**22 JULY, 2020**

**Address to: The Portfolio Committee on Communications**

**The Parliament of the Republic of South African**

**SABC EDITORIAL STAFF CONCERNS REGARDING THE CURRENT STATE OF AFFAIRS**

1. **Introduction**

Good evening Honourable members. We would like to thank you for inviting us to come and address you on our concerns regarding the developments at the SABC.

**The Editorial Forum**

We are here to present the mandate of the SABC News Staff Editorial Forum, which represents editorial staff across all regions of the SABC working for Television, Radio and Digital platforms. The Editorial Forum is a structure that was formed following the Communications Ad Hoc Committee’s hearings in 2017, in response to the many years of governance failures by the SABC Management and its successive Boards. The structure was established after learning from how the German Public Broadcasters, with our similar history of news censorship, worked to overcome editorial interference in their Newsrooms. Its aim is to protect the Newsroom against editorial interference; provide an immediate avenue to deal with issues of an editorial nature; ensure the proper adherence to the Broadcasting Act and the South African Constitution; deliver on our public mandate and truly become an independent public broadcaster whose only interest is to serve the South African public without fear or favour.

As the News staff of the SABC, we believe that we have a voice and are obliged to air our views on the developments in the Corporation because, under previous management, we have had to constantly fight to deliver on our public mandate as a result of repeated adverse decisions taken by those in charge. We are emboldened to do so cognisant of the provisions of The Bill of Rights, Section 16 (1) (a) regarding our right to freedom of speech and The Protected Disclosures Act (1) (e) which allows us to speak out where we believe the public mandate may be at risk.

**Our Position**

We are here to present our views to the Communications Committee regarding our deep concern about the looming retrenchments. As News staff, we are particularly concerned about the potential impact of these on the Newsroom’s ability to deliver on its public mandate.

We concur with a vision of an efficient SABC, which is also fit for purpose, and if it is in the interest of the survival of the Corporation to retrench, we support such a move because we do not believe that we are entitled to employment. However, as citizens of a democratic state which is based on the rule of law, we believe that the attainment of such a vision should be done through a process that is not only procedurally beyond reproach but is also substantively just. We are in particular, concerned about the fairness and transparency of the process, as implemented by the current SABC Management and the Board.

**The Current State of the SABC Newsroom**

Our Newsroom is currently limping from crisis to crisis, due to the serious lack of both financial and human resources. With some programmes, it is a miracle that they are able to continue delivering fresh content on air. Some of our programmes rely on freelance staff, and due to the ongoing austerity measures, they have not been able to fill positions and freelancers’ rates and hours of work have been reduced, resulting in serious challenges in the delivery of content.

The advent of the Covid-19 pandemic has also exacerbated the situation, where teams have been drastically reduced either due to infection or quarantine, extensively increasing the workload load on those who have to keep the work going.

**It is for these reasons that we would like to draw your attention to the following issues of concern:**

1. **Lack of Proper Consultation and Transparency**
2. As indicated, we do not believe that we are entitled to jobs. However, we would like to assist the process in a meaningful way so that whether or not we remain after this, the institution is still able to deliver on its mandate. The SABC has announced that it seeks to retrench 600 permanent employees and 1200 Freelancers, but as the staff, we do not know how the Corporation arrived at those figures.
3. Neither the News staff nor the News Senior Management, have sat in a meeting where the current state of affairs was analysed and a workable structure was workshopped, to come up with a structure that is fit for purpose.
4. Since 1993, News Management, which is familiar with the operations on the ground and has the institutional memory, played a key role in deliberations informing the restructuring of the Newsroom, as the people who are on the ground on a daily basis and understand the capacity and other dynamics to be considered. However, this time around and for the first time in our newsroom’s history, News Management was excluded from this process. Staff was only called to meetings where a draft structure had already been drawn and given four days to make inputs.
5. The Forum requested a week's postponement of the meeting and requested a copy of the proposed structure in advance so that they could analyse it and make informed contributions, but our request was declined.
6. Our view, considering the developments at the time, was that Management was rushing to tick boxes, in preparation for the CCMA meetings, which were looming at the time.
7. We remain particularly concerned that instead of responding to our request as a custodian of the newsroom, the GE of News forwarded our request to the Head of Human Resources for him to respond us.
8. Management insisted that these meetings were not Section 189 consultations, yet our own line manager could not respond to us on a matter that we believed was an operational issue. Even more, the Head of Human Resources sat in on these meetings, which is unusual for an ordinary meeting meant to brainstorm ideas on a News Structure.
9. Even after those meetings, we remain in the dark about the motivation for the proposed News structure, the strategy that informed it, and whether the current realities of a limping Newsroom, struggling to meet its public mandate, have been considered.

