



**LIMPOPO  
LEGISLATURE**

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# **REPUBLIC OF SOUTH AFRICA**

## **LIMPOPO PROVINCE**

**VERBATIM REPORT  
[HANSARD]**

**OF THE**

**DELIBERATIONS AND DEBATES**

**OF THE**

**SECOND SESSION**

**OF THE**

**SIXTH LEGISLATURE OF THE LIMPOPO LEGISLATURE**

**THURSDAY, 13 OCTOBER 2020**

## **MEMBERS OF THE EXECUTIVE COUNCIL [CABINET]**

Office of the Premier	Mr C S Mathabatha [Premier]
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Health	Dr P C Ramathuba
Social Development	Ms N C Rakgoale
Economic Development, Environment and Tourism	Mr T A Mokone
Public Works, Roads and Infrastructure	Mr N D Masemola
Transport and Community Safety	Ms M M Lerule-Ramakhanya
Agriculture and Rural Development	Ms N A Ndalane
CoGHSTA	Mr B R Makamu
Sport, Arts and Culture	Ms T A Moraka
Provincial Treasury	Mr S C Sekoati

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The Leader of the Opposition	Mr M J Buthane
The Secretary of Limpopo Legislature	Mr S Mothoa

**MEMBERS OF THE LIMPOPO LEGISLATURE** (in alphabetical order)**PARTIES REPRESENTED IN THE HOUSE:**

African National Congress (ANC)  
 Democratic Alliance (DA)  
 Economic Freedom Fighters (EFF)  
 Vryheidsfront Plus (FF+)

1. Aphiri, Mokgadi Johanna	ANC
2. Boshielo, Shela Polly	ANC
3. Buthane, Modikane Joseph	EFF
4. Kekana, Nakedi Grace	ANC
5. Lebea, Kedibone Margaret	ANC
6. Lekganyane, Nakedi Maria	ANC
7. Lerule-Ramakhanya, Mavhungu Maureen	ANC
8. Maharaj, Risham	DA
9. Mahasela, Mahlodi Caroline	ANC
10. Makamu, Basikopo Rodgers	ANC
11. Makhurupetje, Makoma Grace	ANC
12. Managa, Lilian	EFF
13. Manganye, Tinyiko Florence	EFF
14. Maritz, Marcelle Frieda	FF+
15. Marule, Jacob Boy Otto	ANC
16. Maseko, Funani Jerry	ANC
17. Masekoameng, Mmabogahla Isaiah	ANC
18. Masemola, Namane Dickson	ANC
19. Mashamaite, Nkhohlo Victor	ANC
20. Mathabatha, Chupu Stanley	ANC
21. Mathe, Simon Matsobane	ANC
22. Mathye, Susani Violet	ANC
23. Matlou, Leswafo Joshua	ANC
24. Mdaka, Falaza Philemon	ANC
25. Mitleni, Wisani Goodman	ANC
26. Mochadi, Sekutu Monicca	ANC
27. Mohlala, Manamane Charles	EFF
28. Mokaba-Phukwana, Mapula Annah	ANC
29. Mokgonyana, Essob Mmanoko	ANC
30. Mokone, Thabo Andrew	ANC
31. Molapo, Reneiloe Rosemarry	ANC
32. Monama, Gannye Rodgers	ANC
33. Monyamane, Nkome Sarah	ANC
34. Moraka, Anna Tandi	ANC
35. Mphahlele Selaelo Regina	EFF
36. Ndalane, Nandi Annah	ANC
37. Ndou, Azwindini Jeremiah Dingaan	ANC
38. Phala, Katlego Suzan	DA
39. Phala, Kgolane Alfred	ANC
40. Radzilani, Fulufhelo Florence	ANC
41. Rakgoale, Chritian Nkakareng	ANC

42. Ramathuba, Phophi Constance	ANC
43. Raphela, George	EFF
44. Sekoati, Seaparo Charles	ANC
45. Selamolela Selelo Donald	ANC
46. Selane, Che Bonnie David	ANC
47. Seono, Mmaishibe Rebecca	ANC
48. Seshoka, Jetrick	EFF
49. Smalle, Jacobus Frederik	DA

