

**THE CHALLENGES OF IMPLEMENTING EMPLOYMENT EQUITY AT FORMER
MODEL C SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL**

by

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DECLARATION

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I, Nduduzo Fortune Mhlongo, declare that “The Challenges of Implementing Employment Equity at Former Model C schools in the Province of KwaZulu-Natal”, is my own work which has never been submitted to any University for any degree. It is further declared that all the sources which I have used in this dissertation have been acknowledged.



Nduduzo Fortune Mhlongo

24 June 2021

DEDICATION

I dedicate this study to all my immediate and extended family members for having contributed severally and collectively towards my rise to this level by being my source of support and pillars of strength, and particularly my children, Zaselangeni and Zethembiso.

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I wish to thank God for the strength and wisdom to undertake and complete this study against all odds.

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ABSTRACT

This study investigated the implementation of employment equity at former Model C schools in the Province of KwaZulu-Natal. The newspapers had previously reported that the former Model C schools still lagged behind in the employment of black teachers as about 75% of teachers were white. This study had relevance in the post-apartheid era because this situation is contrary to the transformative legislation of post-apartheid South Africa.

The Employment Equity Act requires that Employers who employ 50 or more employees must draft and implement an Employment Equity Plan and apply affirmative action measures to redress the imbalances of the past. The study specifically investigated the role of the SGBs of former Model C schools and the KwaZulu-Natal Department of Education in implementing the Employment Equity Plan and the Affirmative Action Policy of the KwaZulu-Natal Department of Education.

The study employed a mixed methods research design and made use of quantitative data to confirm qualitative data. The research participants were selected on the basis of purposive sampling to ensure that they were information-rich and informative about the topic. The study found that the school governing bodies were not trained to implement both the Employment Equity Plan and the Affirmative Action Policy of the KwaZulu-Natal Department of Education. These crucial documents were not available when the SGBs were being trained to conduct shortlisting and interviews and were not implemented during shortlisting and interviews.

The study found that the School Governing Bodies of former Model C schools want to recommend the best or competent educators, however in most cases their intention to recommend competent educators results in the employment of white educators. This study attributes this, *inter alia*, to the non-implementation of the Employment Equity Plans and the Affirmative Action Policy by the School Governing Bodies. The managers at circuit and district levels have not been assigned the roles to play in monitoring the implementation of employment equity by SGBs in terms of the legislative and policy framework.

Key words: Affirmative action; Designated employer; Designated groups; Educators; Employment equity; Employment equity plan; Former model-c schools; School governing body;

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LIST OF ACRONYMS

AA	Affirmative Action
AAP	Affirmative Action Policy
CBC	Canadian Broadcasting Corporation
CEE	Commission for Employment Equity
CLS	Critical Legal Studies
CNE	Christian National Education
COSATU	Congress of South African Trade Unions
CRT	Critical Race Theory
DBE	Department of Basic Education
DDG	Deputy Director-General
DEEC	Departmental Employment Equity Committee
DEOPE	Director of Equal Opportunity in Public Employment
DoE	Department of Education
EE	Employment Equity
EEA	Employment Equity Act
EEC	Employment Equity Committee
EECF	Employment Equity Consultative Forum
EED	Empangeni Education District
EEF	Employment Equity Forum
EEP	Employment Equity Plan
EFA	Education for All
ELRC	Education Labour Relations Council
EMIS	Education Management Information System
FCP	Federal Contractors' Programme
HL	Home Language
HOD	Head of Department
HR/ HRM	Human Resource Management
IC	Interview Committee
IGT	International Game Technology

KZN DoE	KwaZulu-Natal Department of Education
LRA	Labour Relations Act
MEC	Member of the Executive Council
MIS	Management information system
NAPLAN	National Assessment Programme – Literacy and Numeracy (Australia)
NDP	National Development Plan
NEP	National Plan for Education (Brazil)
OBCs	Other Backward Classes
PAM	Personnel Administrative Measures
PL1	Post Level 1
PNE	National Plan for Education (Brazil)
PPI	Public Policy Institute
RSA	Republic of South Africa
SAHRC	South African Human Rights Commission
SASA	South African Schools Act
SC	Scheduled castes
SCs	Scheduled Classes
SEM	Superintendent of Education Management
SES	Socio-economic Status
SGB	School Governing Body
SMS	Senior Management Service
SMT	School Management Team
STEM	Science, Technology, Engineering and Mathematics
STs	Scheduled Tribes
UCLA	University of California, Los Angeles
UNISA	University of South Africa
U.S. or US	United States

CHAPTER 1: GENERAL ORIENTATION OF THE STUDY

1.1 INTRODUCTION

The apartheid education system was aimed at entrenching racial difference. This manifested itself in the schooling system that separated the race groups by creating separate schools for the different race groups as part of the government's overall apartheid plan for social, economic and political development (Christie, 1991). The issue of employment equity did not find recognition under the apartheid regime. The rich and prestigious schools for whites only, where teachers from other race groups could not be employed, emerged under apartheid. These schools later became known as Model C schools before the end of the apartheid regime (Hayes, 2012).

1.2 HISTORICAL BACKGROUND

Historically the former Model C schools came into existence as a result of a number of campaigns which took place in Cape Town and Johannesburg in 1989 which put pressure on the apartheid government to open government schools to all races. In September 1990, the Minister of Education and Culture under apartheid, Piet Clase, announced that white government schools were going to be authorised to register black learners in the beginning of 1991. There were conditions set for this change. Three 'models' were set for schools to choose from. Model A allowed a school to close down as government school and reopen as a private school, Model B allowed a school to continue to operate as a government school but determine its own admission policy, and Model C allowed a school to become a state-aided school. Most schools chose Model B (Christie, 1991).

The conditions that were set out for opening white government schools to other races included the following: 90% of the white parents would have to agree to the opening of white government schools to other races, schools would still admit learners from their previous feeder zones. They were not required to change their traditional values and ethos; there would be mother tongue teaching in English or Afrikaans; and the Christian National Education principles of the 1967 Act would be maintained (Christie, 1991). These conditions seem to have been set out in order to preserve the white character of these schools.

Dryden (1999) mentioned that in February 1992, Mr Piet Marais, who was the new Minister of Education and Culture, announced a decision that the schools that had chosen to remain all white and Model B would be transferred to Model C status. This would enable these schools to operate as semi-privatised schools and would assist in the adaption to a 17% budget cut that was expected in white education.

Education at Model C schools would be expensive because they would be semi-privatised institutions and there would be a budget cut. Most black parents were not going to afford school fees due to their socio-economic status; therefore, this would exclude most black learners and keep them away from the former Model C schools. History reveals that the Model C schools were introduced about 18 months prior to the end of apartheid. This was perceived to have been a desperate attempt to preserve apartheid (Hayes, 2012). It is arguable too that the introduction of Model C schools gave the semblance of racial integration without actually threatening white dominance.

Seemingly, apartheid would be preserved by the fact that it was going to be difficult for most black parents to enrol their children at Model C schools because of their socio-economic status. This opening of former white government schools to other race groups was exclusive in nature since it was coupled with strict conditions and budget cuts. Christie (1991) regarded the opening of former white government schools as a small-scale move which involved a 'minority' of schools and comparatively few black students.' Despite the opening of the former white government schools to other race groups, the racial divisions were still glaring because there were separate education departments for Indians, coloureds, whites and black Africans.

The Government of National Unity came into being in 1994 and amalgamated the racially divided departments into a single national Department of Education (DoE) and nine non-racial provincial DoEs came into being. The new dispensation brought about the constitutional and legal obligation to implement equity in education. The White Paper on Education and Training (1995) was the first initiative of the post-apartheid government in which the most important directives such as equity, redress and the transforming of the legacies of the past found expression.

The Constitution of the Republic of South Africa (1996) in which the values of non-racialism, equality and labour rights are enshrined, was an important milestone in achieving equity in education. In the DoE, in particular, it saw the breaking of the barriers that prevented the previously disadvantaged teachers from being employed in prestigious schools that were designated for whites only. Equity became the common feature of education law of the post-apartheid era. Section 20(8) of the South African Schools Act 84 of 1996 provided that the following principles must be taken into account in the appointment of staff:

- the principle of equity;
- the need to redress past injustices; and
- the need for representivity.

Section 7(1) of the Employment of Educators Act 76 of 1998 provided that in the filling of any post on any educator establishment under this Act due regard be given to equality, equity and democratic values and principles contemplated in Section 195(1) of the Constitution of RSA (Act 108 of 1996). The Employment Equity Act 55 of 1998, which is the foundational legislation of this study, imposed the equity obligation on all designated employers in South Africa. The preamble to this Act recognises that ‘as a result of apartheid and other discriminatory laws and practices, there are disparities in employment, occupation and income within the national labour market.’ The purpose of the Act was to redress the imbalances of the past. It aimed at eliminating unfair discrimination in employment by imposing an obligation on designated employers to prepare and implement the Employment Equity Plan (EEP) to achieve equity in the workplace (Gibson & Flood, 2013).

The Act also imposes an obligation on designated employers to implement affirmative action (AA) measures. Therefore the public schools, including the former Model C Schools, have to implement the EEP and the Affirmative Action Policy (AAP) of the KZN DoE as the designated employer in order to achieve employment equity. In meeting the obligations in terms of the Employment Equity Act, the Head of Department of the KwaZulu-Natal DoE and senior managers have a responsibility to manage the implementation of the Act in the workplace.

The implementation of employment equity involves planning, organising, leading or guiding, and checking that things are done accordingly at all levels (control) to ensure the effective implementation of employment equity. By virtue of the obligations imposed by the Act on employers, it goes without saying that employment equity is one of the goals to be achieved by organisations, and which must feature prominently in the management of organisations. Erasmus et al. (2013) clarified the role played by managers to achieve organisational goals. Erasmus et al. (2013) stated that managers must plan (what has to be done), organise (how it must be done), lead or guide (instructions must be provided to see that things get done), and control must be exercised (check that they are done). Employment equity can be achieved only if the implementation of the Act in the workplace is effectively managed, as highlighted by Erasmus et al. (2013).

Employment equity, as already alluded to above, is obviously a fundamental change which the post-apartheid government wanted to effect in the workplaces in South Africa in order to undo the apartheid legacy and bring about organisational change. According to Daft (2012), organisational change happens when an organisation adopts a new idea or behaviour. It may be prompted by factors outside the organisation itself such as new government regulations with which organisations have to comply. In the South African context, employment equity can be seen as a new idea or behaviour which was spurred by the enactment of the Employment Equity Act. It therefore has led to the need for organisational change within the DBE. Pettinger (2012) defines change as a process as well as a series of events. Any change that is made now will affect the ways in which things are done in the future and provide opportunities for future initiatives.

Given the definition by Pettinger (2012), people are likely to view change in terms of how it is likely to affect them and their future plans. If people view change as something that will have a negative impact on them and their interests, they are likely to respond negatively to it. According to Ivancevich, Konopaske and Matteson (2014), change might cause intense fear and resistance.

In South Africa, there was both resistance to and welcoming of equity provisions. Problems related to the Employment Equity Act manifested themselves in various ways. When the attitudes and the experiences of previously and non-previously disadvantaged

groups are taken into consideration, it appears that progress towards achieving employment equity in South African organisations leaves much to be desired (Oosthuizen & Naidoo, 2010).

De Vos (2012) revealed that issues pertaining to the Employment Equity Act, particularly the EEP and regional demographics were challenged in court by both the previously advantaged and disadvantaged groups, respectively. This shows the controversy around the issue of employment equity and the barriers to equity. According to Shaw (2016), South Africa still ranks among the countries of the world that are most affected by the wage gap between employees and employers, which is inconsistent with the provisions of the Employment Equity Act.

The 17th Employment Equity Report (Department of Employment and Labour, 2017) shows that the whites who constitute 8.4% of the population still occupy 68% of the country's top management positions in the public and private sectors while black Africans who constitute 80.2% of the population, according to South Africa Demographics Profile (Statistics South Africa [StatsSA], 2016), occupy only 14.4% of top management positions. This shows that despite the enactment of the Employment Equity Act, serious imbalances still exist in the workplaces in South Africa. This seems to be the case even in education when it comes to the appointment of teachers, particularly at former Model C schools. Comparatively speaking, African teachers, as the most disadvantaged group under apartheid, still seem to be struggling to gain employment at former Model C schools as a workplace from which they were also excluded under apartheid. As a result, their human needs in terms of Maslow's hierarchy of needs are not addressed (Steyn & Van Niekerk, 2006).

According to Steyn and Van Niekerk (2006), in terms of Maslow's hierarchy of needs, teachers have certain needs such as belonging needs, status and self-esteem needs, and self-actualisation needs. These needs include the need to fulfil and develop one's potential, the need to belong somewhere, feel valued and respected by the self and significant others. This recognition can be met, among other things, by employment and promotions in the workplace where equity is implemented. The apartheid regime did little or nothing to ensure that the needs of black African educators were adequately met in the

workplace. The Employment Equity Act protects the rights of teachers in the workplace and makes the workplace conducive to meeting their human needs in terms of Maslow's hierarchy of needs (Steyn & Van Niekerk, 2006). According to the South African Human Rights Commission, (undated: 43), educators are recipients of human rights. They have rights as:

- educators;
- agents of the state;
- workers;
- professionals; and
- human beings.

The manner in which we understand and embrace human rights and inclusivity within education must extend to nurturing and protecting the rights of educators (Mda & Mothatha, 2000). Teachers, as professionals, need to be afforded fair opportunities to teach where they want to teach, and to occupy management positions in institutions of their choice, thereby exercising their constitutional and labour rights.

In the light of the foregoing analysis, this study investigated the implementation of the equity guides of the post-apartheid era at former Model C schools in the DISTRICT XY District.

1.3 RATIONALE FOR THE STUDY

This study proceeds from the premise that the apartheid education system created a racially differentiated schooling system in which the teachers were confined in schools designated for their race groups only. The post-1994 labour law is transformative in nature and aims at transforming the workplace in South Africa. The researcher has worked as an educator at the former Model C schools where the transformative legislation of the post-apartheid era also applies. The former Model C schools fall under the jurisdiction of

the Department of Basic Education as the employer, therefore the KZN DoE¹ has an obligation to comply with post-1994 transformative labour law.

In terms of Section 14(4)(c) of the Labour Relations Act 66 of 1995(LRA), trade union representatives have the right to monitor the employer's compliance with workplace-related provisions of the LRA, or any legislation which regulates terms and conditions of employment and any collective agreement which is binding on the employer. The union representatives have the right to report the alleged contravention of the workplace-related provisions of the LRA, any legislation regulating terms and conditions of employment to the employer, the representative trade union and responsible authority or agency. This section of the Labour Relations Act clearly indicates the seriousness of the employer's obligation to comply with labour law in the workplace.

1.4 MOTIVATION FOR THE STUDY

The observations and the challenges noticed at former Model C schools prompted the researcher to undertake this study. These challenges included the following:

- Non-compliance with the Employment Equity Act and other relevant legislation in most employment processes.
- Lack of capacity on the part of departmental officials to tackle disputes about employment equity, which included the misconception about the level at which employment equity (affirmative action) is implemented during the employment process.

One of the challenges experienced at former Model C schools pertained to the documents that are supposed to be used during the employment processes. The important documents related to employment equity such as the EEP and the AAP for Educators were not available. The KZN DoE Human Resources Management (HRM) Circular No. 38 of 2015 referred to the EEP in general terms as the plan that had be noted in the filling

¹ It should be noted that the national education department is called the Department of Basic Education (DBE), but the provincial departments are called departments of education; e.g. the KwaZulu-Natal Department of Education (KZN DoE).

of vacant posts, but it was neither seen nor used by SGBs during the employment processes that were taking place in the province at that time.

The procedure manuals from the KZN DoE to which the School Governing Bodies (SGBs) had to adhere to fill vacant posts, referred to equity in general terms without making it a compulsory requirement. It was noticed that the procedure manual does not assist the interview committee and SGBs by providing clarity on how to apply the principle of equity. It was also noticed that the procedure manual does not make reference to the AAP for Educators and does not provide guidance as to how the affirmative action measures are to be implemented by the SGB or selection committee. These experiences motivated the researcher to undertake this study, amongst other things, to shed light on how the procedure manuals can be improved as follows:

- recommending how the procedure manual can be aligned with the EEP and the AAP
- recommending how employment equity can be made a compulsory requirement during the employment processes.

1.5 BACKGROUND TO THE PROBLEM

The researcher has worked as a teacher at former Model C schools and is a parent at two former Model C schools. It was noticed that in these schools the African learners constitute the majority and that there is under-representation of African educators in the employment categories. Besides these former white schools, the researcher has been to other former Model C schools in the district where the researcher also noticed high numbers of African learners and the under-representation of African teachers.

The researcher has attended to complaints from African educators at former Model C schools about inequitable salaries of SGB-paid educators, and inequitable recommendations for appointment in state-paid posts. After requesting information from the authorities to verify the details of the complaint, it was established that a former Model C school had 25 state-paid educator posts including management posts. Twelve of these posts were occupied by white teachers, ten posts were occupied by Indian educators and only three posts were occupied by African educators. In addition to these posts the school also had 24 SGB-paid teaching posts. Fourteen of these posts were occupied by white

educators, five were occupied by Indian educators and the other five were occupied by African educators. In the staff of 49 educators, there were only eight Africans. Considering this number of African educators and that Africans constituted the biggest percentage of the South African population, the researcher can confirm the under-representation of Africans in the institution.

According to Ndandani (2014:149), “South Africa’s education system started the journey to the end zone of ‘all schools for all children’.” This aspiration could not be conceptualised without the twin end zone of “all educators for all schools”. In the context of this study, Ndandani’s notion about the South Africa’s education system and the end zone of ‘all schools for all educators’ clarifies that it is not enough that the former white schools in South Africa now admit the learners that were previously barred from schooling there. The same schools must also employ the educators that were previously barred from being employed in those schools.

The Sunday Times (15 February 2015) reported that more than 75% of the teachers at several former Model C schools were white. The Pretoria News (9 February 2015) reported that many former Model C schools were lagging behind when it came to hiring black teachers. It also reported that even former Model C schools that had successfully integrated their student body still had a predominance of white teachers.

In the past years, the KZN DoE took steps to comply with the Employment Equity Act by preparing documents related to the implementation of this Act. The AAP Document for Educators was aimed at achieving equity in all institutions that fall under the control of the KZN DoE. This policy document states that it had to be implemented by SGBs.

According to the KZN DoE HRM Circular No. 9 of 2009, the selection committees were required to apply the principles of employment equity in order to achieve a workforce broadly representative of the South African people, including representation according to race, gender and disability. The KZN DoE HRM Circular No. 66 of 2010 (the Employment Equity Plan) mandated the Selection Committees and SGBs to consider the EEP of the KZN DoE in the filling of posts. This plan had to be brought to the attention of all

employees and was valid for a period of 5 years extending from 1 April 2009 to 31 March 2014.

The KZN DoE HRM Circular No. 38 of 2015 required that in filling vacant posts, the SGBs had to abide by the principles of equal and fair treatment, as contained in the EEP, and in line with the provisions of the Employment Equity Act (EEA) of 1998, as amended. The available Employment Equity Reports of the KZN DoE for 2008, 2010 and 2011 respectively, show that the department's annual objectives as set out in the employment equity plans for the respective periods were not achieved. Despite the existence of post-apartheid legislation that is aimed at redressing the imbalances of the past, and the endeavours of KZN DoE to achieve employment equity, the imbalances still exist at the former Model C schools.

There is obviously a problem with regard to the management of employment equity within the KZN DoE. This is evident in that the Africans are still the most under-represented group in these schools. This situation is not consistent with Section 9 of the Constitution which guarantees the equality of all persons irrespective of race. Since the Africans were the most disadvantaged group under apartheid, it is important to undertake this study in the post-apartheid era in order to test the validity and reliability of the allegations made above with a view to proposing an effective implementation strategy to achieve employment equity within the KZN DoE, and to deal with the under-representation of African teachers and achieve socio-cultural integration at the former Model C schools.

1.6 PROBLEM STATEMENT

The purpose of this study is to investigate how the EEA No. 55 of 1998 is being implemented at former Model C schools.

The former Model C schools were designated for whites only under apartheid, they admitted white learners only, and only white teachers were employed to teach in these schools. In the light of the transformative legal framework of the post-apartheid era, my observations and experiences in the DISTRICT XY District still indicate that African teachers are under-represented at the former Model C schools. After more than 20 years

of democracy, the South African newspapers also report the under-representation of black educators in the former Model C schools in the country.

According to Hangeveld (2014), the former white schools inscribe white superiority on students' identities by, amongst other things, refusing to hire more black teachers. This shows the negative effect that racial inequity amongst teachers may have on the education of children. It deprives learners of a culturally diverse staff which is pedagogically essential in a multicultural and democratic society. A culturally diverse staff minimises bias or subjectivity in education because they bring diverse intellectual knowledge from their cultural and historical perspectives, which the non-diverse staff cannot do (CBC News, 16 February 2016).

The observations and experiences cited above at former Model C schools reveal the existence of challenges in the implementation of the EEA when the teachers are being recommended by SGBs to the DBE for employment, or when the SGB-paid educators are employed. It also implies that the KZN DoE approves the recommendations of SGBs even if there is non-compliance with the EEA during the recommendation phase. This creates a problematic situation where the EEA appears to be a piece of legislation that is not serving its purpose of redressing the imbalances of the past. The transformation of the South African education system and the need to address issues of equity and fairness was one of the aspirations that were unambiguously expressed during the struggle (Christie, 1991). The under-representation of African educators at former Model C schools as reported by the Sunday Times (15 February 2015) and the Pretoria News (9 February 2015), undermines the struggle to transform the South African education system.

The problem about the under-representation of black educators in the former white schools has not been unnoticed in the post-apartheid era. The Report of the Human Rights Commission revealed that there was an expectation that the increase in the number of black learners entering the former white schools would increase the number of black SGB members and black staff in these schools, but this did not materialize (Vally & Dalamba, 1999).

There seems to be a recurring situation in which the African teachers appear to be a disadvantaged group in education. Based on my observations, the former white schools seem to employ Africans to teach African languages and the scarce subjects for which there is generally a shortage of teachers in the country. Under normal circumstances, the former white schools hardly employ African educators.

There is a belief that employment equity is simply a political imperative that organisations are compelled to fulfil. Therefore organisations in South Africa are merely complying with the legislation in order to keep the ball of employment equity rolling. As a result of this attitude, employment equity is not achieving its intended objective and there are many irregularities found in the workplaces (Oosthuizen & Naidoo, 2010).

Thus, the employment equity plans and the employment equity reports prepared by the KZN DoE appear to be documents completed merely to comply with the EEA to keep the ball rolling rather than being documents intended for strict compliance with EEA. According to Buthelezi (2011), the attitudes of employees towards the implementation of employment equity and affirmative action have an impact on the success of the organisation.

According to Oosthuizen and Naidoo (2010), employment equity is frequently criticised and seen as a form of reverse discrimination. The employment equity appointees are also seen as less competent than some other appointees. These are the attitudes that may hinder the achievement of employment equity at the former Model C schools.

1.7 RESEARCH QUESTIONS

The research questions guide the researcher during the initial investigative process and describe the overall focus of the study (Lodico, 2010). In this study, the following research questions describe the overall focus of the study and guided the researcher during the initial investigative process:

Main research question: How is the Employment Equity Act implemented at former Model C schools in the Province of KwaZulu-Natal?

Sub-questions:

- How do the school governing bodies implement the EEP and apply the AAP?
- What is the role of the KZN DoE in the implementation of employment equity?
- What are the student and teacher demographics of former Model C schools in Province of KwaZulu-Natal province?
- What are the challenges to employment equity at former Model C schools in Province of KwaZulu-Natal province?

1.8. AIM AND OBJECTIVES OF THE STUDY

1.8.1 Aim

To investigate how the SGBs of former Model C schools in the Province of KwaZulu-Natal implement the Employment Equity Act.

1.8.2 Objectives

- To investigate how the SGBs implement the EEP and apply the AAP when teachers are recommended for employment.
- To investigate the role of the KZN DoE in the implementation of employment equity?
- To understand the demographics of teachers, students and SGB members at former Model C schools.
- To investigate challenges to employment equity at former Model C schools.

1.9 SIGNIFICANCE OF THE STUDY

The former Model C schools, from the perspective of this study, are workplaces that are a product of the old South Africa that was racially divided and characterised by inequalities, where other race groups were marginalised and disadvantaged in various ways. The EEA is fundamentally about redressing the imbalances of the past in the workplace. Therefore the Model C schools should have been infused with the values of a free, democratic, and new South Africa as enshrined in the Constitution in order to undo the legacy of the past and transform them as workplaces.

Considering my observations and experiences stated in the preceding subsections, a research which investigates equity issues at former Model C schools is still necessary.

The findings and recommendations of this study will contribute to the body of knowledge in that it addresses the existing challenges pertaining to redressing the imbalances of the past at former white schools.

According to South Africa Demographics Profile (StatsSA, 2016), Africans constitute 80.2% of the population of South Africa but, according to my observations and experiences at former Model C schools, black African teachers are seriously under-represented although black African learners constitute the majority in these schools. Historically, black Africans were the most disadvantaged group under apartheid. There were persistent moves to exclude black Africans when the apartheid regime introduced changes. They were excluded from the tricameral parliament of 1983 (Naidoo, 2012).

Their education was the worst under apartheid (Christie, 1991). The former Model C schools were exclusively designated for white learners and white teachers only under apartheid. In the post-apartheid era, it is important to investigate how these schools have addressed the imbalances of the past by allowing the study to take into consideration the previously most disadvantaged race group, which is a majority population group of South Africa. Against this background this study focuses on investigating the under-representation of African teachers at former Model C schools in the light of the provisions of the EEA whose purpose is to redress the imbalances of the past.

In South Africa there are tensions between the citizen's claims to culture due to the multiracial and multicultural nature of the South African community (Albertyn, 2009). These tensions have serious implications for education since culture and education are complex phenomena which have a causal relationship (Giorgetti, Campbell & Arslan, 2017). The causal relationship between education and culture is evident in that the impacts of culture are reflected in student-teacher relationships, curriculum development and the teaching and learning pedagogy (Kang & Chang, 2016). According to Albertyn (2009), multiculturalism requires an approach that accommodates religious and cultural diversity in a manner that is consistent with fundamental rights.

Therefore to mitigate the tensions pertaining to culture, the education system of South Africa ought to be multicultural in order to cater for the pedagogical needs of learners

from diverse cultural backgrounds. Multicultural education brings about the dimensions that are pertinent in the education of a multicultural society such as: equity pedagogy, the empowering school culture, content integration, prejudice reduction, and knowledge construction (Banks, 2013). The current study on the implementation of employment equity contributes towards the establishment of a multicultural schooling system by exploring what is needed to ensure the availability of a culturally diverse teaching staff in schools. This could make the dream of multicultural education materialise within a multicultural society.

The former Model C schools constitute a schooling environment which consists of learners from diverse cultural backgrounds, and whose cultural diversity must be catered for in order to address their pedagogical needs. The study contributes towards promoting diversity and inclusiveness at former Model C schools through the employment of relevant staff.

The EEA provides for the employment of the previously disadvantaged race groups thereby ensuring that educators from diverse cultural backgrounds are available in the workplace. The Act has Africans, Indians, coloureds, women and people with disabilities as designated groups that must be considered for employment if they meet the inherent requirements of the job.

The study focuses on the documents used by the KZN DoE to implement employment equity such as the Procedure Manuals, the EEP and the AAP. The recommendations of this study, which is based on the implementation of these documents, will contribute towards policy development and improvement.

From the reading of both the AAP and EEP issued by the KZN DoE, when the principle of equity is applied by the SGB, it is the demographics of the provincial department of education that must be considered instead of those of the school where the appointed educator will work. This means that even if members of a particular race group are over-represented in a particular school, the vacant posts in that school may still be filled by teachers from the same race group which is already over-represented if the same group is under-represented elsewhere within the provincial DoE.

As a result, inequity within the school is not addressed, but the schools continue to operate now with a more over-represented race group than before and a staff complement that is not culturally diverse, and which does not meet the pedagogical needs of learners in a multicultural and democratic society. The EEP and the AAP mainly aim to balance the numbers at provincial level and strike a balance between numbers and issues of diversity and inclusiveness at the appointing school where these factors have a pedagogical significance. This might be a potential barrier to equity because inequity at school level is, seemingly, not addressed. This study gives attention to this issue and makes recommendations about barriers to equity that might emanate from the EEP and AAP issued by the KZN DoE.

In terms of Section 20(1) of the EEA, 55 of 1998, it is the responsibility of a designated employer to prepare and implement an EEP in order to achieve equity. When it comes to public schools, the issue of 'designated employer' and the responsibility of preparing and implementing the equity plan still needs attention.

In addition to educators employed by the state at the former Model C schools, there are educators employed by the school itself under the governance of a School Governing Body in terms of Section 20(4) of the South African Schools Act. The aim behind the employment of these teachers by Model C schools is to provide quality education by reducing class sizes thereby ensuring a perfect teacher-pupil ratio. So there are two employers of the different categories of educators found at the former Model C schools, which can be described as follows:

- In terms of Chapter 1, Section (3)(1)(b) of the Employment of Educators' Act, it is obvious that the head of the provincial department of education in KwaZulu-Natal is the employer of all educators in the service of the KZN DoE.
- In terms of Chapter 1, Section (4) of the Employment of Educators Act, a public school is the employer of educators employed in terms of Section 20(4) of the South African Schools Act, 1996.

The Employment of Educators Act clearly differentiates between the employers, and this may imply that a public school as an employer in its own right is not obligated to use the

EEP that is issued by the KZN DoE. It is obvious that the educators who are employed by the state are to be employed in line with the EEP that is issued by the head of the provincial DoE. The public schools, particularly the former Model C schools, normally do not follow an EEP when educators are employed in terms of Section 20(4) of the South African Schools Act, 1996.

Although the above educators are not employed by the state, they are part and parcel of the workforce profile of the former Model C school and they influence the demographics. Therefore their appointment needs to be compliant with the EEA. However the Court ruled that the implementation of the EEP by the employer must be fair and appropriate, it must not result in unfair discrimination (*South African Police Service v Solidarity obo Barnard*, [2014]).