**(Appendix: Letter to News GE requesting postponement and the HR response)**

1. **The Proposed Structure**
2. To date, we have not officially received that structure as the News staff, in order to analyse it properly.
3. Those who managed to attend and get a glimpse of it, did so virtually, in meetings where the News GE presented it.
4. From what we hear, it is concerning that it seems to be a simplified structure, based on a commercial model, unsuited for a public broadcaster.
5. We also understand that regions have been reduced, decreasing the newsrooms’ ability to access and cover diverse communities.
6. In addition, job scales have been reduced and positions altered, in a manner that is foreign to international public broadcasting norms.
7. **The Skills Audit Process & Survey**
8. We are extremely concerned that the SABC has said that the Skills Audit is irrelevant to the current restructuring process
9. This is despite Parliament's injunction that all Human Resources processes should be finalised before Section 189 could be considered
10. We are surprised that the Corporation could say the audit is irrelevant, and have a restructuring process, that does not take into consideration the skills base of its current employees
11. We insist that the skills audit should inform the restructuring process
12. As such, we would like to know what informs the proposed numbers of retrenchments, 600 permanent employees and 1 200 freelance staff
13. A simple search for a definition of a skills AUDIT says it is a process for measuring and recording the skills of an individual or a group. The main purpose of conducting a skills audit in an organisation is to identify the skills and knowledge that the organisation requires, as well as the skills and knowledge that the organisation currently has. (Skills Audits: Fasset)
14. Honourable Members, we would like to draw your attention to the fact that the SABC currently doesn’t know the skills base of its employees
15. We would like to also draw your attention to the 2013 Independent Audit Report, conducted by PricewaterhouseCoopers, which said at the time, that only 1 868 of the qualifications could be authenticated. Sixty-eight per cent of the personnel files had no proof of senior certificates, 24% of employees had non-related qualifications on file, some files were missing and 24% per cent had fraudulent or non-compliant certificates. It also made serious revelations about management’s skills base and their ability to apply themselves
16. Seven years later, we as employees, have not seen what efforts have been made to correct this sad state of affairs
17. We submit that currently, the SABC Management still doesn’t know the skills base of its employees
18. More so, because our humble submission is that the recent attempts at surveying the employees’ skills were flawed
19. The questionnaires in the survey bore no relevance to our job descriptions, which rendered the process pointless (the external service provider appointed to conduct the survey admitted to this fact and insisted that we respond anyhow because the audit has to be completed. Audio evidence available upon request)
20. The bouquet that the SABC is supposed to offer, impacts on our ability to produce varied content, reach a multiplicity of audiences, meet our language mandate, take digital and 4IR developments on board and all of these should, in fact, inform the company strategy
21. How then, is the SABC able to meet all these requirements, without knowing the skills base of its employees?
22. Also, how can they say the skills audit is irrelevant when the task at hand is this cumbersome?
23. Most importantly, how did they arrive at the numbers that they have announced for retrenchments, in light of the above and was there any consideration on whether or not the public mandate will survive?

