

sceduc 15/088

sceduc 081015

DEPARTMENT OF EDUCATION DRAFT RESPONSE TO PUBLIC COMMENTS TABLED TO THE SELECT COMMITTEE ON THE NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33-2008 AND GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE BILL [B35-2008]

PROVINCIAL LEGISLATURE	COMMENTS / PROPOSAL	DOE RESPONSE
KWAZULU-NATAL	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>1. Clause 14(2) “ The board comprises- (a) 12 members appointed [in their personal capacities] by the Minister after consultation with the Minister of Labour;”</p> <p>(Members should be representing and reporting to recognized structures)</p> <p>2. Explanatory Memorandum, page 21 Financial Implications “In principle, reducing the SAQA’s functions should result in savings which will offset the cost of adding factions to Umalusi and the CHE, <i>but the extent of the offset is not yet known</i>”.</p> <p>There is a concern if this is not is not going to be one of the factors that would hinder the implementation of this legislation.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>The Amendment is supported</p> <p>The Committee supports the Bills</p>	<p>DoE does not support this view as this matter of members acting on mandates of constituency were major issues that cause SASA to delay policy and specialized procedures to be develop.</p> <p>This is more of a policy matter and does not have a place in the Bill. This was just a comment on the Object Memorandum.</p>
GAUTENG	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>1. The Committee proposes that the following recommendations be considered:</p> <ul style="list-style-type: none"> ▪ The Committee recommends that the Bill makes provision for the portability 	<p>Covered in Clauses 6 and 13 of the Bill which provides that the level</p>

and recognition of qualifications at different levels of the NQF between the different councils

descriptors are in ascending order from 1 to 10 and is a broad indication of learning achievements or outcomes that are appropriate to a qualification at that level. Level descriptors must be agreed upon between SAQA and QCs and the qualification must be registered on a specific framework.

- The Bill should mandate the different councils to set up the policy frameworks to ensure alignment between the Quality Councils in order to ensure that high standards are maintained
- The Committee recommends that the word “standards” should be included under definitions in order to provide articulation between the Education, as well as the Training Sector
- The Committee recommends that the Bill should clarify the role of SAQA in terms quality assurance and allow SAQA to give input in terms of quality assurance in consultation with the Quality Councils

- The Committee recommends that, in terms of their advocacy role, the Bill should provide for SAQA to develop a set of NQF navigational tools that will enable learners to understand and make informed choices so that they can understand what kind of learning pathways they need to follow in order to reach their career objectives.
- The Committee recommends that the role of SAQA as set out in clause 13(n)(i) should be done jointly with quality councils and the words ‘by a coordinated communication strategy should be included after inform the public about the NQF’ in order to ensure that there is streamlined

This is the function of SAQA in terms of clause 27(d) read with Clause 13(1)(f).

The word ‘Standards’ was not used in the Bill, therefore it cannot be defined therein

Quality Assurance is one of objectives of Clause 5. Quality Assurance is the function of QCs. SAQA will play a “checks and balance” role. Covered in Clauses 13 and 27 SAQA develops policy and QCs manage quality assurance. Accountably lines of these entities are clearly defined in Bill.

This is not necessary to legislate. It is purely an administrative function of SAQA
Clause 13(n)(i)

Covered in clause 14. Executive office of QCs will be members in SAQA and therefore will play a pivotal role in there. Both SAQA and QCs must

	<p>communication strategy</p> <ul style="list-style-type: none"> ▪ The Committee notes that in Clause 9.5 (3)(c) 'cooperate in discharging their respective responsibilities under this Act' and is not captured in the Bill and recommends it be rectified ▪ The Committee recommends that the number as captured in page 2 Amendments Agreed to be corrected to reflect the line numbering in the Bill <ul style="list-style-type: none"> ○ Clause 4 line 45 should read line 44 ○ Clause 5 line 50 should read line 49 ○ Clause 9.1 line 40 should read line 33 ○ Clause 9.2 line 41 should read line 34 ○ Clause 9.3 line 43 should read line 36 ○ Clause 9.4 line 43 should read line 36 ○ Clause 9.5 page 5 should read page 4 ○ Clause 9.5 page 7 should read page 53 <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>The Committee proposes that the following recommendation be considered:</p> <ul style="list-style-type: none"> ▪ The Committee recommends that the Umalusi's role in public education should be clarified 	<p>perform the functions within their own accountability lines.</p> <p>Deleted as the Minister cannot instruct Minister of Labour to co-operate.</p> <p>Technical Amendments. Covered. Attach find document drafted to correct the errors. Document was cleared with State Law Advisors.</p> <p>This is not a legislative issue.</p>
<p>FREE STATE</p>	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>Mandated to support without any amendments.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>Mandated to support without any amendments.</p>	<p>No comment</p>