Section 27 of the Labour Relations Act 66 of 1995, provides for the establishment of bargaining councils where collective agreements are concluded in line with Section 28(1)(a) of this Act. There is no bargaining council in which collective agreements are concluded to determine the salaries of educators employed in terms of Section 20(4) of the South African Schools Act, 1996.

Therefore there is no transparency and fairness when it comes to the determination of salaries of these educators. This situation has the potential to allow for the existence of disproportionate income differentials which is not consistent with section 27(2) of the EEA. Despite the fact that some of the former Model C schools are supposed to be designated employers in terms of the EEA, they do not have their own EEPs, and do not submit employment equity reports to the Director-General in order to comply with this Act.

The issues of designated employer, income differentials, EEP and employment equity report, as they relate to the staff employed at former Model C schools in terms of Section 20(4) of the South African Schools Act, do not appear to have been investigated. It is the purpose of this study to investigate these issues in order to contribute towards the achievement of equity. It is from the context created by the above issues that this study derives its significance.

1.10 DELIMITATIONS

Simon and Goes (2013) defined delimitations as the conscious exclusionary and inclusionary decisions which a researcher makes that may include, inter alia, methodology and the researcher's choice of participants. In this study, the researcher made conscious exclusionary and inclusionary decisions pertaining to the research area, the methodology, the choice of participants and the literature review.

This research excluded other schools and focused on former Model C schools and took into consideration that historically these schools were designated for whites only. The researcher aimed at investigating how the EEA is being implemented to transform the former Model C schools. While the EEA 55 of 1998 aims at achieving equity on the basis of race, gender and disability, this study specifically focused on the race factor and investigated the under-representation of Africans teachers at former Model C schools in the post-apartheid era.

Africans are the most disadvantaged group even being excluded from the tricameral parliament of 1983 (Naidoo, 2012). The study also notes that, according to the Demographics Profile (2016), black Africans constitute 80.2% of the population of South Africa but they are reportedly still under-represented in the educator employment categories of former Model C schools in the post-apartheid era. The issue of race is central to the research problem in this study, hence theory which underpins the study is the Critical Race Theory (CRT).

In the choice of participants at school level, the researcher made a conscious decision to exclude educators and non-educators who have not participated in the employment processes at school level. This decision was taken with a view to ensure that the participants had the required experiences.

The researcher also made a conscious decision to use both the qualitative and the quantitative approaches in the study. The qualitative method was the first and the main method used by the researcher. The quantitative approach served as a secondary method which was used to confirm qualitative data.

The qualitative method was used to explore and discover the issues that were unknown about the phenomenon of the study (Domegan & Fleming, 2007). The quantitative approach provided a quantitative description of the trends involved in the phenomenon of the study (Creswell, 2009). The quantitative method served as the binoculars of the study to see the trends involved in the phenomenon of the study with a view to confirm qualitative findings.

Since the study is about the challenges of implementing employment equity, the literature review of the study focused on the controversies of affirmative action and the equity issues in context. This enabled the researcher to plan the research project and place the research findings into context (Winchester & Salji, 2016)

1.11 OUTLINE OF THE STUDY

Chapter 1

Chapter 1 presents the following: the introduction, background to the problem, problem statement, research questions, aim and objectives of the study, significance of the study, rationale and motivation, and the preliminary chapter outline.

Chapter 2

Chapter 2 presents the literature review dealing with equity issues at international, national and local levels. The literature review is based on the main theory that underpins this study. The inequalities and under-representation of population groups are scrutinised. The strategies adopted to address employment inequity, lack of diversity and inclusiveness are examined. At local (provincial) level, this chapter examines the implementation of the EEA at the level of the KZN DoE in South Africa. The chapter also includes the legal framework that supports and sustains the EEA.

Chapter 3

This chapter describes the research design and methodology to be used in this study. It identifies the sample and population to be used, and also describes the methods of data collection and data analysis.

Chapter 4

This chapter deals with the analysis of qualitative data that was collected through the questionnaire and interviews. The quantitative data on the demographics of educators, SGB members and learners of former Model C schools will also be analysed. The main qualitative and quantitative findings will be presented.

Chapter 5

This chapter answers the research questions of the study, draws conclusions, makes recommendations, cites the limitations and the delimitations of the study, and suggests problems for further research.

1.12 CHAPTER SUMMARY

This chapter has provided orientation to the study. The researcher has specified the following: (a) background to the problem, (b) problem statement, (c) research questions, (d) aim and objectives of the study, (d) significance of the study, (e) rationale and motivation of the study, (f) and the preliminary chapter outline. The study aims at investigating the implementation of employment equity by focusing on the research questions that were outlined in this chapter. The next chapter presents the literature review and the main theory that underpins this study.

CHAPTER 2: EQUITY ISSUES AT NATIONAL AND INTERNATIONAL LEVELS

2.1 INTRODUCTION

The inequalities in societies throughout the world mainly affect certain population groups or race groups. In most cases, there is a link between the inequalities suffered by a particular race group and their historical background. One of the most common characteristics of the groups that suffer inequality in society is their low socio-economic status which becomes an obstacle in accessing education. Factors such as the quality, duration and the type of education a person receives are directly related to their labour-market prospects (Spaull, 2015). The deficits in education and skills development prevent both the employment and the upward mobility of the disadvantaged race groups in the workplace (Lee, 2015). In addressing this situation, governments pass certain legislative measures or affirmative measures. Strategic plans and policies play an important role in dealing with inequalities in the workplace and in the society in general.

Equity and its implementation is about certain phenomena to be considered in context in this study of the phenomenon. Therefore, this chapter briefly presents theoretical framework of the study, and then explores equity issues in context at national and international levels. These issues are basically the phenomena about equity and its implementation which exist in context (Hinds, Chaves & Cypess, 1992). Context matters in research although some of the studies rarely record, analyse and include contextual factors (Fitzsimons, Coleman, Greatorex, Salem & Johnson, 2020). The phenomena of equity and its implementation include the historical background of the beneficiaries of affirmative action, their socio-economic status, the race factor, gender, the legislative framework and the specific strategic planning.

South Africa was selected as the national sphere for exploring equity issues in context whereas countries such as the United States of America, Canada, Brazil and Australia were selected as the international sphere for exploring the equity issues in context. The strategic plans devised by the departments of education in the selected countries to address issues of diversity, inclusion and employment equity are evaluated to assess the extent to which they can redress the identified imbalances. This is of vital importance in

the study since strategic interventions by relevant officials, based on context, are sometimes necessary at management level. Robertson, Jepson, Macvean and Gray (2016) mentioned that the understanding of context is helpful in making decisions about whether to modify the interventions or the context itself.

2.2 THEORETICAL FRAMEWORK

Theory frames the manner in which the topic is perceived by the researcher. It provides the researcher with the basic assumptions and concepts which are relevant to the study. Theory also directs the researcher to the relevant questions for the study and suggests ways the researcher may make use of data (Neuman, 1997). Therefore, theory has a foundational role to play in any study.

The Critical Race Theory (CRT) is based on racism which is evident in white supremacy, white privilege and the marginalisation of blacks. It recognises that racism is firmly established in the societal system, and that institutional racism pervades the dominant culture (UCLA School of Public Affairs, 2009). White privilege means countless social advantages, benefits, and courtesies which are accorded to members of a dominant race group (Delgado & Stefanic, 2011). Education at former Model C schools is still dominated by white privilege and white supremacy, and this affects both black African teachers and black African learners.

The CRT is relevant to the study on the implementation of the EEA in the employment of educators because the Act takes into consideration the race issue and the socio-historical background of the various race groups.

2.2.1 Definitions of the Critical Race Theory

Bodenheimer (2019) defines the CRT as a school of thought which focuses on race and its effects on a person's social standing. The effect of race under apartheid was the creation of a racially differentiated system of education where there were white schools that employed white teachers only.

According to Meghji (2015), the CRT refers to a broad social scientific approach to the study of race, racism and society. The CRT provides this study with a broad social

scientific approach that is necessary to study the implementation of employment equity at former Model C schools.

Price (2019) viewed the CRT as a framework that provides researchers with a race-based approach to understanding educational inequality and structural racism in order to find solutions that lead to greater justice. The under-representation of black Africans at former Model C schools is part of the delimitations of this study, therefore a race-based approach is necessary to enable the researcher to understand this under-representation in depth.

2.2.2 The Origin of the Critical Race Theory

According to Allen (2016) and Bodenheimer (2019), the CRT originated in the United States of America. It is worth noting for the purposes of this study that the United States of America and South Africa share certain similarities related to their history and experiences around the issues of race. Therefore, the CRT is relevant when it comes to tackling race-related issues in the South African context.

According to Crenshaw, Gotanda, Peller and Thomas (1995), the emergence of the CRT challenged the idea that the United States had changed into a colour-blind society where one's race could not affect one's social or economic status. It seems that the notion of a colour-blind society had brought some contentment and illusory racial reform. This seems to have been the situation that the proponents of the CRT wanted to address.

A similar situation exists in South Africa. Some South Africans want to pretend that inequalities based on race and discrimination no longer exist, which is not true. There seems to be a negative attitude towards any act of scrutinising these issues in the society. Like the U.S., some want RSA to be seen as a colour-blind society.

According to McCoy and Rodricks (2015), CRT challenges privilege and the concepts of objectivity, meritocracy, colorblindness, race neutrality and equal opportunity. The argument raised by CRT scholars is that these concepts act as a camouflage for the self-interest, power and privilege of the dominant culture in America. In this study the CRT will serve as a lens through which the camouflage for self-interest, power and privilege can

be seen in order to address the under-representation of the previously disadvantaged groups.

2.2.3 Bell's Idea of Intersectionality

Derrick Bell is considered to be the forefather of CRT who introduced intersectionality as a concept to highlight the multiple and overlapping systems of oppression (Bodenheimer, 2019) .

According to McCoy and Rodricks (2015), intersectionality involves the assumption that, besides race, blacks also experience oppression because other identities such as gender, class, religion, ability/disability, sexual orientation and forms of oppression like sexism, ableism and homophobia. The beneficiaries of employment equity or affirmative action have a history of oppression based on the grounds cited by McCoy and Rodricks (2015). This will be clarified in the literature review that follows.

Breetzke and Hedding (2017) stated that the racial, gender and class divisions that characterised apartheid South Africa presented insurmountable challenges in education. The CRT provides a suitable approach to overcoming challenges of this nature.

2.2.4 Race as a Social Construct

According to Bodenheimer (2019), race has no scientific basis or biological reality. Instead, race as a way to differentiate human beings is a social concept and a product of human thought. According to Bodenheimer (2019), race has had substantially real effects on African Americans and blacks in general in terms of economic resources, educational and professional opportunities, and experience with the legal system. The under-representation of black (African) educators at former white schools in post-apartheid South Africa can be attributed, inter alia, to the race factor.

The impact of the notion of race is that blacks have, for centuries, been regarded as intellectually inferior to white people. Blacks were forced into subservient roles during the colonial period. This socially constructed notion of race played a role in exercising and reinforcing white supremacy (Bodenheimer 2019).

The race factor still affects blacks in all spheres of life in South Africa despite the introduction of changes in legislation and policy by the post-1994 government. The CRT seems to be a good approach in charting the way forward towards proper transformation. The CRT brings the 'race consciousness' that is necessary for the implementation of post-1994 transformative legislation and policy in South Africa. The EEA and its affirmative action were seen mostly by white citizens as reverse racism. However, according to Ford and Airhihenbuwa (2010), the CRT challenges the existing widely held but erroneous beliefs that 'race consciousness' is synonymous with 'racism' and that colour-blindness is synonymous with the absence of racism.

2.3 ORIENTATION TO EQUITY ISSUES

2.3.1 Equity as the Fundamental Phenomenon of this Study

According to Braveman and Gruskin (2003), equity is an ethical concept which is grounded in principles of distributive justice, which means social justice or fairness. This implies that the main aim behind all employment equity or affirmative action strategies or programmes is to achieve justice or fairness for the groups that are targeted in each country. These are the groups that were, in most cases, previously disadvantaged in various ways. The manner in which such groups may have been disadvantaged includes limited access to education, employment, and promotion to higher positions in the workplace. The prejudice suffered by these groups remains an ethical issue that requires intervention by the state to treat them fairly and ensure that justice is done.

2.3.2 The Value of Employment Equity in Education

Charvat (2009) stated that equity is about fairness and equal access to education and employment. It ensures equal opportunity to succeed in education and employment. Charvat also mentions that equity aims at achieving inclusiveness, social and economic justice through numerical representation and the development of balanced and harmonious working environments. In line with Charvat's definition of equity, one can also draw a conclusion that equity is about addressing imbalances in the workplace or society, thereby ensuring fairness. Equal access to education and equal opportunity can be seen as key factors in achieving equity in the society. Without equal access to education and

equal opportunity, employment equity cannot be achieved in the workplace. Numerical representation is another important dimension of Chavart's definition which clarifies that equity is also about numerical representation of population groups in the society and the workplace in particular.

Equity is defined in terms of fairness and inclusion (Gannon & Sawyer, 2014). It ensures a basic minimum standard of education for all people and ensures that personal and social circumstances such as ethnic origin, gender and socio-economic status are not an obstacle to achieving educational potential (Field, Malgorzata & Beatriz, 2007). Sella and Lingard (2014) touched on important factors around which equity revolves. Factors such as gender, socio-economic status, race, and disability feature prominently in the studies of equity around the globe because discrimination and inequalities are experienced on the basis of these factors. According to The Great School Partnership (2014), the significance of equity in education is that it brings the principle of fairness when it comes to issues of access to education and the employment of culturally diverse staff. Equity encompasses a variety of programmes and strategies with a view to ensure fairness.

The Great School Partnership (2014) makes us aware of the difference between equality and equity in education. Equity addresses the inequalities in education by bringing about a situation characterised by fairness, but it does not necessarily bring about equality. The Great School Partnership (2014) cited the following representative ways in which inequity may enter public education:

2.3.2.1 Societal inequity

Societal inequity occurs when students from a minority ethnic group in the society are disadvantaged by pre-existing bias and prejudice. In such societies, conscious and unconscious discrimination may surface in public schools in a manner that adversely affects learning. In most cases, the groups that have previously been victims of discrimination related to their race, ethnicity and disabilities experience inequity in education.

2.3.2.2 Socio-economic inequity

Socio-economic inequity occurs when the learners from lower-income families, on average, perform below their potential academically in relation to learners from wealthy families. Schools situated in the poorer communities tend to be poorly resourced, which leads to limited educational opportunities.

2.3.2.3 Cultural inequity

Cultural inequity occurs in the education system where diversity has not been prioritised, learners from different cultural backgrounds may be disadvantaged in different ways.

2.3.2.4 Staffing inequity

Staffing inequity occurs when wealthy schools, compared to poor schools, are able to attract and hire adequate educators in order to provide quality education. In certain situations, it occurs when particular groups are discriminated against during the hiring or promotions processes, and this may cause lack of diversity among the teaching staff, which disadvantages learners. According to The Great School Partnership (2014), if black students do not have black educators as role models, they are deprived of diverse cultural perspectives and experiences which are necessary in their education.

Employment equity ensures the existence of a diverse staff in schools, thereby properly catering for diversity and inclusiveness. It limits the possibility of having students from different cultural backgrounds, or from a minority ethnic group in the society being disadvantaged by pre-existing bias and prejudice. Students of colour may have educators of colour as role models, and all learners are exposed to a greater diversity of cultural perspectives.

2.3.3 An Overview of the Approach to Equity Around the World

According to Vilet (2010), it is historically and currently evident that affirmative action measures have been embraced and pursued by countries around the globe to address issues of marginalisation, subordination, inequity and exclusion to which socially distinct groups have been subjected. Based on what Vilet says, it can be inferred that affirmative

action is a strategy or policy that is adopted by many countries to ensure equity. Bailey (2013) revealed that affirmative action started in the U.S. and stated that the first stage of affirmative action was an anti-discriminatory policy aimed at allowing blacks to enter into employment and higher education.

In adopting the American idea of affirmative action, countries applied it to suit their own specific needs. Kola (2012) also revealed that both Australia and Canada were inspired by the role of U.S. in advancing affirmative action. However, Canada seems to have chosen a modest concept of employment equity instead of affirmative action. South Africa clearly adopted the model of the Canadian legislation on employment equity.

Jenkins and Moses (2014) seem to concur with Vilet in stating that nations across the world employ some form of affirmative action in the admissions of students into higher education. These policies go by many names such as affirmative action, reservations, alternative access and positive discrimination and are aimed at increasing the numbers of under-represented students in tertiary institutions. Jenkins and Moses (2014) implied that different countries of the world use different concepts which mean the same thing as affirmative action, with a view to achieving equity. They mentioned that various institutions or governments on six continents such as Europe, Asia, Australia, North America, Africa and South America have programmes to increase the admissions of disadvantaged groups taking into consideration race, gender, ethnicity, class and other factors. These are the groups that have previously been disadvantaged and become known as the target groups for affirmative action. In South Africa, the EEA identifies them as “designated groups”.

Women seem to be a popular group when it comes to affirmative action. The popularity of policies targeting women is one of the common findings of research. However, these policies may get less attention in some cases compared to those targeting under-represented racial or ethnic groups, although they are increasingly dominating the affirmative action landscape (Jenkins & Moses, 2014).

2.3.4 Justifications for Affirmative Action

McCrudden (2011) cited the justifications that are put forward for the adoption of Affirmative Actions as follows:

2.3.4.1 Prevention of current direct discrimination and addressing stereotyping

This justification is based on the judgements by the European Court of Justice which justified affirmative action as means of addressing the stereotyping of women and their segregation in particular occupations as a result of stereotyping (McCrudden, 2011). In most cases, women are employed in people-oriented or service occupations rather than the competitive occupations that are traditionally occupied by men (Lippa, Preston & Penner, 2014).

2.3.4.2 Compensation for past discrimination

Affirmative action is seen as a compensation for the injustices of the past such as slavery or the past discrimination which was perpetrated by a particular institution or employer. Thomson (1995) argued that compensation for past injustices is justified, and costs can be imposed on whites for past injustices since they benefited from those injustices. Butt (2013) also argued that the descendants of the victims of past injustices can inherit the right to compensation even if they have not personally suffered from the past injustices. Espindola (2017) mentioned that when the historical injustice is left unaddressed in a school, all the learners are wronged.

2.3.4.3 Egalitarian/redistributive argument

Affirmative action is a way of redistributing of resources to the previously disadvantaged with a view to improving their standing in society and their quality of life. According to Barata and Cabrita (2019), the social democracy that is based on the welfare state and on redistributive social transfers has been a failure since the inequalities are increasing. Affirmative action obviously aims to address this situation.

2.3.4.4 Identity and cognition

Fearon (1999) defined identity in terms of a social category or a set of persons marked by a label and distinguished by rules deciding membership and the characteristic features or attributes of that group. In this context, affirmative action can be used to maintain the cultural values. In education, in particular, affirmative action can be used to promote the value of group identity (McCrudden, 2011). It brings about equity thereby ensuring fairness and the inclusion of other groups in the provision of education (Gannon & Sawyer, 2014). Affirmative action ensures that one's ethnic origin is not an obstacle to achieving educational potential (Field, Malgorzata & Beatriz, 2007).

2.3.4.5 Diversity argument

Diversity is the acceptance, acknowledgement and proactive use of the fact of human difference in practice (Cuyler, 2013). Affirmative action maintains identity and promotes the recognition of groups (McCrudden, 2011). Affirmative action exposes learners to the diversity of cultural perspectives and experiences in their education through the employment of culturally diverse staff (The Great School Partnership, 2014). Colo (2013) found that the implementation of affirmative action in higher education diversified the student community and the chances of social encounters between students of different backgrounds were increased.

2.3.4.6 Social cohesion argument

The core dimensions of social cohesion include orientation towards the common good, quality of life, sense of belonging, social relations, equality and shared values (Schiefer & Van der Noll, 2016). Taking into consideration numerous other interpretations, social cohesion can be defined in terms of social relationships, their importance, the proximity and strength in society and how these factors are embedded between individuals, groups and place (Mulunga & Yazdanifard, 2014). In this context, affirmative action ensures greater social harmony (McCrudden, 2011).

2.3.5 Affirmative Action in Employment and Higher Education

The history of affirmative action reflects that it has been implemented in both employment and higher education (Barac & Kelly, 2014). There is a clear correlation between employment and education (Lee 2015; Spaul 2015). Education determines the employment prospects of job-seekers and may hinder the implementation of affirmative action. Seemingly, it is for this reason that affirmative action has been implemented in both higher education and employment. Affirmative action has always been a controversial topic that has raised arguments.

Barac and Kelly (2014) provide a snapshot of important arguments and research on affirmative action which are presented as types of hypothesis.

2.3.5.1 Academic mismatch hypothesis

It is argued that placing the beneficiaries of affirmative action in employment positions or higher education courses for which access was not gained on merit sets them up for failure. This hypothesis is based on that they may not have the necessary aptitude for the courses or the ability to perform well in the employment positions. However, according to the study of Fischer and Massey (2007), there is no evidence for the mismatch hypothesis. Sander and Taylor (2012) disputed that there is no evidence for the mismatch hypothesis. Thesis presented by Sander and Taylor (2012) in support of the mismatch hypothesis was criticised by Kidder (2013) on grounds that it was not supported by the relevant body of peer-reviewed social science. Kidder (2013) concurred with Fischer and Massey (2007) and stated that the support for the mismatch hypothesis advanced by Sander and Taylor (2012) did the debate about affirmative action and the country (U.S.) a great disservice.

2.3.5.2 Stereotype-threat hypothesis

There is an idea that at 'collective level' affirmative action places undue psychological pressure on its beneficiaries whom it aims to help. It is argued that the use of affirmative action stigmatises the beneficiaries of affirmative action (Fischer & Massey, 2007). According to Barac and Kelly (2014), some prima facie evidence for the internalisation of

a negative stereotype amongst post-graduate indigenous students exists, but this does not seem to be the case overall.

2.3.5.3 Reduced standards hypothesis

It is argued that the initial preferential entry of the beneficiaries of affirmative action sets the stage for ongoing reward of below-par performance (Barac & Kelly, 2014). This hypothesis is based on the view that the initial preferential entry is followed by further preferential treatment which enables the beneficiaries of affirmative action to progress through higher education courses and employment levels in the workplace. Gottfredson (1996) stated that the hiring of incompetent people into positions of public trust for reasons of diversity makes the society bear a large burden. Crosby, Iyer, Clayton and Dawning (2003) were of the view that the warnings of Gottfredson (1996) should be seriously heeded to prevent the harm that could be caused by preferential policies.

2.3.5.4 Reduced investment hypothesis

According to this hypothesis, the value of education or work is lowered by affirmative action (Barac & Kelly, 2014). This hypothesis maintains that the young people targeted by affirmative action are less willing to invest in their own human capital. According to Hickman (2013), there is little empirical evidence for this argument, and he stated that American affirmative action discourages investment among the highest performing minorities which is a very small group amounting to only 1.6%. Barac and Kelly (2014) mentioned that research on the Reduced Investment Hypothesis in the U.S. has provided equivocal results.

2.3.5.5 Erosion of social capital argument

It is argued that affirmative action erodes the 'goodwill' towards indigenous people that has accumulated in the non-indigenous populations since the 1960s. Critics mention that preferential treatment may cause the non-indigenous people to believe that indigenous people succeed because of preferential policies (Barac & Kelly, 2014). According to Williams (2009), affirmative action has unintended employment-related consequences for the beneficiaries of affirmative action. The employees believe that they succeeded

because of preferential policies and, therefore, do not get the same job opportunities as others. However, Williams (2009) seems to be ignoring elements of bias and racism on the part of the employers. History reflects that in countries like South Africa, in particular, jobs were reserved for whites at the expense of other race groups. The reservation mainly took into consideration the skin colour of job seekers.

2.3.5.6 'Just desserts' argument

It is argued that people who are most likely to benefit from affirmative action are those least likely to need the benefits of affirmative action. According to this argument, the socio-economically disadvantaged people are least likely to benefit from affirmative action (Fullinwider, 2013). This issue is also raised by Le Roux, Raycroft and Glazewski (2012) who mentioned that some of the members of the disadvantaged groups who benefit from affirmative action have never experienced disadvantage before. It is also mentioned that some of the people who belong in the non-designated group, who have suffered disadvantage before, do not benefit from affirmative action.

2.3.5.7 Reinforcement of black victimhood and white guilt

It is argued that affirmative action reinforces victimisation by placing blacks in a position where they believe they can succeed by emphasising their suffering, degradation and helplessness instead of meritorious achievement. It is further argued that this results in a situation where whites have to take responsibility for 'their' historical persecution of blacks. Barac and Kelly (2014) stated that it is difficult to evaluate this argument because only a few indigenous writers would openly base their argument on victim-status instead of pre-existing rights or socio-economic disadvantage. On the other hand, only a few non-indigenous writers would argue on the basis that they have an obligation to the beneficiaries of affirmative action due to past injustices.

2.3.5.8 Thomas Sowell's argument against affirmative action

Bailey (2013) presented a summary of some of the main issues in the international debate about affirmative action which is advanced by two scholars, Thomas Sowell and Cornell West, as set out below (Sowell, 2003; West, 1993, 1995). The argument advanced by the

two scholars is epitomic of the international debate about affirmative action. Sowell argued against affirmative action, whereas, despite highlighting the shortcomings of affirmative action, West argued in favour of this policy.

Thomas Sowell's argument is based on his worldwide research on affirmative action policies conducted in countries like India, Malaysia, Nigeria and the U.S., in which the common patterns among the countries were identified. Sowell (2003) then argued on the basis of his findings about affirmative action policies. Firstly, preferential policies were introduced as a temporary measure but later included more groups (McCrudden, 2011). Secondly, the people who are benefiting from affirmative action are those that are already more fortunate (Fullinwider, 2013; Le Roux et al., 2012). Thirdly, affirmative action intensified group polarisation in that, in certain situations, the groups that were not the designated beneficiaries responded to it negatively and violently. Fourthly, the groups that were not the designated beneficiaries fraudulently claimed they belonged in the target groups. Sowell (2003) further argued that affirmative action is extremely characterised by dishonesty and refers to affirmative action as the grand fraud of this time. He argued that the previously disadvantaged and poor groups in society made progress without affirmative action (Bailey 2013). Instead of affirmative action, Sowell suggested the improvement of the education of the poor through a voucher programme that is aimed at financing poor students (Bailey 2013).

2.3.5.9 Cornell West's argument in favour of affirmative action

West (1993, 1995) saw the shortcomings of affirmative action, but he still sees its importance and attaches value to it. He wanted more than what affirmative action currently offers for blacks as, according to him, it is inadequate because it fails to redress the historical injustices of the past. As far as he was concerned, affirmative action is fundamentally a weak reaction to the legacy of white supremacy in the U.S. as it seems that it fails to reduce black poverty. According to West (1995), neither should affirmative action be viewed as a major solution to poverty nor an adequate means to equality.

Despite the absence of social democratic redistributive measures that address black poverty, and the absence of the goodwill and meritorious judgements of those in power

through which racial and sexual discrimination could be abated, West still saw the relevance and importance of affirmative action. West had reservations that in a country where there is a historically weak will towards racial justice and substantive redistributive measures, like the U.S., racial discrimination could ever be reduced through goodwill. In the light of the consistent perpetration of discriminatory practices against blacks, and the reasonable reservations that goodwill and meritorious judgement among those in power is not largely geared at addressing the injustices affecting women and blacks, West understood why people view affirmative action as a redistributive measure that should be phased out.

According to West (1995), the removal of affirmative action in the U.S. would somehow promote white supremacy and make black people lose trust in the American democracy. Despite the fact that he firmly believed that affirmative action must not be done away with, he was of the view that a fundamental overhaul of affirmative action is necessary. West (1995) as cited in Bailey, 2013:10) identified the legacies of white supremacy such as dilapidated housing and decrepit schools for millions of Americans, unaffordable health care, inadequate childcare, unemployment and underemployment. He argued that weak policies like affirmative action cannot confront these legacies; instead, more effective measures are required to eradicate them (Bailey 2013).

Bailey (2013) citing West, suggests that a class-based AAP would better benefit poor blacks. Class-based affirmative action would be structured similarly to race and gender-based affirmative action, but preferences in education, entry-level employment, and government contracting would be based on economic status, rather than race (Le Roux, Raycroft & Glazewski , 2012).

This debate seems to represent the main views people hold about affirmative action. Sowell (2003) represented an extremely negative view of affirmative action, which prefers the eradication of affirmative action as a policy. West (1995) represented the view that recognises the positive role played by affirmative action, despite its shortcomings.

2.3.5.10 The racial quotas in affirmative action

The racial quotas in both employment and education mean numerical requirements for the employment and admission to university of the targeted race groups (Colo, 2013; Morgenroth & Ryan, 2018). These numerical targets are established to diminish racial discrimination or to address under-representation of particular disadvantaged groups.

Those in favour of racial quotas have argued that numerical targets must be set between 20% and 50% to address the under-representation of women and the minorities in employment, higher education admissions and in political representation (Blackhurst, 2014; Chan, 2014; Gill, 2014). Those against the quotas have also argued over the years that racial quotas constitute racial discrimination.

According to Barac and Kelly (2014), the use of race as a determinant for receiving scarce public opportunities such as admission to a medical school presents technical and social difficulties. However, Colo (2013) found that the implementation of the quotas among university students diversified the student community and the chances of social encounters between students of different backgrounds were increased. According to Kena, Musu-Gillette, Robinson, Wang, Rathbun, Zhang, Wilkinson-Flicker, Barmer and Velez (2015), there have been visible changes in both educational and workplace equality over the past decades due to the implementation of the racial quotas. Nevertheless, the changes noted by Kena et al. (2015) do not mean that all is well since women are still under-represented in many highly paid positions and prestigious professions (Morgenroth & Ryan, 2018). The reasons behind the neglect of women and minority groups include mainly bias and discrimination (Shelzer & Smith, 2014).

