shown in the picture below:



Figure 24: Mobile classroom and a kitchen delivered at Mhlambansila

- 6.3.20.6. The SGB completed minor repairs to the classroom that suffered slight damage during the storm on 25 August 2023. No further urgent issues requiring intervention by the DoE were reported.

Zombode

- 6.3.20.7. During the inspection, the principal informed the Investigation Team that the

three (03) mobile classrooms and one (01) mobile kitchen that had been destroyed in the storm had been replaced by DoE. The classrooms and kitchen were in full use by the school during the inspections.



Figure 25: Mobile classrooms delivered at Zombode

6.3.20.8. However, it was noted that the newly delivered mobile classrooms sustained damage due to another natural disaster that occurred in mid-February 2024, just prior to the inspection.

6.3.20.9. The principal described the area as highly prone to storms and hurricanes, expressing concern that future natural disasters would likely affect the school.

Philibana

6.3.20.10. Philibana initially reported three (03) classrooms and a kitchen that were demolished by the storm. The DoE delivered three (03) mobile classrooms and one (01) fitted mobile kitchen, which were in use by the school.



Figure 26: Three mobile classrooms delivered at Philibana

Sizabonke

- 6.3.20.11. Sizabonke which was reported by the school principal, Mr Mntambo during a stakeholder engagement with the Public Protector on 09 November 2023. Was also included in the investigation for intervention by the DoE.
- 6.3.20.12. The Investigation Team visited the school for the first time on 23 February 2024, wherein the school principal, Mr Mntambo reported a shortage of classrooms and the need for at least three (03) mobile classrooms, as the ones they had were demolished during the natural disaster.
- 6.3.20.13. The DoE has since delivered three (03) mobile classrooms to the school and the school principal has indicated that he is satisfied with the intervention.
- 6.3.20.14. There were no further issues reported that still needed urgent intervention by the DoE.



Figure 27: Three mobile classrooms delivered at Sizabonke

Further submissions from Mr Ngcobo on the implementation of the DoE intervention plan

- 6.3.21. On 15 March 2024 and 23 July 2024 respectively, the Investigation Team received further submissions from Mr Ngcobo following a letter requesting a progress update on the implementation of DoE's intervention plan in connection with the rehabilitation of the storm-affected schools' report issued by the Investigation Team on 13 February 2024.
- 6.3.22. The submissions received from Mr Ngcobo were presented in letters signed by the HoD, dated 29 February 2024 and 15 July 2024 respectively. The letters outlined the progress made in the implementation of interim measures.
- 6.3.23. According to the progress report, all four (04) schools were provided with mobile classrooms and fitted mobile kitchens. The report further indicated that, regarding progress on the implementation of permanent interventions, the sites for three (03) schools, namely: Mhlambansila, Philibana, and Zombode have

been handed over to the appointed contractors and construction is currently in progress.

6.3.24. Furthermore, the progress report stated that Bantubaningi sustained extensive damage that affected the structural integrity of its buildings. These structures were community-built without proper foundations, making rehabilitation unfeasible, therefore reconstruction is necessary.

6.3.25. A revised implementation plan for Bantubaningi was provided to the Investigation Team, which included an architectural presentation of the proposed replacement school currently in the planning stages.

6.3.26. The implementation of the interim measures for both progress reports are outlined in the table below:

Implementation of the interim measures (supply of mobile classrooms and NSNP kitchen

No	Name of School	Interim Measure	Status
1.	Bantubaningi Secondary School	14 mobile classrooms	Completed
2.	Mhlambansila Secondary School	1 mobile classroom	Completed
3.	Philibana Primary School	3 mobile classrooms & 1 SNP kitchen	Completed
4.	Zombode Primary School	3 mobile classrooms	Completed

Implementation Plan for Rehabilitation Works

- 6.3.27. According to the Implementation Plan for the rehabilitation works, the status for the BEC was marked as completed, whilst the BAC, award, site handover, and practical completion remained pending or ongoing.
- 6.3.28. The revised award date for Mhlambansila, Zombode, and Philibana schools was set for 21 February 2024, whilst the revised site handover date was established as 28 February 2024.
- 6.3.29. The DoE revised the finish dates for Bantubaningi concerning the preparation of the tender, BSC meeting, tender advertisement, closures, evaluation and award, site handover, and practical completion.

Additional progress reports received from Ms Ntokozo Maphumulo, Director Legal Service of the DoE, on 26 September 2024

- 6.3.30. On 26 September 2024, Ms Ntokozo Maphumulo (Ms Maphumulo), Director Legal Service of the DoE, provided a detailed and final status report on the provision of the implementation of the interim intervention/s of the storm damaged schools as well as the status of the implementation of the permanent interventions, dated 25 September 2024.

