



FOUNDING DOCUMENT

THE NATIONAL CONSULTATIVE FORUM FOR NATIONAL
PUBLIC SCHOOL GOVERNING BODY ORGANISATIONS



basic education
Department:
Basic Education
REPUBLIC OF SOUTH AFRICA



PREAMBLE:

WHEREAS the Ministry of Education of the Republic of South Africa (RSA) is desirous of establishing a forum to facilitate formal consultations, discussion and interaction between itself and *recognised* associations representing governing bodies of public schools in the Republic of South Africa at a national level;

AND WHEREAS the said Ministry seeks, by establishment of such a forum, to promote communication with such organisations concerning national educational issues affecting the interests of public schools, in general, and the governance of public schools, in particular, in pursuance of the notion of partnership in education between the State and stakeholders in public schools, as represented by such governing bodies;

AND WHEREAS the Ministry has been requested to establish and has recognized the need for the establishment of such a forum for the aforementioned purposes;

NOW THEREFORE IT IS HEREBY AGREED AND PROVIDED AS FOLLOWS:

1. THE FORUM:

- 1.1 A national consultative forum is hereby established.
- 1.2 The name of the forum shall be THE NATIONAL CONSULTATIVE FORUM FOR NATIONAL PUBLIC SCHOOL GOVERNING BODY ORGANISATIONS.
- 1.3 The acronym for the forum shall be NCF.

2. REPRESENTATION IN THE FORUM:

- 2.1 The Ministry shall be represented in the forum at any given time by one or more persons from a panel of persons ("the Ministry Panel") duly appointed and authorised for such purposes by the Minister of Basic Education: provided that at least one such person shall have the necessary knowledge, skill and experience regarding the subject matter of any issue(s) tabled for attention at any session of the forum.
- 2.2 Any national school governing body association qualifying for participation in the forum as provided for under par 2.3 (hereinafter "Association"), shall be represented by one or more persons from a panel of persons duly appointed by the relevant association.
- 2.3 To qualify for participation in the forum, an association must meet the following criteria:
 - 2.3.1 The association must be representative of all constituencies of the governing body.
 - 2.3.2 The association must have a membership base comprising at least 10% of public schools within five provinces.
 - 2.3.3 Associations for special schools must have a membership base comprising at least 10% of public special schools within five provinces.
- 2.4 Associations recognised for participation must, by 31 March each year, provide the Ministry with the following:
 - 2.4.1 Copies of their audited annual financial statements for the previous financial year. These financial statements must include, as an attachment, a declaration by the auditor regarding the association's adherence to sound financial management practices.
 - 2.4.2 A list of members categorised by province.
- 2.5 The DBE and Associations will be requested to report on some national issues at a required time.
- 2.6 Provinces will be represented in the Forum.

3. STATUS OF THE FORUM:

- 3.1 The forum is neither a statutory body nor a juristic person, but rather an administrative mechanism serving to enhance communication between the Ministry and Associations for the purposes set forth in the preamble, subject to the Constitution of the RSA and the laws applicable to national education in the RSA from time to time.
- 3.2 No agreement reached in the forum shall have the force of law. However, subject to the Constitution of the RSA and prevailing education laws, the parties to any such agreement are enjoined by force of this document, to take all steps necessary to implement any such agreement expeditiously and to report back to the other party/parties to the agreement in writing or in the forum concerning the implementation thereof and/or the reasons for non-implementation thereof.

4. ISSUES TABLED IN THE FORUM:

- 4.1 Only matters of mutual interest or matters affecting stakeholders in public schools, as represented by their governing bodies at national level, may be tabled for attention in the forum.
- 4.2 For purposes of this document, a “matter of mutual interest” shall mean any matter falling within the domain of the national competency of the Ministry and shall exclude any matter which falls within the sole competency of any provincial legislature by virtue of prevailing laws and/or the exigencies of the relevant provisions of the Constitution of the RSA.
- 4.3 Matters of national competency that have not been resolved at the provincial level may be referred to the NCF. The condition for referral is that the matter must have been brought before the PCF first.