According to Morgenroth and Ryan (2018), racial quotas have been effective in reaching the desired goals. There has been an increase in the number of women holding political office in various countries of the world (Sabatier, 2015). The proportion of women who have been elevated to company boards has increased (Alon & Malamud, 2014). In higher education, the number of ethnic minorities has increased (Darhour & Dahlerup, 2013).

Since equity means social justice or fairness and is grounded in principles of distributive justice (Braveman & Gruskin, 2003), it is obvious that this is what the proponents of racial

quotas want to achieve. However, those who are not members of the targeted groups feel being discriminated against when the racial quotas are implemented. According to Morgenroth and Ryan (2018), people who are in positions of power which includes whites and people with high socio-economic status fear that quotas will provide unfair advantage to the beneficiaries of affirmative action. The opponents of the quota system argue that the racial quotas favour one group at the expense of another, instead of taking into consideration qualifications and test scores (Rojas, 2012).

Stahlberg (2010) argued that the racial quotas reinforce a stereotype that blacks are not capable of entering higher education on their own. Stahlberg (2010) also argued that poor white students do not benefit from the racial quotas and suggested income-based quotas instead of the racial quotas. Stahlberg's argument about poor white students not benefiting from the racial quotas is valid and needs to be addressed. The issue of stereotypes, as raised by Stahlberg, is illusory in nature and will always be difficult to address. Therefore, drawing it into the debate about quotas can be seen as one way of shifting focus from the true purpose of the racial quotas.

2.4 EQUITY ISSUES IN CONTEXT

Context matters in the study about equity. Affirmative action, which is part and parcel of equity, began in particular contexts in the different countries where it was used. McCrudden (2011) mentioned that in the European community, AA began in the context of gender equality and extended to the context of other groups. In India, it began in the context of caste and expanded to encompass gender. The approaches of researchers and writers may differ, but context will always matter in the study about equity.

It seems that in most societies where inequalities can be identified, such inequalities stem from a particular historical background in which certain population groups within the country suffered some deprivation. A link can be identified between the historical background, the socio-economic status, the nature of inequalities and the identifiable beneficiaries of affirmative action. As part of addressing this situation, particular legislative measures are adopted, and strategic plans are devised by governments.

2.4.1 Historical Background

History helps us to understand the meaning and the dynamics of the relationship between cause and effect in the overall development of our societies as the human race (Nasson, 2009). It is of paramount importance in this study to understand the historical context in which the related phenomena emerged in order to reach a meaningful conclusion (More, Spaulding, Bohleber, Handley, Hoffman, Korotkikh, Kurbatov, Loveluck, Sneed, McCormick & Mayewski, 2018). Factors such as slavery, patriarchy, colonialism and apartheid gave birth to inequalities in certain countries.

2.4.2 Socio-Economic Status

The socio-economic status (SES) refers to the index of a person's social status or prestige in society usually measured in terms of education, occupation and income. People from households with low SES experience economic hardship and lack of resources (Li, Xu & Xia, 2020). Because of this, people from low SES families have limited access to education and other opportunities available in society. The parents in certain families try their best to mitigate against the impact of the SES by providing good learning conditions (Wang, Li & Li, 2014; Wong, Wong & Wong, 2012). However, in the light of the enormous and serious challenge posed by the SES on certain race groups in society, this mitigation by parents may not be always sufficient to overcome the challenges. In most cases, people from low SES families remain being the marginalised members of society. The SES makes it less likely that the members of the working class will benefit from educational and occupational opportunities to improve their material circumstances (Meanstead, 2018).

2.4.3 Beneficiaries of Affirmative Action

The beneficiaries of AA or the target group are the people who benefit from its implementation. They differ from country to country, but women are the common beneficiaries of AA (Jenkins & Moses, 2014). In most countries, the indigenous or black people have become the designated targeted group for AA. When AA began in the U.S. there was a necessity to help the previously disadvantaged minorities, and it was implemented as a way to achieve equality (Bailey, 2013; Rojas, 2012). This clearly

explains that the previously disadvantaged members of the society who suffered some disadvantage in the past and who, as a result, have low SES, became the beneficiaries of AA.

2.4.4 Legislative Measures

The law solves and prevents pressing societal conflicts or protects people against violations of individual liberty (Queiroz, 2018; Cerar, 2009). Inequalities in society are some of the ways in which individual liberty is violated. Countries adopt legislative measures to deal with the effects of inequalities in society, and are bound by international law which protects the rights to which people are entitled. The Employment Equity Act is consistent with international law which protects the rights of all people. Article 23 of the Universal Declaration of Human Rights of 1948 and Article 6 of the International Covenant on Economic, Social and Cultural Rights recognize and protect the right to work, to choose employment, to be protected against unemployment and the right to just and favourable employment (UN National Assembly, 1948; UN National Assembly, 1966). In terms of Article 2 of the International Convention on the Elimination of All forms of Racial Discrimination of 1965, South Africa as a member state must not engage in an act or practice of racial discrimination against anyone (UN National Assembly, 1965).

2.4.5 Inequalities in Education

The nature of inequality in education varies from country to country and may include issues of funding, access to higher education, employment of staff, among other things. The racial and linguistic diversity of the teacher population is limited in other countries and does not match the diverse student population (Haddix, 2017). This leads to inequality in education because the complexity of school contexts and cultures are not being acknowledged (Cochran-Smith, Villegas, Abrams, Chávez-Moreno, Mills & Stern, 2016).

2.4.6. Strategic Planning

Strategic planning is a deliberative effort to produce fundamental decisions that shape and guide what the organisation does. It applies to intra-organisational functions such as

human resources (Bryson, Edwards & Van Slyke, 2018). Strategic planning involves concepts, procedures and the tools used by organisation to determine their strategic direction and the resources necessary to achieve strategic objectives (Elbanna, Andrews & Pollanen, 2016). Without sound and specific strategic plans based on the adopted legislative measures, it would be impossible to achieve equity and diversity in society. Countries devise certain strategies to deal with issues of diversity, inclusiveness and equity.

2.5 EQUITY ISSUES AT NATIONAL LEVEL IN SOUTH AFRICA

2.5.1 Historical Background

Colonialism and the introduction of the apartheid policy in South African caused inequalities. The negative effect of colonialism was the dispossession of land whereas apartheid mainly entrenched the inequality of the race groups (Lee, 2015; Piotrowski, 2019).

2.5.2 Relevant Legislative Measures

Section 9 of the Constitution of the Republic of South Africa (Act 108 of 1996) protects the right to equality. The purpose of the EEA No. 55 of 1998 is to eliminate unfair discrimination and implement affirmative action measures to redress the disadvantages in employment experienced by black Africans, Indians, coloureds, people with disabilities and women.

The aim of the Skills Development Act No 97 of 1998 is the development of the skills of the South African workforce; the improvement of the quality of life of workers; the improvement of the workers' prospects of work; the improvement of productivity in the workplace; the improvement of the employers' competitiveness; and the promotion of self-employment. The Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000, prohibits unfair discrimination perpetrated by the government, private organisations and individuals. It also forbids hate speech and harassment.

2.5.3 Socio-Economic Background

Racial discrimination was legally enforced over centuries in South Africa and a culture of institutionalised inequality was consequently entrenched (Du Toit & Potgieter 2014). Du Toit and Potgieter (2014) acknowledged that changing this situation is not easy because the social conditions and attitudes produced by the culture of institutionalised inequality do not change simply because the law changes. This is evident in that poverty and inequality which have racial, gender, and age dimensions are observed in South Africa 25 years later after 1994.

Although the poverty situation is improving in South Africa because of the government's programmes and strategies, inequality remains a serious problem facing the country since about 94.2% of poor people in South Africa were black Africans in 2011 (Statistics South Africa, 2014). Maimane (2015) mentioned that unemployment among black South Africans stood at 39% compared to 8.3% among whites. StatsSA (2014) on Labour Market Dynamics, reported that 'the black African population had the highest incidence of long-term unemployment among all population groups.' Jarret (2016) revealed that South Africa had the biggest increases in income inequality between 1990 and 2012. Gradín (2018) also reported that black Africans were under-represented in skilled employment.

2.5.4 Inequalities in South African Education

Inequalities in the South African education system stem, mainly, from the apartheid legacy. Children in historically disadvantaged schools in South Africa are affected by socio-economic inequity (Taylor & Yu, 2009). This was confirmed by Spaul (2015:34) who stated that the strong apartheid legacy and the resultant "correlation between education and wealth" cause worse academic performance among poor learners in South Africa. Children from poor families experience educational disadvantage throughout their education due to their low SES which determines educational outcomes. This is how the SES of the next generation is also determined (Taylor & Yu, 2009). There are glaring inequalities in the educational performance of learners attending the historically disadvantaged schools in South Africa. These learners are reportedly lagging behind by

at least 2 years' worth of learning compared to their peers who are schooling at the historically advantaged institutions (Taylor & Yu, 2009).

The historically disadvantaged schools are mainly those found in the rural settlements and townships and are attended by black African children where the black African teachers are employed. The historically advantaged schools are those found mainly in the developed urban settlements, which were previously designated for white children, and where white teachers were employed, like former Model C schools and private schools.

The historically disadvantaged schools acquired this negative status under apartheid. Christie (1991) cited the structural features of apartheid education which caused disadvantage, namely, expenditure on education, pupil-teacher ratios, teacher qualifications and university enrolments. Black Africans constituted the vast majority of about 75% of the population compared to whites, coloureds, and Indians who constituted 14%, 9% and 3% respectively, but less money was spent on African education than on other race groups.

During apartheid, the pupil-teacher ratios reflected patterns of inequality between the race groups as it was obvious that more teachers were needed in black schools. Black university enrolments in 1982–1987 showed patterns of inequality along lines of colour and social class since there were more white students than black students at university. The apartheid regime ensured that blacks received substandard education since black Africans were trained to be teachers with only a Standard 8 certificate (Christie, 1991). According to Spaul (2015), substandard education neither develops the learners' capabilities nor expands their economic opportunities.

Inequalities in the South African schooling system caused an exodus of black learners from township schools to former Model C schools in the hope of quality education (Moyo, 2009). English proficiency is one of the reasons behind this migration of learners. Parents for whom English is not a home language want their children to be proficient in English, and choose to send their children to a school where they will gain English proficiency (Evans & Cleghorn, 2014).

Research has drawn attention to weak teacher content knowledge (Van der Berg & Taylor, 2011). Having been produced by the apartheid schooling system, black teachers may be perceived as members of the group of teachers that have weak subject and content knowledge. This may be the reason behind the migration of learners from townships to former Model C schools in search of quality education which includes English proficiency.

Dippenaar and Peyper (2011) mentioned that teacher language proficiency is central to learner success. In situations where the educator is not proficient in the medium of instruction, a learner is not likely to experience success. Dippenaar and Peyper (2011: 35, citing De Klerk, 1995) revealed that teachers admitted that their lack of proficiency in English had a negative impact on their ability to help their learners since they had difficulties in understanding the prescribed reading material. Since English is not a home language for black teachers, most of them may belong in a group of teachers that are not proficient in English.

Based on the foregoing, the characteristics that black teachers may have in contrast to the characteristics of the former Model C schools, are the following: (1) They come from a background of substandard basic education associated with the apartheid legacy; (2) they may have weak content knowledge; and (3) they may not be proficient in English which is the 'soul' of the former Model C schools; and (4) since English is the medium of instruction, the lack of language proficiency may result in substandard quality of teaching. While these are not necessarily characteristic of all black African teachers produced by the apartheid system, they may be some of the barriers preventing black African educators from being employed at the former Model C schools in large numbers. In most cases, former Model C high schools employ black Africans to teach African languages like isiZulu. In certain instances the former Model C schools employ black foreign nationals to teach the scarce subjects for which there is generally a serious shortage in the country.

Factors such as the quality, duration and type of education a person receives are directly related to their labour-market prospects (Spaull, 2015). Therefore, the nature of education that apartheid afforded black Africans appears to be one of the factors that account for

the challenge in integrating black African teachers into historically advantaged schools in the post-apartheid era where the standards are very high.

However, nowadays there is a pool of competent black African teachers with good qualifications and who are proficient in English. Some of these educators are products of historically advantaged schools, and therefore they match the standards set by historically advantaged schools, but they still do not get appointed when they apply for posts in such schools. According to Christie (1991), the new policy which allowed the former Model C schools to admit black students from the start of 1991 was introduced in 1990. Even before this policy was introduced, many black students were already attending private multiracial schools. This shows that South Africa does have a pool of competent black African teachers, with good qualifications and language proficiency, who never experienced sub-standard education that is typical of rural and township schools, and who can maintain the standard of quality education at former Model C schools. Du Toit and Potgieter (2014) mentioned that, in the South African context, there are stereotypical images of people from different social, religious or cultural backgrounds which create a fertile breeding ground for acts of unintended but very real discrimination. This is the manner in which competent and deserving black African teachers may be discriminated against at the former Model C schools. However, one may find it difficult to prove that real discrimination against them exists, particularly in the context of employment at former Model C schools. The under-representation of teachers at former Model C schools shows that “a culture of institutionalised inequality” produces conditions and attitudes that cause disparities in the workplace (Du Toit & Potgieter 2014:1).

Spaull (2015) identified two school systems: (1) one for learners from low SES who attend the historically disadvantaged schools; and (2) the other for learners from high SES who attend historically advantaged schools. As already stated, the historically disadvantaged schools are found in the townships and rural settlements, whereas the historically advantaged ones are found in the cities and developed urban settlements. The two school systems create two different school labour markets on which the teachers depend for employment.

As happened during apartheid, the school labour market that presents prospects of employment for black African teachers, is the disadvantaged school system. In the post-apartheid era, when the advantaged school system has produced its own competent black African teachers, it fails to satisfactorily absorb them into the system in line with the EEA No. 55 of 1995.

2.5.5 The Introduction of Employment Equity in South Africa

According to Buthelezi (2011), the introduction of the EEA attracted mixed reactions from the various groups of the South African population. This is evident in the study of Oosthuizen and Naidoo (2010) in which the respondents viewed EEA, among other things, as a waste of time and money. These attitudes have negative implications for the implementation of the EEA.

2.5.6 The Inclusiveness of Affirmative Action

One of the important lessons that one learns from the introduction of AA is that the implementation of policies aimed at achieving equity triggered debates in each country where they were implemented (Bailey, 2013; Buthelezi, 2011; Oosthuizen & Naidoo, 2010). The same debate happened in South Africa as it was argued and suggested that there must be alternatives in response to the prohibition of unfair discrimination and the pursuit of affirmative action in the South African workplace (Le Roux et al., 2012). It was argued that affirmative action is both over-inclusive and under-inclusive. It is over-inclusive in the sense that some of the members of the disadvantaged groups who benefit from affirmative action had never experienced disadvantage. It is also under-inclusive in that some of the people who belong in the non-designated group, who have suffered disadvantage before, do not benefit from AA. It is argued that in order for one to qualify for AA benefits, one must prove “membership of the status group and socio-economic disadvantage” (Roux et al., 2012:259).

India and U.S. were used as examples in this regard. In India, AA is called reservations, and it targets three “backward classes”: the scheduled tribes (STs), scheduled castes (SCs) and the other backward classes (OBCs). The OBCs are specified in a list with specific reference to social, educational and economic criteria (Roux et al., 2012:260).

It is further argued that while the gap between blacks and whites has decreased in recent years, the levels of inequality within racial groups, especially among black Africans, have increased sharply. This intra-racial inequality, which originated in the political and economic changes which took place in the last 20 years of apartheid, has increased significantly in recent years as the “race-based redress project began to take effect” (Le Roux et al., 2012:259).

2.5.7 Affirmative Action as a Race-Based Policy

Since AA attaches socio-economic benefits to people who are disadvantaged by status, its critics say this raises questions about its impact – that while it “addresses the maldistribution of privileged positions, it leaves the underlying mechanisms that generate maldistribution intact, thereby limiting its impact” (Le Roux et al., 2012: 253).

It is argued that AA reproduces the apartheid racial categories and divisions since it defines black people as all those who were previously classified as “African, Coloured and Indian” (Le Roux et al., 2012:253). An example is made that when AA was introduced in Brazil along racial lines, it was not implemented in a manner which resembles a practice of formal racial classification. AA as implemented in South Africa is seen as a form of state sponsored segregation which Brazil, “despite having the largest Afro-descent population in the world”, has avoided (Le Roux et al., 2012:255). The existence of a racial element in the introduction of AA in Brazil is admitted; however, it is argued that the state did not, as it was the case in South Africa, rely on previous official classifications as a basis for its affirmative policy.

2.5.8 Employment Equity Progress in South Africa

South Africa adopted a post-apartheid social development agenda which was not cohesively integrated with AA in that the upward mobility of blacks was circumscribed by deficits in education and skills development (Lee, 2015). Compared to Malaysia, South Africa failed to maintain a centralised administration of AA in tertiary education and secondary education. This resulted in the lack of education and skills necessary for optimum black upward mobility in the workplace.

The 16th Commission of Employment Equity Annual Report (Department of Labour [DoL], 2016) showed that the whites at senior management level for the public and private sector were over-represented, whereas black Africans were under-represented. The white population still remains the preferred group in terms of skills development (DoL, 2019). There is a pervasive and persistence preference, promotion and development of the white and Indian population groups at top occupational levels (DoL, 2020). The blacks, mainly Africans and coloureds, do not benefit from AA and are therefore under-represented. This under-representation can, inter alia, be attributed to the lack of the necessary education and skills development among blacks.

2.5.9 Strategic Planning at National Level

The National Development Plan (NDP) 2030 (National Planning Commission [NPC], 2012) appears to be the government's fundamental strategy aimed at addressing poverty and inequality, which are the factors that are barriers to employment equity in every country where they exist. The NDP aims to turn the situation around by "growing an inclusive economy, building capabilities, enhancing the capacity of the state, and promoting leadership and partnerships throughout the society" (NPC, 2012:14). However, Policy implementation is a challenge facing the South African political dispensation (Tebele, 2016).

Although the NDP has the potential to deal with barriers to employment equity, it faced criticism from COSATU. The criticism levelled against the NDP is that it "failed to place job creation at the centre of the country's economic policy; and failed to make redistribution and the combating of inequality and poverty a pillar of economic development" (Business Day Live, 7 June 2013).

The five year strategic plan (2014-2019) of the DBE is a long-term and macro-plan of this national department. However, this plan excludes the fundamental aspect of employment equity. The document cites the legislative mandates which underpin this plan such as the Constitution, the National Education Policy Act of 1996, the South African Schools Act, of 1996 as amended and the Employment of Educators Act of 1998, and others, but it leaves out the EEA of 1998. Despite the fact that South African Schools Act, of 1996 as amended

and the Employment of Educators Act of 1998 mandate the implementation of employment equity, the strategic plan ignores this. Although the strategic outcome-oriented goal 6 of the Five Year Strategic Plan (DBE, 2014:18) is about “Improved human resource development through active recruitment, strategic deployment, management and development in support of curriculum provisioning and coverage”, but there is nothing in this goal statement and in the plan as whole that shows commitment to the implementation of employment equity. The strategic plan concerns itself mainly with improving the quality of teaching and learning without considering that employment equity, in addition to other factors considered in the plan, can add value towards achieving the quality of basic education by ensuring diversity in the didactic situation. It is the researcher’s view that the DBE must have a strategy to enforce the implementation of employment equity by the provincial departments of education and the recommending decision makers at school level. This can be done by incorporating employment equity into the strategic plan of the DBE.

2.6 EMPLOYMENT EQUITY ISSUES WITHIN THE KZN DOE

In terms of Section 20(1) and Section 13(1) of the EEA 55 of 1998, it is the responsibility of a designated employer to prepare and implement an EEP and AA measures in order to achieve equity. In terms of Section 20(1)(i) of the South African Schools Act 84 of 1996, an SGB recommends to the Head of Department, the appointment of educators at the school, subject to the Employment of Educators Act, 1998, and the Labour Relations Act, 1995.

The EEP and the AAP are the key documents that the KZN DoE must prepare and release to SGBs to ensure the implementation of employment equity. HRM Circular No. 9 of 2009 (KZN DoE, 2009) expressed the commitment to implement employment equity in that the selection committees were required to apply the principles of employment equity in order to achieve a workforce broadly representative of the South African people, including representation according to race, gender and disability.

2.6.1 The Employment Equity Plan

The EEP of the KZN DoE (2019) for the period 1 April 2019 to 31 March 2024 set the objectives for each year and timeframes for achieving the timeframes. It also identified the barriers to employment equity and stipulated the affirmative action measures to address the barriers. The plan further set the numerical targets according to employment categories, gender, race and disability.

The plan has the strengths necessary for achieving employment equity and is outwardly a good strategy of the KZN DoE to address the imbalances if properly followed. According to Mthethwa (2014) commitment to the implementation of policies and guidelines remains a challenge within the South African education system. This seems to be the case with the implementation of the Employment Equity Plans of the KZN DoE since the one mentioned above was not formerly presented to ordinary stakeholders to be aware of its existence and understand it in order to implement it correctly.

2.6.2 The Affirmative Action Measures

The AA measures of the KZN DoE appear to be twofold. There are those stipulated in the EEP itself to address the identified barriers. There are also those existing in the form of the AAP (KZN DoE, 2005) for educators (Collective Agreement No. 1 of 2005) as amended.

The AAP (2005) for educators clarifies how the candidates must be shortlisted and how they must be recommended for appointment after the interviews. However, like the EEP, the AAP was also not formerly presented to ordinary stakeholders to be aware of its existence and understand it in order to implement it correctly.

2.6.3 Procedural Barriers to Employment Equity

Some of the barriers to employment equity can be associated with the procedure for filling posts which is prescribed by the KZN DoE, and the manner in which the procedure manuals that the SGBs rely upon are designed. The Procedure for the Employment of Temporary Educators (KZN DoE, 2010) did not make provision for applying the EEP and AAP in the process of appointing temporary educators. The KZN DoE created a database

of unemployed educators from which suitable applicants are identified and employed on a temporary basis. When these educators complete twelve months in substantive temporary posts, their posts are converted into permanent posts. The purpose of the EEA No. 55 of 1998 was unintentionally defeated in this manner.

The procedure manuals which are issued by the KZN DoE, on which the SGBs rely when they fill the vacant promotion posts are not aligned to the EEP and the AAP. The School-Based Promotion Vacancy List (KZN DoE 2015) referred to the EEP in general terms as the plan that had to be noted in the filling of vacant posts, but it was never officially made available to be strictly used by SGBs during the employment processes that were taking place in the province. The Advertisement of School-Based Vacant Promotion Posts (HRM Circular No. 28 of 2016) did not refer to any EEP but simply mentioned the obligation to achieve equality in the workplace in accordance with the provisions of the EEA of 1998 as the obligation that had to be noted by the SGBs. HRM Circular No. 28 (KZN DoE, 2016:1) also stated that “factors to be taken into account when making appointments include but are not limited to: the ability of the candidate, the principle of equity, the need to redress past injustices, [and] the need for representivity”.

The procedure manuals obviously refer to equity in general terms without prioritising it in the employment process and making it a compulsory requirement. The procedure manuals do not assist the interview committee and SGBs to implement the EEA by providing the necessary guidance. Sometimes procedure manuals refer in general terms to the EEP that the department has not made available to be used during the processes. To a certain extent, it seems that the procedure manuals leave it to the SGBs’ discretion as to whether they want to implement the EEA. The Employment Equity Reports of the KZN DoE for 2008, 2010 and 2011 respectively, show that the department’s annual objectives as set out in the employment equity plans for the respective periods were not achieved.

2.7 INTERNATIONAL EQUITY ISSUES IN CONTEXT

2.7.1 Equity in the United States of America

2.7.1.1 Historical background

The history of the U.S. reflects inequalities which included unequal power relations and racism that date back to the seventeenth century. Many Africans were brought to America in the seventeenth century as slaves after being kidnapped from the various parts of Africa. The practice of slavery seems to have been one of the main causes of an unequal society in the U.S. and set up African-Americans to be disadvantaged members of the American society. Discriminatory laws barred Africans from owning property and voting. The dominant white majority believed in the inferiority of dark-skinned peoples, therefore this held Africans back from enjoying full equality (Siddiqui, 2016).

2.7.1.2 Beneficiaries of affirmative action in the United States of America

The disadvantaged groups in the U.S. are African Americans and women. Race is the foremost element of U.S. social life and the education system. The American education system traditionally subjected numerous African Americans to separate, imbalanced, and substandard educational facilities (Kola, 2012). Therefore in the U.S., AA programmes are intended to benefit African-Americans and women as disadvantaged groups.

2.7.1.3 The relevant American legislative measures

The U.S. government adopted certain legislative measures related to address inequalities affecting the disadvantaged groups. The Equal Pay Act of 1963 abolished the wage disparity gap based on sex. The Civil Rights Act of 1964 outlawed race-based discrimination as well as discrimination based on colour, sex, religion or national origin. The Americans with Disabilities Act of 1990 was passed to protect Americans from discrimination based on disability. Despite the existence of the legislative measures that promote equity, inequalities still exist in the American society including the education sector.

2.7.1.4 Socio-economic background

McNichol, Hall, Cooper and Palacios (2012) found a significant nationwide widening of income gaps between the richest households and both the poorest and middle-income households since the late 1970s. The unemployment rate is much higher among black Americans. The unemployment rate for black Americans is about 9.5% as compared to about 4.5% for whites. When these race groups hold the same qualifications, African Americans are reportedly much more likely to be looking for a job than white Americans (White, 2015). This clearly shows that there are socio-economic inequalities in the U.S.

The rapidly growing racial and ethnic minority population groups in the U.S. are seriously under-represented in STEM fields (Nelson-Barber, 2011). The labour market of U.S. is stratified by race, whites earn higher wages whereas blacks and Hispanics have the low-paying jobs (Thompson, 2013).

This clearly reveals the socio-economic imbalances in the American society from which a need to address issues of equity arises. The SES of the disadvantaged groups is a basic obstacle towards achieving employment equity because it limits access to education. This precludes the designated groups from participating as applicants during recruitment processes because they may be lacking prerequisite qualifications and experience necessary for them to be considered.

Race also seems to be one of the barriers to employment equity if an African American is much more likely to be looking for a job despite holding the same qualification as the white American. A watertight AAP is necessary in the U.S, to deal with an unfairness of this nature.

2.7.1.5 Inequalities and lack of teacher diversity in American education

Discrimination hampers the access of African Americans to higher education and academic careers (Katchanovski, Nevitte & Rothman, 2015). The inequality of educational outcomes by race and by social class remain very high in the United States of America (Stanford Center on Poverty and Inequality, 2014).

There is a large demographic mismatch between learners and educators of colour in America. Black students constitute more than 40% of the school-age population whereas the teachers of colour constituted 17% of the teacher workforce (Ahmed & Boser, 2014). There are more white teachers than black teachers in the U.S. education system, and there is a quest in the U.S. to develop more teachers of colour because, despite the existence of a racially, culturally, and linguistically diverse student population, not much seems to have changed in the racial make-up of the teaching force (Berchini, 2015; Dilworth & Coleman, 2014; Richmond, Bartell & Dunn, 2016). The classrooms in the U.S. are more diverse, but the people leading them remain predominantly white (Deruy, 2016).

The US percentage distribution of schoolteachers, by race/ethnicity, school type, and selected school characteristics reflected small percentages for black teachers in the U.S. (National Centre for Educational Statistics, 2009). The disparities are a mirror which reflects lack of equal employment opportunity in the U.S. Despite the existence of affirmative action as a redistributive policy and the Equal Pay Act of 1963, Ahmed and Boser (2014) report that teachers of colour leave the teaching profession in the U.S. because of, inter alia, lagging salary levels.

One of the challenges to the implementation of AA in U.S. is the lack of a singular policy for its implementation (Stewart, 2012). The disparities cited above can be attributed to, amongst other things, the manner in which AA is implemented in America, which relates to the lack of a singular policy for implementation.

2.7.1.6 Strategic planning

The Equity and Excellence Commission Report (2013) was presented as a strategy for education, equity and excellence to benefit each and every child. It required government at every level in the U.S. to implement a multi-year strategy for advancing national equity and excellence goals using a combination of incentives and enforcement. The Diversity and Inclusion Plan of the U.S. DoE for the Fiscal Year 2016-2019 seems to be a response to the Equity and Excellence Commission Report (Equity and Excellence Commission [U.S.], 2013) and the lack of teacher diversity in America. The Diversity and Inclusion Strategic Plan (U.S. DoE, 2015) consists of three goals, and the priorities that are aligned

with each of the three goals. It also reflects action required by Executive Order, the department’s planned diversity and inclusion activities, and timeframes. There is nothing in the plan to suggest that it is informed by research findings pertaining to teacher diversity and inclusion in America.

The demographics pertaining to teacher diversity in the U.S. as reported by Ahmed and Boser (2014) on behalf of the Centre for American Progress, had not been considered in the formulation of the Diversity and Inclusion Strategic plan. The plan is detached from diversity and inclusion realities at grassroots level in that it is based on a colour-blind approach, and there are no concrete numerical targets which have been set to achieve diversity and inclusion of African-American teachers. It seems that the plan might not succeed to serve its purpose since it fails to prioritise the under-represented teachers of colour in the U.S. On this basis, the researcher has reservations about the success of the Strategic Plan of the U.S. DoE for the Fiscal year 2016-2019 (Table 2.1). Despite the existence of this Diversity and Inclusion Strategic Plan, a glass ceiling is still likely to prevent the minority population groups like African Americans from advancing in the workplace.

Table 2.1: U.S DoE Diversity and Inclusion Strategic Plan (2016-2019)

<p>Goal 1: Workforce Diversity</p> <p>Recruit from a diverse, qualified group of potential applicants to secure a high-performing workforce drawn from all segments of American society.</p> <p>Priority 1.1: Design and perform strategic outreach and recruitment to reach all segments of society.</p> <p>Priority 1.2: Use strategic hiring initiatives for people with disabilities and for veterans, conduct barrier analysis, and support Special Emphasis Programmes(SEPs) to promote diversity within the workforce.</p>
<p>Goal 2: Workplace Inclusion</p> <p>Cultivate a culture that encourages collaboration, flexibility, and fairness to enable individuals to contribute to their full potential and further retention.</p> <p>Priority 2.1: Promote diversity and Inclusion in leadership development programmes</p> <p>Priority 2.2: Cultivate a supportive, welcoming, inclusive and fair work environment.</p>
<p>Goal 3: Sustainability</p>

Develop structures and strategies to equip leaders with the ability to manage diversity, be accountable, measure results, refine approaches on the basis of such data, and institutionalise a culture of inclusion.