Status on the interim interventions at Bantubaningi

- 6.3.31. According to the final report, Bantubaningi required interim intervention in the form of fourteen (14) mobile classrooms. This has been completed and verified. The project cost amounted to three million six hundred and thirty-eight thousand six hundred rand (R3 638 600).

Status on the permanent interventions at Bantubaningi

6.3.32. According to the final report, Bantubaningi required permanent intervention in the form of reconstruction of the entire school. The pictures below reflect the permanent architectural design for the reconstruction of the entire school:



Figure 28: Permanent architectural design for the reconstruction of Bantubaningi

6.3.33. The status of the permanent intervention at Bantubaningi is in progress and is detailed in the table below:

No	Description	Start Date	Finish Date	Revised Finish Date	Status to Date
1.	Consolidation of list of Storm Damaged Schools	25 August 2023	08 September 2023	-	Completed
2.	Preliminary Conditional Assessment	25 August 2023	08 September 2023	-	Completed
3.	Analysis of Preliminary Conditional Assessment Findings	08 September 2023	15 September 2023	-	Completed
4.	Allocation to	20 September	20 September	-	Completed

	Implementing Agent	2023	2023		
5.	Programme Briefing Meeting	22 September 2023	22 September 2023	-	Completed
6.	Appointment of Professional Service Providers	27 September 2023	17 October 2023	-	Completed
7.	Preparation of Tender Documentation	30 October 2023	28 February 2024	26 June 2024	On-going
8.	BSC Meeting	28 February 2024	15 March 2024	09 July 2024	Pending
9.	Tender Advert	15 March 2024	15 April 2024	15 July 2024	Pending
10.	Tender Closure	15 April 2024	15 April 2024	30 August 2024	Pending
11.	Tender Evaluation and Award	16 April 2024	23 April 2024	17 September 2024	Pending
12.	Site Handover	01 June 2024	01 June 2024	30 October 2024	Pending
13.	Practical Completion	31 May 2026	31 May 2026	30 November 2026	Pending

Status of the permanent interventions at Mhlambansila

- 6.3.34. According to the final report, Mhlambansila required interim intervention in the form of one (01) mobile classroom. This has been completed and verified. The project cost amounted to four hundred and eighty-nine thousand nine hundred rand (R489 900).
- 6.3.35. The implementing agent appointed at Mhlambansila was IDT, the contractor was Benixo Utility Services Private Limited, and the Professional Service Provider was Mazibi Consulting Engineers PTY (Ltd).

- 6.3.36. The site was handed over on 06 March 2024, with an anticipated finish date of 31 October 2024. The contract amount is nine million five hundred and thirty-eight thousand two hundred and fifty-eight rand and sixty-four cents (R 9 538 258.64) and the expenditure a 26 September 2024 was two hundred and twenty four thousand and twelve rand and twenty one cents (R 224 012.21).
- 6.3.37. The progress on the implementation of the project was reported at 15% complete. The pictures below reflect the progress made by the DoE on the interim intervention provided at Mhlambansila:



Figure 29: Progress at Mhlambansila



Figure 30: Progress at Mhlambansila

Status of the permanent interventions at Zombode

- 6.3.38. According to the final report, Zombode required permanent intervention in the form of three (03) mobile classrooms and one (01) National School Nutrition Programme (NSNP) Kitchen. This has been completed and verified. The project cost amounted to one million nine thousand seven hundred rand (R1 009 700).
- 6.3.39. The implementing agent appointed at Zombode was IDT whilst the contractor was Morefortune Holdings PTY (Ltd).
- 6.3.40. The site was handed over on 25 March 2024, with an anticipated finish date of 31 October 2024. The contract amount was five million nine hundred seventy-five thousand three hundred forty-one rand and thirty five cents (R 5 975 341.35) and the expenditure on 26 September 2024 was zero rand (R 0,00). Progress on the implementation of the project was reported at 85% complete.
- 6.3.41. The pictures below reflect the progress made by the DoE on the permanent intervention provided at Zombode:



Figure 31: Progress made at Zombode

Status of the permanent interventions at Philibana

- 6.3.42. According to the final report, Philibana required permanent intervention in the form of three (03) mobile classrooms. This has been completed and verified. The project cost amounted to one million nine thousand seven hundred rand (R1 009 700).
- 6.3.43. The implementing agent appointed at Philibana was IDT, the contractor was Rock to Breek Construction PTY (Ltd), and the Professional Service Provider was Blue Polar PTY (Ltd).
- 6.3.44. The site was handed over on 05 April 2024 with an anticipated finish date of 31 October 2024. The contract amount was nine million sixty-eight thousand seven hundred fifty six rand and seventy five cents (R 9 068 756.75) and the expenditure on 26 September 2024 was three million one hundred ninety four thousand six hundred ninety six rand and twenty five cents (R 3 194 696.25).
- 6.3.45. The progress on the implementation of the project was reported at 54% complete. The pictures below reflect the progress made by the DoE on the permanent intervention provided at Philibana:



