

WHOSE ROLE TO CONTROL SCHOOL FINANCES BETWEEN THE PRINCIPAL AND SCHOOL GOVERNING BODY?

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**Abstract:** The demise of apartheid in 1994 was heralded nationally and internationally as a victory for democracy and human rights. It offered unique opportunities and responsibilities to reconstruct a fragmented and deeply discriminatory education system, and establish a unified national system underpinned by democracy, equity, redress, transparency and participation (Sibiya, 2001:1).

The dawn of democracy placed children's education in the hands of parents so that they could reap the benefits of their own intentions and hard work on their children's education, as the government in power in the country believes that people shall govern, and indeed, parents govern in this aspect of education (Maluleke, Cassim & Karodia, 2016:1). During apartheid education was centralized and parents never participated in how their children should be taught unlike under democracy whereby parents have got huge say in the education of their children as they control school finances through the delegation authority invested upon the principal by school governing body unlike before whereby the principal was responsible with everything to an extent that he or she would choose even one school committee member they wish to work with on behalf of all parents.

The social reconstruction had to be linked to economic development in the next context of global economies and internalization. The dual goals are captured in the mission statement of the Department of education: *“Our vision is of a South Africa in which all people have equal access to lifelong education and training opportunities which will contribute towards improving the quality of life and build a peaceful, prosperous and democratic society (DOE, 1996).*

This study explores how far the governors could handle school finances at this particular moment as the law dictates that they have to be in charge of school finances in order to ensure that schools provide quality learning and teaching unlike during apartheid wherein the school finances were known only by the principal and the department.

**Keywords:** School governing body (SGB); principal; learners; teachers; parents; School management team (SMT); auditors; support staff; department of education; circuit officials; district officials; head of department and MEC

## 1. Introduction and Background

The demise of apartheid in 1994 was heralded nationally and internationally as a victory for democracy and human rights (Sibiya, 2001:1). In recent years, the Department of Education has established school governing bodies with a view to improve the quality of school level education in public schools. School level education in public schools needs all role players from three different spheres ranging from parents, government and the schools in order to get full participation to achieve the envisaged vision and mission of the three led primarily by quality education followed by quality extramural activities. Government and schools seem to be the main role players and such leaves the primary teachers behind who are the parents. As a result, local communities are not encouraged to take part in school governing activities which lead to poor governance systems to the detrimental of quality education in mostly public schools as there are no tight measures in place to evaluate the effectiveness of teaching, learning and extramural activities in order to improve them.

The dawn of democracy placed children's education in the hands of parents so that they could reap the benefits of their own intentions and hard work on their children's education, as the government in power in the country believes that people shall govern, and indeed, parents govern in this aspect of education (Maluleke, Cassim & Karodia, 2016:1). Parents have got a huge responsibility in getting all other major stakeholders on board to

resuscitate the spirit of different sporting codes in the country that produced the legends in different sporting codes emanating from school tournaments which saw our flag raised on various levels during those years.

The School Act (SA, 1996) prescribes how schools should manage their funds. It has been reported that principals and schools governing bodies have been subjected to forensic audits by the Department of Education due to the mismanagement of funds through misappropriation, fraud, pilfering of cash, theft and improper control of financial records (Mestry, 2004:126). With this sentiment above it is very clear that much still needs to be done to instill the culture of accountability in our schools in order to ensure that the money allocated for education is spent wisely for such undertaking to get the intended objectives which is quality education through this partnership other than using the schools' funds to fulfill their personal interests.

Accountability refers to giving an account of actions and being held accountable for these actions. The school governing bodies in most cases delegate various financial tasks to the principals and thus hold the principal accountable. A problem with delegation of duties from the SGB to the principal is that the principal is generally better informed with regard to the delegation of tasks than the school governing bodies (Mestry, 2004:127). The danger in this is that the principal may use this information to pursue his or her own objectives at the expense of the school. This implies that the principal is in the position of wielding power when the members of the SGB are either illiterate or have little knowledge when dealing with school financial matters (Mestry, 2004:128).

## 1.2 Objectives of the study

- To assess and evaluate the quality of partnership amongst all affected parties;
- To determine whether the applicable system has appropriate institutional policies for ensuring sound governance and administration in education;
- To identify the challenges that could hamper the envisaged partnership compared to how things were done in the past under apartheid regime;
- To assess and evaluate the degree of performance by learners and teachers during the course of the year within the current system in place if the intended results are achieved to the satisfactory of school community at large and;
- To establish whether effectiveness of the school governing bodies have a direct impact on the quality of the results of the schools.

## 2. Literature Review

### 2.1 Formation of school governing bodies

The implementation of democratically elected SGBs in South African schools was made possible by the adoption of the SASA 84 of 1996. These bodies were given much more power than the school committees that oversaw schools prior to the 1994 democratic revolution. These regulatory bodies, as statutory bodies, ensure that parents, educators, and other staff members, principals, students, and co-opted members of public schools in South Africa participate (Beckmann and Blom, 2000:1). Study by Bisschoff & Phakoa (1999:93) posits that establishment of the SGBs was a clear expression of the democratic ideal, which gave the local community an opportunity to make important decisions regarding the management and governance of the institutions to which they are attached. My sentiment on this matter is that as long as is very good to have elected governors running our schools if such governors are not empowered accordingly such is tantamount to having school committees which were controlled by the principals.

School Governing Bodies were established with the aim of enshrining democracy and instituting representative governance, both of which are thought to increase school effectiveness and thus education quality (DoE, 1996:22). This vision has yielded promising results in some rural, township, and largely urban schools, as outlined in the Constitution, but more needs to be done throughout the country to ensure that schools have responsible and accountable governance, as well as the capacity and capability to rule without flaws (Maluleke, Cassim & Karodia, 2016:4). The researcher does support the sentiment shared above as stated that in some rural, township and largely urban schools promising results have been attained but it is not balanced if in the same country we have got schools which are able to produce good results whereas many of our schools do fail due to lack of sound governance and

administration at their own schools, we should have progressive unison governance throughout the country with potential to carry out its constitutional obligations.

According to South African Schools Act No. 84 of 1996, governing bodies may include communities surrounding schools, as well as parents and students who see the school's growth as their primary goal (Talane:2014). The scope of the school governing body assembly varies depending on the school's enrolment, but the minimum is ten members, with parents having the majority of voting rights. For example, if the SGB has ten members, six are supposed to be parents from the parent-component and four from the school-component (educators, non-teaching personnel, and students) (Maluleke, Cassim & Karodia, 2016:4). The researcher is of the view that a school with 150 learners will obviously be having few governors compared to school with 1300 learners and as such the fewer the governors in the school is likely to hamper effectiveness of governance in that school because some of the sub-committees will be compromised or will not be established at all.

The researcher believes that the constitution is based on the norms and values instilled in the South African constitution, SASA 84 of 1996, and any applicable law in the province in which the governing body functions. This means that SGB representatives should be aware of the legal ramifications of representing stakeholders who democratically elected them to office, as well as the contents of legislation such as the National Education Policy Act 27 of 1996 and the South African Schools Act 84 of 1996.

Study by Nash (2015:19) posits that it is critical that a governing body recognizes the need for an external review and acts quickly and effectively to commission a high-quality review and implement its Specific Measurable Achievable Realistic and Timely (SMART) action plan to increase its effectiveness. Research work conducted by Maluleke, Cassim & Karodia (2016:4) states that if South Africans are to survive in the global education competition as it has to start that in its turf so that it does get the best practices amongst its citizens from henceforth there it could be able to adopt the best strategies and practices which could help its systems of governance to be effective in yielding the intended results which will have quality. The policies must be implemented in order for schools to have sound educational governance, which would lead to education moving in the right direction if all agreed-upon and recorded implementation steps are followed to the benefit of learners and all stakeholders in the affected area, with national interests as South Africans who live in open spaces taken into account (Maluleke, Cassim & Karodia, 2016:4).

The researcher hails the democratic elected SGBs in a democratic dispensation as it erased the handpicked school committee members by the principals in the apartheid era who were picked not based on their knowledge but based on how usable would be to the principals. This current system in place does accommodate different views from anyone for the benefit of the school starting from the parents of the children, guardians, co-opted community members with right skills wanted in the SGBs and all other formations available in the society could stand to serve in the SGBs established committees for the effective running of the school unlike before where discipline committee, finance committee, fund-raising committee, quality teaching and learning committee, recruitment committee and others were not in place but all these tasks were performed by the principals and educators through the delegated function of the school committees. This system ensures accountability by those invested with powers to govern and manage the school unlike before where accountability was only before the department and not to the parents and school community where the school is located.