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1. Mamaregane, Mmamora Lilliet	ANC
2. Mathevula, Brenda Tirhani	EFF
3. Matibe, Tshitereke Baldwin	ANC
4. Nchabeleng, Mamagase Aleck	ANC
5. Shaikh, Shahidabibi	ANC
6. Smit, Christiaan Frederik Beyers	DA

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- b) Internal Arrangements Committee
- c) Programming Committee
- d) Whippery
- e) Disciplinary Committee
- f) Committee on Ethics and Members' Interests
- g) Committee of Presiding Officers
- h) Public Accounts Committee
- i) Public Participation and Petitions
- j) Quality of Life and Status of Women, Youth and Disability

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- b) Co-operative Governance, Human Settlements and Traditional Affairs
- c) Public Works, Roads and Infrastructure
- d) Economic Development, Environment and Tourism
- e) Agriculture and Rural Development
- f) Transport and Community Safety
- g) Sport, Arts and Culture
- h) Education
- i) Health
- j) Social Development
- k) Public Administration
- l) Oversight Review Mechanism

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Ndala, N T (Ms)  
Netshamulivho, A J (Mr)

**VERBATIM SPEECHES OF THE  
LIMPOPO PROVINCIAL LEGISLATURE  
LEBOWAKGOMO LEGISLATIVE CHAMBER  
THURSDAY, 13 OCTOBER 2020  
MEETING OF THE HOUSE: 10:00**

**1. PRAYERS/MEDITATIONS**

**THE SPEAKER**

We shall now have the opportunity for a moment of silence for prayers or meditations.

[SILENCE]

You may be seated. Good morning honourable Members and welcome to our Sitting. Honourable Members, we felt as the Office of the Speaker that we should always remind Members that COVID-19 is still with us and that Members should at all times comply with the regulations and protocols. Honourable Members should at all times wear their masks, sanitise and keep social distancing. Thank you very much.

Honourable Members, during the previous Sitting, Hon Mathe raised an issue that Hon Seshoka said, “o a phapha.” I have promised that I will check the *Hansard* report. We have checked the *Hansard* report and indeed Hon Seshoka was captured as saying “o a phapha”. I therefore request Hon Seshoka to withdraw his comment.

**MR SESHOKA**

Thank you, Hon Speaker. I withdraw the utterances I made that the Hon Chief Whip of the majority party “o a phapha”. I withdraw such utterances.

**THE SPEAKER**

Thank you, Hon Seshoka.

**2. MOTIONS WITHOUT NOTICE**

Let us move to item 2, which is motions without notice in terms of House Rule 145. I recognise Hon Aphiri.

**MS APHIRI**

Thanks very much, Hon Speaker. I rise on behalf of the ANC to table a motion of condolences on the passing on of Cde Priscilla Jana for noting by this august House.

**CONDOLENCES ON THE PASSING ON OF CDE PRISCILLA JANA**  
(Motion without Notice)

We have learnt with sadness about the passing of Cde Priscilla Jana, a renowned human rights lawyer and an important figure in the struggle for the liberation of South Africa. From an early age, Priscilla was exposed to the harshness, brutality and

injustice of apartheid. This consciousness was nurtured early in her life through her first-hand experience of the effects of an unequal and oppressive society.

As one of the most brilliant lawyers in our country, Priscilla could have chosen to selfishly pursue personal wealth and material advancements. Her determination to fight the vicious and evil system of apartheid saw her joining the underground network of the ANC.

During the 1980s, when the regime was unleashing some of its most vicious and oppressive machinery against the people through successive spates of emergency and trampled upon the rights of activists, Priscilla was one of the few progressive lawyers who provided free support for the detained.

She became a personal attorney of President Nelson Mandela during his incarceration on Robben Island. It has been said about Jana that "at one stage, she represented every single political prisoner on Robben Island."

On behalf of the ANC in this House, we would like to convey our heartfelt condolences to her family, the mass democratic movement and the people of South Africa as a whole.

May her soul rest in peace!

I so move. Thank you.

#### **THE SPEAKER**

Thank you, Hon Aphiri. Is there any seconder? Hon Mdaka, you are recognised.

#### **MR MDAKA**

I, Falaza Mdaka, stand to second the motion as moved by Hon Aphiri.

#### **THE SPEAKER**

Thank you very much. Is there any other motion without notice?

#### **MR SESHOKA**

Thank you, Hon Speaker.

