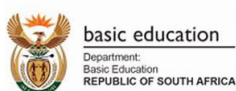




EDUCATORS' PERCEPTIONS OF SCHOOL-RELATED GENDER BASED VIOLENCE: A CASE STUDY OF JE NDLOVU HIGH SCHOOL IN KWAMASHU, KWAZULU- NATAL

May 2023



PROJECT BACKGROUND

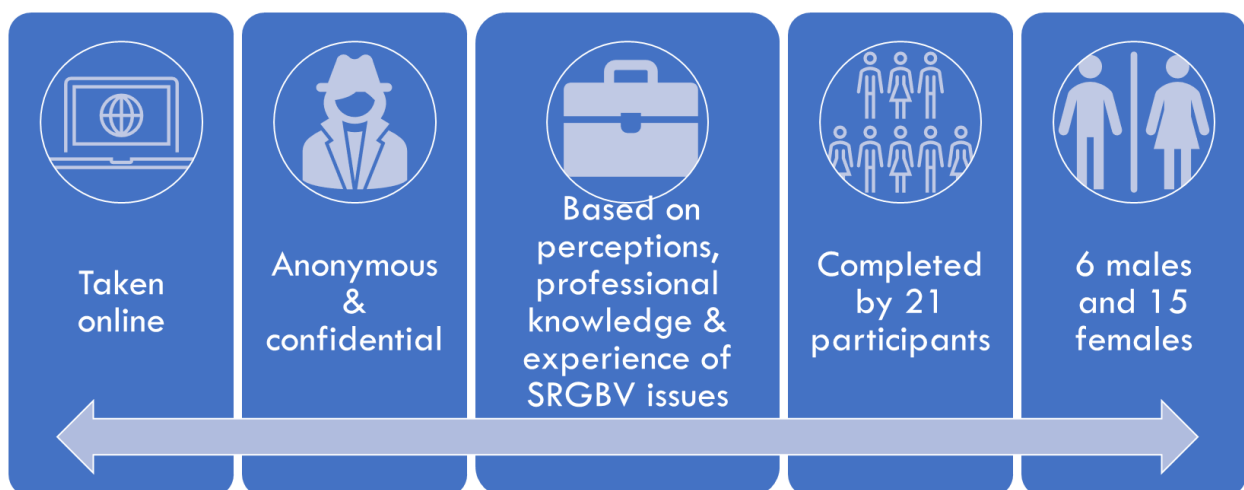
The Masiphephe Network, hereinafter referred to as “the Network”, has been working with the Department of Basic Education (DBE) on the development of local, community-based strategies to address school-related gender-based violence (SRGBV) violence in 12 schools in Gauteng (GP), Mpumalanga (MP) and Kwa-Zulu Natal (KZN). The Network is funded by the United States Agency for International Agency (USAID) and its implementation is led by the Centre for Communication Impact (CCI). CCI works in partnership with the University of Cape Town’s (UCT) Gender, Health, and Justice Research Unit (GHRJU) as well as six community partner organisations, namely: Agisanang Domestic Abuse Prevention and Training (ADAPT), Sonke Gender Justice (Sonke), Ethembeni Crisis Care Centre (ECCC), Gugu Dlamini Foundation (GDF) and Project Association Southern Africa (PSASA).

The Gender, Health and Justice Unit (GHJRU) at the University of Cape Town (UCT) conducted a baseline study through a survey in 12 schools, on behalf of the Network. JE Ndlovu High School, in Kwamashu, was one of the schools that participated in the study. A baseline study is the collection of data to analyse an existing situation to identify the starting point for an intervention or a support response. The purpose of the survey was to gain some understanding of the nature of SRGBV in the specific school.

RESEARCH METHODOLOGY

The study employed a mixed methods approach. The initial stage of this research involved conducting a survey to gather data from a sample of 21 educators. An educator in the context of this study includes administrative staff, learner support agent (LSA), school-based support team (SBST), teacher, teacher’s assistant (TA) and member of the school management team (SMT).

Figure 1: Summary of Research Methodology (Survey)



The professional capacities represented were as follows: TA (n=3), teacher (n=12) and administrative staff (n=2), school management team (SMT) (n=2), SBST (n=1) and LA (n=1). Also, learners did not participate in this survey. In certain cases, the total number of responses in this report may not equate to 21 due to the respondents having the option to select multiple choices. Consequently, the total number

of responses could exceed 21. Additionally, for non-mandatory questions, the number of responses may be lower than 21.