### 2.2 The SGBs' functions

The functions of SGBs are divided into two compulsory functions that must be performed by all SGBs and optional functions these SGBs may perform if they have the requisite skills (Potgieter, Visser, Van Der Bank, Mothata & Squelch, 1997:35). The roles of all governing bodies in public schools are outlined in Section 20 of SASA 84 of 1996, where the school governing bodies are subject to this by carrying out the following functions:

- Promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners at the school;
- Adopt a constitution;
- Develop the mission statement of the school;
- Adopt a code of conduct for learners at the school;

- Support the principal, educators and other staff of the school in the performance of their professional functions;
- Determine times of the school day consistent with any applicable conditions of employment of staff at the school;
- Determine the admission policy of such school as the governing body;
- Determine the language policy of the school subject to the Republic of South Africa's Constitution;
- Administrate and manage the school's buildings, including land and grounds occupied by the school, including, if necessary, school hostels;
- Encourage parents, students, educators, and other members of the school community to volunteer at the school;
- Recommend the appointment of educators at the institution to the Head of Department, pursuant to the Employment of Educators Act of 1998 (Act No.76 of 1998) and the Labour Relations Act of 1995 (Act No.66 of 1995);
- Recommend the appointment of non-educator staff at the school to the Head of Department, pursuant to the Public Service Act of 1994 (Proclamation No.103 of 1994) and the Labour Relations Act of 1995. (Act No. 66 of 1995);
- A public school can establish posts for educators and non-educators to employ them in addition to the establishment determined by the Member of the Executive Council in terms of section 3(1) of the Educators' Employment Act, 1994, and the Public Service Act, 1994 (Proclamation No.103 of 1994), subject to this Act, the Labour Relations Act, 1995 (Act No.66 of 1995), and any other applicable law;
- A public school can only hire an educator in a position established under the Act if that educator is registered with the South African Council of Education;
- The governing body of a public school must include ample information of any positions envisaged in terms of subsections (4) and (5), including the projected costs relating to the jobs of workers in such posts and the manner in which such costs are proposed to be met, when presenting the annual budget contemplated in section 38;
- Enable appropriate use of the school's facilities for instructive programs not performed by the school at the request of the Head of Department under equal conditions decided by the Head of Department;
- Discharge any other duties placed on them by or under this Act, as well as any other functions decided by the Minister or the MEC to be compatible with this Act.

The governing body may allow fair use of the school's facilities for community, social, and school fund-raising purposes, subject to the governing body's reasonable and equitable conditions, which may include levying a fee or tariff that benefits the school.

The researcher posits that with aforementioned functions demonstrate that for any public school to be effective and efficient, a well-informed SGB with rudimentary and/or sound literacy must be at the helm of governance in order for the school to achieve the anticipated government priorities, which are to create a conducive environment for teaching and learning that will produce quality education for the development of children.

Judgment by the High Court of South Africa, Gauteng Division, Pretoria, dated 2018-01-15, 86367/17-*crn* on the issue of admission at Hoërskool Overvaal is a living testimony that the SGB has got legal binding mandate to execute at the school through sound governance that it has to provide through its constitutional obligations. In terms of Section 5(5) of South African Schools Act (No.84 of 1996), the admission policy of a public school is determined by the governing body of a school, subject to the Act and any applicable provincial law. Study by Prinsloo (2018:51) contends that the instruction issued by the District Director: Sedibeng East District (Second Respondent) on 5 December 2017 to the principal of the Second Applicant, Mr. S Rabie (Fifth Respondent) to place further learners for enrolment with the Second Applicant for the 2018 intake is set aside. According to Van Loggerenberg (2005:9) draws attention to the research that confirms unequivocally that parental involvement, despite the educational background or social position of the parents, is an essential component for successful education and teaching at school level.

The researcher is of the view that with all what have been cited as functions of governors above it is very clear that the school could not run without the involvement and active participation of governors. To achieve all this, we need

responsible governors who will always be available to be held accountable and responsible on school matters at any given period for the benefit of the society as a whole; with potential to hold principals and educators to account in their charged responsibilities.

### 2.3 Powers of governance and professional management in South Africa in terms of the constitution

According to SASA 84 of 1996, Section 16(2) posits that a governing body has a trusting relationship with the school and Section 16(3) states that the professional management of a public school must be undertaken by the principal under the authority of the Head of Department, subject to this Act and any applicable provincial law. The School Act distinguishes between governance and professional management, assigning the former to the SGB and the latter to the senior management team (SMT) of the school (Naidu et al, 2008:154). The researcher believes that the mandate of the governors and administrators should be to complement each other in terms of sharing responsibility in the education of a child rather than competing for roles in the education system. According to SASA 84 of 1996, Section 19 (1) (a & b) provides a platform for the extensive training towards governors that is supposed to run continuously for the benefit of the governors to grasp the contents of SASA in relation to the functions of the governing bodies and clearly distinguish the professional role to be played by the principal of the school and the governing part assigned to the governors of which the two complement each other, it would be of utmost importance in taking our SGBs to another level by issuing them with competency certificate once they have completed such training so that they could perform their duties and take full accountability for the benefit of the school.

School governance is regarded as an act of determining policy and rules by which a school is to be organised and controlled, which includes ensuring that such rules and policies are carried out effectively (Maile, 2002:1). This implies that the SGB, promoting the best interests of the school and, in particular, of learners, is responsible for developing a strategy for ensuring that quality education is provided for the learners (Fox, 2003) cited by Xaba (2004: 314). Study by Xaba (2004:314) cites that the SGB does this through monitoring and evaluating the implementation thereof. In other words, the SGB formulates a strategy for the achievement of the school's vision and mission whilst the principal and staff are responsible for the implementation thereof. The researcher posits that the roles of the two are clearly defined but could encounter challenge if the governors do not have the necessary skills to formulate those strategies for implementation by the principals and staff.

Study by Nash (2015:5) posits that governors are the main tactical deciders and broad idea crafters of every school. Study by Eysenck (1972) cited by April, Macdonald & Vriesendorp (2000:119) posits that the notion of rational man, acting in conformity with reason and knowledge and guided entirely by his brain, is erroneous, although still widespread and still governs many of our educational and social policies. Instead, much of human conduct is governed by heart rather than by head; by emotion, rather than by reason. The existence of governance plays a crucial duty in schools than when schools are at their own alone doing everything by themselves, as they would be expected to develop policies, adopt constitution and other functions than focusing on their primary professional matters which is to ensure that lively learning and teaching does happen at the school. Study by Sobuwa (2021:2) cites an alleged mismanagement of funds and corruption at JSM Setiloane Secondary School in Kroonstad, Free State, has led to the immediate resignation of all school governing members (SGB) members. This followed a three-year battle between the SGB members and the school principal, Victor Campher, whom they accused of failing to recognize them from the first day they were elected.

In order for school governing bodies to fulfil their mission, parents must be convoluted in all facets of their children's education (Talane:2014). Any structure found in the area where the school is located is responsible for education. Communities may produce a nation capable of educating itself and prioritising the education of its offspring without fear, bias, or favour (Maluleke, Cassim & Karodia, 2016:4). As it has been evident through the findings, HoDs could use the support from the members of the communities where their schools are based. Such support may come in the form of parental involvement, but the involvement of the school governing body is also most necessary (Gamedze, 2015:177). The SGB has responsibility to foster and enhance the educational goals of the school. As governors of the school and parents' representatives, the onus is on the SGB members to promote and compliment the work of the educator. This means they must encourage students to learn and show high level of commitment to children's education through direct and indirect involvement in teaching (Quan-Baffour, 2006:41). The researcher believes that to have a working SGBs in our schools, the governors and the principals as well as

educators should accept that they all need each other in order to teach a learner who is a child of parents who come from the community and their participation in the education of their children is paramount importance from an early stage.

Once the affected parties accept the role to be played by another player to achieve the common goal should enable them to establish oversight committees to handle finances, curriculums and extracurricular duties within the school that will be under rigorous trainings before embarking in their assigned roles.

Financial school management preparation should be practice-based, and it should include the following topics:

- The legislative structure that governs the handling of financial schools.
- The legal framework that regulates the operation of financial schools.
- It is important to receive training in the administration of school fees.
- Budgeting is part of financial planning.
- Financial management.
- Financial command.
- Information Technology in schools.