Figure 32: Progress made at Philibana

- 6.3.46. The final report further documented the permanent intervention at the three (03)

schools: Mhlambansila, Zombode and Philibana as follows:

No	Description	Start Date	Finish Date	Status to Date
1.	Consolidation of list of Storm Damaged Schools	25 August 2023	08 September 2023	Completed
2.	Preliminary Conditional Assessment	25 August 2023	08 September 2023	Completed
3.	Analysis of Preliminary Conditional Assessment Findings	08 September 2023	15 September 2023	Completed
4.	Allocation to Implementing Agent	20 September 2023	20 September 2023	Completed
5.	Programme Briefing Meeting	22 September 2023	22 September 2023	Completed
6.	Procurement of Professional Service Providers (PSPs) & Conditional Assessments	27 September 2023	19 November 2023	Completed
7.	Tender Advert	20 November 2023	20 November 2023	Completed
8.	Tender Closure	12 December 2023	12 December 2023	Completed
9.	Tender Closure	13 December 2023	13 December 2023	Completed
10.	BEC	03 January 2024	25 January 2024	Completed
11.	MBAC	26 January 2024	08 February 2024	Completed
12.	Concurrence	09 February 2024	16 February 2024	Completed
13.	Contractor Appointment	16 February 2024	16 February 2024	Completed
14.	Site Handover	06 March 2024	06 April 2024	Completed
15.	Practical Completion	06 September 2024	30 November 2024	Pending

Damages caused by 27 October 2024 storms at the schools

- 6.3.47. On 28 October 2024, the Investigation Team was contacted by Mr Ntombela, the principal of Bantubaningi, who reported that his school had been damaged again by the storm on 27 October 2024.
- 6.3.48. Additionally, on 29 October 2024, the Investigation Team was alerted by Ms Cele, via telephone, that two (02) other schools near Bantubaningi were damaged by the same storm. These schools were identified as Sawoti Primary School (Sawoti) and Magqezulana High School (Magqezulana)

Meeting with Ms Cele, 29 October 2024

- 6.3.49. On 29 October 2024, the Investigation Team held a meeting with Ms Cele at the Mahlabathini Circuit Office. The purpose of the meeting was to determine what interventions, if any, the DoE has undertaken in response to the damage at the three (03) reported schools. During the meeting, Ms Cele reported the following:
- 6.3.49.1. The Circuit Office received a telephone call from Mr Ntombela, the principal of Bantubaningi on 28 October 2024, informing them that the school had been damaged by a storm the previous day. Mr Ntombela also submitted a situational report to the District Office, in line with protocol. In response, the DoE sent Ms Sibukelaphi Shandu (Ms Shandu) to Bantubaningi to assess the situation on the ground, with a particular focus on the ongoing Grade 12 examinations;
- 6.3.49.2. Ms Shandu telephonically reported back to the Circuit and District Offices on 28 October 2024, while still at Bantubaningi, stating that she was satisfied with the interim/contingency arrangements the school put in place to ensure that Grade 12 learners were able to take their English Paper 1 examination that day;

- 6.3.49.3. An interim provision for the Grade 12 examination at Bantubaningi had been implemented, which involved utilising two (02) existing, slightly damaged mobile classrooms and one (01) permanent block classroom that was also slightly damaged;
- 6.3.49.4. The eight (08) classrooms delivered by DoE to Bantubaningi in early 2024 were completely destroyed in the storm on 27 October 2024. In addition to the eight (08) classrooms that Ms Shandu reported as completely destroyed, the mobile park home, which was used as a kitchen, was also completely destroyed;
- 6.3.49.5. The DoE resolved to move eight (08) mobile classrooms from Zombode, which no longer required them. It should be noted that these are the same mobile classrooms DoE delivered to Zombode as part of the Public Protector's initial intervention. DoE was actively working to ensure the urgent delivery of these mobile classrooms to Bantubaningi; and
- 6.3.49.6. The principal of Bantubaningi, provided the DoE's Circuit and District Offices with the situational reports along with pictures showing the damages, as required.
- 6.3.50. Ms Cele provided the Investigation Team with the situational reports which are discussed below:

Situational report for Bantubaningi

- 6.3.51. The situational report submitted on behalf of Bantubaningi was compiled and signed by Mr Ntombela and is dated 28 October 2024. The report summarised the damages caused by the storm on 27 October 2024, as follows:
- 6.3.51.1. Eight (08) mobile classrooms, a mobile kitchen, the school fence, and school furniture (desks, chairs, and tables) were damaged;

- 6.3.51.2. As a result of this damage, Mr Ntombela requested that the school be provided with eight (08) mobile classrooms, a kitchen, and replacement learner furniture (desks, chairs, and tables); and
- 6.3.51.3. Attached to the situational report were pictures depicting the damage caused by the storm.