The second phase of the research involved conducting a validation workshop with a group of educators, comprising both survey participants and non-participants. A total of 13 educators actively participated in the workshop. The purpose of the validation workshop was for the members of staff/research respondents to authenticate the research findings as a true reflection of the situation at the school.

The next phase of the research involved a review of the code of conduct. The question we aimed at answering through the scoping review of the code of conduct for learners is: *“Does the school code of conduct for learners meet the minimum requirements prescribed by the DBE?”* To answer this question, the schools were requested to submit their current copy of the code of conduct for learners. The documents were evaluated to determine whether they meet the criteria of what a code of conduct for learners should entail as highlighted in the NSSF and the school governing body (SGB) Records Manual. The code of conduct for learners was reviewed and the recommendations derived from the review are integrated into the latter part this report.

Lastly, a DBE provincial validation workshop was held on 19 April 2023 where forty-two (42) individuals attended the workshop. The delegates represented the DBE (district, provincial and national); the schools (i.e., Ohlange, Dick Ndlovu, JE Ndlovu and Ndengetho), South African Council for Educators (SACE) and the Masiphephe Network.

SUMMARY OF FINDINGS

The numbers and percentages, throughout this report, refer to the number of times a specific option was selected by the respondents who took the survey. This report should be read in conjunction with the provincial report which provides a detailed discussion of the findings.

1. MOST COMMON TYPES OF SRGBV

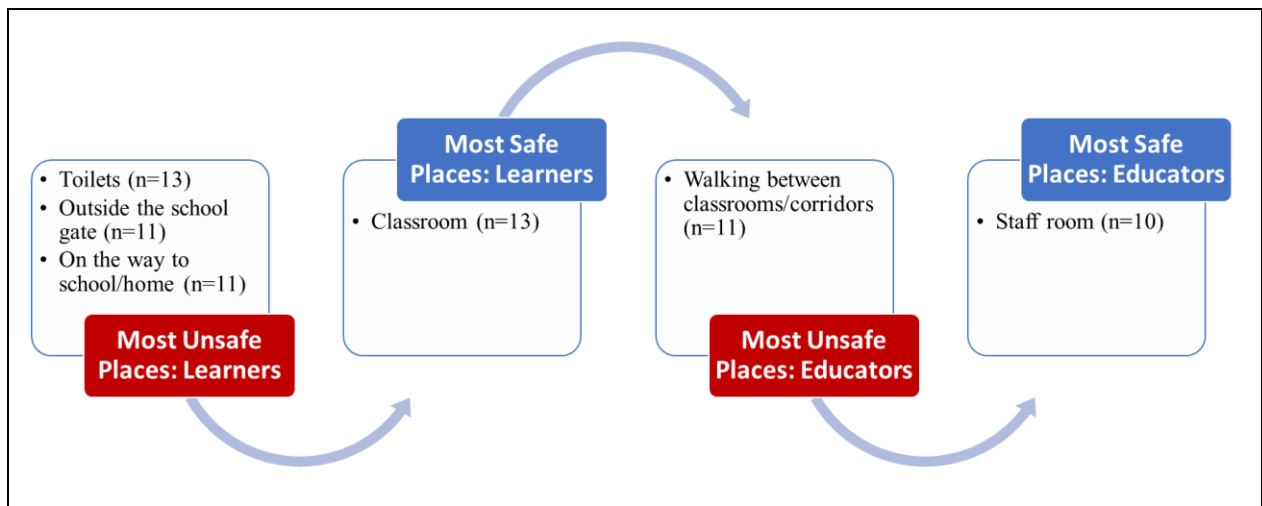
Learner-on-learner violence	Learner-on-educator violence
<ul style="list-style-type: none"> • Verbal abuse (n=19) • Physical abuse (n=17) • Bullying (n=16) 	<ul style="list-style-type: none"> • Verbal abuse (n=19) • Gender harassment (n=14)

Educator-on-learner violence	Educator-on-educator violence
<ul style="list-style-type: none"> • Verbal abuse (n=17) 	<ul style="list-style-type: none"> • Verbal abuse (n=17)

It was reported during the validation workshop that sexual harassment, against learners and educators by learners, is a lot more than reported by the respondents. It was said that girls make advances on male educators by writing letters and putting them in their exercise books. Also, female educators receive comments that are sexual in nature from male learners.