NORTHERN CAPE

NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]

The Committee due not make recommendation but reflect on commends made from the public hearing as follows:

- The standard of qualifications and monitoring of private institutions need to be addressed in the Bill

- There is a bias within the Bill as it depicts the Minister Of Education as a superior to the Minister of Labour by referring to the Education Minister as “The Minister” and to the Minister of Labour as “ The Minister of Labour’.

- The Bill should be clear on its role with regard to the Formal and the Informal Development of Human Resources.

- The Bill should give SAQA more legislative authority to dictate in terms of Accreditations and be held accountable by the Ministers.

- The Bill is not clear as to whether “*after consultations with the statutory an non-statutory bodies...*” mean these bodies will consult SAQA and implement whatever programmes or they will consult SAQA who will then give its blessings to the programmes.(pg 6 clause I)

- The relationship between SAQA and Quality Councils is not clear.

This is the terrain of the respective QCs and covered by HE Act and GENFETQA Act.

No need to include in the NQF

In this instance, the Minister of Education is the custodian of the NQF Bill and needs to have more authority in Education matters. This was one of the problems with the current legislation where accountability of a specific Minister was not defined.

Policy matter

This is the reason why there was departure from the SAQA Act to NQF Bill. SAQA is vested with more authority and with monitoring and co-ordination functions.

The clause in to be read in context. “After” requires consultation only and does not require agreement.

SAQA will develop and implement policy and not the QCs. QCs will only be consulted by SAQA and do the

	<ul style="list-style-type: none"> ▪ The legislation must address the issue of languages because the Department of Education uses all official languages while the Department of Labour only uses English as a medium of instruction. ▪ The legislation must make provision for people trained by the Department of Labour to be accredited by the Department of Education. ▪ The Bill should indicate to what extent UMALUSI would facilitate the advancement of ABET Educators especially those with previous experience. ▪ The Bill should make provision for young students aged 15-16 with level three qualifications but without a matriculation certificate to venture in to the Labour market. ▪ The Bill should allow for a certificate to be issued for accumulated credits for different though related courses completed. ▪ The process of how Recognition of Prior Learning would unfold should be adequately addressed. ▪ The implementation of the Act and the operations of the Quality Councils should take place as a matter of urgency. ▪ Concern was expressed at the suggestion the 'N' qualification is the process of being phased out since the proposed "level" qualifications are more difficult. ▪ The Bill should address the issue of "experience" as a prerequisite when newly qualified students apply for employment. ▪ The problem of one University not recognizing qualifications from another University should be addressed and the process thereof uniformly be applied. 	<p>quality assurance and standard setting functions. Roles are clear.</p> <p>Covered by the Constitution and PANSALB legislation.</p> <p>This is not relevant to the content of the Bill</p> <p>This is one of the purposes of the Bill see clause 13(1)(h)(iii) read with clause 27(h)(ii).</p> <p>Not relevant to the Bill as is a matter of policy or management.</p> <p>Bill allows for quality assurance of part qualifications.</p> <p>SAQA must develop policy and criteria to give effect to it. See clauses 13(1)(h) and 27(h).</p> <p>This is one of the purposes of the Bill</p> <p>Policy and perception issues.</p> <p>Curriculum issues, no need to legislate.</p> <p>QC will address the issue.</p>
--	--	--