Further inspection in loco conducted at Bantubaningi on 30 October 2024

- 6.3.52. On 30 October 2024, the Investigation Team conducted an inspection at Bantubaningi to assess the nature and extent of the damage caused by the storm on 27 October 2024. The purpose of the inspection was to evaluate the impact on the continuation of the National Senior Certificate (Grade 12) examinations, which had already commenced in early October 2024; and to determine what interventions, if any, the DoE undertook in response to the damage at Bantubaningi.
- 6.3.53. The Investigation Team was assisted by Mr Ntombela and made the following observations during the inspections:
- 6.3.53.1. Nine (09) park homes (08 classrooms and a kitchen) were completely damaged by the storm, as depicted on the pictures below:

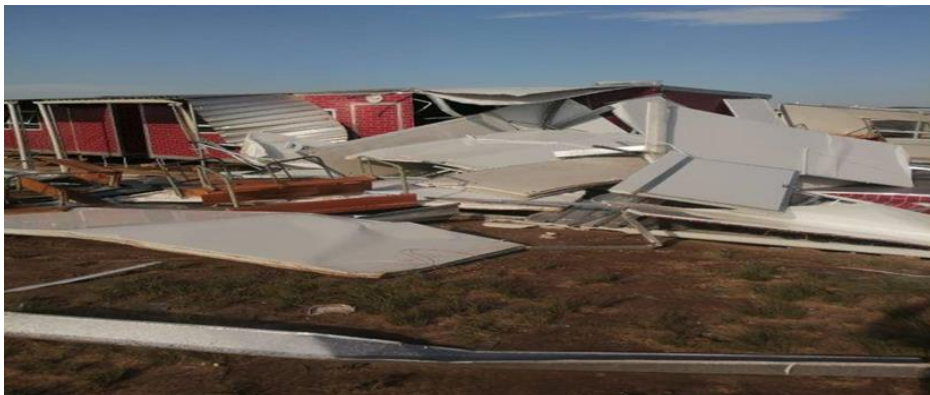


Figure 33: Damaged mobile classrooms



Figure 34: Damaged mobile kitchen

6.3.54. Mr Ntombela was aware of the DoE's decision and/or intervention to move eight (08) park homes/mobile classrooms from Zombode to his school and he undertook to update the Investigation Team once the mobile classrooms had been delivered.

6.3.54.1. On 22 November 2024, the Investigation Team contacted Mr Ntombela to confirm whether the mobile classrooms had been delivered. Mr Ntombela reported that the mobile classrooms had not yet been delivered.

Confirmation of implementation of permanent measures

6.3.54.2. On 17 December 2024, the Investigation Team contacted the principals of the Mhlambansila, Zombode and Philibana schools to determine the status of the implementation of the permanent solutions at their respective schools as undertaken by the DoE.

6.3.54.3. Ms Mbuli and Ms Mazibuko, the principals of Zombode and Philibana confirmed that the DoE renovated and constructed classrooms.

- 6.3.54.4. Mr Pakkies, the principal of Mhlambansila, reported that the renovation and construction of classrooms and kitchen are partially completed with the installation of doors scheduled for completion by 20 December 2024.
- 6.3.54.5. On 17 December 2024, the Investigation Team contacted Mr Ntombela to determine whether the DoE had delivered the mobile classrooms. Mr Ntombela reported that the DoE has still not delivered the mobile classrooms.
- 6.3.54.6. The Investigation Team contacted Ms Cele on 17 December 2024 to ascertain the cause for the delay in delivering the mobile classrooms at Bantubaningi as undertaken on 29 October 2024, that the DoE resolved to move eight (08) mobile classrooms from Zombode, which no longer required them.
- 6.3.54.7. Ms Cele indicated that the delay in moving the mobile classrooms was due to budget constraints, however, the DoE plans on implementing the movement of the mobile classrooms in January 2025 before the schools re-open.

Applicable Law

Constitution of the Republic of South Africa, 1996

- 6.3.55. Section 29(1)(a) of the Constitution stipulates that-

“(1) Everyone has the right—

(a) to a basic education, including adult basic education; and...”