According to Heystek (2004:7), for parents to be able to perform the expected policy and financial functions, they must have the ability to read and understand the policies in order to implement them and the legislation. Therefore, education is a fundamental aspect in the development of the “wide range of skills and capacity that one needs in order to deal with the complex issues and tasks that SGBs are expected to fulfill” (Van Wyk: 2004:54). These governors should also be given ongoing training to help them perform their duties more effectively or to allow them to take on new responsibilities (Mestry, 2006:32). The shift to decentralised school governance and management requires SGB members to develop a wide range of skills and capacity to deal with the complex issues and tasks they are expected to fulfill. Teachers often mentioned the necessity of providing appropriate training for school governors, particularly the parent representatives. They also suggested also suggested that the SGB members should receive copies of the SASA in their own language and undergo training on the content thereof by people fluent in the local vernacular. One teacher maintained: “*The workshops for the training of SGBs should be improved. Follow-ups should be made to evaluate theory performance. No follow-ups, no improvement.*” My deduction on the experience raised by teachers above is very accurate without vigorous training in their mother tongue nothing will be achieved by government on governance.

Research conducted by Van Wyk (2007:137) states that the Department of Education must educate parents to at least the fourth or sixth grade level. Educators also believed that parents who had received training should be given a certificate. Some even suggested that parents serving on the SGB be compensated in order to motivate them to complete their tasks within the SGB structure. Study by Nash (2015:111) emphasizes that paying school governing bodies for their role as governors is subject to strict legal restrictions. On a personal level, these sentiments shared above for the compensation on the undertaken work of governance and the minimum level of literacy for eligibility to serve in the school governing bodies structures could produce quality results as the governance would be held accountable by the school community who elected them with mandate to remove them. This could stimulate integrity, pride, enthusiasm and more responsibilities from the elected governors to carry out the mandate on behalf of the school community.

Study by Maluleke, Cassim & Karodia (2016:7) argues that compensation could encourage active participation by those with good skills in school administration, in contrast to the majority of township and rural school SGBs, which are mostly remotely controlled by the influence and direction of principals. The researcher believes that compensation could be viewed as appreciation for outstanding work done because the members have been offering their services for free for nearly 20 years and have never complained despite being one of the few governance structures that do not enjoy such benefits as counter-partners doing the same job for government entities who are compensated for their service. The current situation in the schools may be regarded as mistreatment by the department and other stakeholders who do not appreciate the outstanding job being done by SGB members in terms of financial benefits, which leads to the manipulation of corruption as they see the funds being deposited and end up conniving with principals to forge ghost work by ghost quotations that end up being paid a lot.

Study by Mbatsane (2006:128) contends that while the school's governors are either illiterate or have little knowledge when it comes to financial matters, the principal may use the delegation of financial tasks to pursue his/her own goals at the expense of the school. In a financial context, accountability is summarized very succinctly by Lello (1979:6), when he states that if money is allocated it should be accounted for. For the headmaster this means he or she must manage funds responsibly and will be held accountable to parents, the governing body, and the department. Study by Heystek (2002:7) argues that in order for parents to perform the expected policy and financial functions, they must be able to read and comprehend the policies in order to implement them, as well as the legislation. The researcher believes that version by Heystek strengthens the notion that governors who have rudimentary education should be elected in order to hold the headmasters accountable for the delegated function by the Head of the Department and the governors.

Governing bodies are responsible for ensuring that school funds are spent wisely (Nash, 2015:16). "The SGB is not well trained that is why they do not know what is expected of them with regard to finances, they only sign cheques, they do not work according to the budget" (Van Wyk, 2004:52). My deduction to this is that if the school has illiterate governors elected to govern, it is likely to use the school finances for their personal benefits than for the intended purpose as they will not be held accountable.

Study by Van Wyk (2004:55) maintains that the competence of members of the SGB directly relates to the amount of training received. Thus, this necessitates intensive training if the skills and competencies of SGB members are to be enhanced. A parent who had been trained expressed his opinion: "*Without training we can fumble a lot but with training we can see where we are going.*" Educators also felt that parents who had received some form of training should be issued with a certificate (Van Wyk, 2007:137). The researcher posits that once the department has addressed the issue of effective training for the members, the SGBs could be in a good position to set up different committees themselves as allowed by law with a clear understanding that the school needs several systems in place if it is to run effectively and efficiently for the benefit of all stakeholders who give education a first priority in their localities. This could be interpreted by the actions the Head of Department dedicates to the governors in terms of SASA 84 of 1996, Section 19, which squarely stated that the Head of Department has to provide training to the governors and ensure that the principals render all necessary assistance to governing bodies in the performance of their functions in terms of this Act. That could mean that the principals do not stand against the governors but assists them to perform their duties as assigned by this Act.

In terms of SASA 84 of 1996, Section 62(1), the Member of the Executive (MEC) may, subject to such conditions as he or she may determine, delegate any power conferred upon him or her by or under this Act to the Head of Department or an officer, except the power to publish a notice and the power to decide an appeal lodged with him or her in terms of this Act. In terms of SASA 84 of 1996, Section 18(1) states that subject to this Act and any applicable provincial law, the governing body of a public school must function in terms of a Constitution which complies with the minimum requirements determined by the Member of the Executive Council by notice in the Provincial Gazette. The researcher is of the view that based on these acts alluded above, it came to his attention that the roles that are played by the governing body, as well as the Head of Department are duties assigned by the MEC in that specific province. To prevent the rift between governors and principals, the MEC should have undertaken this function of training as the governors themselves, rather than delegating it to the HOD who often delegates this function to the principals. The principals then has to take these functions to the governors who latter make policies to govern the same principals who trained them how to interpret and develop policies. Hence, a rift sometimes occurs between the two as to who should do what, despite the explicit mention of the law on what should be done by whom.

SASA 84 of 1996, Section 62(3) states that a delegation under subsection (1) or (2) does not prevent the Member of the Executive Council or Head of Department from exercising such power or perform such duties. The researcher posits that MEC should always play an effective oversight role in order to intervene urgently if things are not done properly in that province where he or she is the MEC to prevent the escalation of matters to the national office.

#### 2.4 Professional duties invested upon the principal

Section 16(3) of SASA 84 of 1996 states that the principal performs professional management duties and is responsible for the allocations of learning areas in the school in consultation with the staff and the SGB for

effective teaching and learning as his/her professional duty to make sure that educators are allocated to learning areas they are trained to offer which they are comfortable to execute in the school for the benefit of the learners who are major beneficiaries in the process.

The researcher is of the opinion that principals should at all times follow the right procedures when performing their primary tasks than taking advantage of the power of the position they occupy and using state funds for their own benefit at the expense of the entire system which is supposed to benefit the pupils, teachers, support staff, SGB members, the department of education and school community; such is often compromised by the schools principals who fail to harness the involvement of all major stakeholders through effective communication by withholding the information and manipulate the SGB members to allow wrong things thrive at the school for their own personal interests.

Study by Van der Westhuizen (2015:409) argues that the issue is not whether a school-community partnership should exist, but whether the current relationships can be strengthened for the sake of more efficient school teaching. All organizations regard effective communication as essential for survival (Fielding, 1997:4). "We had no support from the principal as the SGB, as he does everything himself without consulting us. For three years we have encountered difficulties with the principal, who refused to work with the SGB on school financial matters," said one of the SGB members. They also complained that there was no involvement of SGB members in disciplinary cases, as required by the SA Schools Act. "Learners are expelled from the school and that is the decision only taken by the principal. Appointment of teachers has only been done by the principal without involving parents or the SGB. It is very clear that the school has no interest in the SGB activities," Sobuwa (2021:2).

Electronic communication means that we can communicate easily and instantly from offices, homes, schools and most forms of transport (Fielding, 1997:347). The principals as the accounting officers representing the department of education in that school do not have any excuse at this stage in time by not imparting the information to the intended users for their digestion and inputs for consideration in the decision making through the legal structures in place at the school for administration and governance purposes considering a number of means of communication at their disposal like e-mails, group chat through social media, telephone calls and circulars. Research conducted by Van Wyk (2007:134) cites that a parent serving on an SGB in a rural community stated that the dominance of principals can also be attributed to them withholding information from SGB members. This is particularly true of affluent communities where parents are well educated and tend to try to dominate events at school. They have a tendency to want to take over the principal's professional leadership role (Van Wyk, 2007:134-135).

Studies by Riley (2008) cited by Kanana (2015:9) believe that head teachers are considered as the main source of leadership by the staff, parents and governors. This therefore calls for head teachers to be knowledgeable in educational matters. Successful head teachers contribute to the improvement of pupils' academic achievement through their attributes and competencies. Managerial skills of head teachers therefore contribute to the general performance of the school. In terms of what has been written above, it is very clear that even in Kenya the professional duty is the obligation of the principal who should be knowledgeable in educational matters, the same applies here in South Africa, any head master to execute the delegated function by the Head of Department should be well vexed with educational matters in order to ensure that quality learning and teaching does happen at the school. Study by Worku (2019:8) argues that a good school level leader is happy to be guided by local and international best practice in the teachers' profession.