Priority 3.1: Demonstrate leadership accountability, commitment, and involvement regarding diversity and inclusion in the workplace.

Priority 3.2: Fully and timely comply with all Federal laws, Regulations, Executive Orders, Management Directives, and Policies related to promoting diversity and inclusion in the Federal workforce.

Priority 3.3: Involve employees as participants and responsible agents of diversity, mutual respect and Inclusion.

According to Kola (2012:32), there is a glass ceiling which is invisible but real which deterred the access of women to senior management positions in the U.S. Kola defined this glass ceiling as an “artificial and undetected obstacles based on a form of discrimination which prevents deserving and competent women from progressing to senior management positions”.

There is some similarity between the U.S. and South Africa in that both countries have white citizens who were previously advantaged, and black citizens who were previously disadvantaged. It is important to note, for the purpose of this study, that American-African professors are under-represented in American universities and that whites are predominant in the higher education system. This is similar to the situation in South Africa where black Africans are still under-represented in schools that were previously designated for whites only, and where black Africans are outnumbered by whites and other race groups.

2.7.2 EQUITY IN CANADA

2.7.2.1 Historical background

The historical background of Canada shows that colonialism and the practice of slavery played a major role in creating inequalities in Canadian society (McGregor, 2009). The two factors are amongst those that caused the emergence of the disadvantaged groups in Canadian society.

2.7.2.2 Beneficiaries of employment equity in Canada

The groups targeted for equity in Canada, as identified by the Abella Commission are: women, native people, visible minorities and disabled people (McGregor, 2009). It is noticeable that employment equity in Canada addresses the inequalities that have their roots, mainly, in colonialism and the practice of slavery.

2.7.2.3 The relevant Canadian legislative measures

Canada, like the U.S., has important legislative measures which relate to equity. The Canadian Charter of Rights and Freedoms is a bill of rights which forms part of the Canadian Constitution Acts of 1867-1982 (Department of Justice [Canada], 1982). It guarantees the rights of all Canadians. According to the Human Rights Act of 1985 (Department of Justice [Canada], 1985) an employment policy, practice or preference is not considered discriminatory where it can be established that it is both subjectively and objectively necessary in the circumstances. In terms of the Federal Contractors' Programme of 1986 (Department of Justice [Canada] , 1986) provincially regulated employers who have 100 or more employees who bid on federal contracts of \$1,000,000 or more are required to certify that they will implement employment equity measures.

The Canadian Race Relations Foundation Act of 1991 (Department of Justice [Canada], 1991) aims at facilitating the development, sharing and application of knowledge and expertise throughout Canada as a way of contributing to the elimination of racism and all forms of racial discrimination. In terms of the EEA 44 of 1995, employers are required to engage in proactive employment practices in order to increase the representation of women, people with disabilities, native people and visible minorities. Despite the existence of these policies, inequalities still exist in the Canadian society and in Canadian education.

2.7.2.4 Socio-economic background

The richest group within the Canadian society has increased its share of total national income since 1990, whereas the poorest and middle-income groups are reported to have lost share (Conference Board of Canada, 2016). There are disparities in the earnings of

black and white Canadians, although there is a desire among Canadians for a more equitable distribution of wealth (Broadbent Institute, 2014).

The second generation black Canadians earn between 10 and 15% less than the second generation white Canadians (Statistics Canada, 2011). Many studies have revealed the existence of racial discrimination in the job market experienced by minority blacks and South Asians and that these groups are more likely to be unemployed or employed in precarious jobs. They are also more likely to have lower earnings as compared to white workers (Jackson, 2013). A study of minority representation in workplaces across the Toronto found that non-white people are under-represented in the mainstream media and are still absent from powerful positions (Paperny, 2010). Race is obviously still a factor that is behind the inequalities experienced by blacks in Canada.

2.7.2.5 Inequalities in Canadian education

Race, gender and AA are the challenging issues in Canadian education (Katchanovski et al., 2015). The Canadian employment equity legislation is unique and has self-regulating systems but does not have standard approaches for achieving equity. It does provide guidance and non-coercive support. Organisations are expected to develop their EEPs which address specific needs of those organisations. The EEPs must reflect goals and timeframes within which equity is to be implemented. Institutions have an obligation to submit employment equity plans to the government. A compliance review might be instituted by the government to monitor the process. The implementation of employment equity has not been a success in Canada as some organisations and provinces still lag behind (Kola, 2012).

2.7.2.6 Strategic planning

Attention is now being given to equity-related strategic planning of the Ministry of Education in the Canadian province of Ontario. Ontario's Equity and Inclusive Education Strategy for the period 2008-2012 was chosen on purpose because the lapse of the scheduled period of its implementation coincided with the research that was conducted early in 2015 into the experiences of black educators in Ontario, and the report thereof was released on 29 May 2015.

The researcher presents an outline of the main features of this strategy, and not all the details found in the lengthy original document. The findings are reflected upon after the strategy has been given sufficient attention.

Ontario’s Equity and Inclusive Education Strategy for the period 2008-2012 showed roles to be played by the Ministry of Education, School Boards and schools, respectively. The role of the Ministry of Education included the following: (1) developing the policy framework on Equity and Inclusive Education; (2) providing funding; (3) providing guidelines on implementation; and (4) involving/developing stakeholders on Equity and Inclusive Education.

The role of the school boards included the following: (a) reviewing existing equity and inclusive education policies; (b) developing policies for implementation; and (c) ensuring representation of diverse groups. The role of schools included the following: (i) working towards the representation of diverse groups on school committees; (ii) developing the school improvement plan; and (iii) implementing board equity and inclusive education programmes, policies and action plans.

Table 2.2: Ontario’s Equity and Inclusive Education Strategy for 2008-2012

YEAR 1: 2008-2009		
MINISTRY OF EDUCATION	SCHOOL BOARDS	
<ul style="list-style-type: none"> • issues policy/ develop policy framework on equity and inclusive education. • provides guidelines on implementation. • provides funding to promote equity and Inclusive Education. • stakeholder involvement/development on equity and inclusive education. 	<ul style="list-style-type: none"> • review of existing equity and inclusive education polices • identify the contact person to liaise with the ministry of education and other boards • report progress in the Education Director’s annual report. 	
YEAR 2: 2009-2010		
MINISTRY OF EDUCATION	SCHOOL BOARDS	SCHOOLS
<ul style="list-style-type: none"> • facilitate the sharing of resources. 	<ul style="list-style-type: none"> • Develop/revise policies for implementation by September 2010. 	<ul style="list-style-type: none"> • Develop and implement strategies to engage stakeholders on implementation issues.

<ul style="list-style-type: none"> • supporting staff's professional learning on equity and inclusive education. • supporting the school board to implement the strategies. • communicate progress to stakeholders. 	<ul style="list-style-type: none"> • Review existing community partnerships. • Identify and remove discriminatory barriers to ensure representation of diverse groups. • Review policies and practices to address systemic bias. • Put procedures in place for reporting incidents of discrimination and harassment. 	<ul style="list-style-type: none"> • Implement strategies to review existing community partnerships. • Work towards representation of diverse groups on school committees. • Report progress annually to the school board.
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YEAR 3: 2010-2011	
SCHOOL BOARDS	SCHOOLS
<ul style="list-style-type: none"> • Implement equity and inclusive education policies. • Embed equity and inclusive education principles in board and school improvement plans. • Support school's review of classroom strategies. • Provide relevant information and assistance to parents. 	<ul style="list-style-type: none"> • Develop school improvement plans in line with the overall strategy. • Review and revise classroom strategies.
YEAR 4: 2011-2012	
SCHOOL BOARDS	SCHOOLS

<ul style="list-style-type: none"> • Implement positive employment practices that support equitable hiring, mentoring, retention, promotion and succession planning. • Provide opportunities for staff and stakeholders to participate in training and leadership initiatives. • Monitor progress and assess effectiveness of policies using performance indicators. 	<ul style="list-style-type: none"> • Implement board equity and inclusive education programmes, policies and action plans. • Review and establish self-assessment processes to determine the effectiveness of the school's equity and inclusive education measures.
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The important strength of this strategy lies in that the Ministry of Education committed itself to make funding available for the implementation of the strategy because the lack of funds could be a barrier to implementation. The strategy also outlines the roles of stakeholders in an attempt to ensure successful implementation. The shortcomings of this strategy includes that it seems to be a 'colour-blind' strategy in that it fails to specifically prioritise black Canadians as the under-represented group. This does not ensure uniform implementation as it may have been interpreted differently by schools and may have resulted in under-representation in some committees. The strategy does not have numerical targets to address under-representation and inequity. The strategy also failed to set proper timeframes for implementation per year of implementation. The strategy referred to year 1, year 2, year 3 and year 4 without indicating what should be achieved in each month or term of the year.

2.7.2.7 The research findings in Ontario

The study conducted in Ontario revealed the existing teacher diversity gap and racism exists in employment policies and practices in Ontario boards and classrooms (Turner, 2015). In the interviews and online surveys of the mentioned study, the black Canadian educators expressed the following: (a) The school boards hire educators on the basis of favouritism and personal connections; (b)The lack of accountability mechanisms means administrators can hire who they know; and (c) white educators are given many more opportunities compared to black educators. The findings mentioned above reveal that the Ontario's Equity and Inclusive Education Strategy for the period 2008-2012 failed to

address the problem of employment inequity among black Canadian teachers in Ontario. The perceived shortcomings of the strategy stated above may have caused this failure.

2.7.2.8 Lack of teacher diversity in Manitoba Schools

Manitoba is another province of Canada where the number of black teachers is inadequate to ensure diversity in the Manitoba schools. The CBC News (16 February 2016) reported that the University of Manitoba took the initiative to make the teaching staff in Manitoba schools more diverse. In order to achieve this, the university planned to increase the diversity of students in its education faculty.

Apart from the lack of equity and diversity in the employment of black Canadians, equity also lacks in the provision of quality education to black students. According to Hurley (2010), black students are amongst the 25% of students from the population groups that do not graduate after five successive years of high school in Canada's school board. Hurley suggests that this is caused by a lack of equitable access to quality education in Canada. This shows that there are entrenched inequalities in Canada when it comes to issues of equity.

2.7.3 Equity in Brazil

2.7.3.1 Historical background

The historical background of Brazil shows that colonialism and the practice of slavery played a major role in creating inequalities in Brazil. Colonialism began in 1500 when the Portuguese settlers arrived in Brazil. Portugal's policies reportedly stripped Brazil of its resources instead of developing the economy of Brazil. The two factors are amongst those that caused the emergence of the disadvantaged groups in Brazil.

2.7.3.2 The beneficiaries of affirmative action in Brazil

According to Daflon, Feres and Campos (2013), Negro, indigenous people, disabled people, women, and African descendants are the disadvantaged groups in Brazil. It is noticeable that employment equity in Brazil addresses the inequalities that were created mainly by colonialism and the practice of slavery. However, according to the Report of

the Working Group of Experts on People of African Descent (Human Rights Council [United Nations], 2014), race-based affirmative action has been seriously opposed in Brazil. It was argued that it could exacerbate racial differences and conflicts. This shows that AA and its beneficiaries are a controversial issue in Brazil.

2.7.3.3 Relevant Brazilian legislative measures

The Constitution of 1988, which was drafted after a period of military dictatorship, guarantees individual rights and plays an important role of restricting the state's power to limit freedom, to punish offences and to regulate individual life. Article 3 of the Constitution of 1988 shows that the Brazilian Constitution aims at eradicating poverty as well as marginal living conditions, and the reduction of social and regional inequalities.

The Constitution aims to promote the wellbeing of all people irrespective of origin, race, sex, colour, age, and any other forms of discrimination. According to Advogados (2019:1), "in Brazil, labour law is protective of employees". However, despite the existence of these legislative measures, inequity has not been eradicated yet in Brazil.

2.7.3.4 Socio-economic background

In Brazil, on average, the whites earn almost more than double compared to black Brazilians. The income disparities have an impact on access to health services, sanitation and shelter (Dietrich, 2013). The disparities were also confirmed by the Report of the Working Group of Experts on People of African Descent (Brazilian Human Rights Council, 2014) which revealed the following: (1) the under-representation of Afro-Brazilians in State and municipal governments, particularly in senior positions; (2) initiatives to increase Afro-Brazilian representation in public positions; (3) insufficient levels of education which prevented the disadvantaged groups from accessing professional positions; (4) Low economic participation for Afro-Brazilian; (5) high unemployment rate among Afro-Brazilians and high monthly income for European descendants; and (6) a short life expectancy of Afro-Brazilians compared to European descendants. This poor SES of Afro-Brazilians has a negative impact on their education and causes inequity as discussed below.

2.7.3.5 Inequalities in Brazilian education

According to Warren and Canen (2016), the non-whites, who form the majority of the Brazilian population, reside in poor, urban communities where they attend low-quality, underfunded public schools. This clearly shows that non-whites in Brazil receive a poor quality of education compared to whites. Therefore inequality exists in Brazilian education as a result of socio-economic disparities. AA policies play an important role in assisting students from poor socio-economic backgrounds to access education. According to Aubel (2011), AA policies enable the Afro-Brazilians and lower social class students to attend college.

Aubel (2011) mentioned that the Afro-descendants were still under-represented in the political and economic processes including the mass media. Furthermore, Afro-Brazilians were a poorly trained workforce due to lack of access to education. There seems to be a negative correlation between the representation of Afro-descendants in processes and the level of their education. The Afro-descents' level of education limits their potential to compete for opportunities, which results in under-representation. This can be addressed only by a holistic improvement of their education.

Almost 61.8% of Brazilian teachers are white and 36.6% are Afro-descendant. There is a mismatch between the percentage of Afro-descendants who are teachers and their population distribution percentage. This is attributed in part to lesser access to education by Afro-descendants (Alves & Pinto, 2011). The problem of poor socio-economic background among Afro-descendants may be a factor behind this disparity. One may also not completely rule out the possibility of racism as a factor to a certain extent (De Sausa, 2010).

According to De Sausa (2010), there was racism in the Brazilian education system which was evident in the content of textbooks that students had to learn, and which was the way the white supremacist social power manifested itself. De Sausa raised a question about the number black experts specialising in children's literature and who belonged to the team that evaluated textbooks prior to approval.

De Sausa (2011:1) said black specialists were needed not only as part of teams that made up the programmes, but as managers and coordinators of the programmes “in order to actualise a policy of ethnoracial inclusion and diversity”. In the light of De Sausa’s assertion, the notion about Brazil being a colour blind “racial democracy” is questionable.

2.7.3.6 Strategic planning

Despite the existence of racial inequalities in the Brazilian society, strategic planning in Brazil does not seem to prioritise race-related issues. Brazilians believe they are a colour-blind nation and are in a racial democracy where there is no racism (Brochier, 2014). Bird and Franklin (2010) also stated that France and Brazil have officially denied the existence of race for decades.

Even when AA was introduced, Le Roux et al. (2012) stated that it was not introduced against the background of a practice of formal racial classification. It is against this background that the researcher attributes the lack of interest in race-related issues to the manner in which Brazilians view themselves. In dealing with strategic planning in Brazil, the researcher takes into consideration the fundamental national plans pertaining to employment in Brazil such as: (1) The National Plan on Employment and Decent Work (2010); (2) the Employment Plan 2014-Brazil; and (3) the National Plan for Education (NEP). The National Plan on Employment and Decent Work (2010) set three main priorities as shown below.

Table 2.3: The National Plan on Employment and Decent Work (Agenda Nacional de Trabalho Decente 10)

Priority 1:	To create more and better jobs, under equal opportunities and treatment.
Priority 2:	Eradicate slave labour and eliminate child labour, in particular their worst forms.
Priority 3:	Strengthen tripartite agents and social dialogue as a tool for democratic governance.

For each of the three priorities, there were expected results. Priority 1 of the plan sought to address employment equity in that it was about job creation under equal opportunities

and treatment. The expected results for Priority 1 included the following: (1) the broadening of policies for professional empowerment and job intermediation, in particular for youngsters, women and the black population; (2) broadening and strengthening of social protection for workers and their families, in particular for the most vulnerable social groups and migrant workers; and (3) development of legal initiatives and policy aimed at facilitating the transition from irregular work to formalised work while considering genre and race dimensions.

The expected results clearly showed that there was an expectation that the disadvantaged groups such as youngsters, women, black people, vulnerable social groups and migrant workers would benefit from the plan. There was also an expectation that race dimensions would be considered. However, all this was not guaranteed because the plan itself did not prioritise the disadvantaged groups since these were only the expected results and not priorities.

Although the National Plan on Employment and Descent Work (Brazil, Ministry of Labour and Employment, 2010) mentioned that priorities, expected results as well as strategies were set in the plan, the plan itself did not reflect strategies to be adopted to make the plan a success. It also did not differentiate between the strategies and the expected results. So the plan seemed to trigger a debate as to how the set objectives would be achieved.

The Brazil Ministry of Labour and Employment (2014) acknowledged that Brazilian women have lower participation rates and higher unemployment rates. However, despite the fact that this plan reflected new commitments, it did almost nothing in terms of prioritising women and other disadvantaged groups by setting realistic numerical targets based on percentages of unemployment rates and under-representation rates, with a view to ensure employment equity.

Unemployment was reportedly higher among Afro-Brazilians than European descendants, but the plan did not seek to address this situation (Brazilian Human Rights Council, 2014).

The National Plan for Education (NEP) of Brazil (Brazil's Ministry of Education, 2015) set six goals and 20 targets for the period 2014 – 2023 as shown below.

TABLE 2.4: Brazil's National Plan for Education (NEP) or (PNE)

Education for All Goals	PNE Targets
1. Early childhood care and education	1. Early childhood education (expansion of day care and universal preschool)
2. Universal primary education	2. Primary education (universal Access and completion at the right age)
3. Youth and adult skills	3. Secondary education (universal access and enrolment at the right age) 10. Youth and adult education integrated with professional education (25% of the enrolment of primary and secondary education). 11. Professional education at the secondary level (increase enrolment three-fold and ensure that 50% of places are free of cost) 12. Higher education (expansion of access, especially for the population 18-24 years old)
4. Adult literacy	9. Eradicate illiteracy and decrease functional illiteracy (50%)
5. Gender parity and equality	
6. Quality of education	5. Literacy at the right age (8 years, 7 years and, by the end of the PNE, 6 years) 6. Full-time education (50% of schools and 25% of basic education pupils) 7. Quality of basic education (improvement of the Basic Education Development Index – IDEB). 15. Training of education professionals (initial and continuous) 16. Training of basic education teachers (continuous training and postgraduation) 17. Valuing public sector teachers (salary equated to other professionals') 18. Career for basic and higher education professionals (plans and salary threshold) 20. Public investment in education (10% of GDP)

Source: EFA goals and PNE targets.

The National Plan for Education seemed to be a colour-blind plan in that it did not prioritise the disadvantaged groups particularly the Afro-Brazilians. According to Alves and Pinto

(2011:5), about 61.8% of the teachers in Brazil were white whereas only 36% were Afro-descendant, which meant Afro-descendants “became teachers almost 30% less than the proportion that corresponds to their distribution in the general population”. This clearly shows that this was a colour-blind plan which failed to provide for addressing racial inequity in Brazilian education.

The National Plan for Employment and Decent Work (Brazil, Ministry of Labour and Employment, 2010) seemed to be a fundamental employment plan of Brazil because the Employment Plan 2014 (Brazil, Ministry of Labour and Employment, 2014) stated that Brazil’s employment policies were within the framework of the National Plan for Employment and Decent Work (2010). This was further substantiated by the fact that the creation of the latter plan was a joint effort of the Interministerial Group, representatives from Ministries and Special Secretariats, the Tripartite Work Group, social agents, workers and employers (Ministry of Labour and Employment, 2010). An employment plan of this nature and magnitude should be inclusive of the nation’s education, and be satisfactorily equipped to addresses employment inequity, but it seemed to be lacking this strength since it did not prioritise the disadvantaged groups and their education.

The economic growth of a nation depends on the quality of education provided. Education provides a pathway out of poverty (Taylor & Yu, 2009). Therefore if this plan aimed to address the nation’s economic situation, it should not have lost sight of the nation’s education and equity.

2.7.4 Equity in Australia

2.7.4.1 Historical background

The colonisation of Australia, then known as New South Wales, by the English in 1788 resulted in the Aborigines losing their history, land and languages (Johnson, 2016). Between 1860 and 1970, Australia effectively had a state-sanctioned slavery of Aboriginal people (Simmonds, 2015:1). The historical background of Australia shows that colonialism and the practice of aboriginal slavery created inequalities in Australia and caused the emergence of historically disadvantaged groups in the Australian society.

2.7.4.2 Beneficiaries of affirmative action

Beneficiaries of AA in Australia are women, black people, Aboriginal people, Torres Strait Islanders, Afro-descendants. It is noticeable that employment equity in Australia, like in Brazil, addresses the inequalities that were created, mainly, by colonialism and the practice of Aboriginal slavery.

2.7.4.3 The relevant Australian legislative measures

Section 15 the Racial Discrimination Act of 1975 prohibits discrimination in employment relations and remuneration. The Equal Opportunity Act of 1984 aims at the following: (a) eliminating discrimination against persons on various grounds including race, age and gender; (b) eliminating harassment in the workplace; and (c) promotion of gender equality.

The Equal Opportunity Commission was established to investigate complaints about discrimination and to conduct community education and training programmes on equal opportunities. Equal employment opportunities in the public sector are promoted by the Director of Equal Opportunity in Public Employment (DEOPE) who works with government agencies to evaluate the effectiveness of programmes and processes that are aimed at achieving equal employment opportunity. The Disability Discrimination Act of 1992 promotes the rights of people with disabilities in certain areas such as housing, work, education and provision of goods and services.

The Public Service Act of 1999 provides a legal framework for fair employment, management and leadership of the employees of the Australian Public Service and also establishes the rights and obligations of such employees. The objects of the Equal Opportunity for Woman in the Workplace Act 183 of 1999 are: (a) to promote the employment for women on the basis of merit; (b) to promote the elimination of discrimination against women in relation to employment; and (c) to promote workplace consultation concerning equal opportunity for women.

The existence of these legislative measures does not seem to have done much to help eradicate inequalities in Australia as evident below.

2.7.4.4 Socio-economic background

There are serious inequalities in income and wealth in the Australian society. The extent of income inequality in Australia is that specific groups such as Aboriginal and Torres Strait Islander people and communities find it difficult to access health services (Australian Psychological Society, 2014). There is a big gap in incomes and wealth between different groups in Australia (Australian Council of Social Service, 2015). A person who was in the top 20% income group received around five times as much income as a person who was in the bottom 20%. The Report also revealed that the income and wealth inequality gaps were widening. The income and wealth gaps are clearly indicative of the low SES of certain population groups.

According to the Australian Senate Community Affairs References Committee (2014:n.p.), the studies conducted over the past 40 years highlighted the “severe and endemic nature of Aboriginal disadvantage in Australia, this Report revealed that an Aboriginal person is more likely than other groups to earn a lower income”. The report also found that Aboriginal people in general are more likely to: (a) have poorer health; (b) have a lower level of education and be homeless; (c) be incarcerated; (d) commit suicide; and (e) have a lower life expectancy. The Report also revealed that People with disability were under-represented in the labour market and workforce of Australia. The study commissioned by Universities Australia (2008:2) found that “people from low SES backgrounds were significantly under-represented in Australian higher education”. This confirms that the SES is a barrier to access to education, representivity, and equity around the world.

2.7.4.5 Inequalities in Australian education

According to Rudolph (2011), there is a disparity between educational outcomes of indigenous and non-indigenous students in Australia. The policies and publications for the period 2009-2010 widely acknowledged failure to achieve equality for indigenous students. In the researcher’s view, the disparity originated from both the historical background and the low SES of the aborigines.

Approximately 1% of teachers in Australia are of Aboriginal or Torres Strait Islander descent (Spina, 2013). This can be associated with their low SES which possibly has been creating the problem of access to education over the years. These factors culminate in the under-representation of Aboriginal and Torres Strait Islander people in the education sector. Spina (2013) further stated that policy reforms in indigenous education were implemented by a white workforce. Therefore the aborigines do not have power to turn their situation around. This has the potential to deepen the inequalities in the Australian education system.

The Aboriginal and Torres Strait Islander principals had a lower proportional representation in the major cities, outer regional and remote areas (MATSITI, 2014). The small percentage of aboriginal teachers indicates that the aboriginal children of school going age have more white teachers in the classroom than those from their own ethnic group, which causes cultural inequity and a lack of diversity and inclusiveness. Korff (2015) revealed that the Aboriginal pupils learn best and most efficiently when they are taught by a culturally-aware teacher or Aboriginal teacher. Korff (2015) further revealed that Aboriginal teachers bring a wider range of cultural perspectives into schools. They also develop networks with the Aboriginal communities around the school, and Korff (2015) believed that Aboriginal teachers are valuable assets when addressing school children's needs or problems.

2.7.4.6 Strategic planning in Australia

Despite the existence of inequalities in the Australian education system, there is a commitment from both the public education sector and the private education sector to address issues of equity in Australian education. The Public Policy Institute (PPI) of the Australian Catholic University (2011) was authorised by the Independent Schools Council of Australia to prepare a series of papers to inform deliberations about policies pertaining to schooling in Australia, in order to contribute to the Australian Government's Review of Funding for Schooling. The first paper (Public Policy Institute, 2011) focused on equity in education and discussed meanings and interpretations of equity in education.

The DoE in Western Australia came up with the Equity and Diversity Management Plan (2015) for the period 2015-2019 which focused on achieving the following: (a) inclusive and equitable workplaces; (b) attracting a diverse workforce; and (c) developing and retaining a diverse workforce. The plan seems to acknowledge the under-representation of the Aboriginal people in the Australian education system by addressing issues that may be barriers towards achieving equity and diversity for the Aboriginal people. Amongst other things, these issues are addressed as follows: (i) the plan aims to make Aboriginal Cultural Standards Framework available for schools in 2016; (ii) the Equal opportunity, Discrimination and Harassment Policy and Procedures will be reviewed; (iii) support resources will be provided; and (iv) there will be leadership development programmes for Aboriginal school leaders.

The Equity and Diversity Plan of the DoE in Western Australia sets numerical targets in the form of percentages for the under-represented groups and makes provision for separate targets for female school administrators. Unlike the U.S. and Brazil, the DoE in Western Australia seems to acknowledge that equity and diversity cannot be automatically achieved simply because there is a plan in place; therefore, in line with its plan, it set targets and timeframes which may assist in assessing progress made regarding the implementation of the plan. In this way, the department shows true commitment towards achieving equity and diversity. Below, the researcher presents an outline of the main features of this stated plan.

The DoE and Child Development in South Australia has a tailor-made Aboriginal Strategy (South Australia, DoE and Child Development, 2013) which consists of seven domains with specific aims, key strategies and targets which are not necessarily numerical. This plan, like the one for Western Australia, seems to be acknowledging the under-representation of the Aboriginal people in the Australian education system by addressing issues that may be barriers towards achieving equity and diversity for the Aboriginal people. Therefore, amongst other things, the plan focuses on achieving the following: (a) high quality of Aboriginal early childhood education, high attendance rates; (b) Aboriginal children's literacy and numeracy development, Aboriginal professional development programmes for leadership and quality teaching; and (c) representation of Aboriginal

students and Aboriginal educators. The shortcoming of the strategy is that that it fails to set numerical targets which, in the researcher's opinion, are essential.

The DoE and Child Development in South Australia also drafted the Reconciliation Action Plan (2014) which builds on its Aboriginal Strategy. The Reconciliation Action Plan (South Australia, DoE and Child Development, 2014:1) expresses commitment to the following: (1) "proper recognition of Aboriginal and Torres Strait Islander people and their contribution to Australian society both in the past and in the present"; (2) "building mutually respectful relationships between Aboriginal and Torres Strait Islander people, and communities, and all other Australians"; and (3) "raising the awareness and knowledge of Aboriginal history and culture, and changing attitudes that are often based upon myths and misunderstanding".

In the researcher's view, this reconciliatory approach, lays a proper foundation for the implementation of equity and diversity because it focuses on fundamental aspects of Aboriginal and Torres Strait Islander people, thereby changing negative attitudes towards them. The Reconciliation Action Plan consists of four domains, namely: Relationships, respect, opportunities and tracking progress and reporting. Firstly, the plan focuses on establishing partnerships and connections with Aboriginal families and communities. The rationale behind this domain is that "there are strong links between the academic success of Aboriginal children and young people, positive cultural identity and culturally supportive school environments" (South Australia, DoE and Child Development, 2014:9).

Secondly, the plan focuses on "strong cultural and linguistic identity, and the active recognition and validation of Aboriginal and Torres Strait Islanders histories" (South Australia, DoE and Child Development, 2014:11)

The rationale behind this domain is that when these aspects are taken into account, the Aboriginal and Torres Strait Islanders feel being respected and this lays a proper foundation for both their education, and reconciliation between them and other Australians. Thirdly, the plan focuses on providing the Aboriginal people with employment opportunities and pathways. The rationale behind this is that the DoE and Child Development "can develop a greater understanding of Aboriginal peoples and cultures

while building the diversity of its workforce” (South Australia, DoE and Child Development, 2014:13). Fourthly, progress is monitored against actions identified in the Reconciliation Action Plan and this is the responsibility of the DoE and Child Development Reconciliation Action Plan Committee.

For the first three domains, the plan shows action to be taken, persons responsible for taking action, timeline, and targets (expected outcomes). When it comes to the last domain, instead of the targets (expected outcomes), the plan reflects measurement. In Table 2.5, the researcher presents a summary of the Equity and Diversity Management Plan (2015-2019) of the DoE in Western Australia.