- 6.3.56. Section 41(1)(h)(ii) of the Constitution provides that all spheres of government and all organs of state within each sphere must cooperate with one another in mutual trust and good faith by assisting and supporting one another.

6.3.57. Section 125(2) of the Constitution states that “*the Premier exercises the executive authority, together with other members of the Executive Council:*

(e) coordinating the functions of the provincial administration and its departments.”

6.3.58. Section 133 of the Constitution provides as follows:

“(1) The members of the Executive Council of a province are responsible for the functions of the executive assigned to them by the Premier.

2) Members of the Executive Council of a province are accountable collectively and individually to the legislature for the exercise of their powers and the performance of their functions.

(3) Members of the Executive Council of a province must –

- (a) act in accordance with the Constitution and, if a provincial constitution has been passed for the province, also that constitution; and*
- (b) provide the legislature with full and regular reports concerning matters under their control.”*

6.3.59. Section 195(1) of the Constitution provides amongst other things that:

“Public Administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:

- (a) ...;*
- (b) ...;*
- (c) ...;*
- (d) ...;*

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- (e) *People's needs must be responded to, and the public must be encouraged to participate in policy-making;*
 - (f) *Public administration must be accountable;”*
 - (g) ...
 - (h) ...; and
 - (i) ...”

South African Schools Act, 1996

6.3.60. The South African Schools Act (SASA) gives effect to everyone's constitutional right to basic education by providing, *inter alia*, for the organisation, governance and funding of schools.

6.3.61. Section 5A of the SASA provides for Norms and Standards for basic infrastructure and capacity in public schools. It states that:

1) *“The Minister may, after consultation with the Minister of Finance and the Council of Education Ministers, by regulation prescribe minimum uniform norms and standards for –*

- (a) *school infrastructure;*
- (b) *capacity of a school in respect of the number of learners a school can admit;*
- (c) *the provision of learning and teaching support material.*

2) *The norms and standards contemplated in subsection (1) must provide for, but not limited to, the following:*

(a) *In respect of school infrastructure, the availability of –*

- (i) *Classrooms;*

- (ii) *Electricity;*
- (iii) *Water;*
- (iv) *Sanitation;*
- (iii) *A library;*
- (iv) *Laboratories for science, technology, mathematics and life sciences;*
- (v) *Sport and recreational facilities;*
- (vi) *Electronic connectivity at a school; and*
- (vii) *Perimeter security*

(b) In respect of the capacity of the school –

- (i) *The number of teachers and the class size;*
- (ii) *Quality of performance of a school;*
- (iii) *Curriculum and extra-curricular choices;*
- (iv) *Classroom size, and*
- (v) *Utilization of available classrooms of a school;*

(c) In respect of provision of learning and teaching support material, the availability of –

- (i) *Stationery and supplies;*
- (ii) *Learning material;*
- (iii) *Teaching material and equipment;*
- (iv) *Science, technology, mathematics and life science apparatus;*
- (v) *Electronic equipment; and*
- (vi) *School furniture and other school equipment”.*

6.3.62. In terms of section 58C(6) of the SASA, “*The Head of Department must –*

- (a) *In accordance with the norms and standards contemplated in section 5A*

determine the minimum and maximum capacity of a school in relation to the availability of classrooms and educators, as well as the curriculum programme of such school; and

(b) In respect of each public school in the province, communicate such determination to the chairperson of the governing body and the principal, in writing, by no later than 30 September of each year.

6.3.63. Section 34(1) stipulates that; *“The state must fund public schools from public revenue on an equitable basis in order to ensure the proper exercise of the right of learners to education and the redress of past inequalities in education provision”.*

Occupational Health and Safety Act, 1993

6.3.64. Section 8(1) of the Occupational Health and Safety Act (OHSA) provides that every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his employees.

Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure, 2013 made in terms of the SASA:

6.3.65. In terms of Regulation 10(1): *“All schools must have some form of power supply which complies with all relevant laws”.*

6.3.66. In terms of Regulation 11(1): *“All schools must have a sufficient water supply which complies with all relevant laws and which is available at all times for drinking, personal hygiene and, where appropriate, for food preparation”.*