Section 19 of SASA 84 of 1996 provides a platform for the extensive training that could run continuously for the utmost importance to the members to grasp the contents of SASA in relation to the formation of SGB, governance of the school by the SGB and clearly distinguish the professional role to be undertaken by the principal of the school, as well as how to determine the subjects to be taught at the school and to determine the language policy of such school to address the needs of the environment where the school is located would be of utmost importance. This will greatly complement the governance and professional management which is the function delegated to the headmaster of such school. A study done by Van Wyk (2007:137) states that one teacher maintained: "*the workshops for training of SGBs should be improved. Follow-ups should be made to evaluate their performance. No follow-ups, no improvement.*"

The researcher is of the view that the sentiment by Van Wyk should be the cornerstone of the undertaking by the department of education and SGB associations to see to it that the governors do receive trainings continuously and

follow ups are done in order to avert encroachment on the role which is played by the principal as the researcher was once subjected to *ultra vires* by the SGB chairperson whilst being away for this studies and during his return to the school the SGB chairperson asked him where he had been for two weeks whereby the learners were not having a teacher to teach them business studies to an extent that he further mentioned that I will have to advert this position of business studies so that learners may be taught though some other times the researcher would be on study leave for three months but to his return he found no educator appointed temporarily for that period to teach learners which is permitted in terms of the law but such could be passed by the principal to the governors as she deals with professional responsibilities not the chairperson of the school governing body as he suggested during the engagement, by law the SGB chairperson is not even allowed to bypass the principal and engage the professionals directly on issues that need the competency of the principal.

## 2.5 Governance support to the professional duties

The ability for governing bodies to become directly involved in supporting the skilled management team of schools in handling cases of educator discipline and dismissal has been made possible by legislation (Marishane, 1999:92). Although the SASA. 84 of 1996 states that the SGB should support the educators, principal and other staff in the performance of their professional functions, research has shown that there is little support of educators by SGBs (Van Wyk, 2004:51). This might be caused by, among others, a lack of skills and ignorance of their duties, neglecting their roles or inadequate expertise within the field of education. Section 20 of SASA dictates that the School Governing Body as governance should come up with supportive strategies to encourage effective teaching and learning without causing any rift amongst the professionals. The ability to assess the need for support is critical in school governance, and this can be seen if the structure has established supporting sub-structures within the schools led by experts who report to the main structure on a regular basis to re-evaluate and review the school's vision, and if the activities done in the school are still aligned to what initial vision entailed (Guskey & Peterson, 1996:12).

Studies by FEDSAS (2019:12) support the role of the school principal within the SGB, by contrast; it takes the form of 'manager' and may be equated with the chief executive officer (CEO) of a company. The principal's authority and expected areas of competence in respect of professional management derive from the Head of the Department of Education, while the SGB gives the principal the authority to manage all other aspects within the school. The concept of management is explained as 'the organisation and coordinating of activities in accordance with certain policies and in pursuit of set objectives'. Similarly, the principal must ensure that the policies established by the SGB are applied on a daily basis and that the set objectives are achieved in the school setting. The researcher supports the notion by FEDSAS which regards the position of the principal as chief executive officer who has to be held accountable by the governors which strengthen the views of rudimentary requirement on governors to be elected to govern the schools so that they could able to hold principals to account on the agreed set objectives by both parties not to hold the educator accountable when exercising his constitutional rights to study leave.

Publication by Majavu (2020:8) posits that Walter Sisulu vice-chancellor and Professor Rob Midgley is being investigated by an accounting firm following allegations of impropriety in relation to negotiations for the purchase of 11 building to be used for student accommodation. Tukwayo said council took a decision to appoint Ernst & Young to investigate the process which was followed in recommending the purchase of the student accommodation in question. Daily Dispatch reported that the faculty head, Msimelelo Siswana, had expressed concern about the reallocation of the funds, which he was not made aware of, due to the fact that the engineering faculty was at risk of not being accredited should the faculty not be considered. "I am sorry that this matter is so complicated. Under different circumstances I would simply have walked away, but I sincerely believe that it is not in the university's best interests that I do so. Irrespective of the ultimate outcome, when I leave WSU, I want the university to know that I have done my best," Rob Midgley charged. My deduction about the council appointing Ernst & Young to investigate Rob Midgley falls under related incidents and comparison that knowledgeable governors could hold the principals accountable in different ways as a juristic person if go beyond the scope of work assigned to them.

Studies by FEDSAS (2019:32) argue that once a decision is made regarding an appropriate governance framework, it should be implemented with a high level of discipline and consistency. The chief components of strategic planning are mission, goals and objectives, linked with action plans, while execution comprises implementation, control or monitoring and coordination, evaluation and subsequently reporting (i.e accountability) (FEDSAS,

2015:10). The researcher believes that in order to fulfill what have been outlined by FEDSAS the governors should be skillful and well-informed in dealing with chief components raised above.

According to Nash (2015:5), governing bodies are the most important strategic decision-makers and vision-setters in any school. Schools should work with local governments as shareholders to track financial problems and take constructive steps to resolve them (Nash, 2015:108). According to Nash (2015:16), local authorities should intervene early if things do not go well in their local school as the department's expectation remains, but guidance also clearly states that local authorities have no statutory powers of intervention with academies. Local Authorities are in charge of balancing the supply of places in the area to ensure that schools meet the needs of their communities and provide high-quality education at the lowest possible cost (Department for Education, 2011:11). Act No.108 of 1996 was enacted in accordance with Section 212(1) of the Republic of South African Constitution, which states that national legislation may provide a role of traditional leadership as an institution at a local level on matters affecting local communities. The most respected mouthpieces of the government in rural communities are kings, chiefs, headmen, traditional councils and ward councilors (Mampane, 2020:12). My deduction with this is that for education to thrive in our rural schools the department and governors have to work together with local authorities as the landlord of land where schools are located and this could be realised if the governance is skillful in dealing with different stakeholders in the area.

Historic higher education institution, The University of Fort Hare, is a step closer to restoring governance after completing its period under administration. This then followed the minister of higher education, Dr Naledi Pandor's, decision to place the institution under administration after describing its governance as seriously challenged. The university's vice-chancellor and principal, Sakhela Buhlungu, has steered the university through the 18 months. "It's official. The University of Fort Hare is no longer under administration," an excited Sakhela said. Buhlungu said Loyiso Nongxa and Nhlanganiso Dladla had served the university well. "We've been waiting for this moment to operate as a normal university with a council that provides oversight," Buhlungu said. The university has also appointed a 22-member council (Khumalo, 2020: 8). The role played by the then minister in this regard to place Fort Hare under administration after a failure by governance or council (board) was a constitutional one, which paid dividends by reading between the lines in terms of the excitement shown by the vice-chancellor. The minister also appointed an assessor to handle issues of governance at UNISA which ultimately recommended the appointment of an administrator to restore effective governance at the biggest distance institution in the continent. The researcher wanted to expose this aspect to demonstrate that higher education takes this issue of governance seriously than basic education as most of our SGBs are dysfunctional but the Head of Department does not act in terms of SASA 84 of 1996.

According to Nash's research, local governments can intervene early if things aren't going well, but they claim that they don't have any legislative powers to intervene with academies whilst The Department of Education in England gives sole power to the local authority to see to it that the schools serve the needs of their local communities at an affordable cost but providing good quality education as they are responsible for the placement of pupils at schools in their local communities. Whereas in South Africa, the constitution grants the traditional leadership with overall matters affecting their local communities of which even ward councilors are part of this partnership as cited by Act No. 41 of 2003 Section 5(2)(a & b) which establishes a traditional leadership and governance framework, as they work hand-in-hand at the local level to ensure that quality services are provided to their people. Schools are one of their local entities to support and monitor if they are acting within the best interests of their communities. The researcher believes that the traditional leadership and ward committee members working alongside mayors and councilors are in a position of power to support, monitor and hold governors accountable in whatever they are doing in their jurisdiction, because the school does not exist in isolation; water, electricity and land is provided by the traditional leadership and municipality who are the mouthpieces of the state.

The researcher is of the opinion that when pastors, traditional leaders, mayors and councilors adopt schools which are not doing well under their jurisdiction they are compelled by moral obligation to improve the state of affairs where they are elected to govern and serve those communities. The same applies to the traditional councils in their jurisdictions where the two should have mutual respect towards each other and their relationship should be based on principles of co-operative governance, which compels them to hold the SGBs accountable as the fiduciary couriers elected by the parents-community from the school-community to govern the school affairs where their children are studying. Their decisions in running the schools do not only affect their children who are currently

studying at the school, but it does affect even those who are attending the crèche as they are heading to such a school after their foundation phase assignments at the crèche, hence, they should be held accountable by all affected stakeholders irrespective of currently having a child at the school. “The governing body of public schools must recognise that it is entrusted with a public resource which must be managed not only in the interest of those who happen to be learners and parents at the time, but also in the interests of the broader community in which the school is located, and in the light of the values of our Constitution” (FEDSAS, 2015:8).