### **A CALL BY THE EFF TO LEND A HELPING HAND TO THE NEEDY** (Motion without Notice)

I rise on behalf of the EFF to move a motion without notice that the House notes that the EFF in Limpopo makes a clarion call to all businesspeople and the community at large to extend a helping hand during this rainy period. Our province is delighted to receive rain after prolonged periods dominated by lack of water as a result of lack of planning by the ANC-led government.



We call upon Limpopo citizens to extend a warm hand during this cold and rainy weather. Those who are fortunate and privileged with resources are requested to lend a hand to the needy by providing blankets and warm clothes and share food with those who are in unfortunate circumstances. The needy are found in our neighbourhoods and shop corners around various towns and villages. The call for ubuntu is important as those in need require our support.

We are urged to extend a warm helping hand without taking pictures or making a mockery of our people.

I so move.

#### **THE SPEAKER**

Thank you, Hon Seshoka. Is there any seconder? Hon Managa, you are recognised.

#### **MS MANAGA**

Thank you, Hon Speaker. I, Managa Lilian, stand to second the motion as presented by Hon Seshoka. I thank you.

#### **THE SPEAKER**

Thank you very much. Is there any other motion without notice? Hon Smalle, you are recognised.

#### **MR SMALLE**

Thank you, Hon Speaker.

#### **CONGRATULATORY REMARKS TO DRICUS DU PLESSIS FOR WINNING THE EFC CHAMPIONSHIP ON DEBUT** (Motion without Notice)

I rise on behalf of the Democratic Alliance to move that this House:

- Congratulates Dricus “Stillknocks” du Plessis, a 26-year-old mixed martial arts champion, who won on his debut in the Ultimate Fighting Championships against Brazil’s Markus Perez.
- Notes that after the fight, du Plessis spoke out against farm murders by saying that South Africa is going through a difficult time and that the international community might not be aware of this.
- Notes that President Ramaphosa spoke out against farm murders in his newsletter yesterday by saying that those people who think farm attacks affect just a small portion of our population are wrong. The farming community is an integral part of our economy.

- The farming community produces the food that we eat. Violent crimes on farms pose not just a threat to the safety of our rural communities, but to our nation's food security.
- Further, it is worth noting that Dricus du Plessis is the first South African sport personality to speak out against farm murders on an international stage at the first opportunity that presented itself.

Thank you. I so move.

#### **THE SPEAKER**

Thank you, Hon Smalle. Is there any seconder? Hon Phala, you are recognised.

#### **MS PHALA**

Thank you, Hon Speaker. I rise to second the motion as read by Hon Smalle.

#### **THE SPEAKER**

Thank you very much. Is there any other motion without notice? Hon Kekana, you are recognised.

#### **MS KEKANA**

Thank you, Hon Speaker. I, Nakedi Kekana, rise on behalf of the ANC to table a motion without notice that the House congratulates our two MECs who visited the families of victims of violent murders.

#### **CONGRATULATORY REMARKS TO TWO EXCO MEMBERS WHO VISITED FAMILIES OF VICTIMS OF VIOLENT MURDERS TO OFFER SUPPORT** (Motion without Notice)

We are encouraged by the stance taken by both MECs, Hon Nkakareng Rakgoale and Hon Mavhungu Lerule-Ramakhanya, in raising awareness against gender-based violence and crime in general during a precarious period where the nation is at war with the women of this country and itself. The two MECs took the bull by its horns and visited the communities of Bolobedu where five people have been killed in three separate incidents in the past few days.

We were shocked to learn of the brutal killing of a young couple found with multiple stab wounds at GaRapitsi village in Kgapanne. In a separate incident, a motorist was shot and killed after been hijacked. In another separate incident, a taxi driver also died after he was shot in the same Maphalle area. Police are yet to make a breakthrough in all these cases.

Government, through the Department of Social Development, has dispatched social workers who have started providing psychological support to the bereaved families.

It is very worrying to see people being killed in this violent fashion and we call upon communities to assist the police in identifying the perpetrators.

We have also received the devastating news of the callous murder of two businesswomen who were murdered on Saturday in the Polokwane industrial area. The two women were reportedly from Gauteng on a business expedition to view rental space in Polokwane when they were shot at point-blank range by unknown perpetrators.