Table 2.5: Equity and Diversity Management Plan (2015-2019) of the DoE in Western Australia (Researcher’s summary)

FOCUS AREA 1: INCLUSIVE AND EQUITABLE WORKPLACES	
INITIATIVES	PERFORMANCE INFORMATION
<ul style="list-style-type: none"> • Enhancement of equity and diversity information and resources. • Encourage staff to complete online questionnaire on diversity. • Reporting on progress towards achieving diversity targets. • Increasing and promoting the network of trained equal opportunity contact officers to help staff resolve workplace discrimination. • Reviewing the Equal Opportunity, Discrimination and Harassment Policy and Procedures. • Recognise and promote achievements of Aboriginal employees in public education through the Western Australian Education Awards. 	<ul style="list-style-type: none"> • Online Aboriginal cultural appreciation course delivered for staff in 2015. • Aboriginal Cultural Standards Framework available for schools in 2016. • Additional support resources provided for 2016. • 60% of staff complete online diversity questionnaire • Annual employment diversity report provided to Corporate Services. • 40 new equal opportunity contact officers trained to complement the current network of 120. • Equal opportunity, Discrimination and Harassment Policy and Procedures reviewed by 2017
FOCUS AREA 2: ATTRACT A DIVERSE WORKFORCE	
INITIATIVES	PERFORMANCE INFORMATION

<ul style="list-style-type: none"> • Promotion of employment practices that support staff diversity and reduce barriers to employment by increasing awareness of line managers/principals of equal employment opportunity and unconscious bias and providing relevant information and resources. 	<ul style="list-style-type: none"> • Information that facilitates equity group employment promoted to line managers/principals and incorporated into relevant learning programmes. • Resources delivered on flexible work practices. • Increased percentage of staff consider employment and recruitment practices fair and free of bias.
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FOCUS AREA 3: DEVELOP AND RETAIN A DIVERSE WORKFORCE	
INITIATIVES	PERFORMANCE INFORMATION
<ul style="list-style-type: none"> • Provide professional learning for staff from equity groups by assisting Aboriginal school support staff to achieve relevant qualifications, delivering leadership development programmes for Aboriginal school leaders, implementing leadership development programmes for aspirant female leaders. • Promoting available career pathways to staff from equity groups. • Providing forums that support career development for staff with disabilities and youth. • Recognise and promote women's achievement in public education through Women of Achievement Award and International Women's Day. 	<ul style="list-style-type: none"> • Number of Aboriginal school support staff completing an education qualification. • All Aboriginal graduate teachers participate in the Graduate Teacher Induction Program and additional coaching. • Improved retention of Aboriginal graduate teachers in the early years of teaching. • Number of aspirant women, Aboriginal teachers and school leaders participating in leadership development programmes. • Aboriginal and Torres Strait Islander school administrators and teachers conference is delivered and number of participants reported. • Percentage of aspirant women completing leadership development programmes and attaining promotional positions. • Improved representation of equity groups as per targets in the Plan. • Number of Aboriginal teachers applying for and/or achieving Senior Teacher or Level 3 Classroom Teacher status. • Forums delivered and number of participants reported. • Participant satisfaction with professional learning.

Table 2.6: Employment Diversity targets of the DoE in Western Australia.

EMPLOYMENT DIVERSITY TARGETS (%)					
GROUP	2015	2016	2017	2018	2019
WOMEN IN MANAGEMENT					
Woman in management tier 2	11	11	22	22	22
Women in management tier 3	45	47.5	47.5	50	52.5
Women in management tier 2 and 3	39	41	43	45	47
Aboriginal People	2.2	2.3	2.3	2.4	2.4
People from culturally diverse backgrounds	4.8	5	5.1	5.2	5.3
People with disability	1.2	1.2	1.3	1.3	1.4
Youth (under 25 years)	5	5.2	5.4	5.6	5.8

Table 2.7: Female and school administrator targets of the DoE in Western Australia

FEMALE SCHOOL ADMINISTRATOR TARGETS (%)					
SCHOOL ADMINISTRATOR POSITIONS	2015	2016	2017	2018	2019
PRIMARY SCHOOL					
Level 3	69	70	71	72	73
Level 4	53	54	55	56	57
Level 5	40	41	42	43	44
Level 6	10	10	15	15	15
SECONDARY SCHOOL					
Level 3	48	49	50	51	52
Level 4	49	50	51	52	53
Level 5	48	49	50	51	52
Level 6	36	37	38	39	40

Table 2.8: The Aboriginal Strategy (2013-2016) for the DoE and Child Development in South Australia

DOMAIN 1: READINESS FOR SCHOOL	
AIM: To ensure the participation of all Aboriginal children in culturally inclusive, high-quality early childhood education programmes that nurture their social, emotional, physical and cognitive development.	
KEY STRATEGIES	TARGETS

DOMAIN 1: READINESS FOR SCHOOL	
<ul style="list-style-type: none"> • Providing supported access to low or no cost preschools for all Aboriginal children, including those in remote areas. • Targeted additional resources and professional development for preschool staff in locations of highest need to support high-quality and culturally and linguistically inclusive curriculum and teaching 	<ul style="list-style-type: none"> • Increased proportion of Aboriginal and Torres Strait Islander children participating in quality early childhood education and childcare services • Aboriginal and Torres Strait Islander students perform at equivalent or better rates to other students when assessed for numeracy and literacy skills before starting preschool.
DOMAIN 2: ENGAGEMENTS AND CONNECTIONS	
AIM: To strengthen the engagement and confidence of Aboriginal students and families in schooling through relationship building, professional learning and curriculum delivery that takes into account the diversity of Aboriginal cultures in South Australian communities.	
KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Providing 'cultural competence' training for all staff in preschools and schools to promote respectful, productive relationships and partnerships with Aboriginal families. • Developing an individual learning plan for all Aboriginal children and students as a practical working document that underpins challenging and interesting learning experiences and enables students, teachers and families to work together to achieve the best possible learning outcomes 	<ul style="list-style-type: none"> • More Aboriginal and Torres Strait Islander students involved in learning that is personalised, productive and challenging • Active partnerships between preschools, schools and Aboriginal families that foster engagement and connection
DOMAIN 3: ATTENDANCE	
AIM: To highlight the importance of school-community partnerships in developing a shared responsibility and commitment to high attendance rates.	
KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Engagement with Aboriginal families through the development of individual learning plans that explain the relationship between regular attendance, challenging and culturally responsive curriculum and successful learning outcomes. • Timely and consistent communication with Aboriginal families about non-attendance by preschool or school staff, with support from regional office staff where needed. 	<ul style="list-style-type: none"> • Attendance rates of Aboriginal and Torres Strait Islander students are equivalent to non-Aboriginal student attendance rates. • More Aboriginal and Torres Strait Islander students progressing from one year of schooling to the next.

DOMAIN 1: READINESS FOR SCHOOL
DOMAIN 4: LITERACY AND NUMERACY
AIM: To support strong school leadership and a whole-school focus on literacy and numeracy, together with family engagement and targeted additional resources for individual students and groups of students requiring support.

KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Creating opportunities and structures in preschools and schools for educators and families to discuss and share resources that support partnerships and engagement in children’s literacy and numeracy development • Priority for intensive professional development in literacy and numeracy for teachers in ‘focus schools’ 	<ul style="list-style-type: none"> • Halve the gap in reading, writing and numeracy achievement between Aboriginal and Torres Strait Islander students and non-Aboriginal students by 2018 • Higher participation and achievement Rates for Aboriginal and Torres Strait Islander students in the National Assessment Programme – Literacy and Numeracy (NAPLAN) and the South Australian Certificate of Education.

DOMAIN 5: LEADERSHIP, QUALITY TEACHING AND WORKFORCE
AIM: To build the capacity and confidence of leaders and teachers in the areas of ‘cultural competence’, design and delivery of culturally responsive curriculum and teaching methods that are effective with Aboriginal students.

KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Promotion of high expectations for Aboriginal students and community engagement by system, regional, preschool and school leaders • Professional development programmes that help leaders to lead improvement in the learning outcomes of Aboriginal students through performance development discussions, planning and review processes 	<ul style="list-style-type: none"> • More professional development hours in Aboriginal and Torres Strait Islander education including principals and teachers undertaking culture and language training. • Better retention of leaders and teachers In hard-to-staff sites with high enrolments of Aboriginal and Torres Strait Islander Students

DOMAIN 6: PATHWAYS TO REAL POST-SCHOOL OPTIONS
AIM: To support improved school attendance and retention, together with a very Deliberate focus on much higher expectations and achievement for Aboriginal students.

KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Early intervention within classroom settings to provide additional support in literacy, numeracy 	<ul style="list-style-type: none"> • Halve the gap in Aboriginal and Torres Strait Islander Year 12 attainment or equivalent attainment rates by 2020.

<p>and other key learning areas to build students' confidence, knowledge and skills</p> <ul style="list-style-type: none"> • Co-ordinated, high-quality mentoring and tutoring that supplement and support Aboriginal students' learning, with flexibility for schools to ensure sustained support for individual students 	
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DOMAIN 7: ABORIGINAL EMPLOYMENT	
AIM: To honour State and Australian Government commitments in achieving a closer alignment between the representation of Aboriginal students and Aboriginal educators.	
KEY STRATEGIES	TARGETS
<ul style="list-style-type: none"> • Establishing a leadership register and two leadership scholarships annually to release Aboriginal teachers to work with outstanding leaders in preschools and schools • Recruitment and professional development of Aboriginal language and cultural specialists to support the delivery of Aboriginal language programmes 	<ul style="list-style-type: none"> • Attract, retain and support the career aspirations of Aboriginal employees to make progress towards an improved ratio of Aboriginal staff to students, with at least 2% representation across all classifications, consistent with Target 53 of South Australia's Strategic Plan.

2.8 CHAPTER SUMMARY

Colonialism and apartheid, in the case of South Africa, resulted in the indigenous people or people of African origin and other groups becoming disadvantaged groups in their respective countries. Therefore both colonialism and apartheid account for inequalities in the societies of the countries that were previously colonised. The previously disadvantaged groups have a low SES, and therefore grapple with problems related to access to education and employment which may also include employment in the education sector. There are legislative measures, which include AA, that have been adopted by most countries around the world to address disparities in employment and access to opportunities.

AA as a redistributive strategy is a controversial issue that has been argued internationally. Despite the existence of legislative measures including AA, the inequalities and the under-representation of disadvantaged groups in the workplaces

internationally never ceased to exist. In South Africa, this manifests itself in that African teachers are still under-represented at former Model C schools. Strategic plans are essential tools that departments of education or governments internationally have devised to address issues of employment equity, diversity and inclusion in education.

The poor quality of education received by Africans under apartheid can also be a factor that accounts for the under-representation of African teachers at former Model C schools as these schools are associated with quality education. From the discussion, it appears that the manner in which the EEA is implemented by the KZN DoE does not assist in ensuring that the under-representation of black African teachers at former Model C schools is addressed.

The next chapter presents the research design and methodology used in the empirical study.

CHAPTER 3: RESEARCH DESIGN AND METHODOLOGY

3.1 INTRODUCTION

This chapter presents research design and methodology that was adopted to investigate the implementation of the Employment Equity Act at former Model C schools in KwaZulu-Natal Province. The investigation of this phenomenon focused on the following: (1) how the SGBs implement the EEP and the AAP; (2) the demographics of teachers, students and SGB members of the sampled former Model C schools; (3) the role of the KZN DoE in the implementation of employment equity; and (4) the challenges to employment equity at former Model C schools.

3.2 RESEARCH APPROACH

A research approach is a plan and procedure which consists of the detailed method of data collection, analysis and interpretation; it takes into consideration the nature of the research problem being investigated (Chetty, 2016). The research approach for this study is both qualitative and quantitative. Quantitative data on the demographics of SGB members, teachers and learners of former Model C schools was used to analyse and interpret the research problem, and to confirm qualitative data.

3.2.1 Qualitative Method

Qualitative research assists researchers in exploring and discovering issues concerning the research problem if there is not enough information about the research problem (Domegan & Fleming, 2007). This study acknowledged the under-representation of black teachers at former Model C schools as a major issue associated with the problem on hand, therefore qualitative research was suitable for investigating the issues related to the research problem, through exploration, with a view to discover them. According to Streefkerk (2019), in qualitative research, data is expressed in words and analysed by summarising, categorising and interpreting. In this study, qualitative data was collected by means of a questionnaire and interviews.

3.2.2 Quantitative Method

Quantitative methods are used to study a sample of a population with a view to provide a quantitative description of the population's attitudes, opinion or trends (Creswell, 2009). The use of the quantitative method was deemed necessary in this study in cognisance of the nature of roles and responsibilities of parents and principals as members of SGBs and stakeholders involved in the implementation of the EEA No. 55 of 1998 at former Model C schools. The quantitative method was suitable for collecting data on student, teacher and SGB demographics at former Model C schools that are connected to the research problem.

Quantitative research expresses data in the form of numbers and tables and may be used to test assumptions. Qualitative research analyses data through statistical analysis and mathematical formulae (Streefkerk, 2019). In this study, quantitative data was collected and expressed in a summary table to serve a corroborating purpose in the exploration of the phenomenon of this study which the researcher aimed to understand comprehensively. According to De Witt (2019), it is common for a manuscript to require a data summary table. De Witt mentioned that a summary table might include simple summary statistics for the whole sample and for subgroups. In this study, the summary tables reflect simple summary statistics of the demographics of SGB members, teachers and learners.

3.3 RESEARCH DESIGN

A research design is the researcher's strategy or blueprint chosen for collecting, measuring and analysing data, thereby integrating the components of a study in a coherent and logical manner to integrate the different components of the study coherently and logically. A research design enables a researcher to address the research problem effectively (De Vaus, 2001; Trochim, 2006). According to Punch and Oancea (2014), the research design is the basic plan for a piece of research which includes the following main ideas: (1) strategy; (2) conceptual framework; (3) who or what will be studied; and (4) and tools and procedures to be used for collecting and analysing empirical materials. Punch and Oancea (2014) also stated that the research design situates the researcher in

the empirical world. Having stated that this study employed a research approach that is both qualitative and quantitative, the research design for this study is the combination of the survey research design and the descriptive statistical research design.

3.3.1 Qualitative Method

A qualitative method involves asking the participants the questions about things which happen in their lives thereby enabling the researcher to understand the world as the participants experience it (Austin & Sutton, 2014). Interviews are employed to gain insight into the experiences and situations of participants (Jameel, Shaheen & Majid, 2018). A questionnaire can also be used to ask questions about the experiences of participants. Questionnaires have many uses, one of them being that they allow researchers to generate data which is specific to their research (O'Leary, 2014; Quad, 2016). In this study, the qualitative method enabled the researcher to gain insight into the experiences of the SGBs and situations in which employment equity is implemented at former Model C schools.

3.3.2 Quantitative Method

A survey method was used. Questionnaires and interviews are used as data collection methods in survey research (Bowen, Rose & Pilkington, 2015). Bell and Waters (2014) stated that surveys concern themselves with the social environment, demographic characteristics, the activities, the attitudes and opinions of a group of people. According to Cohen, Manion and Morrison (2011), a survey is useful in that it usually:

- generates numerical data;
- provides descriptive, inferential and explanatory information.

The use of a survey in this study provided explanatory information and enabled the researcher to understand the social environment, the activities, the opinions and attitudes of the participants about the phenomenon of the study.

A statistical analysis method was also used. In statistical analysis data is represented in numerical form. The statistical analysis method uses systematic, well-defined, and mathematical procedures to organise and interpret (DePoy & Gitlin, 2016). According to

Kalla and Wilson (2011), statistical analysis gives approximate solutions in situations where the researcher investigates highly complex processes whose true forms are not known. The statistical analysis method enabled the researcher to represent the demographic data of former Model C school stakeholders in percentages using summary tables.

3.4 POPULATION AND SAMPLE

3.4.1 Population

According to McMillan (2012), the target population is a well-defined larger group of individuals to whom the results of the study are generalised. The study had a population of about 630 people from whom the subjects had to be selected by means of purposeful sampling to ensure that they were informative about the topic. The population consisted of SGB chairpersons, principals, educators and non-educators at former Model C schools in one of the districts of the KZN DoE (District XY), and relevant officials of the KZN DoE in District XY and at provincial level were the population for this study.

The researcher used a non-random method to select the study area. District XY was selected because it has a number of former Model C schools. Secondly the researcher worked within the same district, and it was going to minimise travelling costs for research. The newspapers reported that the majority of teachers at former Model C schools were white, and that former Model C schools are lagging behind when it comes to hiring black teachers (Sunday Times, 15 February 2015; Pretoria News, 9 February 2015). It was the researcher's intention to investigate the implementation of employment equity at former Model C schools.

3.4.2 Sample

A sample is a smaller version of a larger group which is manageable for research purposes (Kenton, 2019). It is a subset containing the characteristics of a larger population. The researcher ensured that only former Model C schools were included in the sample. The list of former white schools established between 1851 and 1978 (Haw, 1995) was used to identify 25 former Model C schools situated in District XY. The

researcher used random sampling to select a sample of 10 schools where the questionnaire would be administered. The 25 schools were divided into two groups: high schools and primary schools. There were seven high schools and 18 primary schools. The name of each secondary school and primary school was written on a piece of paper and was put in an empty ice cream container prepared for each group. The containers were closed and shaken, then five names were drawn from each container. This resulted in the formation of a sample of 10 schools which consisted of five high schools and five primary schools which ensured that employment equity was investigated at both levels. These schools were representative of the geographic areas in the district. This was evident in that the name of each former Model C school that was selected corresponded with the name of the area in which the school was geographically located within the district. The schools were given the alphabetical names: School A to School J.

3.4.3 Qualitative Sampling

This study had the following two qualitative samples as shown in Table 3.1. The first sample consisted of SGB chairpersons, educators and non-educators of former Model C schools. This sample was selected to administer a questionnaire to explore and discover issues about how employment equity is implemented at school level during the employment processes. The second sample consisted of the director of the District Director of District XY and the Deputy Director-General YZ. This sample was selected to enable the researcher to interview these subjects to explore and discover issues about how the KZN DoE executes its mandate as the employer in the implementation of employment equity

Table 3.1: Qualitative sample for questionnaire administration and interviews respectively

THE QUALITATIVE SAMPLES [PURPOSEFUL SAMPLING]	
QUESTIONNAIRE ADMINISTRATION SAMPLE 1	INTERVIEWS SAMPLE 2
THE SCHOOL-BASED PARTICIPANTS 10 SGB Chairpersons 10 Principals 5 Educators identified	THE OFFICE-BASED PARTICIPANTS District Director of District XY Deputy Director-General YZ [Head Office]

In implementing employment equity, the EEA basically requires employers to implement: (1) the EEP; and (2) apply AAP measures during the employment processes. The implementation of employment equity is the responsibility of SGBs and the KZN DoE. The researcher aimed to explore and discover issues connected to the research problem which are the prerogatives of SGBs and the KZN DoE, respectively. Therefore, the study necessitated the selection of information-rich subjects who would be informative about the topic and to whom the questionnaire would be administered at school level. The study also necessitated the selection of information-rich subjects at district and provincial level of the KZN DoE to be interviewed. Purposeful sampling was used to select information-rich subjects for the administration of the questionnaire at school level, and for interview purposes at district and provincial levels.

Purposeful sampling is commonly used in qualitative research to identify and select information-rich cases related to the phenomenon being investigated (Palinkas & Horwitz, 2015). Palinkas and Horwitz (2013) also stated that this sample is used for the purpose of selecting information-rich participants whom the researcher believes will be able to provide the information that is required. The phenomenon of interest in this study was the implementation of employment equity; therefore, the researcher had to identify and select the participants who possessed the information on the implementation of employment equity and had to be sure that such participants would be able to provide the required information.

chairpersons and 50% of the principals to whom they had been administered. All the five educators and the non-educator who had been identified also returned the questionnaires. This resulted in the response rate of 53.8% for the questionnaires.

The SGB chairpersons, principals, educators and non-educators were information-rich for the following reasons.

- Principals

According to the Personnel Administrative Measures (DBE, 2016), a principal is responsible for the professional management of a public school and safekeeping of all school records. The HRM Circular No. 28 of 2016 (KZN DoE, 2016) empowered principals to serve as departmental representatives (resource persons) during shortlisting and interviews for school-based posts in their respective schools. Therefore, principals of former Model C schools were informative about the topic on employment equity and were information-rich by virtue of their position as managers and governors of former Model C schools.

- SGB chairpersons

In terms of Section 20(1)(i)(j) the SGB is empowered to recommend to the Head of Department the appointment of educators and non-educators at the school (educator staff and non-educator staff), subject to the Employment of Educators Act, 1998 and the Public Service Act, 1995 respectively, and the Labour Relations Act, 1995.

HRM Circular No. 28 of 2016 authorised SGBs to establish interview committees from SGB members and directed that in considering applications for shortlisting, the interview committee must ensure compliance with the basic values and principles referred to in Section 195 of the Constitution taking into account, inter alia, the following factors when making the appointment:

- principle of equity;
- need to redress past injustices; and
- the need for representivity.

According HRM Circular No. 28 of 2016, SGBs had to ensure that the principles stipulated above were adhered to. In terms of this circular, the SGB ratifies the rank order of candidates recommended by the interview committee and is authorised to make submissions for the review of the ranked order of the recommended candidates through the SGB chairperson. The SGB chairpersons of former Model C schools were regarded as having the information about the topic of this study based on their duty to recommend the employment of staff which includes meeting the obligation to achieve equity in the workplace in accordance with the provisions of the EEA of 1998, as amended. They were

therefore information-rich for the purposes of this study based on their position as governors of former Model C schools.

- Educators and non-educators

According to the South African Schools Act, 1996, educators and non-educators employed in public schools can serve as members of governing bodies in a representative capacity and participate in the activities of SGBs. Educators are also members of teacher unions which work in partnership with the DBE for the delivery of education through the involvement of teachers as members to take part in many departmental endeavours in improving the quality of education (Mafisa, 2017). Educators receive information on education issues from both the department and their respective teacher unions to which they are affiliated. Educators and non-educators possess the expertise which qualifies them for co-option by SGBs to serve as members of panels that shortlist and interview candidates for appointment in educator posts (HRM Circular No. 28 of 2016). Therefore educators and non-educators were information-rich for the purposes of this study.

The District Director of District XY and one of the Deputy Directors-General (Deputy Directors-General YZ) were relevant for this study for the following reasons:

- District Director

According to the Policy on the Organisation, Roles and Responsibilities of Districts (DBE, 2013), a district office is a local hub of a provincial education department. It provides the vital line of communication between the provincial Head Office and the education institutions under its care. It serves as an information node for education institutions on education law, policy and administration. In terms of this policy, a district office also has an oversight and accountability role.

Diko, Haupt and Molefe (2015) mentioned that districts are structured in a manner that allows for effective policy implementation since the Sub-Directorates work together to ensure the implementation of the education policies sent by the provincial and national department. The district director was interviewed against this background but, particularly, on Employment Equity implementation.

The KZN DoE Human Resource Management Circular No. 40 of 2016 stated that the District Director oversees the overall management and administration of the district and manages the functions related to human resource management. Therefore, a person who is a District Director within the KZN DoE was information-rich regarding the implementation of employment equity by the KZN DoE.

- Head Office Directorate

Apart from the role of the SGBs, the implementation of employment equity by the KZN DoE is the prerogative of the Head Office (HRM Circular No. 70 of 2018). In terms of Section 6(3)(b) of the Employment of Educators Act, the Head of Department may decline the recommendation of the SGB of a public school if such recommendation is not compliant with the principle of equity.

According to HRM Circular No. 36 of 2019 (KZN DoE, 2019c), the districts, after validating documents from SGBs, compile schedules of recommendations in post order and forward these to the Directorate: Human Resource Services at Head Office. This directorate compiles a 'comprehensive schedule' of placements for submission to the Head of Department for approval.

The tools to be used at school level to implement employment equity such as the EEP and the AAP are determined at provincial level and disseminated to schools from the head office. The Head of Department was in the strategic position that plays a determining role in the implementation of employment equity. As the head office officials had the information about the topic, it was important to gather information about their role in the implementation of employment equity.

The Human Resource Circular No. 66 of 2010 stated that the implementation of the EEP would be monitored by structures such as the Employment Equity Consultative Forum, the Departmental Employment Equity committee and Senior Management.

There are about three Deputy Directors-General at Head Office. Deputy Director-General YZ is responsible for all appointments and the implementation of employment equity. The

Head of Department is advised by the Deputy Director-General YZ when he makes all appointments including the implementation of employment equity. The researcher had requested to interview the Head of Department but the Head Office took the decision to make arrangements for the researcher to interview the Deputy Director-General YZ instead of interviewing the Head of Department. Data was collected to establish the effective role played by these structures, or whether they have served the intended purpose.

3.4.4 Quantitative Sampling

The study investigated the demographics of SGB members and educators of the sampled Model C schools with a view to gather statistical data to confirm qualitative data. The 10 principals and one district official from the EMIS component of the district were the participants for this sample as shown in Table 3.2.

Table 3.2: Quantitative sample for statistical demographics of educators, SGB members and learners

QUANTITATIVE SAMPLE	
STATISTICAL DATA ON SGB MEMBERS AND EDUCATORS	
SCHOOL-BASED SUBJECTS	OFFICE-BASED SUBJECT
10 Principals	District official: EMIS component of the district

The researcher had permission from the provincial Head of the KZN DoE to conduct the research at the district office (Appendix C). The EMIS component of District XY was approached to gather the statistical data on the demographics of the sampled former Model C schools. The researcher produced the letter from the HOD and was referred to the official who had access to the statistical data of schools stored in the information system of the department. The official checked the letter from the HOD and signed the consent letter. The access code was used by the official to retrieve statistical data from the system on the demographics of educators and learners for all the sampled schools. The data on the demographics of educators and learners was made available to the researcher in the form of a computer-generated spreadsheet. The researcher could not obtain the data on the demographics of SGB members from the district office. The data on the demographics of SGB members, educators and learners was obtained from principals. Five of the 10 principals provided this data (50%). Each of the 5 principals provided data of the school managed by him. The EMIS component of the district office provided 100% of the data on the demographics of educators and learners for the sampled former Model C schools. The researcher compared the data that had been received from principals with the data available at the district office on the demographics of educators and learners and found that it was the same. The principals and district officials were information-rich for the following reasons:

- Principals

According to the Personnel Administrative Measures (DBE, 2016), a principal is responsible for the professional management of a public school and safekeeping of all school records.

- District officials

District offices consist of various components where there are officials who specialise in particular services that support the provision of basic education such as the EMIS component. The Education Management Information System (EMIS) is used to monitor the performance of education programmes which are offered by schools. It also assists in managing the distribution and allocation of educational resources (Korde, 2018). EMIS stores numerical data on students, educators and management. Therefore, the officials who specialise in EMIS at district level were information-rich since they possessed crucial numerical data that was required by this study.

3.5 DATA COLLECTION

During data collection, the information is gathered and measured in a systematic and established manner which enables the researcher to answer the research questions and make judgements about the outcomes (Kabir, 2018). According to Mertens (2010), the purpose of data collection is to study a phenomenon by focusing on its attributes or qualities. The researcher plans data collection by identifying attributes of interest and deciding how the data on the identified attributes will be collected.

Data collection was conducted in a manner that complied with research ethics. In research ethics mean the principles of right and wrong as accepted by a particular group (Savin-Baden & Major, 2013). A researcher has to adhere to such principles when the research is being conducted. In this study, the researcher first obtained ethical clearance from the UNISA Ethics Committee to conduct the study (Appendix A). The researcher then obtained permission from the Head of Department of the KZN DoE in order to have access to the 10 sampled schools, the district office and the Head Office to conduct the research on the chosen topic (Appendix C). The researcher introduced himself to the respondents by attaching a letter to the questionnaires in which the purpose of the study was also explained (Appendix D). The researcher explained that the research would be conducted in a transparent and lawful manner, and without any intention to cause prejudice or harm to the participants.

Confidentiality was assured in respect of the views that would be expressed by the respondents. In addition, the researcher explained to the respondents the reasons for conducting the research and the importance of the research. The researcher also explained why the respondents' cooperation was important. The respondents were informed that their participation in the research was a voluntary decision, and that if at any stage they were of the view that their rights were threatened, they were to discuss that with the researcher, and they had a right to withdraw their participation.

3.5.1 Questionnaire

A questionnaire was used to collect qualitative data (Appendix E). A questionnaire is a drafted document which contains statements or questions which are used by the researcher to obtain the participants' attitudes, perceptions and other and other traits (McMillan, 2012).

Newby (2010) also stated that a draft questionnaire should be tested to identify flaws and failings by requesting people with expertise check the first draft. The questionnaire is then revised and taken to some users with similar characteristics to the sampled population to complete. All this is done to ensure that the questionnaire is not less than effective. The questionnaire that was used in this study was sent to independent reviewers including the supervisors of this study and was piloted at a former Model C school that was not in the researcher's sample.

When a questionnaire is being piloted, the researcher gathers quantitative and qualitative feedback about the items of the questionnaire and construct at multiple stages in the process of developing a questionnaire (Nemoto & Beglar, 2014). Nemoto and Beglar also stated the following important things about piloting the questionnaire: (1) consulting with others who are familiar with the construct in order to refine the understanding of the construct; (2) showing the draft questionnaire to at least three reviewers and (3) showing the questionnaire to persons from the same population as the targeted respondents to gather feedback concerning wording and clarity of expression.

The researcher gave attention to the issues of reliability and validity of research. Haradhan (2017) stressed the importance of reliability and validity when it comes to

evaluating a measurement instrument to ensure a good research. According to Haradhan (2017), validity refers to what is measured by an instrument, and how well it measures it whereas reliability refers to the faith that we can have in the data that was obtained from the use of a tool, or the degree to which any measuring instrument controls for random error. Reliability and validity are part and parcel of the pertinent methodological issues that were given due consideration by the researcher in this study as set out below.