### 2.6 Establishment of committees in the school

For the school to run properly, it should have various school committees which are created to assist the management to carry out its professional duties without difficulties. Further concern is expressed by Bush and Heystek (2003:136), that research done in Gauteng reveals that most SGBs have not been proactive in formulating the necessary policies and committees to govern schools. Many policies and committees are not in place, including the SGB constitutions because they lack the confidence or skills to do so themselves. Instead, the parents rely on the principal to do the work for them because of their low literacy level. Beckmann & Visser (1999:159) argued that the success of all the programmes and committees should be assessed and be refined regularly. The researcher is of the view that to have committees which are established to support the management to carry out professional duties, governors should be educated or having rudimentary education to sit in some of these committees like finance committee whereby the treasurer is the chairperson of this committee and has to sit each and every month to have a look at the school state of affairs financially.

Study by Van Schalkwyk (1990:95) cites that the committees of the management body will differ from school to school, and could include the following committees:

- Building and grounds
- Financial matters
- Fund raising matters
- Curricular matters
- School marketing & communication
- Sports matters
- Appointment matters
- Performance matters
- Safety & discipline matters

Study by Van Shalkwyk (1990:96) further stated that each of these committees may appoint subcommittees as and when circumstances required this. Most of the committees should be led by members from SGB in order to foster active participation and responsibility in the school affairs. Studies by FEDSAS (2019:13) posit that the benefits of SGB committees are that they reduce the workload of the SGB, thus the SGB has the authority to establish necessary SGB committees as may be required. It is, however, important to note that the establishment of the committees does not relieve the SGB of its responsibilities. The researcher does support this notion of establishing finance committees with co-option of school community members to ensure that school finances are spent for the benefit of the school and are being managed properly to the utmost best of the school and society.

FEDSAS further explains the importance of the role of governance in setting up these structures in public schools. The SGB's governance functions consists of various components. These will vary for different schools but will among others entail the governance of finances, assets, personnel in the school's, learning materials, services rendered to the school, and extracurricular activities, as well as disciplinary proceedings. A single SGB may conceivably struggle to govern all these facets at once, and therefore, section 30 of SASA provides that an SGB may establish committees to assist it in performing these duties. King IV recommends that “the governing body should determine if and when to delegate particular roles and responsibilities to an individual member or members of the governing body or standing or ad hoc committees. If committees are established, the composition, period of office and terms of reference for each committee should be developed and reviewed yearly (FEDSAS, 2019:13).

### 2.6.1 Establishment of finance committee

The SGB has to set up the Finance Committee in terms of SASA 30 (1) (a) & (b) which will meet monthly to monitor and review the financial position of the school in which it will have to report its performance to the SGB once in a quarter and this committee is to be chaired by the Treasurer of the SGB as a legal governing body that stands in a position of trust towards the school. In this fiduciary role, the SGB plays as invested powers by the Constitution, needs a certain expertise to execute its duties properly because if it is not executing its duties properly there is a large likelihood of malpractice and abuse of the funds to buy things which are of no paramount importance to the education of the learners.

The researcher posits that the Finance Committee has to play a major role in providing sound financial leadership to steer the school in purchasing school needs for the school to be used for learning and teaching. This aspect is very critical to the governance of the school, therefore, should this committee have people who are not au fair with financial records, such school is likely to fail in executing its mandate to the fullest and will not benefit the primary objects, which are the learners. They should do this by ensuring that they have at least one governor with specific, relevant skills and experience of financial matters who can raise questions (Nash, 2015:16). Research studies done by Bisschoff (1997:134) posits that it is possible and highly recommended that a financial committee should be formed to assist the governing body to handle the financial matters of the school. A balance between democratic legitimacy and expertise must be found. This is possible through co-option.

Study by Van der Westhuizen (2015:385) posits that as parents are the natural and primary educators, and because the State cannot bear the financial burden of education on its own, parents have a moral obligation to contribute to education. Parents who contribute financially have a greater say in their children's education than would otherwise be the case and beyond the indirect support from paying taxes to the State which redistributes to public education through norms and standards and other applicable laws. A socialist country usually collects high taxes, which enables it to spend relatively more money on public services. In such a country, education is largely free. The reasoning is that society is morally obliged to look after the poor and helpless (Lemmer & Bodenshorst, 1997:357). "There are two types of public schools in the country, the fee-paying schools and no-fee paying schools. Fee-paying schools are allowed to charge school fees, as determined at the annual general meeting of the SGB. Therefore, the payment of school fees in such schools is mandatory," the minister said (Sadives, 2021:2). The researcher believes that the school community should be encouraged to supplement the resources provided by the department in order to ensure that their schools offer quality education.

"The Limits of Redistributive School Finance Policy in South Africa," by Rachel Hatch, Elizabeth Bucker, and Carina Omoeva, focuses on effectiveness and perceived effectiveness of South Africa's no-fee school policy. This mixed-method study draws on household and school survey data and qualitative interviews to examine if and how the no-fee school policy has contributed to equity. Their findings show that the policy has reduced the financial burden on many households, which are often in poorer communities, but that "gains have not been equalizing, and gaps in resources remain". Thus, they argue "that South Africa's current school finance policies may better be characterized as pro-poor redistributive, and point to implications for social cohesion" (Burde, Lahmann & King, 2017:6). The researcher supports the version alluded above that the gains have not been equalizing taking into account that paying schools are also entitled to the funds that are provided by the department whilst at the same time parents still continue to pay tuition fees for their children.

Section 37(4) of SASA 84 of 1996, states that any money or other goods donated to a public school must be used in accordance with the terms of the donation. The digital learning initiative, Free Stem Lockdown Digital School, started over the Easter weekend and is aimed to assist pupils with their studies during the extended lockdown, set until the end of April. The initiative, in partnership with the Sasol Foundation, focuses on science, technology, engineering and mathematics and is conducted through a virtually intelligence-based educational platform, Ms Zora. The department of education has been slammed by some for hiring the celebrities and social media influencers as "digital teachers" during the lockdown, instead of professional teachers and educators (Nkanjeni, 2020). The researcher believes that the department was trying to catch-up on the lost time by just using the celebrities instead of qualified educators in trying to attract learners to learn through these media platforms which was an oversight on the part of the department; the department just have to channel resources to all schools so that effective teaching and learning through online learning should we come across hard lockdown again in the country.

Governing bodies are responsible for ensuring that their school's funds are spent wisely (Nash, 2015:16). The researcher posits that the competence of the governance most of the time is majored by how it manages its finances, as well as how it uses them. To administer financial figures as well as to give approval, it needs people who has understanding of how finances are to be utilized for the profit of the entire school, rather than individual, as most of the principals who have SGBs, who is unable to make independent decisions without relying on the expertise of the principals who are using the school funds as cash cows to pay for their debts through fake quotations and fake jobs. Governing bodies are formed for this purpose, but they must be trained and informed about the roles they are expected to play, both legislatively and otherwise, in terms of the institution's finances (Louw, 2013).

A publication made by Ntsaluba (2019:4) states that the SGB member, who cannot be named for fear of victimization, said the principal of Meyerspark Primary School in Gauteng province also authorized the payment of R6 355.20 per month to a general assistant without the knowledge of the SGB. "The financial affairs of the school are kept between the chairperson and the principal, away from the SGB". The researcher posits that this behaviour is very common in many schools as the principals mostly collude with chairpersons to misappropriate school funds for their own personal interests of which, in most cases, the department does not act, hence, this behaviour persists to happen in our public schools. "The auditing was done on June 30, 2018. The SGB was not consulted and did not sanction such auditing. The SGB does not even know how much the auditing work costs the school. The SGB was supposed to have authorized payments, if there was any payments to be made to an auditing company," a source said (Ntsaluba,2019:4).

The researcher is of the view that the mandate of the legal structure, which is the school governing body, is being compromised by the chairperson and the principal in this regard and therefore should be disciplined as they violated their code of conduct in terms of SASA 84 of 1996, Section 18A (5) which states that after due process, the Head of Department may suspend or terminate the membership of a governing body member for a breach of the code of conduct.