All these cases are subject of intense police investigations and hopefully there would be breakthroughs in all of them.

I so move.

**THE SPEAKER**

Thank you, Hon Kekana. Is there any seconder? Hon Phala, you are recognised.

**MS PHALA**

Thank you, Hon Speaker. I second the motion as read by Hon Kekana.

**THE SPEAKER**

Thank you very much. Is there any further motion without notice? Hon Phala, you are recognised.

**MS PHALA**

Thank you, Hon Speaker.

**COMMEMORATION OF THE INTERNATIONAL DAY OF THE GIRL-CHILD**  
(Motion without Notice)

I rise on behalf of the DA that this House notes that this past Sunday marked the International Day of the Girl-Child with a theme: "My Voice, Our Equal Future," focusing on demands to live free from gender-based violence, harmful practices, HIV/Aids, learn new skills towards the futures they choose and lead as a generation of activists accelerating social change.

As parliamentarians seated in this House, we need to ensure that this year's theme and its demands materialises by ensuring that the Limpopo gender-based violence technical team exists to solve the gender-based violence faced in this province. We also need to ensure that the team creates a safe environment and strongly continue our effort in winning the fight against the spread of HIV/Aids and further implement strategies that create a conducive environment for a generation of activists that will accelerate social change.

I so move.

**THE SPEAKER**

Thank you very much. Is there any seconder? Hon Maharaj, you are recognised.

**MR MAHARAJ**

Hon Speaker, I rise to second the motion as read by Hon Phala. I thank you.

**THE SPEAKER**

Thank you, Hon Maharaj.

**3. NOTICES OF MOTIONS**

Are there any notices of motions? There is none.

**4. MEMBERS' STATEMENTS**

Are there any Statements by Members? Hon Smalle, you are recognised.

**MR SMALLE**

Thank you, Hon Speaker.

**QUERY ABOUT THE APPOINTMENT OF THE CHIEF FINANCIAL OFFICER  
(CEO) AT KNOBEL HOSPITAL**  
(Members' Statement)

The policy on regulating the management of hospitals is part of an undertaking to increase confidence with citizens and to build ownership within the health system in line with the Department of Health's 10-point plan. The need to improve the quality of healthcare in an efficient and caring environment has also necessitated the promulgation of specific legislation. The criteria to appoint CEOs give specific qualifications, experience and generic qualities required to appoint such an individual.

My question to the MEC today is: Why were these processes not adhered to in the appointment of CEO of Knobel Hospital by the name of Mr S E Mphahlele? Did the department vet the candidates' information, and if not, why not? Is the MEC aware of the complaint laid against her department with the Public Protector with reference to the CEO's appointment at Knobel Hospital? Is it the practice currently that the MEC signs off the appointment letters or recommendations for specialists or senior personnel other than directors at hospitals?

If the MEC would like the evidence of the information, I have got quite a big bunch of confidential letters that I am willing to share with her if she wants to.

I thank you, Hon Speaker.

**THE SPEAKER**

Thank you, Hon Smalle. Is there any other Members' Statement? Hon Monyamane, you are recognised.

**MS MONYAMANE**

Thank you, Hon Speaker.

**CONCERN ON THE SAFETY ON OUR PROVINCIAL ROADS AFTER WEEKEND FATALITIES**

(Members' Statement)

We are concerned with the number of fatalities on provincial roads this past weekend alone. According to reports, a total of eight people died on the provincial roads between Friday and Sunday this past weekend. This happened as the rainy season has just started. If these statistics are anything to go by, we should brace ourselves for a difficult period ahead of us.

It is therefore incumbent upon government to intensify its road safety awareness campaigns and ensure that the enforcement of traffic rules and regulations are implemented at all times. The passing on of eight people in one weekend alone is no small feat. While we acknowledge that road fatalities are in the main, and mostly as a result of human behaviour, we have to ensure that there is maximum visibility of traffic officers on the roads all the time.

We have recently noticed a rising trend of reckless driving on the roads as reported in most of these fatalities. We are adamant that the best way to instil adherence to traffic laws and regulations is to ensure that perpetrators are brought to book and face the consequences for their actions. It is our considered view that road safety is an all-encompassing endeavour, meaning that all organs of society must play their part; but road users are the most critical to this circle and the more they stick to the end of their bargain, the more our roads will remain safe for everybody.