**4. The unworkable and archaic business model of the SABC**

1. The staff has on numerous occasions, proposed different funding models which would ensure the protection of the public mandate while ensuring the SABC ‘s sustainability
2. The current model endangers the public broadcasting mandate
3. None of our proposals was taken on board, neither have we had feedback on whether attempts at considering those options, were made
4. As the guardians of the public mandate, we urge the Communications Committee to urgently lead the process of review of the current business model.
5. This is because, whenever an economic contraction happens, advertising revenue will retreat, the sustainability of the SABC will be compromised and in every economic cycle we will be discussing retrenching workers. Thus, the staff becomes sacrificial lambs to market forces and sustainable outcomes as a public service broadcaster becomes unattainable.
6. As the news staff of the SABC, we call on parliament to take seriously the task of finalising the business model, currently exacerbated by COVID 19 which has brought us a new normal which has seen the flight of advertising
7. **The institutionalisation of the Editorial Staff Forum**
8. After the Parliamentary Ad Hoc hearings on the SABC, it was clear that something needed to be done to deal decisively with interference in defence of the public interest
9. As the editorial staff of the SABC, we have gone through many years of de-professionalization and we are determined to ensure that history does not repeat itself.
10. Thus, we established this structure and proposed its institutionalisation in our Editorial policies, as a legitimate structure guarding the editorial interest of the newsroom
11. Sadly, the final Editorial policies launched recently, excluded the Editorial Forum
12. We recently wrote a letter to the NEWS sub-Committee of the Board on this matter.
13. In it, we noted the conclusions of the News Inquiry Report, which recommended the creation of an external News and Current Affairs Advisory Committee, rather than the Editorial Forum or the Ombuds, on the grounds that these would "clutter the chain of authority in the newsroom" and "blur the line of authority and possibly paralyse the newsroom."
14. And highlighted that despite this, in our final Editorial Policy document, the Board never sought to address this matter, as none of the three options was chosen.
15. Our view is that either the Board does not appreciate the depth of the problem we seek to address with the creation of this structure, or they do not value editorial freedom in the same manner that we, the foot soldiers on the ground, do
16. Despite the cogent reasons advanced for the institutionalisation of such a structure, and the demonstration of how it helped the German Public Broadcasters in decisively dealing with censorship and editorial interference, the News Sub-committee allowed the adoption of a policy that still doesn’t ring-fence the Newsroom from potential interference
17. The SABC’s view is that the existence of the News Sub-committee is adequate to thwart interference but we do not accept this, because by its very nature, the Board doesn’t and shouldn’t get involved in operational matters and history is littered with examples of how previous News Sub-Committees either enabled or were powerless when it came to interference in the Newsroom
18. We believe that democratic institutions should be built on the basis of principles and not around their incumbents for their sustainability, in order for them to survive regardless of who is at the helm
19. Currently, in terms of the new Editorial Policy, the Editor in Chief is the News GE, the Forum becomes even more important, because should we have an unprincipled in this position in future, the Newsroom will not have avenues to deal with interference
20. **The Sabotage Matter**
21. Following the faulty broadcast of the President’s address in September 2019, the SABC informed the public that this was a result of well-orchestrated collusion which is an act of sabotage
22. Despite this, the implicated employees were not charged with sabotage and no prima facie evidence was presented to the affected employees or to the staff of the SABC, as well as during the hearing, contrary to the public announcement
23. The public and the President were lied to and nobody went back to withdraw that lie.
24. Instead, the former HR Head still went public to declare that two people have been charged and one matter is ongoing, giving the impression that acts of sabotage were proven. This is despite knowing the true facts.
25. During the previous appearance of the SABC Board, the Corporation informed members of this Committee that they couldn’t respond on the issue because the matter was sub-judice, even though the unions were informed that the matter was closed.
26. The only matter that we are aware of, is the defamation case against the SABC by one of the affected employees, for the very use unfortunate use of the word ‘sabotage’ in relation to what transpired, compromising the credibility of the Newsroom and casting serious aspersions on our professionalism and that of the affected employees.
27. Despite the fact that this matter is in court, the SABC Board has an obligation to address Parliament on it, and cannot escape taking accountability on the basis of a sub-judice rule.
28. The staff has engaged management on various occasions, regarding the unfortunate use of the term and the implications of such to the integrity of all employees in the Newsroom
29. News Management has conceded that the use of the word was unfortunate and committed to raising the matter with the intention to retract the statement from the public domain. However, this has not happened.

**Conclusion**

In conclusion, the SABC News staff call for the following:

1. The immediate stop to the Section 189 process.
2. Proper consultation with staff in a fair, transparent manner which is procedurally and substantively fair.
3. The proper auditing of the skills base of SABC employees.
4. The immediate retraction of the word 'sabotage' from the public domain.
5. The review of the SABC Editorial Policy and the institutionalisation of the News Staff Editorial Forum.
6. An immediate task team be established to investigate the appropriate business model for the public broadcaster.

Thanks for your time and the opportunity to address you, honourable members.

**The SABC Staff Editorial Forum**