"It must be noted that the department has attended the SGB meetings to assist them with their roles and responsibilities. However, we have observed no adherence to policy prescripts by some members, which is concerning, and this will be raised with them," said Mabona (Ntsaluba, 2019:4). The researcher is of the view that the position of the department is very irresponsible as there is a case that has been opened by one of the SGB members against the principal of the school. The SGB as the major stakeholder in the school's affairs is supposed to be regarded as an equal partner. So, with immediate effect the principal was supposed to be suspended in order to undertake the investigation without any interference, but instead of doing its constitutional obligation to protect the school funds, the department is still talking about having the responsibility to investigate. This kind of attitude encourages principals to connive with chairpersons in order to defraud the school finances for their personal interests as they know that the department will not reprimand them when it comes to cases which are reported to them in relation to school misappropriation of funds and this render the finance committee and the SGB of such school useless if there is no action taken, though tangible evidence is available to sanction unprofessional and unethical conduct.

Study by Rangongo, Mohlakwana & Beckmann (2016:2) cited Thesaurus (2002) states that maladministration can be understood as connected to mismanagement, incompetence, inefficiency, malpractice and dishonesty. Study by Rangongo (2016:2) argues that the literature defines financial mismanagement as the poor management of finances in schools, maladministration as a corrupt behaviour, and corruption as wrongdoing on the part of an authority and misappropriation as a dishonest use of funds for one's own use. "Principal Ockie Vermeulen has been accused of misappropriating almost R70 000 and of being a "racist bully who behaves like a dictator". "The principal and the chairperson have colluded to mislead the SGB on this issue. This unlawful payment has resulted in more than R69 000 being paid out from January 2018. This is the school's money" (Ntsaluba, 2019:4). The researcher is of the view that the persistence of this wrong doings by the principals and chairpersons in most of our schools show that no consequences are meted out by the department upon the perpetrators who have been looting state resources since the dawn of democracy and this will just give them that notion that using the school's money for personal use could not lead you to any punishment as the department seems to cover up such cases when they get reported to them and this could not improve the education system if cases of this nature are simply ignored once they have been reported to the relevant authority with the power to act.

Studies by Rangongo et al (2016:1) cited Joubert and Van Rooyen (2008) who contend that many schools in South Africa are faced with significant problems of mismanagement, managerial incompetence, lack of leadership, and limited capacity. This echoed by the reports from anti-corruption agencies such as Corruption Watch (2012, 2015), Public Service Commission, Republic of South Africa (2011) and Talane and Pillay (2013), which state that, despite the concerted efforts made by the civil society to combat corruption, it remains rife in South Africa. The aforementioned reports further state that in Limpopo, principals are the number one offender when it comes to financial mismanagement, which involves, amongst other things, misappropriation of funds, lack of financial accountability, disregard for due processes and a lack of financial reporting to both parents and the SGBs. Corruption causes deep-rooted misery for poor and deprived communities, by imposing an extra burden on the users of public services, reducing government revenue, and reducing the quality and value of education (Ahmed & Ahmed, 2012; Gupta, Davoodi & Tiongson, 2000; Kaufmann, Montoriol-Garriga & Recanatini, 2008; Van Niekerk, 2012).

SGB treasurer, Priscilla Magosane accused the principal of misusing the grant which the department deposits into the school's account. "We decided to protest outside the school to send a message to the Gauteng Department of Education about the mismanagement of school funds. The school account is forever dry. I have lodged a complaint with the department," she said. The principal, Moroba Iekgalake, said the problem started when the current SGB took over. "However, I now have a problem started by the treasurer who kept the petty cash box with her, and it has been four months now." he said. "She also failed to account for the R 20,000 that she took from the school's account and till this day we are waiting for receipts. When I asked questions, she started accusing me of misusing the school funds." (Sobuwa, 2020:5). The researcher believes that once these cases are reported to the department in order to curb this tendency the department should report this to law enforcement agencies for further investigation as this amount to crime committed by officials in charge with finances.

Publication by Khumalo (2015:10) contends that financial mismanagement was the most common type of corruption as it was at 37% in schools which fall under the Gauteng Department of Education and most cases being reported in Johannesburg. "Principals are the number one culprit when it comes to corruption in schools," said the Corruption Watch report. The researcher posits that with this picture in mind, it is very worrisome that officials who are supposed to champion the interests of learners at heart are the ones who make use of state money for their personal gains and therefore tight mechanism at public schools by the SGBs with the support from the school-community at large, should be developed to monitor how school funds are utilized for the benefit of the good cause, which is a quality education with value. Publication by Sobuwa (2021:2) posits that there were allegations of mismanagement or misappropriation of school funds at JSM Setiloane Secondary School in Kroonstad, Free State, but the principal refused to avail financial statements and the matter was referred to the Free State Education Department.

Publication by Monama (2013:9) cites that the Limpopo education department spokesman Phuti Seloba said: "The principal of Jim Yingwani High School, Justice Maluleke, reported to the district office for three years for mismanagement of funds and only went back to the school last year." "We have declared all our schools Section 21 schools to monitor their finances. We have published and now legislated a new accounting mechanism that clarifies the appointment of auditors and how financial books are prepared. We have concluded a skills audit of all our principals, and those lacking financial skills will be supported through financial skills development programmes" (Khumalo, 2015:10). The researcher posits that civic organisations, religious people, local councilors and traditional leaders should champion the interests of their schools in areas where governors and department fail to hold the officials who misused school finances accountable.

In terms SASA 84 of 1996, §30 (1) stipulates that a governing body may establish committees, including an executive committee of which a finance committee is one of those committees that should be established by the SGB and appoint persons who are not members of the governing body to such committees on grounds of expertise, but a member of the governing body chair should be in each committee. The researcher believes that this is done to ensure that each and every committee has a SGB member who has to be the eyes of the governors at the school. Studies have shown that the department lacks the will to act in the interest of learners (Muller, 2018:23). The researcher posits that if the department lacks the will to act the school community structures in a form of civic organisations, religious people, local councilors and traditional leaders should close this void for the benefit of their schools.

Study by Cassim (2012) contends that Corruption Watch has reported several allegations to the Department of Education, but people in the Department have indicated that not much would be done. Allegations are too expensive to be investigated, explained an official. South Africa is sinking due to corruption, which has been exacerbated by leaders who act with impunity, writes Corruption Watch executive director David Lewis (Watson, 2015:3). Public funds are being misused and mismanaged as a result of such leaders in high positions of public entity who lack moral values to address the country's socio-economic challenges other than being concerned with satisfying personal desires by virtue of holding positions of authority (Maluleke, Cassim & Karodia, 2016:10). The researcher is of the view that the Department has to speed up the process of disciplining its members once they have received formal complaints about misconduct from their employees and this could instill trust between the stakeholders, that if there is a matter which is in the hands of the Department is receiving the necessary attention and this will encourage them to report unwanted behaviour continuously. This has the potential to create an amicable and conducive working environment for the learners.

The publication by Sithole (2023:1) cites that the educator, whose career spans 30 years, told *The Star* that his dismissal was in retaliation from exposing the theft of more than R 200 000 arising from fraudulent Covid-19 relief grant claims at the school. Simon Liholo, who was suspended in 2020 and dismissed last year, said attempts made by SA Council for Educators (SACE) to intervene on his behalf did not help as he was already marked man. This, he said, resulted in an elaborate plan that resulted in certain senior officials concocting a "fake" dismissal supposedly authorized and sanctioned by the Minister of Basic Education, Angie Motshekga. "The investigators who produced the Mmabatho High School UIF-Ters Follow the Money Report from the Department of Employment and Labour yielded many favourable outcomes to me long before the minister announced her findings and decision against me," Simon Liholo added. "When I interviewed one of the officials, Mrt Michael Keetile (the director of Labour-relations based at Old Mmabatho Hostels), who is now under precautionary suspension, said: 'I am aware of the case, but I was never involved in its decision-making process. Yes, I was copied, and correctly so, as the director of labour relations, to be informed about the judgment for record purposes and to report to my higher authorities. All labour-related decisions in disciplinary hearings do eventually come to my attention,' Liholo said. The director said a lot of things about this dismissal did not make sense. "I only received the dismissal letter from the minister a year later while I was awaiting a response from the MEC, the correct and relevant political authority in the province to which I appealed. I feel that the department as a whole, from the circuit through District to province, has failed me by not acting on the recommendations of the Mmabatho High School report," Liholo said. "The dismissal of Mr Liholo is not a matter of being a whistle-blower," provincial department spokesperson Mphata Molokwane said.