We need to ensure that there is maximum visibility of law enforcement officers at all times to minimise the incidents of drunk-driving, overloading and over-speeding on the roads.

I thank you, Hon Speaker.

**THE SPEAKER**

Thank you, Hon Monyamane. Is there any other Members' Statement? Hon Managa, you are recognised.

**MS MANAGA**

Thank you, Hon Speaker.

**DEFERRED PROMISES TO THE COMMUNITY OF GA-MALEKANA**

(Members' Statement)

The EFF in Limpopo is disappointed with many promises made to the communities by government that never come to pass. False hopes are being created to communities out there just to keep them hoping for eternity and forever and ever.

The old steel bridge at Ga-Kgoši Malekana between Jane Furse and Burgersfort in Sekhukhune District has been lying in ruins and dilapidated for many years now. This is a one lane bridge which interrupts traffic in most cases because cars have to wait for one another to pass and motorists even fight in terms of who arrived first and who should pass first. The bridge pits community members against each other, and by not revamping it the government is assisting the situation by simply ignoring the problem.

The bridge poses a serious danger to motorists because it can collapse and kill people. This matter was raised with government many times and promises were made that the bridge would be fixed and revamped and yet nothing has happened to date. The people who use the bridge on daily basis including learners, teachers and mineworkers continue to put their lives at risk.

Steve Biko was correct when he said, "Black man, you are on your own." Politicians drive on this bridge every now and then and yet they see nothing wrong with the state of the bridge.

We call upon the MEC for Public Works, Roads and Infrastructure, Hon Dickson Masemola, to immediately start with the process of refurbishing this bridge for the safety of the people of Sekhukhune and not empty promises that his predecessors and the other people have made before.

I thank you.

## **THE SPEAKER**

Thank you, Hon Managa. Is there any further Members' Statement? There is none. Can I check with the Members of the Executive Council if there is anyone who would like to respond? MEC, Hon Masemola, you are recognised.

## **THE MEC FOR PUBLIC WORKS, ROADS AND INFRASTRUCTURE**

Thank you very much, Hon Speaker, and a very good morning to honourable Members in the House. I just want to provide clarity and the latest information to the honourable Member with regard to the point she has just raised concerning the steel bridge at GaMalekana, Fetakgomo-Tubatse Local Municipality in Sekhukhune. It is not absolutely correct that my predecessor in the Department of Education has been lying to communities in that part of the province. Planning, budgeting and processes are a matter of time and space.

They have been able to engage those communities at various times up until I got into office. Since I took over the Department of Public Works, working together with the Provincial Treasury, Hon Sekoati in particular, and mining companies as the leaders of the infrastructure cluster of Cabinet, we have had very successful, if not fruitful, discussions with mining companies in that part of the province for a joint effort and cooperation with regard to funding and access to resources for us to go there, and not necessarily to refurbish the current steel bridge, but in fact to construct a new modern bridge that will connect those communities from R555 to Steelpoort and back to Jane Furse.

I should be able to give feedback to this House this morning that last week Friday, I led a delegation of senior officials of the department as well as RAL, together with the Municipal Mayor of Tubatse, Cllr Mamekoa, the Executive Mayor of Sekhukhune, Cllr Ramaila. We met ten traditional authorities to give them feedback about our plans and commitments and about what we would be doing. We are at a point where we have secured enough resources from the private sector and the provincial government will be joining those efforts. We are at a point where there will be a memorandum of agreement signed between RAL as the implementing agency and the mining companies so that before the end of November all those legal processes get concluded. It is our firm view and commitment that by the end of this year, we should have put a public tender to look for a potential contractor with the capacity to work through those technical processes, who will then be appointed to go back to Steelpoort to construct a new modern bridge. Of course, we will leave the old one as part of our heritage and just refurbish it for the purposes of pedestrian use.

It is very important that I need to provide clarity that the ANC government is committed to providing the structure and also to easing mobility of our people both pedestrians as well as motorists.

That envisaged bridge is going to trigger serious economic development in that part of the province, given that the road from Phokwane right through Jane Furse, Ga-Malekana is one of your corridor developments given the potential growth point that has already emerged at GaMalekana, Magnet Heights towards Jane Furse as well as right at the core where the bridge is, where it connects with R555 towards Steelpoort. That development is going to unlock quite a lot of potential for the development of Sekhukhune as well as Tubatse Local Municipality.

