**Memorandum from the Parliamentary Office**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 3488**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 11/09/2015**

**(INTERNAL QUESTION PAPER 37 OF 2015)**

**Prof B Bozzoli (DA) to ask the Minister of Higher Education and Training:**

1. Is a new forensic audit planned to be undertaken at Eastcape Midlands Technical and Vocational Education and Training College (EastCape TVET College) after the forensic audit originally undertaken by Deloitte and Touche Ltd was set aside by a High Court on procedural grounds; if not, why not; if so (a) when will the new forensic audit take place, (b) what are the terms of reference of the new forensic audit and (c) what has caused the delay in instituting the new forensic audit;
2. (a) how many complaints in respect of alleged (i) irregular payments, (ii) irregular supply chain management procedures, (iii) irregular tenders, (iv) theft, (v) wasteful expenditure, (vi) death threats and (vii) other irregularities have been reported to the management and/or the Board of the EastCape TVET College (aa) during the period 1 January 2013 to 31 December 2014 and (bb) from 1 April 2015 up to the latest specified date for which information is available, (b) what are the relevant details of each of the specified complaints and (c) what action has been taken in each case?

**NW4150E**

**REPLY:**

1. (a) The Department of Higher Education and Training will be initiating a new forensic investigation at the Eastcape Midlands Technical and Vocational Education and Training College (EMC) in terms of Section 46 of the Continuing Education and Training Act of 2006, as amended. The initiation date will be finalised with the College Council once the situation at EMC has been normalised.

(b) The Terms of Reference of the forensic investigation will be finalised in consultation with the College Council.

(c) The volatile situation related to the unprotected strike and labour unrest delayed the initiation of the new forensic investigation at the College.

1. (a) In 2014, thirteen allegations were made by the National Education, Health and Allied Workers’ Union (NEHAWU).

(b) The allegations which prompted the forensic audit were:

* Non recognition of NEHAWU;
* Employer-Employee Forum;
* Non implementation of Collective Agreements;
* Non-consultation;
* Irregular appointments;
* Lack of human resource capacity;
* Corruption;
* Lack of transformation;
* Attitude of the Principal;
* Victimisation of union members;
* Lack of policies;
* Unexplained deduction of employees’ salaries; and
* Wasteful Expenditure.

(c) The outcome of the forensic audit has been interdicted and no action can be taken due to the court ruling.

Compiler/Contact persons:

Contact number:

DIRECTOR – GENERAL

STATUS:

DATE:

REPLY TO QUESTION 3488 APPROVED/NOT APPROVED/AMENDED

Dr BE NZIMANDE, MP

MINISTER OF HIGHER EDUCATION AND TRAINING

STATUS:

DATE: