



## **GAUTENG PROVINCE**

EDUCATION  
REPUBLIC OF SOUTH AFRICA

**Circular 08 /2020**  
**Date: 17 June 2020**

**Topic**

**CIRCULAR ON THE MANAGEMENT OF COVID19  
CASES IN SCHOOLS BY SCHOOL GOVERNING  
BODIES**

**Enclosures**

**ANNEXURE A: DBE STANDARD OPERATING  
PROCEDURES**

**Distribution**

- ✓ All Chief Directors and Directors at Head Office
- ✓ All Directors at District Offices
- ✓ All Officials at Head Office and District Offices
- ✓ Principals of all Public Ordinary Schools and LSEN Schools
- ✓ Members of School Governing bodies
- ✓ Governing Body Associations
- ✓ Staff members in Public Ordinary and LSEN Schools
- ✓ Teacher Organisations and Unions
- ✓ Relevant Non-Governmental Organisations

**Enquiries**

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On request, this circular will be made available in Afrikaans, isiZulu or Sepedi within 21 days  
Also available on the GDE website at: [www.gauteng.gov.za](http://www.gauteng.gov.za)

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## **1. INTRODUCTION**

The Gauteng Department of Education has become aware that some School Governing Bodies (SGBs) are not complying with the Department of Basic Education's (DBE) Standard Operating Procedures when suspected or confirmed cases of COVID19 are identified, resulting in them taking unilateral decisions to close schools.

## **2. PURPOSE OF THE CIRCULAR**

The purpose of this circular is to:

- 2.1 outline the roles and responsibilities of SGBs in the handling of COVID19 incidents in schools;
- 2.2 clarify the authority of School Governing Bodies, relating to the management of suspected or confirmed COVID19 cases and school closures.

## **3. LEGISLATIVE FRAMEWORK**

- 3.1 The Constitution of the Republic of South Africa, 1996 (Act No 84 of 1996), as amended;
- 3.2 South African Schools Act, 1996 (Act No. 84 of 1996), as amended;
- 3.3 Disaster Management Act, 2002 (Act No. 57 of 2002), as amended;
- 3.4 Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended; and
- 3.5 Gauteng Schools Education Act, 1995 (Act No. 6 of 1995), as amended.

## **4. THE ROLE OF SCHOOL GOVERNING BODY (SGB) IN MANAGING COVID19 INCIDENTS IN SCHOOLS.**

The regulations pertaining to the COVID19 pandemic do not detract from the Roles and Responsibilities of SGBs as determined by the South African Schools Act, 1996, as well as, the Governing Body Regulations for Public Schools published in General Notice 786 of 1997 (PG 331 of 28 February 1997), as amended. The SGB must continue to ensure that it fulfils its functions as stated in Section 20(1) (e) of SASA, to "support the Principal, educators and other staff of the school in the performance of their professional functions".

The Department of Basic Education, has put in place a protocol for Schools to follow when a suspected or confirmed case of COVID19 is identified, in the "Standard Operating Procedures (SOP) for the

Prevention, Containment and Management of COVID19 in Schools and School Communities” (Attached as Annexure A)

Key feature of this protocol (see Annexure A for further Details), are as follows:


- a) all cases must be reported to Public Health Officials for advice on further action to be taken and prevention measures;
- b) in most cases, the decision to close school will be context and school specific;
- c) A Public Health Official may only recommend school closures; and
- d) neither the Principal nor the SGB is expected to make decisions about dismissals or school closures.

To provide clarity with respect to (d) above, in terms of Section 16(4) and 16(5) of SASA, only the Head of Department has the power to temporarily close a school and decide when the school should reopen. To ensure compliance with SASA, the Principal is required to seek advice from the relevant Health Officials and to inform the District Director, who will in turn will present the school’s case to the Head of Department for consideration. The District Director shall inform the school in writing of the decision of the Head of Department.

**5. CONCLUSION**

In the light of the above, a humble request is made by the Head of Department for SGBs to refrain from taking decisions of closing schools based on any COVID19 related matter.

**6. SIGNATURE OF THE HEAD OF DEPARTMENT**

  
MR EDWARD MOSUWE  
HEAD OF DEPARTMENT

DATE: 17/6/2020