Also revealed during the workshop was that learner-on-educator cyberbullying is high where learners send educators friend requests on social media. Once the educator accepts their request, they vent out about the specific educator online.

2. VIEWS OF SAFETY



It was revealed during the validation workshop that the security at the school is very poor.

3. MOST COMMON SRGBV ROOT CAUSES

- Alcohol or substance abuse by learners (n=19)
- Violence in the home (14)
- Bullying (n=11)
- Peer pressure (n=10)
- Lack of consequences for poor behaviour at school (n=9)
- Child poverty (n=9)

3.1 WEAPONS

- Weapons are brought to school by learners (n=20).
- The most common types of weapons brought to school by learners are knives (n=19). Learners sometimes steal guns from home and bring them to school.
- In-school weapons used by learners during acts of violence are pens, pencils and rulers (n=19) and broom sticks (n=12).
- Learners bring weapons for protection (n=15), due to peer pressure (n=12) and for revenge (n=11). Due to very high rate of bullying, learners bring knives to school to protect themselves.
- Weapons are mostly confiscated during searches at the gate (n=14), following reports by fellow learners (n=10), during police (n=8) raids and during fights between learners (n=8).

3.2 THE USE OF ALCOHOL AND OTHER SUBSTANCES BY LEARNERS

- Learners are more likely than educators to attend school intoxicated or use substances on school premises (n=15). It was revealed during the validation workshop that some educators do come to school drunk.
- Types of substances used by learners are alcohol (n=15), incika (n=14), tobacco products (n=12) and marijuana (n=12).

4. MOST COMMON IMPACT OF SRGBV ON VICTIMS

4.1 Impact on Learners

Emotional/Psychological Impact	Physical Impact
<ul style="list-style-type: none"> Feeling sad and hurt (n=18) Feeling angry (n=15) Having low self-esteem (n=14) Having suicidal thoughts (n=10) 	<ul style="list-style-type: none"> Physical fighting at school (n=16) Minor to mild wounds (n=12)
Sexual Impact	School-related Impact
<ul style="list-style-type: none"> Unwanted pregnancy (n=18) Engaging in risk sexual behaviour (n=13) Contraction of HIV and other STIs (n=12) 	<ul style="list-style-type: none"> Missing school (i.e. truancy) (n=14) Failing or doing poorly at school (n=14) Dropping out of school (n=13) Being mean towards others (n=11)

4.2 Impact on Educators

Emotional/Psychological Impact	Work-related Impact
<ul style="list-style-type: none"> Feeling sad and hurt (n=11) Feeling anxious and afraid (n=8) 	<ul style="list-style-type: none"> Absenteeism (n=14) Ineffective teaching (n=11)

5. DISCIPLINARY PROCEEDINGS

- Disciplinary hearing (n=10), corporal punishment (n=8), verbal warning (n=7), reporting to the police (n=7), reporting to parents (n=7) and temporary suspension from class or school pending disciplinary hearing (n=7) are the common types of actions taken in the school against learners who commit acts of SRGBV.
- Educators acknowledged during the validation workshop that they do, to a certain extent, administer corporal punishment by asking the learners to squat. They explain that they do this to avoid smacking them. It is important to remember that corporal punishment has been abolished and anyone who administers it as a form of discipline is guilty of crime.
- The educators expressed that alternative methods to corporal punishment are not working and they feel that they are not adequately trained on how to discipline children in alternative methods.
- Fifteen (15) respondents reported that verbal warning is used as the predominant disciplinary measure to discipline educators who commit acts of SRGBV. However, during the workshop some educators expressed that discipline is not applied equally across all educators.

6. REPORTING PROCESSES AND PROCEDURES

- Twelve (12) respondents reported that the school does have a formal SRGBV reporting process in place.
- Learners report mostly to educators (n=7) then the LSA (n=4) whereas educators report mostly to the principal (n=12).