- 6.3.67. Regulation 12(1) provides that: *“All schools must have a sufficient number of sanitation facilities, as contained in Annexure G, that are easily accessible to all learners and educators, provide privacy and security, promote health and hygiene standard, comply with all relevant laws and are maintained in good working order”.*
- 6.3.68. In terms of Regulation 13(1): *“All schools must have a school library or a media centre and a minimum, adequate and suitable school library collection”.*
- 6.3.69. Regulation 14 stipulates that:
- “(1) All schools that offer science subjects must have a laboratory and the necessary apparatus and consumables in accordance with the specific curriculum needs of a particular school to make it possible to conduct experiments and scientific investigations.*
- (2) The apparatus and consumables contemplated in sub regulation (1) may be housed in a laboratory, a mobile laboratory, a classroom or a safe container, as determined by the school;*
- (3) The apparatus and consumables contemplated in sub regulation (1) must be stored in a lockable facility in accordance with safety standards provided for in all relevant laws.*
- (4) A laboratory for science, technology and life sciences may, where practicable, be combined in one room.*
- (5) A laboratory must be maintained in good working order”.*
- 6.3.70. Regulation 16(1) provides that all schools must have some of wired or wireless

connectivity for purposes of communication, which must be maintained and in good working order.

- 6.3.71. In terms of Regulation 17(1), every school site, which includes all schools' outbuildings and sporting and recreational facilities, must be surrounded by appropriate fencing to a minimum height of at least 1,8 meters.
- 6.3.72. Regulation 18(1) provides that: "*School design must make as much provision for the specific needs of learners, educators and administrative staff with disabilities as for the needs of their able colleagues.*"

Analysis

- 6.3.73. On 25 and 26 August 2023, a storm caused significant damage to various public schools in the Zululand District of KwaZulu-Natal province. Following the incident, the Public Protector conducted inspections at Bantubaningi, Mhlambansila, Zombode, Philibana and Sizabonke on 04 and 05 September 2023, 09 November 2023, 22 and 23 February 2024 respectively. Further inspections were conducted on 30 October 2024 at Bantubaningi.
- 6.3.74. During several interactions with officials from the DoE, including delegations led by both the Public Protector and Ms Frazer the then MEC for Education, the Investigation Team found that the DoE promptly activated an intervention process to assist various public schools that were affected by the storm, including those that were the focus of the Public Protector's own initiative intervention in Zululand District.
- 6.3.75. The evidence before the Public Protector indicates that the DoE implemented short-term interventions such as the supply of mobile classrooms and NSNP kitchens to affected schools. The Public Protector confirmed during the

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- inspection *in loco* conducted on 23 and 24 February 2024 respectively, that fourteen mobile classrooms and one NSNP kitchen were delivered at Bantubaningi.
- 6.3.76. Furthermore, the DoE provided one mobile classroom and one mobile NSNP kitchen at Mhlambansila, as well as three mobile classrooms and one NSNP kitchen were constructed at both Zombode and Philibana. The DoE also provided Sizabonke who had requested the Public Protector's intervention with three mobile classrooms.
- 6.3.77. In addition, the DoE implemented long-term measures that primarily involved rehabilitation and constructing permanent building structures including classrooms, and kitchens at Mhlambansila, Zombode and Philibana. On 17 December 2024, the Public Protector confirmed with Ms Mbuli and Ms Mazibuko that renovations and construction of classrooms at Zombode and Philibana were completed. Mr Pakkies also confirmed that the installation of doors will be completed by 20 December 2024 at Mhlambansila.
- 6.3.78. The investigation revealed that permanent measures at Bantubaningi require the construction of the entire school due to the severe structural damage sustained by the existing buildings, rendering the classrooms irreparable. The DoE has partially implemented the permanent measures at Bantubaningi by installing parameter fencing around the site identified for the construction of the new school.
- 6.3.79. The Public Protector, however, notes with concern that the DoE has not delivered the mobile classroom to Bantubaningi as undertaken during a meeting between the Investigation Team and Ms Cele on 29 October 2024 that the DoE resolved to move eight (08) mobile classrooms from Zombode.

- 6.3.80. Whilst the DoE has committed to delivering the mobile classrooms before the schools re-open, however, the delay has the potential of causing disruption to the school year and is likely to prejudice the learners which is contrary to the provisions of section 29(1)(a) of the Constitution which protects the right to education.
- 6.3.81. In addition, Section 8(1) of the Occupational Health and Safety Act (OHSA), requires the DoE to ensure a safe working environment for all individuals at the affected schools, including educators and support staff. The DoE should have promptly initiated measures to assess and address any risks to health and safety resulting from storm damage.
- 6.3.82. Whilst the DoE demonstrated commendable rapid response to mitigate the impact of the storm on the affected schools, however, it is essential to consider the broader context of recurring disasters in the region. The swift activation of intervention measures and the implementation of both short-term and long-term solutions highlight the DoE's commitment to addressing the needs of affected schools, which is a positive reflection of its operational capacity.
- 6.3.83. However, the recurring nature of these storms raises uncertainties about the adequacy of long-term infrastructure resilience and preventative measures to withstand the severe effects of inclement weather conditions and climate change. This is evident in some schools that have faced similar challenges repeatedly in 2014, 2015 and 2018, which suggests that the underlying issues may not be fully resolved.
- 6.3.84. In this regard, while the DoE's response was effective and timely, a more proactive approach should be developed and implemented to enhance the resilience of school infrastructure to adequately withstand future disasters and combat severe damage and disruptions. This could include investing in permanent structures designed to endure adverse weather conditions and

ensuring that schools are equipped with comprehensive disaster response plans.