McMillan (2012) defined validity as an evaluation of the appropriateness of a measure. Blumberg, Cooper and Schindler (2005) explained this further and mentioned that, in most cases, validity is defined as the extent to which a tool measures what it aims to measure. Haradhan (2017) defined validity as the degree of the truthfulness of the results. According to Pallant (2011), a research tool should be able to correctly measure the concepts that are being studied.

The questionnaire had both closed (quantitative) and open-ended (qualitative) questions. The closed-ended questions served the purpose of obtaining important information to support concepts in the literature whereas open-ended questions enabled the researcher to explore reasons for closed-ended responses and to identify comments which the subjects may have had which were beyond the answers to the closed-ended questions. The interviewing was standardised since the same questions were asked to the interviewees.

The questionnaire was administered to explore and discover the issues connected to the research problem which are the prerogative of SGBs and panels at school level during employment processes. The questionnaire was administered to 26 respondents in the sampled schools. There were 10 SGB Chairpersons, 10 principals, 5 identified information-rich educators, and 1 non-educator based on their participation in employment processes (shortlisting, interviewing and recommendations) at school level as SGB members or co-opted members of panels. The questionnaires were returned by 14 respondents of the study. The questionnaires were returned by 30% of the SGB chairpersons and 50% of the principals to whom they had been administered. All the five educators and the non-educator who had been identified also returned the questionnaires. This resulted in the response rate of 53.8 % for the questionnaires.

According to Zohrabi (2013), the basis of qualitative research is that validity is a matter of dependability, trustworthiness and utility. The validity of research lies in the extent to which the researcher followed the requirements of the scientific research method when the research findings were being generated (Haradhan, 2017). In qualitative research, validity is guaranteed by the researcher's use of certain procedures in order to check the accuracy of the findings of the study (Creswell, 2014). Validity is not a property of a research tool in qualitative research, but of the scores of the instrument and their interpretations (Haradhan, 2017).

The manner in which the data from the questionnaire and interviews were analysed in this study brought credibility because there was reliability of data analysis. There was consistency in the manner the participants responded and the responses confirmed one another. The research findings did match reality.

Internal validity is an indication of whether the research results are legitimate based on the manner the participants were selected and the way the data were recorded or analysed (Haradhan, 2017). Willis (2007) mentioned that internal validity refers to whether a study can be replicated. Researchers can ensure internal validity by describing appropriate strategies such as triangulation, prolonged contact, member checks, saturation, reflexivity and peer review.

In this study, internal validity was assured by collecting relevant quantitative data that was expressed in a summary table and was analysed in order to triangulate qualitative data. The study did not rely on one source of data. Data was collected from a variety of informative participants at school level, district level and provincial level (head office) of the KZN DoE.

Blumberg et al. (2005) mentioned that reliability refers to a measurement which supplies consistent results with equal values. Chakrabarty (2013) also stated that reliability measures consistency and further mentions precision, repeatability and trustworthiness of a research. Reliability is an indication of the extent to which the research is not biased and ensures consistent measurement (Haradhan, 2017).

The mixed method design and purposeful sampling as adopted in this study assisted in overcoming bias. More than one qualitative data collection methods were used, and consistency was evident. The set of quantitative data that was collected to confirm qualitative data was collected from different sources, and this eliminated bias.

Reliability is divided into two main types referred to as stability and internal consistency reliability. Stability refers to the ability of a measure to remain unchanged over time despite the uncontrolled testing conditions (Haradhan, 2017). Internal consistency reliability refers to a way to test how well a test or survey is actually measuring what it is intended to measure (Stephanie, 2016). Stephanie mentioned that if the survey has good internal consistency, respondents should answer the same for each question. An informal way in which internal consistency reliability can be tested is just to compare all the answers to see if they all agree with each other.

The questionnaire was designed to enable the researcher to collect the same qualitative data from the various respondents who participated in the recommendation of educators for employment at former Model C schools. The same interview schedule was used to collect qualitative data from high ranking officials of the KZN DoE at district and provincial levels in order to measure how the KZN DoE exercised its prerogative in the implementation of the EEA. Quantitative data was collected on the demographics of educators, SGB members and the learners of former Model C schools in order to confirm qualitative data, this assisted to enhance internal validity.

Section B of the questionnaire collected data on SGB recommendations for state-paid posts whereas Section C collected data on SGB appointments (SGB-funded teaching posts). Section A was completed by principals of former Model C schools because principals, as managers of schools, keep statistical records of the institutions they run. Principals also completed Sections B and C of the questionnaire. Chairpersons of SGBs, educators and non-educators, completed Sections B and C only.

The data collected pertains mainly to the implementation of the EEP, AAP, SGB recruitment policy and SGB remuneration policy.

Sections B and C of the questionnaire contained open-ended questions and closed-ended questions on the attributes of interest mentioned above. The closed-ended questions were aimed to obtain important data to support the concepts in the literature whereas open-ended questions enabled the researcher to explore reasons for closed-ended answers and to identify comments the respondents may have had which were beyond the answers to the closed-ended questions. According to Druckman (2005), closed-ended questions provide response options which are an accurate reflection of the way the participants actually perceive the topic. The questionnaires made use of closed-ended questions to ensure accuracy in data collection.

The nature of open-ended questions allows the respondents to choose how they want to answer them (Sekaran & Bougie, 2010). The questionnaires also made use of open-ended questions where necessary to allow the respondents to express their opinions freely.

3.5.2 Interviews

In an interview, the researcher asks questions orally and records subjects' responses either verbatim or in a summarised form (McMillan, 2012). Punch (2009) described the interview as a commonly used data collection tool, and a way in which the researcher can access the participants' perceptions. It is a most powerful way in which the researcher can understand others. The researcher used semi-structured interviews (Appendix F and G) to explore the implementation of employment equity within the KZN DoE. According to Punch (2009:144) semi-structured interviews enable a researcher to gain access to "people's perceptions, meanings, definitions of situations and constructions of reality."

The District Director of District XY and the Deputy Director-General YZ were selected to be interviewed to explore and discover the issues connected to the research problem which are the prerogative of the KZN DoE. The researcher approached the office of the District Director to introduce himself and made arrangements for the interview. The interview was successfully scheduled, and it took place at the district office. At the interview, the District Director consented to the recording of the interview and signed the consent form. The researcher also made arrangements to interview the KZN Head of DoE

by sending an email to the office of the KZN in which the researcher introduced himself and explained the purpose of the interview. The researcher then received a phone call from the personal assistant of the HOD informing the researcher of the date of the interview and that instead of interviewing the HOD, the researcher was going to interview the Deputy Director-General YZ. The reason given for this was that employment equity falls within the jurisdiction of the Deputy Director-General YZ. The KZN Head of Department is advised by the Deputy Directors-General YZ on all the decisions to be taken regarding employment equity and the appointment of staff within the KZN DoE. The interview took place at the Head Office of the KZN DoE, in the office of the Deputy Directors-General YZ. At the interview, the participant consented to the recording of the interview and signed the consent form.

3.5.3 Document Analysis

Document analysis is a systematic procedure used by researchers which involves reviewing or evaluating documents both printed and electronic material. It assists a researcher to uncover meaning, develop understanding and discover insights pertaining to the phenomenon of the study (Bowen, 2009). The researcher had permission from the HOD to access statistical data on the demographics of learners and educators of the sampled schools. The data was received from the EMIS component of District XY in the form of computer-generated spreadsheets.

3.5.4 Statistical Analysis

The statistical data on the demographics of teachers, students and SGB members for the sampled schools were requested from the principals of former Model C schools. The researcher used the questionnaire to collect both qualitative and quantitative data (appendix E has qualitative and quantitative types of questions). The researcher also approached the district office to request the same demographics for the sampled schools and found that they were the same. In the case of the principals that were not willing to participate in the research, the researcher relied on the statistics that had been submitted by the principals to the district office. The researcher categorised and expressed the data

in terms of gender, race and percentages for the different categories using summary tables.

3.6 DATA ANALYSIS

The researcher organised and interrogated data in ways that would allow the researcher to see patterns, identify themes, discover relationships, develop explanations and make interpretations (Savin-Baden & Major, 2013). The data that was analysed was qualitative and quantitative.

3.6.1 Analysis of Qualitative Data from the Questionnaire and Interviews

Qualitative data from the questionnaire and the interviews was analysed as suggested by McMillan and Schumacher (2010) by following the steps outlined below:

Step 1: Organising data

The researcher organised the raw data as soon as it was collected in preparation for analysis. The notes taken from the interviews were organised to prepare them for the process of analysis. Raw data was collated in a manner that allowed the notes and comments of the researcher to be added.

Step 2: Transcribing data.

According to McMillan and Schumacher (2010), transcription is the process of taking notes from the interviews and documents and converting them into a format that facilitates analysis. The researcher heeded the advice of McMillan and Schumacher by scheduling about an hour immediately after collecting data to record the insights of the researcher. These notes were typed for entry into a database and for review.

Categorical indexing was used to organise the data to direct the analysis. The researcher ensured that the establishment of the categories that were used to organise the data was also guided by the research questions and theoretical frameworks of this study. The categories were refined, and new ones were established as the collection of data proceeded. The researcher's interpretive and reflexive ideas that were recorded were also categorised.

Step 3: Coding of data

Coding was guided by the research and interview questions, emerging themes and theoretical frameworks of this study.

Step 4: Forming Categories

According to McMillan and Schumacher (2010), categories or themes are groups of codes. In this study, similar codes were grouped to form a category that would form the first level of induction.

3.6.2 Analysis of Quantitative Data

Descriptive statistics were used to analyse quantitative data in this study. Descriptive statistics describe numerical data and can be categorised by the number of variables involved (Newman, 2013). The study used summary tables to display quantitative data on the demographics of educators, SGB members and the learners of former Model C schools. Quantitative data was used as a means of triangulating the qualitative data, and not to make any generalisable deductions. It served as corroborative or confirming data.

3.7 CHAPTER SUMMARY

This chapter has provided an explanation of the research design and methodology that was adopted in this study. A detailed explanation of the sampling technique that was chosen and the reasons for choosing particular research participants were provided. The following methodological issues were also explained: Qualitative and quantitative data collection, piloting the questionnaire, validity and reliability, ethical considerations, and data analysis. The next chapter presents the data analysis and interpretations.

CHAPTER 4: DATA ANALYSIS AND INTERPRETATIONS

4.1 INTRODUCTION

The previous chapter provided the detailed explanations about the methodology that was used to collect data in order to explore and discover the issues about the phenomenon of the study. This chapter serves the purpose of analysing the data that was collected by organising it in ways that show and describe patterns, themes, relationships and make interpretations (Savin-Baden & Major, 2013). This study employs a mixed-methods research design therefore the data that will be analysed in this chapter is qualitative and quantitative. Descriptive statistics will be used to summarise demographic data using percentages of educators, SGB members and learner enrolment of the sampled former Model C schools. Quantitative data will be used as a means of triangulating the qualitative data, and not to make any generalisable deductions. It will serve as corroborative or confirming data. Qualitative data from the questionnaires and interviews will be analysed as suggested by McMillan and Schumacher (2010), this will involve amongst other things, organising data, coding data and forming categories.

Quantitative data analysis is of paramount importance in this study because the study recognises the nature of the roles and responsibilities of parents, principals, educators and non-educators as decision-makers involved in recommending educators for employment.

4.2 The Analysis of Qualitative Data from the Questionnaire

Section A (Questions 1–9) of the questionnaire collected quantitative data on the demographics of educators, SGB members and parents. This section was supposed to be answered by principals only. The researcher presents this data later in this chapter.

Sections B and C (Questions 10 – 32) of the questionnaire collected qualitative data about actual employment equity implementation and the related critical issues. These sections were supposed to be answered by all the subjects of the study (SGB chairpersons, principals, educators and non-educators). There were questions that were not answered by some of the subjects.

The researcher mixed the returned questionnaires without following any order and placed them upside down on top of each other such that only the blank back page of the questionnaire could be seen. The researcher then numbered the back page of each questionnaire using numbers 1-14 starting with the top questionnaire. These numbers were used to refer to each of the 14 participants and their responses where it was deemed necessary during data analysis.

4.2.1 The role of the SGBs in staff employment

The majority of the respondents (92.8%) stated that the SGBs of former Model C schools play a role in the employment of staff at school level as empowered by the South African Schools Act. It was evident in the answers to questions that in playing their role, the SGBs are guided by a procedure manual that is issued by the KZN DoE. This means that they participate in shortlisting, interviewing and recommending educators for employment as empowered by the education legislation. Mampane (2015) mentions that SGBs are responsible for the selection, interviewing and recommendation of staff for appointment at the schools they govern on behalf of the State. Some of the participants described the role of the SGB as follows:

Participant 1: *“The SGB forms part of the interview committee for school employed level 1 staff and promotion posts.”*

Participant 2: *“set up an interview committee, sifting CV’s according to set criteria and undertaking interview and thereafter making selection based on scores.”*

Participant 3: *“ensure the school gets the best candidate based on competencies, education plus experience.”*

The above responses from the participants brought certainty that the governing bodies of former Model C schools exercise their powers in the appointment of staff and the inferences to be made in this analysis are based on their experiences and the outcome of their role.

4.2.2 The SGB training on staff selection

According to Failteirland (2013), appropriate training is essential before one conducts an interview and also mentions that there are many legal issues associated with the recruitment process. When it comes to the recruitment processes in the South African context, panels must be trained to implement the EEP and the AA measures in line with the EEA and other relevant legislation such as the South African Schools Act and the Employment of Educators Act.

The majority of the respondents (71.4%) stated that the KZN DoE trains SGBs to conduct shortlisting and interviews. The participants responded as follows:

Participant 4: *“When an HRM Gazette is released, usually in October of each year, the DoE runs a workshop for principals and SGB members on selection and interview processes. Usually lasts about 3 hours and only applies to promotion posts. No training for PL1 posts.”*

Participant 5: *“ 2 sessions were offered. 1 to chairpersons – and their role as part of the IC & a second session for SGB IC members.”*

The majority of the respondents (71.4%) also indicated that the duration of SGB training is less than 12 hours while 28.5% of the respondents mentioned that a Governing Body Foundation trains SGBs with respect to interviewing and selecting candidates. It was also indicated that the duration of this training is less than 12 hours, and the EEP was not available. Matthew (2017) stated that in order for training to have an impact on the organisation and its operations, the trainees must have an opportunity to practise or implement the new ideas which cannot happen in one day. Matthew concluded that one day of training is not enough and suggests a four-day programme.

The respondents indicated that the KZN DoE and the SGB association do not train school governing bodies to implement the EEP. This means that there are legal issues associated with recruitment that are not covered by the training. The duration of the training that is less than 12 hours to which the SGBs are subjected is inadequate. There are many pertinent issues related to the employment process, and they cannot be

thoroughly dealt with in less than 12 hours because they must include the issue of implementing the EEP and the AAP of the KZN DoE.

4.2.3 The provision of the EEP

The majority of the respondents (85.7%) indicated that they did not have the EEP to be used during the employment processes at school level.

4.2.4. The understanding of affirmative action

The majority of the respondents (85.7%) possessed the understanding of AA which was related to employment equity. It was also noticed that most respondents explained AA in terms of race and never mentioned gender and disability.

4.2.5 Attitude towards affirmative action and employment equity

The majority of the respondents did not have a positive attitude towards affirmative action. They did not agree that affirmative action must be strictly applied during employment processes at former Model C schools to address the under-representation of certain race groups. However, the research showed that the participants were aware that affirmative action is about transformation despite their unwillingness to embrace its implementation fully. This is a factor that accounts for slow progress in establishing a more representative staff complement within the KZN DoE and former Model C schools in particular.

4.2.6 The availability and implementation of the Affirmative Action Policy

The majority of the respondents (85.7%) indicated that during the shortlisting and recommendation of teachers for appointment, the AAP was not available and as a result it was not implemented. However, the KZN DoE at provincial level emphasised during the interview that these documents are available in schools. The KZN DoE explained as follows:

“could be the handover processes at schools because I can assure you, all schools have received these documents. But it could be the changes that take place in the school; no proper filing taking place, no proper handover, when the old principal leaves does not properly handover to the new one.”

The EEP and the AAP are the fundamental equity tools that must be made available to SGBs before the employment process begins. The KZN DoE provides SGBs with the procedure manual to be used during shortlisting and interviews such as HRM Circular No. 36 of 2019. This procedure manual was addressed to District Managers, Heads of directorates, Circuit Management, Principals of Schools and Chairpersons of Governing Bodies who must note the following in the filling of posts:

- The need to address the imbalances of the past and to achieve broad representation.
- The obligation to achieve equality in the workplace in accordance with the provisions of the EEA of 1998.

In the absence of the EEP with targets and the AAP of the KZN DoE which addresses the 'how part', the procedure manuals remain inadequate when it comes to achieving the broad representation and the equality mentioned in the procedure manuals. The provisions of the EEA of 1998 that are mentioned in the procedure manual demand the implementation of an EEP and the AA measures (policy). Mentioning the Employment Equity Act in the procedure manual without ensuring that the EEP and the EEA are available and implemented during the employment processes only gives a semblance of equity implementation without actually implementing it.

It is noted that the KZN DoE (2019a) ensures that these procedure manuals reach the school level and are seen and implemented by SGBs. The KZN DoE EEP for the period 1 April 2019 to 31 March 2024, i.e., HRM Circular No. 27 of 2019, was addressed to Deputy Directors General, Chief Directors, Directors at Head Office, District Directors and Heads of Educational institutions who, according to this document, must bring the contents of this plan to the attention of all employees. The plan states that the selection committees will be required to take the numerical goals and targets of this plan into consideration in the filling of vacant posts.

Unlike the procedure manual (KZN DoE, 2019c), this plan did not reach the school level in order to be used by the SGBs: it was only on the website of the KZN DoE. The same applies to the AAP of the KZN DoE which was adopted in 2004 and is now only available on the website of the KZN DoE.

The procedure manuals, the EEP and AAP remain separate documents that are neither aligned nor made available together during employment processes, yet they should be implemented at the same time.

4.2.7 The availability and implementation of the EEP

The majority of the respondents (85.7%) indicated that during the shortlisting and recommendation of teachers for appointment, the EEP was not available and, as a result, it was not implemented.

The South African Labour Guide (DoL, 2019) states that a designated employer must design and implement an EEP in order to achieve reasonable progress towards employment equity. According to Nickols (2016:4), a plan has “two fundamental aspects: ends and means – what is to be achieved and how it is to be achieved”. In agreement with Nickols above, the South African Labour Guide (DoL, 2019) states that an EEP must clearly set out the steps that the employer plans to follow to achieve the objectives of the plan.

The KZN DoE EEP for the period 1 April 2019 to 31 March 2024, which is HRM Circular No. 27 of 2019, has set objectives for each year of the plan. The EEP also shows affirmative action measures to be taken, numerical goals and targets for the designated groups. Therefore the EEP of the KZN DoE complies with the South African Labour Guide and theoretical framework pertaining to strategic planning since the plan has its objectives, affirmative action measures, numerical goals and targets. The EEP of the KZN DoE is potentially an implementable plan.

However, the data from the questionnaires showed that during the employment processes SGBs do not implement the EEP; they implement only the basic departmental guidelines contained in the procedure manual. The KZN DoE at provincial level emphasised during research that the EEP and the AAP are built-in requirements contained in the procedure manual. It was explained as follows:

“we have built in these requirements in the procedure manual so that even if there is not sufficient time to train SGBs, but they must follow the procedure which will

lead to the fulfilment of the requirements of the equity plan. Automatically, even whether you want to implement it or not, you will find yourself complying.”

The above statement of the KZN DoE means that you find yourself complying because the EEP and the AAP, according to the KZN DoE, are built in, and you cannot avoid the implementation.

The above explanation was noted, but the procedure manual does not contain the numerical goals and the targets for the different designated groups as set out in the EEP. The procedure manual also does not contain the AA measures which are set out in the AAP for Educators. Therefore the procedure manual cannot make up for the unavailability of the EEP and the AAP during the employment processes, as it is deficient when it comes to implementing employment equity. Since the EEP and the AAP of the KZN DoE are not available to SGB's during the employment processes, these documents are never implemented by the school governing bodies. On this basis the procedure manual is inadequate in terms of addressing employment inequity.

The EEP and AAP of the KZN DoE are the fundamental documents and policy that must be implemented in order to achieve equity. According to Khan (2016), policy implementation involves translating the goals and objectives of a policy into an action. It cannot be confirmed that this is the case with the EEP and the AAP of the KZN DoE.

4.2.8 The availability of the SGB-formulated recruitment policy.

Employment Equity can be properly implemented if the institution has committed to principles of fairness and has a properly documented recruitment policy aimed at protecting the rights of all interested parties. A recruitment policy aims to prevent discriminatory behaviour during the recruitment process (Hennekam ,Peterson, Tahssain, & Dumazert, 2018).

Despite 35.7% of the respondents indicating that their schools had recruitment policies, all the researcher's attempts to see these policies were unsuccessful. The respondents had to explain how their recruitment policies protect the employment interests of the previously disadvantaged groups but they responded as follows

Participant 7: *“by giving preference to a previously disadvantaged person if he or she is equally qualified, skilled and competent as any other candidate”*

Participant 8: *“Competence and experience are the main criteria.”*

Participant 9: *“employment is based on merit. The best candidate for the job will get the job.”*

Participant 10: *“applies equitable criteria.”*

Participant 11: *“ the best candidate is appointed”*

4.2.9 The availability and implementation of SGB EEP

It was the researcher’s considered view to ascertain whether, besides the EEP and AAP from the KZN DoE, the SGBs had other genuine means of complying with the EEA in the employment of staff at school level. This was done by investigating whether the SGBs had formulated their own equity plans and affirmative action policies to be implemented in the appointment of staff. Decision-making and policy formulation are part and parcel of school governance in order to provide guidance and direction to the functioning of schools (O’Hair, McLaughlin & Reitzug, 2000; Zondo, 2016), therefore it was the researcher’s anticipation that proactive and efficient SGBs may have drafted their own equity plans and affirmative action measures.

In addition to the educators employed by the state at the former Model C schools, there are educators employed by the school itself under the governance of an SGB in terms of Section 20(4) of the South African Schools Act. Therefore the public schools (SGBs) are also employers. Although these educators are not employed by the state, they are part and parcel of the workforce profile of the former Model C schools and influence the demographics.

The majority of the respondents (78.5%) indicated that their schools did not have SGB-formulated Employment Equity plans. The rest of the respondents did not answer these questions. This obviously means that these schools were not implementing any form of EEP either from the KZN DoE or the SGB.

4.2.10 The availability and implementation of SGB Affirmative Action Policy

While 71% of the respondents indicated that their schools did not have SGB-formulated affirmative action policies, the rest of the respondents did not answer these questions. This also obviously means that these schools were not implementing any form AAP either from the KZN DoE or the SGB.

4.2.11 The availability and implementation of SGB Remuneration Policy

There was income inequality under apartheid which was evident in that remuneration for whites exceeded that of other race groups (Roodt, 2018). Armstrong (2009) confirmed that the salaries were not equal across the race and gender groups and cites that white teachers earned more than other groups in 1992. The EEA of 1998 aims, amongst other things, to address these imbalances in the workplace.

The Code of Good Practice on Equal Pay/Remuneration for Work of Equal Value (DoL 2015) made provision for the application of the principle of equal pay for the work of equal value.

Section 27 of the Labour Relations Act 66 of 1995, provides for the establishment of bargaining councils where collective agreements are concluded in line with Section 28(1)(a) of this Act. Bargaining councils deal with, amongst other things, the remuneration in a manner that ensures transparency and fairness.

There is no bargaining council in which collective agreements are concluded to determine the salaries of educators employed in terms of Section 20(4) of the South African Schools Act, 1996. Therefore transparency and fairness when it comes to the determination of the salaries of these educators cannot be guaranteed. This situation could allow for the existence of disproportionate income differentials which are not consistent with Section 27(2) of the EEA. Therefore it was deemed necessary to investigate the issue of remuneration as part of the implementation of employment equity at former Model C schools.

The formulation of a remuneration policy which safeguards the rights of the educators employed in terms of Section 20(4) of the South African Schools Act would ensure that

they are equitably remunerated in a manner that does not offend the provisions of the EEA of 1998.

While 50% of the respondents indicated that their schools had remuneration policy, 21% indicated that they had none. Other respondents did not answer these questions. The researcher's attempts to see these policies were not successful. The respondents who had indicated that they had these policies had to explain how their policies addressed the issue of income differentials. They responded as follows:

Participant 10: *"We equate payment of school employed staff to that of state employed staff. The same salary scales are used."*

Participant 11: *"Benefits differ but basic salary is the same."*

Participant 12: *"Income parity is maintained among state and SGB teachers. Additional allowances are agreed upon under Section 38A."*

Participant 13: *"SGB appointees are paid the same as state employees."*

4.2.12 The challenges to employment equity

The variety of related responses of the majority of respondents showed that the situation and the attitudes of decision-makers at former Model C schools imposed the main challenge to the implementation of employment equity. The responses showed that the former Model C schools want to maintain their high standard of quality education; therefore they want to make sure they employ the 'best' or 'competent' educators.

The AAP requires that if a member of a previously disadvantaged group achieves 60% at the interview, he must be given the employment opportunity if the same group is under-represented in that employment category. Given that the decision makers wanted the 'best' or 'competent' candidates, the responses showed that a candidate who achieved 60% at the interview was not likely to be recommended for employment if at the same time there was a candidate who achieved about 80% or more.

These were some of the responses:

Participant 2: *“all employment is based on quality education. Language (HL) is a barrier. Extensive extracurricular programme demands specific skill sets.*

Participant 6: *“If the SGB feel collectively on the strengths and competencies of an individual irrespective of meeting affirmative action quotas, the best individual should be appointed.”*

Participant 7: *“The staff policy is to ensure the best candidate is appointed to match high standards. Previously disadvantaged parents are more often sending their children to our school to benefit from the high standards.”*

Participant 8: *“quality of education must be maintained ahead of political agendas.”*

Participant 9: *“competency must be the deciding factor not race- we employ the best person.”*

Participant 10: *“In our school we don't believe in AAP ... the school does not believe in EEP; they employ a teacher according to his/her qualification.”*

The above responses show that former Model C schools want the ‘best’ or ‘competent’ educators and are not likely to choose the ‘second best’ candidate as provided for in the KZN DoE AAP for Educators.

The characteristics that black teachers may have, based on their background, in contrast to the educational context and set up of the former Model C schools, are the following: (1) They come from a background of substandard basic education associated with the apartheid legacy; (2) they may have a weak content knowledge; and (3) they may not be proficient in English which is the ‘soul’ of the former Model C schools, and since English is the medium of instruction, the lack of language proficiency may result in substandard quality of teaching. While these are not necessarily characteristic of all black African teachers produced by the apartheid system, they may be one of the barriers preventing black African educators from being employed at the former Model C schools in large numbers. Against the background described above, the historically advantaged schools associated with quality education may regard black teachers as incompetent and not ‘suitably qualified’.

Spaull (2015) stated that the quality of education one receives is related to one's labour-market prospects. This is relevant to the nature of basic education, and teacher education, that apartheid afforded Africans. The apartheid legacy of substandard basic education and substandard teacher education accounts for the characteristics the black teachers may have since the quality of both basic and teacher education received by black African teachers failed to optimally develop certain critical capabilities within the segregated African schooling system. Consequently, inequalities were reinforced and inherited by the following generations of the same population group (Spaull, 2015; Taylor, 2012). The nature of education that apartheid afforded black Africans appears to be one of the factors that account for the challenge in integrating African teachers into historically advantaged schools in the post-apartheid era where the standards are very high.

Black teachers are likely to be seen as the product of the Apartheid schooling system which offered substandard education (Christie, 1991; Spaull, 2015). Schuster (2011, as cited in Radebe, 2015:75) also stated that many black teachers are not adequately qualified and attributes this to the former Bantu education system. This is clearly the stigma that is attached to the black teachers and is likely to affect them when they apply for posts at former Model C schools.

According to Van der Berg and Taylor (2011), recent studies have made findings about weak teacher content knowledge. Having been produced by the apartheid schooling system which lacked resources for black education, black teachers may be perceived as members of the group of teachers that have a weak subject and content knowledge (Spaull, 2015).

According to Dippenaar and Peyper (2011), the language proficiency of teachers is of fundamental importance when it comes to learner success. In the study conducted by De Klerk (1995), the teachers admitted that their lack of proficiency in English was an obstacle towards effective teaching. Since English is not a home language for black teachers, many of them may belong in a group of teachers that are not proficient in English.

Other responses showed that an element of bias exists in the recommendation of educators for appointment, such as the following:

Participant 8: *“Lack of suitably qualified and competent people of colour.”* [this was cited as a challenge to employment equity at former Model C schools].

Participant 10: *“challenge is finding suitably qualified black male educators.”*

Participant 11: *“eliminating bias, developing a spirit of diversity and inclusivity in attitude.”*

Participant 12: *“currently I believe that people employ who they know – someone who is reliable and will get the job done. Schools should have the freedom to employ who they feel best fits into the schools [sic] vision, ethos etc.”*

Participant 13: *“they [former Model C schools] are mostly controlled by white people.”*

After 25 years of democracy, South Africa should have enough suitably qualified and competent black educators who have studied at the same schools and universities as other race groups. Therefore inadequate black appointments in teaching posts at former Model C schools can be attributed to bias. The overwhelming white control over former Model C schools as mentioned by Participant 13 is likely to lead to bias towards other race groups when the employment decisions are taken.

Du Toit and Potgieter (2014:2) said “stereotypical images of people from different social, religious or cultural backgrounds, in particular, create a fertile breeding ground for acts of unintended but very real discrimination”. Competent and deserving black African teachers may be discriminated against in this manner at the former Model C schools. It would be difficult to admit that real discrimination against African teachers particularly in the context of employment at former Model C schools may be unintended. The under-representation of black African teachers at former Model C schools shows that “a culture of institutionalised inequality” produces conditions and attitudes that cause disparities in the workplace (Du Toit & Potgieter 2014:1-2).

Radebe (2015) mentioned that some of the white learners and white teachers supported the scepticism around the quality of black teachers by stating that the English accents of

black teachers and their general articulation was of low quality. This was perceived by Radebe as an intolerant attitude towards integration. This may obviously be one of the factors that prevents the optimal integration of black African teachers into former Model C schools.