I think that is what I can provide clarity on so that she can be able to follow us very closely. We are far ahead with our plan with regard to that particular project.

I thank you, Hon Speaker.

## **THE SPEAKER**

Thank you, honourable MEC, for clarity and response. MEC, Hon Lerule-Ramakhanya, you are recognised.

## **THE MEC FOR TRANSPORT AND COMMUNITY SAFETY**

Thank you, Hon Speaker. Let me also thank the honourable Member who raised the issue. We are indeed as the department aware and I am sure we are trying by all means to also update the community in terms of the fatalities that are there and we are hoping that we would be able to deal with that, but to just go straight to the point that we have increased visibility of our police on the roads. You will understand that what we can be able to do as a department is to make sure that we implement the law after finding the transgressors.

We have also increased in each district our awareness teams for road safety. They are busy. Like I have indicated, they are already out there because we are already preparing for the festive season but we have introduced the blowing device of checking the alcohol content in the body of every driver at every roadblock which we feel most

of them even if it's in the morning, they are a risk of high usage of alcohol and drugs that we are finding out there in our communities. So we note the concern and we will then also improve on what we have already put as measures. I thank you.

## **THE SPEAKER**

Thank you, honourable MEC. MEC, Hon Ramathuba, you are recognised.

## **THE MEC FOR HEALTH**

Thank you, Hon Speaker. I was a bit confused with the Members' Statement by the DA but I will try to answer. There has been lot of confusion, a lot of things that have been said which question different issues. If I make a mistake of not responding properly, I think I should be given that Members' Statement so that I can see its logic because things were jumping from what we call flight of ideas in the language of his mom.

The Member is asking if we are aware of the appointment of COO at the Knobel Hospital, whether they have qualifications or what were processes? What we are indicating is that we want to reassure this House that Mr Gift Mphahlele has got the background, he is a qualified health professional who worked at the provincial office as a coordinator for oral health and then moved to Pietersburg Hospital where he was also working there as an oral health practitioner. The post of Knobel Hospital has gone through advertisement, I know there were allegations that the post was not advertised, it was just filled. The post was advertised, and he went through the interviews. We can provide those processes that he has undergone, and he was then able to be appointed through that particular process of the HR recruitment and retention strategy as adopted by the department.

I do not agree with any other allegation; and I know that they have called the hospital because of the challenges that they were having when he is trying to enforce discipline. That is one of the hospitals where there is no discipline and order. When he started to implement discipline, there was a fallout with the unions and that is why they called the Public Protector. The HOD has already visited that hospital together with unions at the provincial level. We have got cases in which we are charging people and they are going through that process. We must expect that there will be such, if people leave patients and go on a toy-toy and we even register death on that day. We will not stop to act because our primary role is to preserve lives and make sure that we protect the lives of our ordinary citizens.

We are waiting for the Public Protector to conduct whatever investigations when they went to visit the hospital. We saw it in the media that they had visited the hospital where one of the complaints was that the staff was complaining that we have given them poor PPEs, like the sanitiser as it causes them to feel drowsy. We were saying to them "yes Public Protector, if you can smell or sniff a 70% alcohol sanitiser, you will definitely get drowsy and be dizzy". That is one of the things we must remember because if it is not 70% you will not be dizzy because it is not the correct sanitiser that is needed.

On the issue of the appointment of medical specialists, maybe let me just take a minute or two to explain the processes. Delegations from level 1 to level 12 are with the Head



of the Department (HOD), who also will delegate lower categories from level five downwards to hospital CEOs and districts. When you talk of a CEO of a hospital of level 12, that delegation is not with the MEC, therefore the HOD can do the appointments of course in consultation with the MEC. Now when you talk about CEOs that are level 13, that delegation lies with the executive authority, that is why you might find some letters are signed by the MEC and others are signed by the HOD. The same goes with the specialists, if you remember prior OSD (Occupation Specific Dispensation), we had a system wherein from a principal specialist which we now call head of clinical unit to a chief specialist which is now a head of clinical department, if you remember those areas those two were at the level of a director and a chief director. Therefore, which makes it the competency of the MEC to appoint. But when you look at other medical officers and other specialists which are at the production level which do not have managerial competency the delegation would have been with the HOD.