Conclusion

- 6.3.85. The available evidence demonstrates that the DoE has successfully implemented interim intervention measures at the affected schools in response to the storm damage that occurred in August 2023. This rapid response aligns with the DoE's Constitutional obligation to address the needs of public schools, as mandated by section 195(1)(e) of the Constitution.
- 6.3.86. The DoE acted promptly in appointing service providers and delivering mobile classrooms to the schools that were affected by the storm given the urgency of the situation. However, it is paramount that permanent solutions are developed and proactively implemented to prevent a future recurrence of severe damage to the infrastructure and the detrimental effect on teaching and learning. Therefore, the decision by the DoE to build permanent structures at Bantubaningi to sufficiently withstand future natural disasters will ensure infrastructural resilience.
- 6.3.87. The Public Protector further recognises the measures implemented by the DoE at all fifty-seven (57) schools that were affected by the storm to safeguard the right to basic education for all impacted learners as enshrined in section 29(1)(a) of the Constitution.
- 6.3.88. The conduct of the functionaries of DoE in providing infrastructure to the affected schools after the storms, in particular the provision of mobile classrooms was in line with section 5A of the SASA, 1996. Furthermore, the conduct of the DoE in providing permanent building structures at Mhlambansila, Philibana and Zombode and the relocation of Bantubaningi is in line with the Norms and

Standards for public school infrastructure.

- 6.3.89. It is therefore concluded that the DoE's rapid intervention was in line with its constitutional and statutory obligations in terms of section 195(1)(e) of the Constitution, section 5A and 58C(6) of SASA, Occupational Health and Safety Act, 1993 and Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure, 2013.

7. OBSERVATIONS

- 7.1. In light of the above information and evidence, the Public Protector makes the following observations:

- 7.1.1. The evidence before the Public Protector indicates that the DoE responded promptly and effectively to the consequences of the August 2023 storm affecting fifty seven (57) public schools in the province.

- 7.1.1. It is noted that the long-term intervention measures in Bantubaningi are currently underway. This is understandably a major project, with an anticipated completion date of 30 November 2026. This project involves the construction of key infrastructure, including not less than thirty (30) permanent structures comprising 15 classrooms, 1 administration block, 1 kitchen, 1 team teaching room, 1 computer room and 2 stores, 1 physical science laboratory and 2 stores, 1 life science laboratory and 2 stores, 1 multi-purpose classroom and 2 stores, 1 library and 2 stores, etc.

- 7.1.2. However, the Public Protector is concerned that mobile classrooms that should have been relocated from Zombode to Bantubaningi in November 2024 in response to further damage caused by the October 2024 storm to the school were not delivered. The DoE has postponed the relocation of the mobile

classrooms to January 2025, which is likely to disrupt the commencement of the school calendar.

- 7.1.3. The Public Protector further notes that the DoE has revised completion schedules/dates on its Implementation Plan. Continuous revisions of the completion dates for these permanent interventions could lead to prolonged reliance on mobile classrooms, which are inherently more vulnerable to damage during future disasters.
- 7.1.4. Given the ongoing challenges posed by natural disasters in KwaZulu-Natal, it is essential for the DoE to prioritise the timely construction of robust and durable facilities that can withstand such events. By ensuring that these permanent buildings are completed on schedule, the DoE can mitigate disruptions to learning and teaching and provide students and staff with a safe and stable learning atmosphere.
- 7.1.5. Delaying the completion of the construction of permanent infrastructure not only affects the immediate educational experience but also sets a concerning precedent in addressing the needs of schools facing recurrent challenges.
- 7.1.6. Therefore, the DoE should commit to maintaining a consistent and realistic timeline to minimise any further disruptions to the educational process and ensure long-term safety and stability of school infrastructure.
- 7.1.7. Whilst the own initiative investigation by the Public Protector focused on addressing the urgent needs faced by the affected schools as a result of the damages caused by the storms, however, the Public Protector notes the inadequate provision of minimum prescribed necessities for school infrastructure, such as sanitation, water, electricity, and libraries, as prescribed in section 5A of SASA which requires urgent attention from the Department.