The researcher believes that the dismissal of the teacher has got to do with exposing wrong doing if it has nothing to do with the R 200 000 missing from the school as confirmed by the report mentioned above what happened to those who fraudulently claimed R 200 000 from the Covid-19 funds meant for the school. This ministry under the Mrs Angie Motshekga does specialize on targeting the whistle-blowers which is much against the Zondo findings; once you stand against corruption, fraud and maladministration, as an employee of the department of education you have to expect such to happen to you hence SGB members with knowledge and skills to deal with finances are wanted in our schools as this acts should have been addressed by them other than this outspoken teacher who did the right thing by the way but under this government which does not need corruption to be exposed something like this is always anticipated to happen. Mmabatho High School UIF-Ters Follow the Money Report from the Department of Employment and Labour is highly commended for doing an outstanding investigation that confirmed that indeed the money meant for Covid-19 was fraudulently claimed and what is expected now is to see the heads rolling in order to get the money back as well as to register corruption cases against the culprits.

The whistle-blowers who speak to Corruption Watch believe this is one of the main reasons people do not report corruption in schools. "They will make sure my name is blemished and maybe one person will be fired," the source said (Cassim:2012). Corruption in schools was identified as the most prevalent form of dishonesty in the country. The Gauteng Department of Education said it has commissioned a forensic team to investigate all the books of certain schools identified through its fraud lines and expected a report to be released in July. Equal Education, which analyses trends in the nation's institutions of learning, is also concerned by what the report uncovered. "When there's corruption in schools, it's like taking money directly from the parents' pockets," Equal Education spokesperson Nombulelo Nyathela said (Khumalo, 2015:10). "Given this, we were prompted to launch a School Campaign. Through it, we aim to influence policy and practice regarding the management of school funds, as well as to support access to information about the use of these funds. "The overarching goal is to encourage the public

to resist and report corruption in schools,” said Corruption Watch executive director David Lewis (Watson,2015:3). The researcher believes that if many cases are reported and no any consequences are meted out to perpetrators, whistle-blowers will be reluctant to continue reporting cases of this nature but will resort in protests which will interrupt teaching and learning.

Publication by Naki (2020:5) argues that professor Lesiba Teffo believes that whistle-blowers should be acknowledged and handsomely rewarded. “The information they gave helped to solve corruption that otherwise would not have been solved. Let the money and items seized be used to assist the whistle-blowers or their families. They were not doing this for themselves, but for the country. I consider them patriots. In the US and other countries, whistle-blowers were compensated. But in South Africa we throw them to the wolves, we forget about them, when they have done an important civil duty.” In its annual report, Corruption Watch says that while corruption is widespread throughout the government, it is particularly endemic in schools (Watson,2015:3). The researcher believes that this notion to acknowledge whistle-blowers should be adopted in our country in order to curb the spread of corruption in our schools because many do not report things which do happen in front of them as they know that they may be victimized and suffer emotional harm sometimes physically harm which could lead to the loss of their lives.

The decision by Judge Raymond Zondo, the chairperson of the State Capture Commission, to lay criminal charges against erstwhile SAA chairperson Dudu Myeni for exposing the name of a whistle-blower sends the right message, that in the struggle for transparency and accountability, witnesses play an invaluable role. Myeni had no problem refusing to answer simple questions under the guise of fear of implicating herself but felt brazen enough to reveal the identity of a witness whose name Raymond Zondo had clearly indicated should not be made public (Sunday World, 2020:15). Judge Raymond Zondo believes that the protection of the whistle-blowers is very important to the work of the State Capture Commission, and no one should compromise this aspect by exposing their names to the public without any permission given in this regard. The researcher believes that in protecting the whistle-blowers the judge set a good precedence which could help going forward that whistle-blowers should be protected as they play an invaluable role in exposing corruption in our schools and in all spheres of government where the tax of ordinary public is being misused to benefit the few.

The researcher is of the opinion that this view should encourage school communities and school governing bodies associations to stand up against corruption of all odds and abuse of power to ensure that the SGBs play an active role in the governance, especially to ensure that the norms and standards are utilized primarily for educational purposes as well as to ensure that a number of committees in schools are created to support effective teaching and learning in order to get the department to fulfil its constitutional obligations without the supervisory role and intervention by the court. Parallel analysis should be drawn from the Corruption Watch report that principals are the most senior officials who purport corruption and mismanagement of school funds in these two provinces, Limpopo and Gauteng of which this should be an issue of concern to the Department of Basic Education.

The researcher believes that quick actions should be taken against the culprits who deliberately steal from the pockets of the parents for their personal interests and constructive feedback has to be provided by the SGB or Department if the case is in their hands, irrespective of who brought the case to their attention. Therefore, to root out corruption from the education system is everyone`s societal responsibility in the country. The department has to be specific about the time frame in dealing with these cases of corruption and abuse of power by the principals and some SGB members so that they may cease to happen in different schools, but if these cases are ignored, though sufficient evidence may be available to convict the culprits, this type of behaviour will be instilled as culture once you ascend to power or find yourself being elected to serve as an SGB member, the notion of my time has arrived to benefit out of the system; in most cases, officials from the department instead of dealing with the cases reported to them they spend most of their time doing informal investigations on whistle-blowers` motives in reporting such cases to the department or other state organs.

### 2.6.2 Fund raising committee

The School Governing Bodies must source funds from the school-community so that the allocated funds from the department could be supplemented for smooth running of the school. There are several strategies that could be used by SGBs to source funds from local business people who have interests regarding the development of

education in their vicinities. SGB could charge for the provision of extended and community services taking place in the school (Nash, 2015:93). Some of the duties and responsibilities of this committee would be:

- Collaborate with the administrator to define short- and long-term funding.
- To go over the funding plan and long-term funding goals.
- Make a financial contribution and encourage others to do the same.
- Identifying and enlisting community leaders to serve on fund-raising committees.
- To educate the other committees on planned giving, marketing, grant writing, and soliciting corporations and individuals.
- Closely work with the administrator or headmaster to identify and solicit funds from external sources of support for instance, alumni students who are having businesses in the area and those who are doing well in their respective professions to donate.

The school can rent out its facilities to voluntary organizations for financial benefits of the school (Nash,2015:92). Leasing of school properties to the colleges who are likely to offer short courses to the local citizens like Computer Literacy, Banking, Hospitality, Security Courses and other projects could contribute positively to the funds of the school. The mission of the committee is to generate revenue in order to supplement what the school is allocated by the department of education in such province as well as to lead in efforts that attract money and services needed to carry out the mission of the school which is to offer effective learning and teaching under a conducive learning environment that has got ample resources to fulfill its constitutional obligation. In terms of SASA 84 of 1996, S36 (1) states that a governing body of a public school must take all reasonable measures within its means to supplement the resources supplied by the State in order to improve the quality of education provided by the school to all learners at the school.

Schools should co-operate with local authorities as shareholders' monitoring of financial issues and take a proactive approach to their resolution (Nash,2015:108). The researcher also believes that donations could be requested from the school community in trying to encourage the school community to own the school's development in terms of improving the learners' education. In most cases, donors would like to know how their funds have been utilized for the good cause in terms of the initiative that was submitted to them and therefore, should be interested to see the results of what their money has been spent on and by doing so, they become other major stakeholders of the institution. The researcher believes that this committee should rope in influential community members if it is likely to succeed in carrying out its assigned task.

### 3. Research methodology

The design of study is descriptive and cross-sectional. Quantitative methods of data analyses will be used in the study mainly. According to Bryman (2015), a descriptive study design is suitable for an exploratory study of this kind. According to Maluleke (2014:48) and Terry (1977:179), a combination of quantitative and qualitative methods of data collection and analyses are appropriate for this kind of study. There are 65 educators, 28 School Governing Board members and 30 circuit officials (Thenga, 2014:19). Thus, the population size is 123. These 123 officials are working in 3 public schools and 1 independent school.

A qualitative research method and a quantitative methods would prevail in this study though quantitative would be applied mainly in the study than qualitative method, people like School Governing Body members, school clerks, educators, principals, circuit officials and circuit managers, could be used to give information through tested means like interviews and Delphi technique method in a form of questionnaires as these people mentioned above have got good accounts for incidents which take place in their operation of control and all the above schools to be used do have different scenarios in terms of how the SGB has played their roles in improving the performance of their respective schools.

### 4. Findings of the study

#### 4.1 The role of the department and governors

As far as the situation in the RSA is concerned, there is and have been developments in the field of educational administration and management (Westhuizen, 2015:109). In Australia, people such as WG Walker, GW Bassett, AR Crane, AR Thomas and JA Richardson in particular, played a important part in the creation of educational administration as a science (De Wet, 1981:31) cited by Westhuizen (2015:108). In England, a principal is appointed for a trial period during which time he must take part in a management development programme, according to Bolam (1986:263-264) believes that the main goal of management development is to ensure that the quality of education improves (Westhuizen, 2015:112). Nell, (1981:2) maintains that one problem which is hindering the development of educational administration and management in the RSA is the apparent resistance of established concerns who fear that greater recognition of Educational Administration would lead to a “splintering” of too many sub-disciplines which are inclined to develop into independent disciplines (Westhuizen, 2015:109).