4.2.13 The main findings from the questionnaire

- The SGBs of former Model C schools exercise their powers in the appointment of staff in line with the South African Schools Act. However, they are not appropriately trained by the KZN DoE to conduct the employment processes since the duration of training is too short.
- The training of SGBs does not cover the implementation of the Employment Equity Plans and the AAP of the KZN DoE.
- The EEP and the AAP of the KZN DoE are not available at school level during the employment processes and are not being implemented by SGBs.
- The training of SGBs to conduct employment processes is limited to the procedure manuals that are issued by the KZN DoE when posts are advertised which do not guide SGBs on the implementation of the targets contained in the EEP and the AAP.
- There is no evidence that the SGBs formulate their own EEP, AAP, recruitment policies and remuneration policies to lay the foundation for the implementation of employment equity.
- The situation and the attitudes of decision-makers at former Model C schools imposed the main challenge on the implementation of employment equity.
- Affirmative action is viewed as an obstacle in the employment of the best or most competent educators at former Model C schools.
- The blacks have the stigma of incompetency attached to them which can be attributed to the legacy of apartheid substandard education and racism.

4.3. Qualitative Findings

4.3.1 The progress in terms of addressing the barriers to employment equity

According to the Capacity Development Guide (Japan International Cooperation Agency, 2014), there are barriers to policy implementation which can be defined as the challenges that are rooted in a variety of causes including inadequate human and financial resources, lack of clarity on operational guidelines or roles and responsibilities for implementation, conflicts with other existing policies, lack of coordination and collaboration between parties responsible for implementation, or lack of motivation or political will. The implementation of employment equity is not immune to such challenges since succession planning and the lack of infrastructure were amongst the identified barriers to employment equity cited in the EEP for the period 2009 to 2014. Although the District Director mentioned that the implementation of employment equity is a Head Office function, he made it clear that the state of employment equity within the KZN DoE was not good since the department was charged for a number of times for not drafting and implementing the targets. The District Director made the following important statement:

“The more frustration, I would say, that these processes are suffering from is the influence by communities, by unions, and by individuals.”

This means that communities, unions and individuals who have vested interests in the employment processes influence those processes such that the EEP and the AAP are not followed in the appointment of staff. These stakeholders may prefer a man to be promoted when at the same time the requirements set in the EEP show that a female should be promoted in that employment category. This itself creates more barriers rather than eliminating them.

The barriers to employment equity cited in the EEP for the period 2009 to 2014, are still amongst the barriers mentioned in the EEP for the period 2019 to 2024. This may suggest that little has been done by the KZN DoE to address the barriers to employment equity. However, as part of addressing the barriers to employment equity the Deputy Director-General (DDG) mentioned during the interview that women are targeted for employment and are shortlisted if it is noticed that they are not on the list of the shortlisted

candidates. This means that the shortlisting panel checks the scores of female applicants who cannot be shortlisted on the basis of merit, and based on those scores, the panel gives them the opportunity to come to the interview as additional candidates.

Women who perform at 60% at interviews are considered for employment if they meet the inherent requirements of the job. Seemingly, very few women have benefited from this intervention since the KZN DoE disclosed that it stands around 39% when it comes to meeting its targets in respect of the employment of women.

The DDG also mentioned that they are currently engaging the University of KwaZulu-Natal to identify students with disabilities in order to be recruited for the teaching profession. According to the DDG, they are also working with the Organisation for People with Disabilities to identify potential employees who meet requirements. However, since the KZN DoE has not been able to address the lack of infrastructure as a barrier in the past 10 years, this barrier still mitigates against the employment of people with disabilities because the DDG disclosed during the interview that it stands below 2% when it comes to meeting its targets in respect of people with disability.

The DDG also mentioned that the newly qualified graduates are appointed as interns and placed in a two-year internship programme to acquire work experience but the DDG did not disclose how its internship programme has resulted in the newly qualified graduates being permanently employed. The success of this programme is not clear yet.

According to the DDG, the provincial equity target for women at senior and lower management level is 50 percent, the department currently stands around 39 percent. It was admitted by the KZN DDG that the KZN DoE had not done well in terms of meeting its equity targets in respect of women at senior management level. The provincial target for people with disabilities is 2 percent, and the KZN DoE stands below 2% in terms of meeting its target in respect of people with disability. The DDG also admitted that the KZN DoE had not done well in terms of meeting the target set for people with disability.

The current EEP of the DoE does not reflect the targets in terms of percentages. Seemingly, the cited percentages were worked out by the KZN DoE as part of monitoring its progress. The percentages given did not cover all the designated groups and their

employment categories. Therefore the DDG did not disclose the complete state of employment equity within the KZN DoE. The employment equity focus of the DDG during the interview seemed to have been on prioritising women and people with disabilities. Nothing was mentioned about black males, coloured males and Indian males. Given that the DDG disclosed that the KZN DoE had not done well in terms of meeting its targets for women and people with disability, maybe the omission of the other designated groups and their employment categories can be attributed to this poor performance in terms of meeting the targets.

In terms of Section 21 of the EEA No. 55 of 1998 the KZN DoE is required to submit the Employment Equity Reports to the DoL. According the KZN DoE Employment Equity report 2016/2017 (HRM Circular No. 50 of 2017) and the KZN DoE Employment Equity Report 2017/2018 (HRM Circular No. 62 of 2018), it was reported that the KZN DoE did not achieve its annual objectives set out in its EEPs. Therefore the KZN DoE has a record of poor performance regarding the achievement of EEP objectives.

The interviews conducted at district and provincial levels of the KZN DoE in this study revealed that the state of employment equity within the KZN DoE is not satisfactory; this is supported by the employment equity reports. The interviews and the employment equity reports of the KZN DoE confirm the data which was collected through the questionnaire which showed that the EEP and the AAP were not implemented by SGBs. However, there was an expression of willingness and keen interest from the KZN DoE to improve the state of employment equity within the department, which is a good gesture. According to Zetlin (2015), effective leadership is about turning the weaknesses into strengths, but this cannot happen if the existence of weaknesses is denied. The KZN DoE did not deny that there is room for improvement.

4.3.2 The training of school governing bodies

The KZN DoE, in the EEP for the period 2009 to 2014, acknowledged the importance of training and problems around recruitment and implementation of policies. It stated that the recruitment and training policies are not implemented consistently with due regard to the employment equity targets for the various levels as set out in the EEP.

The KZN DoE (2019:6), in the EEP for the period 2019 to 2024, acknowledged that “approximately 90% of the posts within the KZN DoE are located at schools and the filling of these posts is subject to the recommendation of the SGBs”. Therefore according to the KZN DoE, the SGBs had to be trained on issues of employment equity within the schools and be made accountable for it. It was important to investigate the role of the KZN DoE in training the SGBs to implement the EEP and the AAP.

From the reading of the data collected through the questionnaires, it cannot be disputed that the KZN DoE trains the SGB to conduct shortlisting and interviews following the procedure manual. However, 85.7% of the respondents who answered the questionnaire indicated that at the training sessions, they were not provided with the EEP to be used during the employment processes. The issue of the training of SGBs to use the EEP and the AAP was investigated through the interviews.

The District Director mentioned that the SGBs are trained to shortlist and interview candidates, but the training was not linked with the EEP and the AAP. The director referred to the EEP and the AAP as the ‘outside guidelines’ because they were separate from the procedure manual on which the training was based. The District Director stated the following:

“The training is more on the process, on what they must do, but the linkage of what they must do with the outside guidelines is not there.”

According to the DDG, the SGBs were trained to implement the EEP and the AAP. However, upon further questioning about the training of the SGBs to implement the EEP and the AAP, the DDG stated the following:

“Our assumption is that people have been trained in the policies. ... We assume that they know.”

However, the DDG mentioned that the procedure manual is crafted such that the EEP and the AAP are built-in requirements in the procedure manual in case there is no time to train the SGBs to implement the AAP and EEP. The DDG stated the following:

“We have built in these requirements in the procedure manual so that even if there is not sufficient time to train SGBs, but they must follow the procedure which will lead to the fulfilment of the requirements of the equity plan. Automatically, even whether you want to implement it or not, you will find yourself complying.”

The procedure manuals of the KZN DoE do not have the EEP targets and the AA measures; therefore, the procedure manuals do not in any way make up for the unavailability of the EEP and the AAP during the employment processes. At the interview, the District Director did not know about the existence of the latest EEP and also mentioned that the latest EEP of the KZN DoE was not known by the levels within the KZN DoE.

The District Director mentioned that governing bodies did not have the targets that were to be implemented during the employment processes. Their training did not include the content of the EEP and the AAP of the KZN DoE. The inadequacy of the training of the SGBs was further confirmed as follows at district level:

“The SGBs have been trained, but they are not trained on what they are supposed to understand. The training does not make them understand the bigger picture of transforming this particular system.”

It is only the implementation of the EEP and the AAP that can transform the system when the EEP targets and the AAP are applied. It is obvious that the scope of the training of SGBs does not enable them to implement employment equity. The District Director confirmed in many ways that the SGBs are not trained to implement the EEP and the AAP.

The response of the DDG above shows that the KZN DoE has made provision for both the unavailability of the EEP and the non-training of the SGBs to implement it by preparing the procedure manual in which the EEP and the AAP are built in. The DDG also stated that he assumed that SGBs were trained to implement the EEP and the AAP. Therefore the data which points to the non-training of the SGBs to implement the AAP and the EEP was adequate in this study.

4.3.3 The formulation, approval and cascading of the EEP

The data from the interview with the DDG on the formulation and approval of the EEP showed that the path followed in the formulation of the plan is the same as the one that is generally followed by organisations in policy-making or in the formulation of strategic plans. According to Bernstein (2017), policy-making involves a great number of individuals working together to solve common problems. Maina and Muruti (2016) emphasised the importance of involving stakeholders in strategy formulation.

According to the DDG, the EEP is drafted by human resource component at provincial level. The draft is then taken to the Employment Equity Consultative Forum (EECF) for discussion where there are stakeholders which include departmental representatives selected from all components of the KZN DoE. The EECF includes representatives from the KZN DoE and educator unions. The EEP is then approved by the Head of Department for use by the relevant stakeholders.

The current EEP for the period 1 April 2019 to 31 March 2024 (KZN DoE, 2019b) was approved and signed by the Head of Department on 14 June 2019 but the District Director being the highest ranking official at district level of the KZN DoE was not aware of this EEP at the time of the interview and wanted to know the date on which it was signed by the Head of Department. The District Director asked and mentioned the following:

“When was it passed or signed?”

“To me, it’s more of compliance to the Department of Labour”.

This suggests that, despite the involvement of stakeholders in the formulation and approval of the EEP, the high-ranking district officials may not have been effectively involved; hence, the director was not privy to the existence of the EEP. This means that the EEP is not a document that was drafted for strict implementation but simply to comply with the obligations set by the DoL.

The District Director mentioned that the EEP was not properly presented to the stakeholders. This was important because a director serves as a link between the Head Office and the schools. The District Director mentioned the following:

“The recruiting office, which is HR, ought to have had meetings with the District Directors, Circuit Managers, look at those targets and take those to the levels. I would have consulted all the unions, all SGB associations, principals would be there, call the traditional authorities, call the friends of education like Equal Education, so that you actually present the plan.”

This shows that the plan was not properly presented to the different levels of the KZN DoE and the stakeholders at the lowest level. This is most likely to result in the non-implementation of the EEP.

Mthethwa (2014:216) said:

Education-related public policies are communicated through circulars. The circulars are left with the SEMs and all school managers are expected to come to circuit offices to check circulars from their SEMs or ward managers. This is the only way the EED uses to send any information to schools be it on public policies to be implemented or otherwise. This method I also found it being applied when I joined the EED and I acknowledge that it may be improved by using the other communication methods, such as emails, short message system (sms) and faxes, which are speedy, modern and less inconveniencing. Yes, I agree that it is something worth considering especially if we want to be more effective.

Mthethwa explained the manner in which the official documents are made available to schools by the KZN DoE; however, the EEP was not sent to schools in this manner in order to be used by principals and SGBs during the employment processes. It is obvious that the current EEP was not properly cascaded by the KZN DoE in a manner which would have suggested that it was an important document.

The current EEP can be seen as a document which was drafted mainly to comply with the requirements from the DoL. Mhambi (2014) highlighted that Section 21 of the EEA sets an obligation for designated employers to submit reports to the Director-General of the DoL on progress made in implementing the EEP as required by the Act.

4.3.4 The implementation of the EEP and the AAP by the KZN DoE

The implementation of employment equity is basically the implementation of the EEP and the AAP, this can be described as policy implementation. Policy implementation is mainly about the translation the goals and objectives of a policy into action (Khan, 2016). Of the respondents who answered the questionnaire, 85.7% indicated that the EEP and the AAP were not available during the employment processes at school level. The district director as the highest-ranking district official of the KZN DoE mentioned that he did not know that the EEP existed because it was never brought to his attention. The district director also mentioned the following:

“If it is not known by the levels within the Department, how much more are people who are supposed to fulfil the objectives of that particular plan?”

This confirms the data collected through the questionnaire where 85.7% of the respondents indicated that the EEP was not available at school level and was not implemented. The SGBs need to know and understand the employment equity targets in order to implement employment equity properly. The District Director mentioned the following about the targets:

“They do not have the targets that are understandable to every community within that particular school. Policy is saying that they must have the targets.”

According to Hudson, Hunter and Peckham (2019), on the issue of policy implementation, those who operate at higher levels cannot succeed without having some grasp of what actually happens on, or close to the frontline. The KZN DoE at provincial level does not have a grasp of the reality about what is actually happening at school level concerning the implementation of employment equity. Unless this situation is addressed, the implementation of employment equity will not be a success.

Mthethwa (2014) mentioned that public policies are a constitutional requirement for each provincial basic education department therefore provincial departments are expected oversee the implementation. Mthethwa also stated that each provincial department and

the districts which all fall under the jurisdiction of the provincial head office have an obligation to implement education-related policies.

The DDG confirmed that the final decision maker for all appointments within the KZN DoE is the Head of Department. In implementing employment equity, the HOD is advised by the DDG taking into consideration the set targets and the current set up in schools in terms of management echelons in each and every school, circuit and district. The DDG stated as follows:

“I am the one who recommends when he appoints a teacher, principal, HOD, including circuit managers, everyone. I will consider the equity plan; I will look at the targets then I will say here we can appoint so and so because he has met the requirements.”

It is clear that at Head Office, there is one person who implements the EEP as part of advising the Head of Department when he makes appointments. This means that he has to check the EEP for each appointment being made in the vast Province of KwaZulu-Natal.

According to HRM Circular No. 36 of 2019 (KZN, DoE, 2019c), the districts, after validating documents from SGBs, compile schedules of recommendations in post order and forward these to the Directorate: Human Resource Services at Head Office. The Directorate: Human Resource Services at Head Office compiles a comprehensive schedule of placements for submission to the Head of Department for approval. The comprehensive schedule may consist of about 1 645 educators to be considered by the HOD for appointment because in HRM Circular No. 36 of 2019 there were 1 645 advertised posts for different schools and different post levels. According to the Snap Survey (2011), there were about 5 954 public schools under the KZN DoE. The 1 645 educators to be considered by the HOD for promotions may have to be placed in 800 of the 5 954 schools. Therefore, given the numbers, it would not be always feasible to implement employment equity properly because the recommendations for appointments are done by one official and seem to be too centralised since they are approved at provincial level by the HOD. The Districts do not have a role to play in implementing equity

besides validating documents from SGBs and compiling schedules. There is only one person who advises the HOD when he approves appointments.

Some of the data collected from the Head Office through the interview could not be confirmed by the data collected from the district office through the interview. The interview with the DDG painted a picture of an organisation where the EEP was consistently implemented but the District Director had the following to say:

“If you can actually find out how many times has the Department been charged in terms of drafting the targets or meeting the targets, you can see that we are nowhere, not only Education, I think every other department.”

This response of the District Director confirms the data collected through the questionnaire which showed the EEP was not available at school level and was not implemented. The response of the District Director is also confirmed by the Equity Reports of the KZN DoE which show that the objectives of the EEP were not achieved (HRM Circular No. 50 of 2017 and HRM Circular No. 62 of 2018).

The DDG mentioned that if a governing body submits the name of the candidate who does not assist in meeting the targets, the KZN DoE declines to appoint that candidate. The recommendation is returned to the school via the line function with an instruction to the SGB to consider equity targets. Because of this, one would expect the district office to be aware of how the head office implements employment equity because the declined recommendations are returned to schools via the line function. However, at the interview, the district director was not aware of how the head office deals with issues of employment equity. The district director mentioned the following:

“The implementation of the employment equity policy and the drafting thereof is a head office function. It doesn’t reside with the districts.”

“The HOD would have to look at the EEP and appoint accordingly. But I am not quiet too sure whether that happens. I am not at head office.”

The data quoted above indicates that the district level does not play any role in the implementation of employment equity. It is the Head Office alone that deals with the whole

bulk of recommendations from about 5954 public schools in the province. This data also made it clear that there was no effective communication and collaboration on employment equity implementation between the KZN DoE at provincial level and the district level.

The DDG did not seem to be sure when he had to confirm the latest AAP of the KZN DoE during the interview. This is what was said to confirm it:

“I think it is still the principal policy.”

The DDG is responsible for monitoring and implementing employment equity. Therefore if this policy was being consistently monitored and implemented, the DDG should have known the applicable policy without a shadow of a doubt.

It was noticeable that some of the data collected from the head office through the interview could not be confirmed both in the data collected from the district office through the interview and the data collected from the respondents who answered the questionnaire. Most of the data collected through the questionnaire could be confirmed by the data collected from the district office through interviews.

4.3.5 The existence and the role of the employment equity structures at provincial level of the KZN DoE

It was important to investigate the existence and the role of these structures because they must have the potential to facilitate the achievement of employment equity from the higher levels of the KZN DoE. The KZN DoE could not differentiate between the structures that distinctly appear in its employment equity plans including the current one. There is also a conflation of roles since the responsibilities of the two structures are the same according to the current EEP.

The two important employment equity structures of the KZN DoE at provincial level which appear in the EEP for the period 2009 to 2014 (HRM No. 66 of 2010) are the EECF and the Departmental Employment Equity Committee. According to the EEP for the period 2009 to 2014 (HRM No. 66 of 2010), employment equity was going to be monitored by these two structures.

According to the data from interviews, the EEP is tabled before EECF for discussion after it has been drafted by the human resource component of the KZN DoE. This happens before the EEP is sent to the Head of Department for approval. Therefore this structure plays an important role during the planning phase of the EEP.

Although the EECF and the Departmental Employment Equity Committee are distinct structures according to the EEP for the period 2009 to 2014 (HRM No. 66 of 2010), the high-ranking interviewee at provincial level stated that the EECF and the Departmental Employment Equity Committee are one and the same thing. It was also mentioned that *“it cannot be a standing forum; it’s there when policy is reviewed. When a need arises, it is resuscitated and activated”*. According to the EEP for the period 2019 to 2024, the EECF and the Departmental Employment Equity Committee are distinct structures both responsible for the consideration of Employment Equity Reports and making recommendations to achieve employment equity targets. The only difference is that in the current EEP, the two structures are referred to as the Employment Equity Forum and the Employment Equity Committee.

The highest-ranking interviewee at district level lacked the basic information on the two employment equity structures within the KZN DoE. The highest ranking official at District level, by virtue of position within the KZN DoE, serves as a link between the head office and schools and should either be a part of the EECF or receive reports from Head Office on employment equity issues.

These findings about the employment equity structures of the KZN DoE indicate that the department is not properly positioned for the effective implementation of employment equity throughout the province.

4.3.6 Main findings from interviews

- The training of SGBs to conduct shortlisting and interviews does not include training on the implementation of the EEP and the AAP of the KZN DoE.
- The EEP was not cascaded to the District level and the schools.
- Besides the SGBs, there are only two head office officials (DDG & HOD) responsible for the implementation of employment equity within the KZN DoE.

- There is centralisation of the implementation and monitoring of employment equity by the KZN DoE.
- The district offices do not play a role in implementing and monitoring employment equity.
- The interests of stakeholders compromises the implementation of employment equity.
- There was no evidence that the employment equity structures at provincial level play an effective role in the implementation of employment equity.

4.4. Analysis of Quantitative Data

This quantitative data was aimed at confirming qualitative data in order to enhance internal validity, not to make generalisable findings. According to Busch (2017), internal validity refers to the extent to which the observed results represent the truth in the population that is being studied and are, as a result, not affected by methodological errors. The numerical data that was collected from the EMIS component of the district office, and from the principals of the sampled schools who agreed to disclose the statistics for the research purpose is analysed below. It is the numerical data about educators, SGB members and the learners of the sampled former Model C schools.

Table 4.1: Educators employed at the 10 sampled former Model C Schools

EDUCATORS OF THE SAMPLED FORMER MODEL C SCHOOLS ACCORDING TO RACE, GENDER AND POSITION									
MALE					FEMALE				
Position	African	Coloured	Indian	White	African	Coloured	Indian	White	Total
PL1 EDUCATOR	4%	1%	6%	13%	8%	1%	10%	57%	100%
PL2 DEP. HEAD	3%	0%	3%	41%	3%	0%	24%	26%	100%
PL3 DEP. PRINC	0%	0%	7%	36%	0%	0%	0%	57%	100%
PL4 PRINCIPAL	0%	0%	10%	70%	10%	0%	0%	10%	100%

[Data from District Office EMIS component)

- **African males:** 4% of African males are ordinary educators, 3% are departmental heads, 0% are deputy principals, and 0% are principals. **African females:** 8% of African females are ordinary educators, 3% are departmental heads, 0% are deputy principals, and 10% are principals.
- **Coloured males:** 1% of coloured males are ordinary educators, 0% are departmental heads, 0% are deputy principals, and 0% are principals. **Coloured Females:** 1% of coloured females are ordinary educators, 0% are departmental heads, 0% are deputy principals, and 0% are principals.
- **Indian males:** 6% of Indian males are ordinary educators, 3% are departmental heads, 7% are deputy principals, and 10% are principals. **Indian females:** 10% of Indian females are ordinary educators, 24% are departmental heads, 0% are deputy principals, and 0% are principals.
- **White males:** 13% of white males are ordinary educators, 41% are departmental heads, 36% are deputy principals, and 70% are principals. **White females:** 57% of White females are ordinary educators, 26% are Departmental heads, 57% are deputy principals, and 10% are principals.

Table 4.2: Race groups of educators at the 10 sampled former Model C Schools

POSITION	Post Level	RACE GROUPS			
		African	Coloured	Indian	White
ORDINARY EDUCATOR	PL1	12%	2%	16%	70%
DEPARTMENTAL HEAD	PL2	6%	0%	27%	67%
DEPUTY PRINCIPAL	PL3	0%	0%	7%	93%
PRINCIPAL	PL4	10%	0%	10%	80%

[Data from District Office EMIS component]

- 12% of former Model C educators are black Africans, 2% are coloureds, 16% are Indians, and 70% are whites.
- 6% of former Model C departmental heads are black Africans, 0% are coloureds, 27% are Indians, and 67% are whites.
- 0% of former Model C deputy principals are black Africans, 0% are coloureds, 7% are Indians, and 93% are white.
- 10% of former Model C principals are black Africans, 0% are coloureds, 10% are Indians, and 80% are whites.

Table 4.3: SGB membership of the sampled former Model C Schools

African	Coloured	Indian	White
9%	2%	15%	74%

[Data from principals of the sampled schools who disclosed the statistics]

- 9% of the SGB members of former Model C schools are black Africans, 2% are coloureds, 15% are Indians, and 74% are whites.

TABLE 4.4: Learners enrolled at the sampled former Model C Schools

African	Coloured	Indian	White
41%	3%	16%	40%

[Data from district office: EMIS component]

- 41% of the enrolled learners are black Africans, 3% are coloureds, 16% are Indians, and 40% are whites.

Table 4.5: Learner enrolment shown in percentage according to Home Language choices

	% of learners	HL
AFRICAN	41%	ENGLISH
COLOURED	3%	ENGLISH
INDIAN	16%	ENGLISH
WHITE	40%	ENGLISH

[Data from District Office EMIS component)

- English as Home Language is learnt by 41% of black Africans, 3% of coloureds, 16% of Indians and 40% of whites.

4.5 Main Quantitative Findings

- There are racial imbalances in the educator staff employed at former Model C schools.
- There are more white educators employed at former Model C schools than any other race group.
- There are more Indian educators employed at former Model C schools than the other race groups.
- There are fewer coloured educators employed at former Model C schools than the other race groups.
- The number of black African educators employed at former Model C schools is not comparable with their population statistics as the largest race group.
- The whites occupy most management positions at former Model C schools.
- There is an overwhelming majority of whites who are members of the SGBs of the sampled schools.
- The membership of black African parents in the SGBs of former Model C schools is below the percentage for African learner enrolment.
- There are more black African learners enrolled at former Model C schools than learners from other race groups.
- African learners enrolled at former Model C schools do not learn their mother tongue as Home Language.

4.6 CHAPTER SUMMARY

In this chapter the qualitative data that was collected through the questionnaires and the interviews was analysed with a view to find out how employment equity is implemented at former Model C schools. The quantitative data on the demographics of educators, SGB members and learners of former Model C schools was also analysed to confirm qualitative data. It was evident that the EEP and the AAP of the KZN DoE were not implemented by the SGBs because these documents were not available at school level. The data from the interviews assisted to confirm and gain the deeper understanding of the data that was collected through the questionnaire. The quantitative data analysis provided an overview of the racial distribution of educators at former Model C schools and showed racial imbalances. The racial imbalances in the percentages of educators employed at former Model C schools point to the non-implementation of the EEP and the AAP, and the resultant lack of employment equity. The next chapter provides a summary of the study, addresses the limitations, answers the questions, and presents conclusions and recommendations arising from the study.

CHAPTER 5: STUDY SUMMARY, LIMITATIONS, RECOMMENDATIONS AND CONCLUSIONS

5.1 INTRODUCTION

The previous chapter presented qualitative and quantitative data, and the main research findings. This chapter answers the research questions of the study on the basis of the data that was presented in Chapter 4. After highlighting the limitations of the study, the conclusions are presented. The purpose of this chapter is also to make recommendations, and suggest questions for further research.

5.2 RESEARCH QUESTIONS

The research questions were:

How do the school governing bodies implement the EEP and apply the AAP?

- What are the challenges to employment equity at former Model C schools in the Province of KwaZulu-Natal?
- What is the role of the KZN DoE in the implementation of employment equity?
- What are the student and teacher demographics of former Model C schools in the Province of KwaZulu-Natal?

5.3 THE LIMITATIONS OF THE STUDY

The research was not conducted in all former Model C schools in KwaZulu-Natal Province.

It involved 10 schools located in one of the districts under the KZN DoE. The research topic proved to have been a sensitive topic as some principals and SGB chairpersons were not willing to participate in the study. One of the principals informed the researcher that he had consulted with the relevant Circuit Manager to find out whether it was compulsory to participate in the study and said he had been informed that it was not compulsory. Some of the questionnaires were not returned to the researcher. Some of the respondents did not answer some of the questions.

5.4 ANSWERS TO QUESTIONS

5.4.1 Question 1: How do the School Governing Bodies Implement the EEP and Apply the Affirmative Action Policy?

The SGBs rely on the guidelines contained in the procedure manual when they make recommendations for the employment of educators.

The study found that the SGBs did not have the EEP and the AAP to be implemented during the employment processes at school level; therefore, the EEP and the AAP were not implemented. The decision-makers at former Model C schools had some understanding of affirmative action that was necessary to implement employment equity and perceived affirmative action in terms of race.

The study also found that the decision-makers did not believe affirmative action should be strictly implemented to address the under-representation of the previously disadvantaged groups.

5.4.2 Question 2: What are the Challenges to Employment Equity at Former Model C Schools in the Province of KwaZulu-Natal?

The study found that the SGBs of former Model C schools want to maintain the high standard of quality education by employing the best or most competent educators. Consequently, this situation and the attitudes of decision-makers towards affirmative action present the main challenge to the implementation of employment equity.

The study found that affirmative action is viewed as an obstacle towards the employment of the best or competent educators. The study also found that the black educators have the stigma of incompetency attached to them which can be attributed to the substandard education provided under apartheid and bias.

5.4.3 Question 3: What is the Role of the KZN DoE in the Implementation of Employment Equity?

The study found that the KZN DoE plans the implementation of employment equity by drafting the EEP. The study found that the KZN DoE had its latest, valid EEP and that the

EEP is drafted by the human resource component at the provincial level of the KZN DoE. The draft is then taken to the EECF for discussion where there are stakeholders which include departmental representatives selected from all components of the KZN DoE and the educator unions. The EEP is then approved by the Head of Department for implementation by the relevant stakeholders including SGBs at school level.

The study found that the District Director who serves as a link between the head office and schools did not know that there was an EEP which had been approved in the previous six months because he had not been made aware.

The study found that the KZN DoE trains SGBs to conduct shortlisting and interviews using the procedure manual that is issued by the KZN DoE. The duration of this training is less than 12 hours. The study also found that the KZN DoE does not train the SGBs to implement the EEP and the AAP. The study found that the DDG responsible for the implementation of employment equity at provincial level assumed that the SGBs are being trained to implement the EEP and the AAP. The study found that the district office had no knowledge of the recommendations of the SGBs that are returned by the Head Office via the line function as part of implementing equity if such recommendations are not consistent with the EEP.

The study found that there is no effective communication between the Head Office and the district office on employment equity issues.

The study found that there is centralisation of the implementation and monitoring of employment equity by the KZN DoE since the district offices do not play a role in implementing and monitoring employment equity.

5.4.4 Question 4: What are the Student and Teacher Demographics of Former Model C Schools in the Province of KwaZulu-Natal?

The study found that there are racial imbalances in the educator staff employed at former Model C schools. There are more white educators employed at former Model C schools than any other race group, and they occupy most management positions available in these schools.

The study found that excluding the whites, there are more Indian educators employed at former Model C schools than the other race groups. There are fewer coloured educators employed at former Model C schools than all the other race groups.