7. SUPPORT

7.1 AVAILABILITY OF SOCIAL WORKER

- Five (5) respondents reported that there is no social worker available to the school while four (4) reported that there is a full-time social worker, six (6) reported that there is a social worker that assists when requested by the school and a further six (6) said that there is a part-time social worker.

7.2 STAKEHOLDERS OFFERING SUPPORT TO VICTIMS

- The SAPS (n=10), peer educators (n=10), district circuit manager (n=7) and school social worker (n=6) are the main stakeholders that offer services to victims of SRGBV in the school. It was further revealed that the LSA offers psychosocial support to learners. The educators also reported that when they cannot handle an issue, they refer it to the LSA.
- Victims are referred for services through the SGB (n=8) or the SMT (n=5).

8. CAPACITY BUILDING AND TRAINING

8.1 EDUCATORS AND SGB TRAINED TO DEAL WITH SRGBV

- It is concerning to note that when the respondents were asked if educators and SGB have been trained on how to deal with SRGBV issues, only seven (7) respondents out of 21 said yes.
- It is also a matter of concern that educators have not been trained on the mandatory reporting of child abuse and maltreatment. For details on mandatory reporting, please refer to the recommendations section in this report. For a more comprehensive discussion, consult the provincial report.

8.2 LEARNERS EDUCATED ON ISSUES OF SRGBV

8.2.1 Issues of SRGBV Included in the School Curriculum

- Seventeen (17) respondents reported that SRGBV issues are included in the school curriculum through Life Orientation (LO).
- It was explained during the validation workshop that eight of the ten educators responsible for facilitating LO do not have it as a specialisation from their academic training. As a result, they cannot teach the subject effectively.
- It was also revealed during the validation workshop with the school that LO does not cover issues of SRGBV enough.

8.2.2 Existence of Peer Educator Programmes: Girls/Boys Empowerment Movement (GBEM)

- GBEM clubs do not exist in the school.
- “The aim of GBEM is to encourage girls and boys to work together as equals and to foster respect for the human dignity and rights of both sexes. This is to foster gender equality values and promote positive gender norms through peer education and life skills” (DBE, 2021, n.p.). Peer education is one of effective ways of learning in that through teaching each other learners are able to solidify their knowledge and spread it within their community (Western Governors University, 2022).

9. LAWS AND POLICIES THAT ADDRESS SRGBV

- In general knowledge of primary policies and frameworks that deal with issues of violence and GBV was very low among the respondents.
- The school has a separate educators' policy in addition to the SACE Code of Professional Ethics. However, not all educators were trained on the educators' policy.
- The school has no separate policies on bullying and harassment (general and sexual). Issues of bullying and harassment are imbedded in the code of conduct for learners.
- Most of the educators who participated in this study were not aware of the National Schools Safety Framework (NSSF). It, therefore, could not be established if the NSSF is implemented fully in the school.
- Not all educators who participated in this study had knowledge of the Protocol for the Management and Reporting of Sexual Abuse and Harassment. Therefore, the protocol may not be fully implemented in the four schools. This means that not all staff may be aware of the process to be followed when reporting offences that are sexual in nature as outlined in the protocol.

9.1 EXISTING SCHOOL CODE OF CONDUCT FOR LEARNERS

- The school has a code of conduct.
- Eleven (11) educators reported that parents do sign the school code of conduct. It was, however revealed that the parents do not understand the content of the code of conduct. Also, only a small number of parents (approximately 15%) attend school meetings where the code of conduct is discussed.
- Ten (10) educators reported that learners do sign the school code of conduct.
- When asked if issues of SRGBV are included in the school code of conduct 20 respondents said yes.

9.1.1 Review of the Code of Conduct

The code of conduct is for the period 2020-2023.

It was reported during the validation workshop that the SGB is not well capacitated to implement the code of conduct for learners.

A tick (✓) means that the specific section of the code of conduct is included in the copy submitted for review, while a cross means (X) that the section in question is missing from the reviewed code of conduct.