However, the implementation of the OSD which complicated everything and changed because people at times look at the salary of a medical officer which is grade three which could probably be more than the salary of a chief director and then expect it to be the competency of the MEC, it cannot be. Even with those, when we look at the joint appointment, especially when we look at the heads of the clinical departments, heads of clinical units, where both the university and the department must join together to appoint that particular person, the delegation remains with the MEC. But you will find certain specialists whose appointment is with the HOD because of the nature of the jobs that they are appointed to do. I hope I have tried to explain, otherwise I would request that Members' Statement, in terms of those delegations, there are appointment of doctors, specialists which are done by the MEC and there are those that are done by the HOD based on what level are they not in terms of your SMS handbook but in terms of our OSD.

## **THE SPEAKER**

Thank you, honourable MEC. Honourable Members, I have allowed all the Members and the MEC to respond without interrupting them. In terms of the Rule, when you make a statement as a Member, you must not exceed two minutes and as the MEC, when you respond you must not exceed two minutes. Is it clear honourable Members? Yes, thank you.

## **5. EXECUTIVE STATEMENTS**

Are there any Executive Statements? I recognise the MEC for Health, Hon Ramathuba.

## **THE MEC FOR HEALTH**

Thank you, Hon Speaker, honourable Members of the House.

### **OCTOBER IS BREAST CANCER AWARENESS MONTH (Executive Statement)**

October is Breast Cancer Awareness Month, the House will agree with me that no one amongst us can claim not to know someone, either a close family member, a relative, a friend a colleague or a neighbour who is suffering or did suffer from breast cancer.

We are all either literally affected or infected by this painful reality. It is during this month of October that the global community embarks on worldwide annual campaign involving thousands of organisations to highlight the importance and the support for breast cancer through awareness, screening and sharing of the latest develop on breast cancer research.

Globally, the World Health Organization reports that breast cancer is the most frequent cancer amongst women impacting 2,1 million women each year and causing the greatest number of cancer-related deaths amongst our women. It is estimated worldwide that just in 2018 year alone, we saw 627 000 deaths of women due to breast cancer. That is approximately 15% of all cancer deaths among women.

According to the 2016 National Cancer Registry, breast cancer is the most common cancer amongst South African women of all races with a lifetime risk of 1:25 in South Africa. While we proceed with the never-ending battle against breast cancer, we should also drum up more awareness and support to reduce the stigma of breast cancer through preventative measures such as education, screening and early diagnosis and the provision of breast cancer treatment. While breast cancer rates are higher among women in more developed regions, rates are also increasing in nearly every single region globally.

Although there is no sufficient knowledge on the causes of breast cancer, we rely heavily on early diagnosis strategy so as to provide timeous access to cancer treatment. This is possible through reducing barriers to care and improving access to effective diagnosis services. Up to now, the only breast cancer screening method that has proved to be effective in organised population-based programme is mammography screening. Mammography is a non-invasive procedure which is critical in early diagnosis, timeous treatment and favourable outcome leading to an increased survival rate and reducing mortality in patients with cancerous legions.

While we have made positive strides in the province by making sure that our two tertiary hospitals, Pietersburg and Mankweng, offer both screening and diagnostic mammography, our plan is to make sure in the near future, this service must be extended to all our regional hospitals in all our five districts in the province. The goal will be to increase the proportion of breast cancer identified at early stage allowing for more effective treatment to be used and reducing the risk of death from breast cancer in our province. To achieve this goal, we have also made positive progress regarding radiation and medical oncology services that are now available at both Pietersburg and Mankweng tertiary hospitals. This has resulted in the reduction of the waiting time for breast oncology outpatients' consultation from six weeks to just one week. The waiting time for operation has also declined drastically from what we used to have for two years to just less six weeks after the establishment of combined breast oncology clinic in Mankweng Hospital.

Most of our women were reluctant to undergo what we call mastectomies after being diagnosed with this deadly cancer due to our cultural beliefs and the thought of losing the dignity of being called a woman which is associated with having breasts. We have therefore applauded our young dynamic surgeons in our plastic and reconstructive surgery who have started what we call reconstructive breast surgery to improve the quality of life of our rural and poor women. These are women who will never afford a plastic surgery but today in Mankweng Hospital, when we do mastectomy, we will

always make sure that you also undergo, at the cost of the state, what we call reconstructive surgery. We reconstruct your breast.