The general function of a SGB is to stand in on behalf of parents, educators, learners and community to benefit the entire society. It is therefore placed in a position of trust towards the school and is expected to act in good faith in carrying out all its duties and functions. The most significant aspects that will release the potential for partnership between educators and members of the SGB, enhancing the capacities of all the partners, are respect for autonomy and equal sharing of responsibilities (Naidu, Joubert, Mestry, Mosoge & Ngcobo, 2008:158).

**The Department of Education provides enough support to School Governing Bodies so that they can implement decisions taken:**

Educator		School Governing Bodies		Circuit Office Official	
Yes	No	Yes	No	Yes	No
90%	10%	89%	11%	85%	15%

Educator A1; *“No, the problem with our department is that it does not inject enough funds to school so that the SGB could fulfill its objectives.”*

Educator A2; *“No, there is not enough training of SGBs by the department.”*

Educator A3; *“No, there is workshop ones in a year yet expected to perform extra-ordinarily.”*

Educator A4; *“Yes, because the SGB can have an influence when it comes to the employment or employing an educator.”*

Educator A5; *“There is enough integration between all parties and stakeholders.”*

How do you balance and separate the powers vested upon the governance (SGB) and the powers vested upon the School Management team (Principal & SMT) for the benefit of the learners in the school and the school community at large without causing rift between the two, school representing the department and SGB representing the parents?

**Members of SGBs and SMTs work in harmony and respect with each other:**

School Governing Bodies					Educator					Circuit Office Official				
1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
0	1	1	12	13	1	8	5	19	25	1	0	5	8	6
0	4%	4%	44%	48%	2%	14%	8%	33%	43%	5%	0	25%	40%	30%
100%					100%					100%				

The board should be independent of management and there should be adequate systems of internal controls in place, good IT governance and good risk management policies in place (Correia, Flynn, Uliana, Wormald & Dillon, 2015:1-27). Management should ensure that the company adheres to high ethical standards, act within the law and complies with all applicable regulations (Correia, Flynn, Uliana, Wormald & Dillon, 2015:1-28).

**Members of the local communities are actively encouraged to take part in school activities:**

School Governing Bodies					Educator					Circuit Office Official				
1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
1	1	1	14	10	1	10	2	23	22	1	1	6	10	2
4%	4%	4%	51%	37%	2%	17%	3%	40%	38%	5%	5%	30%	50%	10%
100%					100%					100%				

48% of the participants from school governing bodies do agree that SGB and SMT work in harmony and do welcome the participation of the local communities in their schools. 37% from educators do agree that SMT, SGB together with local communities should share the space for the benefit of the learners who are their children. 45% of the circuit officials do agree also that the three should work together to get the business of the day to run smoothly without one of them left behind with each party afforded the necessary respect as the children hail from the community of which parents have been nominated by the parents' community to incarnate them on issues of authority.

**4.2 Use of school funds**

Governing bodies are responsible for ensuring that their school's funds are spent wisely (Nash, 2015:16). Governing bodies are formed for this purpose, but they must be trained and informed about the roles they are expected to play, both legislatively and otherwise, in terms of the institution's finances (Louw, 2013). Mostly, school governing bodies members are assessed on how best they manage the school finances when elected to serve as governors of public schools with fiduciary mandate entrusted upon them (Maluleke, Cassim & Karodia, 2016:18). Heystek (2002:7) argues that in order for parents to fulfill the expected policy and financial roles, they must be able to interpret and understand policies and regulations in order to enact them.

The SBG members stand in a position of trust towards the school. This position of trust applies to their handling of the finances of the school, attendance of meetings, carrying out of duties and conduct at all times (Beckmann & Visser, 2000 cited by Naidu et al, 2008:150). In a change of approach, King III introduced the duties of directors as to act in good faith and exercise the required degree of care, skill and diligence in the best interests of the organization (Dyson, 2010:151). Corporate governance and King III, corporate governance should ensure that management and the board of directors' act in the interest of the shareholders, although increasingly, this includes other stakeholders (Correia, Flynn, Uliana, Wormald & Dillon, 2015:1-27). Borrowing from Kouri (1991:17), one could say that SGBs as board of directors must be able to justify their financial decisions and actions. A study by Motala and Pampallis (2001:171) points out that the lack of sufficient public funding for education has resulted in a situation where the affluent subsidize their children's education with private resources while the poor rely on a State which has insufficient resources to fund an acceptable level of education provision.

**The finances of public schools are managed efficiently compared to independent schools:**

School Governing Bodies					Educator					Circuit Office Official				
1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
1	4	9	9	4	1	8	23	13	13	2	3	6	8	1
4%	15%	33%	33%	15%	2%	14%	40%	22%	22%	10%	15%	30%	40%	5%
100%					100%					100%				

The highest percentage comes from the circuit officials with 40% of them do agree that the finances of public schools are managed efficiently compared to independent schools; educators and school governing bodies scored high percentage on not sure scale with 40% from educators and 33% from school governing bodies. The position displayed by circuit officials could be attributed to the first-hand information principle as they inspect all school finances irrespective of being a public school or independent school as long that school has is registered with the department of education or having EMIS number which qualify it to be funded, the circuit officials have got access to their information and as such the percentage shown herein could be accepted as the true reflection of how things look like between the public schools and independent schools. Public schools should appraise their finance

committees as well as financial officers for doing an excellent job in Vhembe District in relation to this aspect of finances and should keep them alive to put the finances of the schools intact.

**The finances of public schools are audited regularly:**

School Governing Bodies					Educator					Circuit Office Official				
1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
1	0	6	11	9	2	8	6	15	28	1	2	6	7	4
4%	0	22%	41%	33%	3%	14%	10%	25%	48%	5%	10%	30%	35%	20%
100%					100%					100%				

The school governing bodies and educators strongly agree that the finances of public schools are audited regularly in terms of 48% from educators and 33% from SGB members whereas only 20% of circuit officials strongly agree with this view. High percentage of respondents not sure comes from circuit officials with 30% followed by the School Governing Bodies with 22% and only 10% of educators who are not sure if the finances are audited regularly.

The views of majority in this regard are supported by SASA 84 of 1996, 543(5) stating that a governing body must send a copy of the annual financial statements, audited or reviewed in accordance with this section, to the Head of Department within six months of the end of each financial year.

**5. Recommendations**

- The department of education and governing bodies associations should make sure that the level of training to the governors in public schools and independent schools is improved by ensuring that effective training is continuous as stipulated in SASA 84 of 1996, Section 19 (1)(a & b) in order to capacitate them in executing their roles so that they could able to perform their functions effectively and consider issuing them with certificate of competency after completing the program of training designed in that particular period by which in principle will be to professionalize the structure. The department of education and governing bodies associations should consider writing all the training materials in all official languages of the country for easy usage by those who are less educated.
- It is recommended that civic organizations should form a structure that deals specifically with the ignorance and failures by the Department of Basic Education in nine provinces after all avenues have been exposed within a period of three months. Cases of corruption, abuse of power by principals and chairpersons of SGBs, extra-ordinary relations between teachers and pupils, discrimination and unfair labour practice purported by SGB members should be reported to the department concern at the circuit and district level whereby within a period of fourteen days the matter should have been addressed. If the matter is not being attended to as expected on that level now it could be escalated to the provincial office and the governing bodies associations for their intervention up to the level of national level. Failure to address the case reported within the period of three months by the department the structure formed by civic organizations championing the interest of quality education in the country which include amongst others Corruption Watch, Section 27, Equal Education, governing bodies associations, Right to Know Movement, De Loitte, OUTA, NECT and SANCO should be assigned to assist in bringing efficiency that we aspire to have in our education sector by holding the minister accountable in her constitutional obligation.
- The principal of the school through the delegated function controls the school finances on behalf of the school governing body which is a custodian of school funds in terms of the law and therefore has to be held accountable by the school governing body on the usage of school funds. The schools through governing bodies do submit audited statements annually that have been audited by external auditors to the department in order to monitor and inspect the usage of public funds allocated to schools if indeed it is being used for the intended purpose as outlined by SASA 84 of 1996, section 43(5). The department can consider making all of these independent forensic firm members of the DBE's auditors for the duration of the SGB's circle, such that if they are found to be rigging any of the forensic data, they are punished in the

form of reimbursing the funds that were lost in the institution where they were tasked to audit. This would reduce the amount of corruption that is occurring and provide necessary support at an early detection so that at the end of the year everything is intact for the benefit of all parties involved in the education.

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