The study found that there was an overwhelming majority of whites who were members of the SGBs of the sampled schools. The whites had a majority membership of 70% and were followed by Indians with a minority membership of 15%.

Comparatively, black Africans, despite being the largest population group in SA followed the Indians in the rank order with the minority membership of 9%, were far below the whites who are a minority population group. The coloureds had the lowest membership of 3%.

The study found that there are more black African learners enrolled at former Model C schools than learners from other race groups. African learners enrolled at former Model C schools do not learn their mother tongue as Home Language.

5.5 CONCLUSIONS

5.5.1 Question 1: How Do the School Governing Bodies Implement the EEP and Apply the Affirmative Action Policy?

The important conclusions of the study are the following: The SGBs rely mainly on the procedure manual to recommend educators for employment; the EEP and the AAP were not available during the employment processes and were not implemented; affirmative action is perceived in terms of race by SGBs; and they do not believe it should be strictly applied to address the under-representation of the previously disadvantaged groups.

In terms of Section 20(1) and Section 13(1) of the EEA, 55 of 1998, it is the responsibility of a designated employer to prepare and implement an EEP and apply affirmative action measures in order to achieve equity.

The findings mentioned above show that the SGBs did not implement employment equity as required by the EEA since the EEP was not implemented, and the affirmative action measures were not applied.

5.5.2 Question 2: What are the Challenges to Employment Equity at Former Model C Schools in the Province of KwaZulu-Natal?

The researcher concludes that former Model C schools want to maintain the high quality of education by employing the best or competent educators. The study also found that the former Model C schools view affirmative action as an obstacle towards the employment of the best or competent educators.

There is an element of bias in the interests of the decision makers of former Model C schools because in most cases their intention to employ the best or competent educators results in the employment of white educators. Oosthuizen and Naidoo (2010) revealed that one of the views held by people about employment equity is that only the whites are competent, and blacks are incompetent.

5.5.3 Question 3: What Is the Role of the KZN DoE in the Implementation of Employment Equity?

The researcher concludes that the KZN DoE did draft the EEP, but it was not properly cascaded to the stakeholders. According to Berry (2018), when cascading information, it is important that everyone on every level is kept informed. Berry stated that cascading information is about getting the management on board and missing a level or group of people on the cascade causes confusion, trust issues and the loss of impetus.

The researcher concludes that the training of SGBs was inadequate because it did not include the implementation of EEP and the AAP as required by the law. Appropriate training is essential before one conducts an interview for staff posts and such training must cover all the legal issues associated with the recruitment process (Failteirland, 2013).

The researcher concludes that the duration of the training was inadequate and cannot cover all the aspects of the recruitment process. According to Matthew (2017), one day of training is not enough.

The researcher concludes that the implementation of the EEP by the KZN DoE is too centralised because even the monitoring thereof is the function of top management and

the Employment Equity Forum at provincial level. Owing to this, the effective involvement and communication on employment equity with the District level as a link between the Head Office and the schools seems lacking. In the implementation of the EEP, there is a vacuum between schools and the Head Office since the Circuit Offices and District offices do not play a supervisory role in the implementation of the plan.

In the absence of effective supervision or monitoring by middle management, the implementation of employment equity cannot be successful. According to Isomaki (2017), the middle management is the informational valve of the organisation whose job is to make sure the right things happen in the organisation.

5.5.4 Question 4: What are the Student, Teacher and Learner Demographics of Former Model C Schools in the Province of KwaZulu-Natal?

The researcher concludes that there are racial imbalances in the educator staff employed at former Model C schools. There are more white educators employed at former Model C schools than any other race group, and they occupy most management positions available in these schools. These imbalances tell a story that does not reflect employment equity.

The high concentration of white teachers in the schools that were designated for whites-only under apartheid has some negative implications for the implementation of the EEA and the redressing of the imbalances of the past in post-apartheid South Africa. The implementation of the EEP and the AAP would have addressed the high concentration of white educators in the former white schools. It would have resulted in the equitable distribution of educators from the various race groups across the public schools within the KwaZulu-Natal DoE. It is not likely that all the white educators meet the employment equity targets to be placed only at the former white schools. In post-apartheid South Africa, they should be meeting the employment equity targets for placement in teaching posts elsewhere, where they will not constitute the dominant race group in the workforce profile of the institution.

In agreement with the study on Learner Integration conducted at former Model C schools that found that “the principals and the SGBs completely disregarded issues of equity,

redress, and representativity” (Radebe, 2015:76), the researcher concludes that there was an overwhelming majority of whites who were members of the SGBs of the sampled schools. There was a correlation between the majority of whites who were members of the SGBs of former Model C schools and the majority of white educators employed there. There is a likelihood that the majority of the white members of the SGBs of former Model C schools support the recommendation of white educators for appointment in teaching posts and management posts thereby perpetuating white privilege and white supremacy.

There was also a correlation between the quantity of Indian members in the SGBs of former Model C schools and the Indian educators employed there. The race groups which had the low membership in the SGBs such as black Africans and coloureds were less represented as educators in the workforce profiles of former Model C schools. A pattern of employment which had traces of the race factor was noticeable.

There were more African learners enrolled at former Model C schools than learners from other race groups but they are not properly represented in terms of race in the decision-making levels of the school such as the SGB and the SMT. Black African learners enrolled at former Model C schools do not have Home Language choices in the curriculum of former Model C schools. They cannot learn their mother tongue as Home Language; instead, they are taught English Home Language and experienced learning obstacles. According to the National Policy Pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R-12 (2013), a learner must pass a home language in order to progress to the next grade or level. A learner who fails to meet this requirement repeats the grade.

Radebe (2015:10) stated that “Black learners in former racially homogenic schools may face greater obstacles in learning than white, Indian, or coloured learners, owing to the lack of appreciation for their culture, outright racism, language challenges, lack of black teachers, and challenges related to cultural differences”.

The learners at former Model C schools are not being taught by a diverse staff; therefore, their education lacks the authentic multicultural element which should exist in the education of a multicultural society. Hangeveld (2014) mentioned that the former white

schools inscribe white superiority on students' identities by, amongst other things, refusal to hire more black teachers.

5.6 SUMMARY OF CONCLUSIONS

This chapter answered the research questions of the study on the basis of the qualitative and quantitative data that was presented in Chapter 4. The researcher concludes that the EEP and the AAP were not implemented by the SGBs during the employment processes as these documents were not available at school level.

The researcher concludes that the training of the SGBs did not include the training on implementing the EEP and the AAP. There is a vacuum between the school level and the provincial level of the KZN DoE in the implementation of equity since the district office does not have a supervisory role to play. There was a lack of effective communication between the provincial level and the district level on employment equity implementation.

The SGBs of former Model C schools want to employ competent educators, and they view affirmative action as a stumbling block in the employment of competent educators. There was an overwhelming majority of white educators at former Model C schools who also occupied most management positions. This showed that the EEP and the AAP were not being implemented because the implementation of the EEP and the AAP would have resulted in the equitable distribution of educators from the various race groups across the public schools within the KwaZulu-Natal DoE.

There was a correlation between the majority of whites who were members of the SGBs of former Model C schools and the majority of white educators employed there. There were more black learners at former Model C schools than the learners from other race groups. The black learners were being taught by educators who are not culturally diverse. There was a likelihood that this resulted in education which lacks the authentic multicultural element which should exist in the education of a multicultural society.

The non-implementation of the EEP and the AAP results in a situation where whites continue to dominate the workforce profiles of the former white schools. This causes the under-representation of the largest population group at former white schools. The black

learners who constitute the majority at former Model C schools are deprived of an authentic multicultural education which a culturally diverse staff could provide. The lack of employment equity at former Model C schools perpetuates white privilege and white supremacy in the post-apartheid era.

5.7 RECOMMENDATIONS

The procedure manual for filling posts, the EEP and the AAP must be aligned and integrated into a single document in order to guide SGBs properly during the shortlisting, interviews and ratification phases.

The scope and the quality of the training of SGBs to carry out employment processes at school level must be improved and should include the training of SGBs to implement the EEP and the AAP of the KZN DoE.

The monitoring of the implementation of the EEP of the KZN DoE must be decentralised to ensure that the districts also play an effective role in monitoring that the SGBs implement the EEP targets.

Measures must be put in place by the KZN DoE to hold the SGBs accountable for the implementation of equity at school level. These may include the use of particular checklists and motivation forms by SGBs to account for their recommendations to the HOD.

An Employment Equity Committee should be a standing provincial structure which has concrete year programmes and plans of action to monitor and promote the implementation of the EEP in the province.

5.8 SUGGESTIONS FOR FURTHER RESEARCH

The study investigated the implementation of employment equity at former Model C schools in the Province of KwaZulu-Natal. The study found that the EEP and the AAP of the KZN DoE were not implemented by SGBs during the employment processes. This results in a situation where the former Model C schools are infested with the majority of white educators even at management level.

Radebe (2015:10) mentioned that the black learners in former racially homogenic schools may face greater obstacles in learning than the learners from other race groups because of factors such: “the lack of appreciation for their culture, outright racism, language challenges, lack of black teachers, and challenges related to cultural differences”.

Since the learners at former Model C schools are not being taught and managed by a diverse staff, their education lacks the authentic multicultural element which should exist in the education of a multicultural society. Further research is suggested on the phenomenon of implementing employment equity in the basic education institutions of a multicultural society. Therefore the following research question is suggested for future research:

How should employment equity be implemented within the multiracial schooling system of South Africa?

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APPENDICES

APPENDIX A: ETHICAL CLEARANCE



UNISA COLLEGE OF EDUCATION ETHICS REVIEW COMMITTEE

Date: 2018/09/12

Ref: 2018/09/12/31115942/43/MC

Dear Mr Mhlongo

Name: Mr NF Mhlongo

Student: 31115942

Decision: Ethics Approval from
2018/09/12 to 2021/09/12

Researcher(s): Name: Mr NF Mhlongo
E-mail address: ndumhlongo30@gmail.com
Telephone: +27 82 7452 377

Supervisor(s): Name: Prof V Pillay
E-mail address: venithapillay@gmail.com
Telephone: +27 73 544 0780

Title of research:

The implementation of employment equity at former Model C Schools in the province of KwaZulu-Natal

Qualification: M. Ed in Educational Leadership and Management

Thank you for the application for research ethics clearance by the UNISA College of Education Ethics Review Committee for the above mentioned research. Ethics approval is granted for the period 2018/09/12 to 2021/09/12.

The low risk application was reviewed by the Ethics Review Committee on 2018/09/12 in compliance with the UNISA Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.

The proposed research may now commence with the provisions that:

1. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.



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2. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the UNISA College of Education Ethics Review Committee.
3. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.
4. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing.
5. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
6. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
7. No field work activities may continue after the expiry date **2021/09/12**. Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.

Note:

The reference number **2018/09/12/31115942/43/MC** should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.

Kind regards,



Dr M Claassens
CHAIRPERSON: CEDU RERC
mcdtc@netactive.co.za



Prof V McKay
EXECUTIVE DEAN
Mckayvi@unisa.ac.za

Approved - decision template – updated 16 Feb 2017

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**APPENDIX B: REQUEST TO UKZN DEPARTMENT OF EDUCATION FOR
PERMISSION TO CONDUCT RESEARCH**



E 247 UNISA
24 MARBLE ROAD
UNISA
4001

8 November 2018

Dr E.V Nzama
Head of Department
KZN Department of Education
Anton Lembede Building
27 Burgher Street
Pietermaritzburg
3201

Dear Sir

REQUEST FOR PERMISSION TO CONDUCT RESEARCH AT
DISTRICT OFFICE, HEAD OFFICE OF THE KZN DEPARTMENT OF EDUCATION
AND THE FOLLOWING SCHOOLS WITHIN THE DISTRICT:

The list of schools is attached hereto

RESEARCH TITLE: THE IMPLEMENTATION OF EMPLOYMENT EQUITY AT
FORMER MODEL c SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL

Yours sincerely

A handwritten signature in black ink, appearing to read "Nduduzo Fortune Mhlongo".

Nduduzo Fortune Mhlongo

Masters student

APPENDIX C: PERMISSION FROM UKZN DEPARTMENT OF EDUCATION TO CONDUCT RESEARCH



education

Department:
Education
PROVINCE OF KWAZULU-NATAL

Enquiries: Phindile Duma

Tel: 033 382 1063

Ref.:24/8/1686

Mr NF Mhongo
K267 Umlazi
89 Mabele Road
PO Umlazi
4031

Dear Mr Mhongo

PERMISSION TO CONDUCT RESEARCH IN THE KZN DoE INSTITUTIONS

Your application to conduct research entitled: **"THE IMPLEMENTATION OF EMPLOYMENT EQUITY AT FORMER MODEL C SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL"**, in the KwaZulu-Natal Department of Education Institutions has been approved. The conditions of the approval are as follows:

1. The researcher will make all the arrangements concerning the research and interviews.
2. The researcher must ensure that Educator and learning programmes are not interrupted.
3. Interviews are not conducted during the time of writing examinations in schools.
4. Learners, Educators, Schools and Institutions are not identifiable in any way from the results of the research.
5. A copy of this letter is submitted to District Managers, Principals and Heads of institutions where the intended research and interviews are to be conducted.
6. The period of investigation is limited to the period from 12 December 2018 to 02 June 2021.
7. Your research and interviews will be limited to the schools you have proposed and approved by the Head of Department. Please note that Principals, Educators, Departmental Officials and Learners are under no obligation to participate or assist you in your investigation.
8. Should you wish to extend the period of your survey at the school(s), please contact Miss Phindile Duma at the contact numbers below.
9. Upon completion of the research, a brief summary of the findings, recommendations or a full report/dissertation/thesis must be submitted to the research office of the Department. Please address it to The Office of the HCD, Private Bag X9137, Pietermaritzburg, 3200.
10. Please note that your research and interviews will be limited to schools and institutions in KwaZulu-Natal Department of Education.

(PLEASE SEE LIST OF SCHOOLS/ INSTITUTIONS ATTACHED)


Dr. EV Ntamsi
Head of Department: Education
Date: 13 December 2018

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APPENDIX D: INFORMED CONSENT LETTER



12 September 2019

PARTICIPANT INFORMATION SHEET

RESEARCH TITLE: THE IMPLEMENTATION OF EMPLOYMENT EQUITY AT FORMER MODEL C SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL

DEAR PROSPECTIVE PARTICIPANT

I am registered for a Masters degree in Educational Leadership at the University of South Africa. My supervisor is Professor Venitha Pillay. I am inviting you to participate in a study entitled:

THE IMPLEMENTATION OF EMPLOYMENT EQUITY AT FORMER MODEL C SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL

THE PURPOSE OF THE STUDY?

This study is expected to collect important information that could contribute towards improving the implementation of employment equity in education to ensure the existence of diverse staff at former Model C schools to promote diversity and inclusiveness in education by exposing learners to greater diversity of cultural perspectives and experiences.

You are invited to participate in this study because of the role you play or your office plays in the appointment of educators in terms of relevant legislation.

I obtained your contact details from the school principal/data base of your institution. There will be about 20 participants in this study from whom data will be collected.

THE NATURE OF PARTICIPATION IN THIS STUDY

This study involves questionnaires and interviews. Principals and Chairpersons of School Governing Bodies will answer a questionnaire on the implementation of the Employment Equity Act. Questions will be particularly based, mainly, on the implementation of the Employment Equity Plan and the application of the Affirmative Action Policy. Answering the questionnaire could take about 45 minutes, but it will be collected from participants after about 2 weeks.

The District Director, Senior Provincial Human Resource Manager and the Head of Department will be interviewed. The interview questions will also revolve mainly around the implementation of the Employment Equity Plan and the application of the Affirmative Action Policy. Each interview is expected to take about one hour.

WITHDRAWAL FROM THE STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE

Participating in this study is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent(adult)/ assent form. You are free to withdraw at any time and without giving a reason. Explain clearly to them that it will not be possible to withdraw once they have submitted the questionnaire.

POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY

There will be no benefits for participants or any incentive for participating in this research.

NEGATIVE CONSEQUENCES FOR PARTICIPATING IN THE RESEARCH PROJECT

There will be no negative consequences for participating in this research project.

THE CONFIDENTIALITY OF INFORMATION DISCLOSED BY PARTICIPANTS AND THEIR IDENTITY

You have the right to insist that your name will not be recorded anywhere and that no one, apart from the researcher and identified members of the research team, will know

about your involvement in this research **OR** Your name will not be recorded anywhere and no one will be able to connect you to the answers you give. Your answers will be given a code number or a pseudonym and you will be referred to in this way in the data, any publications, or other research reporting methods. Your anonymous data may be used for other purposes, such as a research report, journal articles and/or conference proceedings. In case a report of the study is submitted for publication, individual participants will not be identifiable in such a report.

PROTECTION OF THE SECURITY OF DATA?

Hard copies of your answers will be stored by the researcher for a period of five years in a locked cupboard at Adams Mission in KwaZulu-Natal for future research or academic purposes; electronic information will be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. If necessary the information will be destroyed if necessary. Hard copies will be shredded and/or electronic copies will be permanently deleted from the hard drive of the computer through the use of a relevant software programme.

PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY

There will be no reimbursement or any incentive for participating in this research.

THE STUDY ETHICS APPROVAL OF THE STUDY

This study has received written approval from the Research Ethics Review Committee of the University of South Africa. A copy of the approval letter can be obtained from the researcher if you so wish.

HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?

If you would like to be informed of the final research findings, please contact Nduduzo Mhlongo on 082 7452 377 or ndumhlongo30@gmail.com

Should you require any further information or want to contact the researcher about any aspect of this study, please contact Nduduzo Mhlongo on 082 7452 377 or ndumhlongo30@gmail.com

Should you have concerns about the way in which the research has been conducted, you may contact Professor Venitha Pillay on 073 544 0780 or venithapillay@gmail.com.

Thank you for taking time to read this information sheet and for participating in this study.

Thank you.

Nduduzo Fortune Mhlongo

Masters student

APPENDIX E: QUESTIONNAIRE FOR PRINCIPALS, SGB CHAIRPERSONS, EDUCATORS AND NON-EDUCATORS OF FORMER MODEL C SCHOOLS

RESEARCH TITLE: THE IMPLEMENTATION OF EMPLOYMENT EQUITY AT FORMER MODEL C SCHOOLS IN THE PROVINCE OF KWAZULU-NATAL

This study is about the implementation of employment equity at former model C schools. You have been selected to participate in this study because you possess information and experiences that are relevant to this study. This questionnaire aims to gather such information and experiences, therefore it was deemed necessary to ask particular questions to accommodate the aims and objectives of the study. I wish to thank you in advance for your honest answers as this will assist in making this study a success.

- (i) Chairpersons of School Governing Bodies must complete Section B and Section C only.
- (ii) Principals must complete all sections (A,B and C).
- (iii) Educators and non-educators must complete section B and section C only

SECTION A: SCHOOL DEMOGRAPHICS

PLEASE ANSWER THE QUESTIONS BELOW BY PLACING A CROSS(X)

1. What is your gender?

FEMALE	<input type="checkbox"/>	MALE	<input type="checkbox"/>
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2. What is your employment status?

PERMANENT PRINCIPAL	<input type="checkbox"/>	ACTING PRINCIPAL	<input type="checkbox"/>
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3. What is your race group?

COLOURED	<input type="checkbox"/>	BLACK	<input type="checkbox"/>	WHITE	<input type="checkbox"/>	INDIAN	<input type="checkbox"/>
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4. Provide the workforce profile and SGB profile of your school in numbers according to gender and ethnic group using the table provided below.

STATE-PAID EDUCATORS [including temporary educators]									
MALE					FEMALE				
Post level	African	Coloured	Indian	White	African	Coloured	Indian	White	Total
1									
2									
3									
Total									
NON EDUCATORS EMPLOYED BY STATE									
MALE					FEMALE				
	African	Coloured	Indian	White	African	Coloured	Indian	White	Total
SGB EMPLOYED EDUCATORS									
MALE					FEMALE				
	African	Coloured	Indian	White	African	Coloured	Indian	White	Total
NON-EDUCATORS EMPLOYED BY SGB									
MALE					FEMALE				
	African	Coloured	Indian	White	African	Coloured	Indian	White	Total
SCHOOL GOVERNING BODY PROFILE EXCLUDING LEARNER REPRESENTATIVES									
MALE					FEMALE				
	African	Coloured	Indian	White	African	Coloured	Indian	White	Total

5. What is the learner enrolment of the school in terms of numbers and ethnic group?

African	Coloured	Indian	White

6. What amount of money is paid by each learner as school fee in 2018? Specify in the space provided below.

R _____

7. Which language is spoken by the majority of the learners in this school as their mother tongue?

ENGLISH		ISIZULU		AFRIKAANS	
---------	--	---------	--	-----------	--

Other _____

8. What language choices do the learners have for the home language they want to learn? State the language choices that learners may choose from

9. Which language is learnt by the learners as home language? Use the space provided below if the home language is not included in the options provided.

ENGLISH		ISIZULU		AFRIKAANS	
---------	--	---------	--	-----------	--

Other _____

SECTION B: SGB RECOMMENDATIONS FOR STATE PAID POSTS

10. What is the role of the School Governing Body in the selection and employment of educators in the school?

11. List the training offered by the KZN Department of Education with respect to interviewing and selection staff for the school.

12. What was the duration of the training provided by the KZN Department of Education?

LESS THAN 12 HRS	<input type="checkbox"/>	ONE DAY	<input type="checkbox"/>	DAYS OR MORE	<input type="checkbox"/>
------------------	--------------------------	---------	--------------------------	--------------	--------------------------

13. List the training offered by other agencies with respect to interviewing and selecting.

14. What was the duration of the training provided by other agencies mentioned above ?

LESS THAN 12 HRS	<input type="checkbox"/>	ONE DAY	<input type="checkbox"/>	2 DAYS OR MORE	<input type="checkbox"/>
------------------	--------------------------	---------	--------------------------	----------------	--------------------------

15. Was the interview committee provided with the Employment Equity Plan to be used to shortlist and recommend teachers for employment?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

16. What is your understanding of Affirmative Action in relation to employment?

17. Affirmative Action is a good policy.

Tick the correct box and justify your response using the space provided.

AGREE	<input type="checkbox"/>	STRONGLY AGREE	<input type="checkbox"/>	DISAGREE	<input type="checkbox"/>	STRONGLY DISAGREE	<input type="checkbox"/>	UNCERTAIN	<input type="checkbox"/>
-------	--------------------------	----------------	--------------------------	----------	--------------------------	-------------------	--------------------------	-----------	--------------------------

18. Affirmative Action must be strictly applied during employment processes at former model C schools to address the under-representation of certain race groups.

Tick the correct box and justify your response using the space provided.

AGREE	<input type="checkbox"/>	STRONGLY AGREE	<input type="checkbox"/>	DISAGREE	<input type="checkbox"/>	STRONGLY DISAGREE	<input type="checkbox"/>	UNCERTAIN	<input type="checkbox"/>
-------	--------------------------	----------------	--------------------------	----------	--------------------------	-------------------	--------------------------	-----------	--------------------------

19. How did the interview committee use the Affirmative Action Policy (AAP) to shortlist and recommend teachers for appointment? Tick the correct box

The AAP was not available therefore it was not implemented	
The AAP was available, it was read and implemented strictly as required	
The AAP was available, was read, but could not be implemented as required	

20. If the AAP was available but could not be implemented, please state the reason below:

21. How did the interview committee use the Employment Equity Plan (EEP) to shortlist and recommend teachers for appointment? Tick the correct box

The EEP was not available therefore it was not implemented	
The EEP was available, it was read and implemented strictly as required	
The EEP was available, was read, but could not be implemented as required	

22. If the EEP was available but could not be implemented, please state the reason below:

SECTION C: SGB APPOINTMENTS (SGB FUNDED TEACHING POSTS)

23. Does the SGB have a recruitment policy that is followed in the appointment of staff?_____ If so, answer question 24 below.

24. What is the SGB recruitment policy called?/ How does it protect the employment interests of the previously disadvantaged groups? Briefly explain below.

25. Does the SGB have its own Employment Equity Plan to be followed in the appointment of the SGB employed teachers?_____ if so, answer question 26 below.

26. What is the SGB Employment Equity Plan called?/ How does it address the issue of employment equity? Briefly explain below.

27. How does the SGB implement its Employment Equity Plan to address the issue of employment equity? Briefly explain below.

28. Does the SGB have its own Affirmative Action Policy to be followed in the appointment of the SGB employed teachers?_____ if the answer is yes, answer question 29 below.

29. What is the SGB Affirmative Action Policy called?/ What affirmative action measures does it stipulate to address the problem of underrepresentation of designated groups? Briefly explain below.

30. How does the SGB implement its Affirmative Action Policy to address the problem of underrepresentation of designated groups? Briefly explain below.

31. Does the SGB have a remuneration policy to be followed to determine salaries and other monetary benefits of SGB employed educators? _____ if so, answer question 32 below.

32. What is the SGB Remuneration Policy called?/ How does it address the issue of income differentials? Briefly explain below.

33. How does the SGB implement its Remuneration Policy to address the issue of income differentials? Briefly explain below.

34. What are the challenges to employment equity at former Model C schools? State below.

APPENDIX F: INTERVIEW SCHEDULE 1: FOR THE DISTRICT DIRECTOR

TITLE, INITIALS AND SURNAME _____

Thank you for having agreed to participate in this study in spite of your tight schedule as the District Director. This is my private study about the implementation of employment equity at former model C schools. You have been selected to participate in this study by virtue of being the most senior education manager at District level. The recommendations for employment are validated at district level where a schedule of recommendations in post order is compiled and forwarded to the Directorate: Human Resource Services at Head office. The aim of this interview is to gather information about the District office's perception of this phenomenon including planning and general commitment towards successful implementation. I wish to thank you in advance for your honest answers as this will assist in getting information that is crucial for successful implementation of employment equity at former Model C schools.

1. The Employment Equity Plan for the period 2009 – 2014 identified barriers to employment equity and strategies to address such barriers. What has been done so far to address the barriers to Employment Equity?
2. How are the SGBs trained to implement the Employment Equity Plan (EEP) and the Affirmative Action policy of the Department?
3. Does KZN Department of Education have an Employment Equity plan that is currently being used by the SGBs when they have to make recommendations for employment? If so, please explain how this plan is being applied to approve recommendations for employment from SGBs.
4. How is the Employment Equity Plan formulated, approved and sent to SGBs? When was the current EEP approved and sent to schools?
5. How does the KZN Department of Education ensure that the SGBs follow the Department's Affirmative Action Policy when they make recommendations for employment?
6. Tell me about how the Employment Equity Consultative Forum (EECF) functions.

7. What is the role of the Departmental Employment Equity Committee? Is this committee existing and functioning properly? Who are the members of this committee?
8. What is being done by the Departmental Employment Equity Committee to monitor the implementation of the Employment Equity Plan?
9. Can you share any critical incident which occurred in one of the schools, if any, that influenced application of EEA?
10. Is there anything you want to add that I have not asked?

APPENDIX G: INTERVIEW SCHEDULE 2: FOR THE PROVINCIAL HEAD OF DEPARTMENT

TITLE AND INITIAL OF HOD: _____

Thank you for having agreed to participate in this study in spite of your tight schedule as the provincial Head of Department. This is my private study about the implementation of employment equity at former model C schools in the DISTRICT XY District of Kwazulu-Natal Province. You have been selected to participate in this study because the tools to be used at school level to implement employment equity such as the Employment Equity Plan and the Affirmative Action Policy are determined at provincial level and disseminated to schools from the head office. The Head of Department is in a strategic position that plays a determining role in the implementation of employment equity. The aim of this interview is to gather information about the head office's perception of this phenomenon including planning and general commitment towards successful implementation. I wish to thank you in advance for your honest answers as this will assist in getting information that is crucial for successful management of employment equity within the KwaZulu-Natal Department of Education.

1. The Employment Equity Plan for the period 2009 – 2014 identified barriers to employment equity and strategies to address such barriers. What has been done so far to address the barriers to Employment Equity?
2. How are the SGBs trained to implement the Employment Equity Plan (EEP) and the Affirmative Action policy of the Department?
3. Does KZN Department of Education have an Employment Equity plan that is currently being used by the SGBs when they have to make recommendations for employment? If so, please explain how this plan is being applied to approve recommendations for employment from SGBs
4. How is the Employment Equity Plan formulated, approved and sent to SGBs? When was the current EEP approved and sent to schools?

5. How does the KZN Department of Education ensure that the SGBs follow the Department's Affirmative Action Policy when they make recommendations for employment?
6. Tell me about how the Employment Equity Consultative Forum (EECF) functions.
7. What is the role of the Departmental Employment Equity Committee? Is this committee existing and functioning properly? Who are the members of this committee?
8. What is being done by the Departmental Employment Equity Committee to monitor the implementation of the Employment Equity Plan?
9. Can you share any critical incident which occurred in one of the schools, if any, that influenced application of EEA?
10. Is there anything you want to add that I have not asked?

APPENDIX H: CERTIFICATE OF PROFESSIONAL EDITING



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7 May 2021

Declaration of professional edit

THE CHALLENGES OF IMPLEMENTING EMPLOYMENT EQUITY AT FORMER MODEL C SCHOOLS IN THE
PROVINCE OF KWAZULU-NATAL

by

Nduduzo Fortune Mhlongo

I declare that I have edited and proofread this thesis. My involvement was restricted to language usage and spelling, completeness and consistency and referencing style. I did no structural re-writing of the content.

I am qualified to have done such editing, being in possession of a Bachelor's degree with a major in English, having taught English to matriculation, and having a Certificate in Copy Editing from the University of Cape Town. I have edited more than 200 Masters and Doctoral theses, as well as articles, books and reports.

As the copy editor, I am not responsible for detecting, or removing, passages in the document that closely resemble other texts and could thus be viewed as plagiarism. I am not accountable for any changes made to this document by the author or any other party subsequent to the date of this declaration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Baumgardt'.

Dr J Baumgardt

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University of Cape Town: Certificate in Copy Editing

University of Cape Town: Certificate in Corporate Coaching

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