7.1.8. Furthermore, during the inspection Zombode had eight (08) educators and five (05) assistant educators. The school reported that the contracts of the five assistant educators were not renewed by the DoE, resulting in the remaining educators having to teach additional subjects which might negatively affect the quality of teaching at the school.

8. INTERVENTION

8.1. The intervention by the Public Protector included conducting inspections at the schools affected by the storms of 25 August 2023 and 27 October 2024 to assess the extent of the damage.

8.2. Following these inspections, the Public Protector escalated the identified issues to the Head of Department of Education prompting the development of a plan outlining both interim and permanent measures to address the damages at the affected schools.

8.3. The Public Protector's intervention ensured that the DoE prioritised the implementation of permanent measures, given the ongoing impact of storms in the area. Additionally, the Public Protector closely monitored the progress of the intervention by the DoE to ensure timely completion, while minimising disruptions to teaching and learning.

8.4. The intervention by the Public Protector resulted in the DoE implementing the following short-term and long-term (permanent) measures:

8.4.1. Provision of mobile classrooms and mobile kitchens, to all affected schools;

8.4.2. Appointment of service providers to construct permanent structures at Zombode, Mhlambansila and Philibana. The Public Protector has confirmed with the

principals of Zombode, and Philibana that the construction of permanent structures at these schools has been completed to prevent continued reliance on mobile classrooms, which are less durable and more vulnerable to future disasters.

8.4.3. The Public Protector, however, notes that the project at Mhlambansila scheduled for completion on 30 November 2024 has been delayed. The installation of doors has been rescheduled for completion by 20 December 2024; and

8.4.4. The relocation and provision of mobile classrooms at Bantubaningi was implemented in response to the August storm damage. In addition, the construction of a permanent structure at Bantubaningi is underway. However, the delay in relocating mobile classrooms from Zombode to Bantubaningi is also likely to disrupt the smooth reopening of the school.

9. RECOMMENDATIONS

9.1 It is therefore recommended in terms of section 6(4)(c)(ii) of the Public Protector Act, that:

The Premier of KwaZulu-Natal

9.1.1 Take note of the interventions identified in this Report and further exercise and/or ensure executive oversight into the proposed interventions in line with the powers as envisaged in section 125(2) of the Constitution to ensure the timeous completion thereof.

The KwaZulu-Natal MEC for Education

9.1.2 Take cognizance of the Intervention Report and monitor the implementation of

the interventions identified in line with section 133(1) of the Constitution.

The Head of KwaZulu-Natal Department of Education

- 9.1.3 Monitor the construction of permanent structures at Mhlambansila, to ensure that this project is completed by the anticipated date.
- 9.1.4 Similarly, monitor the construction of permanent structures at Bantubaningi to ensure completion by the anticipated date of 30 November 2026 and to prevent continued reliance on mobile classrooms, which are less durable and more vulnerable to future disasters.
- 9.1.5 Provide quarterly updates to the Public Protector and the KwaZulu-Natal MEC for Education on the progress of the interventions at Bantubaningi. These updates will enable timely assessments of the project's status and allow both the Public Protector and the KwaZulu-Natal MEC for Education to monitor any potential delays in the completion of the project.
- 9.1.6 In accordance with Section 29 of the Constitution read with section 58C(6) of the SASA, which guarantees the right to basic education, take immediate action to address the shortage of educators at Zombode Primary School.

The Head of KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs in consultation with the National Department of Forestry, Fisheries and Environmental Affairs

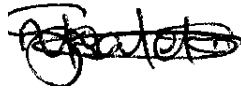
- 9.1.7 Assist with the development and facilitation of a climate change management strategy to assist the KwaZulu Natal Department of Education to minimise or eliminate the risks of the impact of climate change to the schools which are prone to storms as envisaged in section 41 of the Constitution, which provides

that all spheres of government and all organs of state within each sphere must cooperate with one another in mutual trust and good faith by assisting and supporting one another.

- 9.1.8 Within a period of **one hundred and eighty (180) calendar days** from the date of issuing of this report, provide the Public Protector with an update on progress made in this regard.

10. CONCLUSION

- 10.1 The DoE must provide a report to the Public Protector on the implementation of the intervention referred to in paragraph 8, within ninety (90) calendar days of the date of this report.



ADV KHOLEKA GCALEKA
PUBLIC PROTECTOR
REPUBLIC OF SOUTH AFRICA
DATE: 20 DECEMBER 2024

Assisted by Ms Molly Ngcobo
KwaZulu-Natal Provincial Representative