The code of conduct is for the period 2020-2023.

a) *Common elements of a school's code of conduct*

1. Introduction ✓
2. Aim of the code of conduct ✓
3. Rights of learners (and educators) - The rights of educators can be inferred from section 2.6 'the code and teacher-learner relationships', however no clear stated rights of learners have been included.
4. Responsibilities of learners ✓ this information is provided throughout the document, through the sections on dress code, disallowed items, care of school property and disciplinary procedures, etc. This is also provided for in section 2.6. It is not a standalone

section but can be read put together from the different sections that relate to responsibilities of learners.

5. Responsibility of educators with regard to learners
6. Responsibility of parents with regard to learners ✓ also includes a section on the relationship between parents and teachers (section 1.4). Section 1.5 ('duties and rights of parents/guardians') refers to both parents and guardians, and includes rights as well.
7. School rules, regulations and procedures ✓
8. Scope of the code of conduct and its legal implications ✓the 'central focus' section states that the focus of the document is the 'value of human dignity as contained in the South African Bill of Rights'.
9. Disciplinary procedures ✓

b) School rules, regulations and procedures: element 7 for codes of conduct.

1. School hours ✓
2. Absence and leaving the premises ✓there is no mention of leaving the premises.
3. Dress code and appearance ✓
4. Rules promoting safety ✓
5. Rules promoting healthy relationships ✓ information in the aims, that students are to respect each other and not discriminate. A separate section (2.4.12) on 'desired behaviour' also provides rules that promote healthy relationships.
6. Rules that promote responsibility towards school property ✓
7. Medical treatment and emergencies
8. Communication and meetings ✓ reference to communication between parents and teachers is also made in section 1.4 ('co-operation between teacher and parent')
9. Textbooks and stationery (caring for) ✓
10. Reports/assessments on academic progress

School hours and absenteeism are in the same section (2.2). There are also specific rules regarding pregnant learners, searches, extracurricular, co-curricular activities and indemnity forms.

c) Guidelines for misconduct and disciplinary procedures: element 9 for codes of conduct

The misconduct and disciplinary procedures do not contain a statement that corporal punishment has been outlawed. To include this.

The disciplinary procedures contain the following necessary and recommended information:

- Types, levels and manners of dealing with misconduct ✓
- Reporting misconduct ✓
- Who deals with misconduct and referral system for who deals with different levels of misconduct ✓
- Recording misconduct. ✓

Recommendations Based on Reviewed Code of Conduct

J E Ndlovu High School's code of conduct must include the following information:

- Rules on 'leaving the premises'.
- To place the responsibilities of learners in its own section.
- 'medical treatment and emergencies'.
- Reports/assessments on academic progress.
- Further information on communication and meetings (e.g. meeting with parents about progress of learners).
- Statement that corporal punishment has been outlawed.
- Responsibility of educators towards learners.
- Rights of learners. In the current rights of learners section it only states their responsibilities in the 'right to learn' section.

RECOMMENDATIONS

(i) *General Code of Conduct Recommendations*

- Workshop the entire school community – learners, educators, administrators, parents, and other community stakeholders. The school needs to, through advocacy, ensure that everyone knows and understand the content of the code of conduct.
- Review the code of conduct annually and ensure that learners are part of the process.
- Ensure that the code of conduct meets the criteria stipulated by the DBE as per above recommendations.
- Includes sections that deal specifically with SRGBV.
- Align the code of conduct to the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act 13 of 2021.

Moreover, even though it was revealed that issues of bullying and harassment (general and sexual harassment) are included in the code of conduct, the school needs to develop standalone policies dealing with these issues.

(ii) *Safety and Security*

The educators who attended the validation workshop expressed their worry regarding the poor security at the school. It was also noted during the validation workshop that the school does not have formal security. Therefore, we recommend that the SMT and SGB prioritise the hiring of official security officers in the schools' annual budget. The SGB should also be trained and capacitated on fund raising so that they can raise funds for security if the school budget is limited.

(iii) *Training and Capacity Building on SRGBV Issues and Important Policies*

The findings reveal that educators and the SGB have not been trained on SRGBV issues or related policies. The educators further revealed that the SMT members are trained but they do not cascade the information down to them. It is, therefore, recommended for the SMT to train or arrange with the DBE district department responsible for training to train educators and the SGB on important policies such as the NSSF, and the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools, and Alternatives to Corporal Punishment: A Practical Guide for Educators, to name a few. The SMT should ensure that the safety and disciplinary committees as well as the SBST are also well trained

and capacitated. The educators who attended the validation workshop highlighted the impracticality of the policies, which makes their implementation challenging. Therefore, it is crucial that educators receive comprehensive training that includes guidance on adapting the policies to their specific school context. This will enable them to effectively localise and implement the policies.