5. PARTICIPATION IN THE FORUM:

- 5.1 The Ministry, represented by the Ministry Panel, shall be a permanent and indispensable participant in the forum and any meeting of the forum.
- 5.2 Any association envisaged in the preamble, that qualifies for participation in the forum, as provided for under paragraph 2.3, shall be entitled to participate in the forum.
- 5.3 The Ministry Panel and each association shall in writing notify the secretary of the forum of the name, address, telephone, cell phone, fax, and e-mail number/address of the contact person regarding all forum matters.

6. MEETINGS OF THE FORUM:

- 6.1 Subject to the provisions of this document, the Ministry may convene a meeting of the forum at any time by providing not less than seven (7) days’ written notice to the contact person of any or more of the associations. In cases of urgency, the Ministry may convene a meeting without the requirement of seven (7) days’ notice.
- 6.2 Any National Association may request for a special meeting to be convened, subject to the provisions of this document, at any time by way of not less than seven (7) days’ written notice, given to the Ministry’s contact person. A 50% agreement amongst Associations must be met.
- 6.3 For special meetings, if the date specified for a meeting in any notice envisaged herein is unsuitable for the recipient of the notice, the respective contact person of each of the parties of the notice shall, between themselves, expeditiously arrange an alternative date for the relevant meeting, which date is to be as close to the notified date as possible.
- 6.4 A notice, such as the aforementioned-
 - 6.4.1 must be provided in writing and served by email.
 - 6.4.2 must contain details of the matter(s) to be tabled in the forum.
- 6.5 NCF shall convene scheduled meetings at least once in each quarter, with at least 50% of these meetings taking place in person. Such a meeting, as herein envisaged, shall be called “a routine forum meeting”. Considering the situation at hand, a meeting may be virtual, in person or hybrid. This should be communicated in due time.

- 6.6 A scheduled forum meeting shall be convened by written notice given to the contact person of each Association concerned, which notice must contain the agenda items required for the meeting by the Ministry and call for the submission of required agenda items by the relevant National Association by not less than seven (7) days before the scheduled meeting.
- 6.7 Subject to the foregoing, the secretary of the forum shall by not less than 3 (three) days before a scheduled forum meeting, furnish a complete agenda to each participant in the relevant meeting, together with details of the time and venue of such meeting.
- 6.8 The secretariat of the forum shall, within 48 hours of receipt of a notice envisaged in 6.1 and 6.2, in writing advise the notice giver and notice receiver of the time and venue of the required forum meeting.
- 6.9 The secretariat shall minute each forum meeting and submit minutes to each participant at each forum meeting for approval without delay and supervise the finalisation of such minutes.
- 6.10 To ensure orderly discussions, speaking turns during meetings shall be regulated. Each association shall designate one person to speak on each agenda item. However, the chairman may, at their discretion, allow multiple members of an association to speak on behalf of their group during discussions.
- 6.11 The secretary shall without delay furnish finalised minutes of meetings to the relevant participants for record purposes.

7. ADMINISTRATION AND FACILITIES

- 7.1 The secretariat for the forum shall be a person suitably qualified for the task and appointed by the Director-General, who shall notify all forum participants of the name and contact details of such person and his/her successor replacement from time to time.
- 7.2 Recognized associations will be included in the DBE's official distribution channels. This inclusion shall ensure that these associations receive notifications and invitations to official activities and events that align with their defined interests as outlined in the document.

8. THE CHAIR OF THE FORUM

The chairperson of the forum shall be by the Ministry, the Director-General, or any designated official for this purpose.

9. CONDUCT

Forum members are expected to conduct themselves professionally, treating others with respect and fostering a collaborative environment.

10. AMENDMENTS

This document may at any time be amended by mutual consent between all the parties to the Forum.

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