	<p>The Bill should increase NQF Level 4 to NQF Level 5 in FET Colleges.</p> <p>The province supported the Bill, taking not of concerns raised by the public.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>The Committee due not make recommendation but reflect on commends made from the public hearing as follows:</p> <ul style="list-style-type: none"> ▪ The present curriculum needs to focus more on skill attainment. ▪ The Bill needs to protect learners from colleges that are not accredited by SAQA ▪ The Bill is not clear on who determines the curriculum offered in Institutions <p>The Committee supports the Bills taking notes of the concerns raised by the public.</p>	<p>This has been addressed.</p> <p>Can not protect illegal operations. Sub standard education cannot be protected.</p> <p>GENFETQA and policy made by the Minister address this matter</p>
<p>NORTH WEST</p>	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>The Committee has the following comments:</p> <ul style="list-style-type: none"> ▪ The Bill should be published in other official languages for the interest of communities to have a clear understanding of its aims, preferably for School Governing Bodies and elderly people. ▪ Chapter 6(30): The Bill should make sure that all other professions have the professional memberships (professional membership for leaders, administrators) based on SAQA in terms of Section 13(i) and (ii), to register a professional designation on the NQF ▪ Chapter 5 (h)(i) and (ii) with regard to prior learning – The Bill must ensure 	<p>This is the primary function of the provinces who are aware of their own language policies, and not the select committee. This view is not supported</p> <p>Not the purpose of NQF. Professions or Parliament can decided if there is a need for the establishment of a specific Professional Body.</p> <p>SAQA will determine the Policy and</p>

	<p>that development of such qualification or part qualifications which may include measure for the assessment of learning achievements.</p> <p>The province supported the Bill.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>The province supported the Bill.</p>	<p>criteria to include prior learning into qualifications on the NQF.</p>
EASTERN CAPE	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>The Committee commented as follows:</p> <p>(a) With regard to the function of SAQA as it relates to the upkeep of the comprehensive database of all the national qualifications, a concern was on the deadline within which the already existing national qualifications will be collated into one database and also how the Departments of Education and Labour will collate and make the information available.</p> <p>(b) That the Bill has various cross referencing errors and this must be corrected before the Bill is adopted.</p> <p>The province support the Bill.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>No comment received</p> <p>The Bill is supported</p>	<p>This is administrative matter to be dealt with by the SAQA and QCs. DoE does not support the comment as the need for a data base is a current function of SAQA.</p> <p>This was dealt with earlier. See correction schedule.</p>
WESTERN CAPE	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p>	

	<p>The committee commented as follows:</p> <ul style="list-style-type: none"> ▪ Concern was raised regarding the number of times the SAQA Board is required to meet per annum. The committee recommends that the Board must meet at least four times a year and further, that it should endeavour to meet more than the minimum required meetings in light of all the disparities within educational institutions and in alignment of the available courses that are being offered. ▪ In the Bill, the quorum specification for the Board is not clearly spelt out and it is left to the discretion of the Board. The Committee therefore recommends that the quorum rule 50% + 1 should be stipulated in the Bill in order to ensure maximum participation and input. ▪ The committee recommends that in Clause 15, on page 7, in line 39, to omit “three” and substitute “two”. The motivation for this is that in light of the minimum requirements stipulated, where currently at least four meetings per annum are stated, it needs to ensure maximum input and participation from members, also to have sufficient time to replace members with others that could fulfill that role. <p>The Committee supports the Bill with recommendations and comments.</p> <p>GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE AMENDMENT BILL [B35B - 2008]</p> <p>No comment received.</p> <p>The Committee support the Bill.</p>	<p>The Board may determine a more favourable number of meetings. There is no need to legislate on this matter.</p> <p>Clause 17(4) puts the responsibility to determine a quorum on SAQA. Bill provides for the continuation of SAQA and at a meeting quorum is already decided and is working well.</p> <p>This comment is dependent on the preceding comment. It falls off if the preceding comment falls off.</p>
<p>MPUMALANGA</p>	<p>NATIONAL QUALIFICATIONS FRAMEWORK BILL [B33B-2008]</p> <p>Province supports the Bill without any changes.</p>	

**GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY
ASSURANCE AMENDMENT BIL [B35B - 2008]**

Province supports the Bill without any changes.