The SGB plays a pivotal role in the school, therefore it is important that all members of the SGB, are trained on their roles and responsibilities and how to address issues of SRGBV after being elected to office.

Learners could learn issues of SRGBV through peer learning activities such as GBEM. It is therefore important for the school to encourage learners to form these clubs. The LSA plays a crucial role in this context particularly in facilitating peer learning activities.

(iv) Mandatory Reporting Training

Educators also need to be trained on mandatory reporting. Educators have an obligation, to report to a relevant authority, any offences against a child (i.e., learner) such as a sexual offence or any form of child abuse or maltreatment if they have knowledge, reasonable belief, or suspicion of it. There are different laws which cover this, as well as who to report to. We provide below examples of the laws which address these issues. The *Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools* (2019) sets out the reporting process for sexual offences.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Act 13 of 2021 sets out the mandatory reporting of sexual offences, stating that any person:

- ... who has knowledge that a sexual offence has been committed against a *child* must report such knowledge immediately to a police official.
- ... who has knowledge, reasonable belief or suspicion that a sexual offence has been committed against a person who is *mentally disabled* must report such knowledge, reasonable belief or suspicion immediately to a police official.
- A person who in good faith reports such reasonable belief or suspicion shall not be liable to any civil or criminal proceedings by reason of making such report.

The Children's Act (No. 38 of 2005) also covers reporting of sexual offences against children:

The Children's Act states that if there is a reasonable suspicion (on the part of particular professionals dealing with a child) that the child is being abused in a way that causes physical injury, sexual abuse or neglect, this must be reported. Persons in this category include a range of professions including legal practitioners, medical practitioners, traditional and religious leaders, psychologists and social workers, teachers and persons working in care facilities, amongst others.

If any person suspects that a child is being abused or in need of care and protection, they must report to a social worker, a designated child protection unit or organisation or to the police.

There are also a number of other mechanisms for child protection:

The *Domestic Violence Act* (1998) and the *Domestic Violence Amendment Act* (2022) allow a child who is experiencing any form of abuse – whether it is physical, sexual, psychological or emotional (amongst

other acts of harm including harassment, intimidation or stalking) – to apply for a protection order. This order can be applied for by the child, a parent or legal guardian, or any other person with a ‘material interest’ in the protection of the child. A person with ‘material interest’ can include: a counsellor, a health service provider, a member of the South African Police Service, a social worker or a teacher, who has a material interest in the well-being of a complainant.

(v) *Need for an In-House Social Worker*

The school does not have its own social worker and we recommend for one to be hired. It is important that one is hired as soon as possible to assist the educators with learners depicting problematic behaviour and or need psychosocial services. As submitted by the National Association of School Workers (NASW), school social workers are vital because they “are an integral link between school, home, and community in helping students achieve academic success. They work directly with school administrations as well as students and families, providing leadership in forming school discipline policies, mental health intervention, crisis management, and support services” (n.d.: np).

(vi) *Sexual and Reproductive Health (SRH)*

The findings show that unwanted pregnancy is very high in the school. Therefore, we recommend that the school make sexual and reproductive health and rights training and awareness for learners a priority. Furthermore, support should be provided to girls who fall pregnant to encourage them to stay in school.

(vii) *Collaboration with Stakeholders*

Apart from the SAPS, it is not clear if the school has relationships with other statutory (i.e., Department of Social Development, Department of Health, Thuthuzela Care Centre, etc.) and non-statutory stakeholders (i.e., community-based organisation and non-governmental organisations). GBV issues are complex and cannot be handled by the school alone, it is thus important for the school to build relationships with stakeholders offering GBV services for support.

It is also very important for the school to build relationships with parents.

(viii) *Equal Application of Disciplinary Measures*

It was indicated during the validation workshop that disciplinary measures against educators are not equally instituted and that transgressions committed by other individuals are overlooked. The principal needs to practice fairness and ensure that everyone is treated equally and that disciplinary measures are equally applied.

LIST OF REFERENCES

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