Although we focus on early diagnosis and treatment, it is very much important that we encourage our men and women to know their breasts. Equally men and women should examine their breasts for the changes and the lumps. While not all breast lumps indicate cancer, all lumps should be investigated more especially when it is accompanied by other changes in the breasts or change in the under arm area such as the lump, texture changes, thickening, changes in shape and size of nipples or breast, tenderness or discharge, the rash or swelling or any other, to sum it up, abnormality that you will notice in your breast.

The best partner of the Department of Health in winning the battle against breast cancer, is the spouse. We are calling upon each intimate partner to say use the opportunity when you are together in your bedrooms to be able to assist in examining each other's breasts. When you see any abnormality, drag that wife or that girlfriend to the nearest health facility so that we can assist. That breast which is assisting, even if you are not with your legal spouse, is important because that breast is serving a good purpose in your life so take care of it so that it continues to satisfy you.

In our quest to defeat this monster we should not forget that prevention is better than cure. Research has found out that there are concerning risk factors that we should focus on, for instance, just to summarise them, on gender only less than one percent of men will suffer breast cancer but the majority is women. Females are at a higher risk. On age, once you reach the age of 35, in the past it used to be 50 years but today research is saying from the age 35 to 65, you have a six-fold chance of getting breast cancer. When you do have a family history, it can be a sister, mother or a grandmother, you should always check your breast. Radiation exposure, if you have been exposed to radiation therapy for any other cancer you always have a higher chance. Hormonal exposure, this refers to when you have your first child after the age of 35, you are also at risk. Those that are using oral contraceptives and those who are on hormonal replacement therapy.

We have also noticed that the young girl-child who starts seeing menstruation at less than 12 years because we know in the past we used to see our menstruation after the age of 14, but we have noted that happens to even an 8-year-old kids. That makes them to be exposed to the oestrogen hormone and risk them to develop this and the question is what causes that? It is the food that we are giving our children to eat, the obesity that we expose our children to and not them having physical activity and eating healthy food; we are exposing them to develop breast cancer when they get to 35. We are also saying to women who are refusing to breast feed when they give birth, they are also at risk. Breast milk is best for the child and it is also best for the mother to reduce the chances of getting breast cancer.

Our lifestyles, we can't repeat this enough, but let us all work on our BMI (Body Mass Index). Our body mass index cannot be more than 25. When we consume alcohol of more than ten grams per day, more especially those postmenopausal women, we are risking ourselves to develop breast cancer. It is important to live a healthy life. The types of treatment that we are having in our province and that which we are implementing is the surgery and the progress in surgery is that there is no district up to now that does not have a general surgeon. We used to run a department which did

not have surgeons today we are able to operate breasts in all our regional hospitals. On radiation therapy, we are also having all the equipment that are required even though it is still in Pietersburg and Mankweng and of course at times when one is broken you might have challenges. On chemotherapy, we are also providing hormonal therapy, we are also providing targeted therapy and bone directed therapy.

We must also register an achievement that for the first time in this province, we have made history that we produced our own in-house oncologist, Dr Dzivhani. We never had an oncologist that was produced in the province. We want to say this particular skill will go a long way in reducing deaths. As I conclude, let me also encourage women to go to the nearest health facility to be educated on how to do breast examination. It is very much simple, this is how you can be able to detect whatever as you palpate your breast you can feel if there is something abnormal and when you feel that there is something abnormal that is the first sign of saying you can save your life or you can allow it to continue and then we will diagnose it when it is too late.

We are also saying that breast cancer is a silent killer and yet it is preventable and treated when detected early. Some of the patients recorded as having died or succumbed to COVID-19, it is because they were diagnosed with breast cancer and unfortunately some of them were at stage four. They would have survived COVID-19 if they didn't have cancer. COVID-19 has just exposed us globally that we are not healthy at all, we are not taking care of our health, after all our health remains our responsibility. Let us remember to exercise 30 minutes daily, 5 days a week. Let's eat healthy like fruits and vegetables and healthy fats that we find in the nuts and in oats. Let us avoid alcohol and sugar; let us stop smoking. We are the first doctors to our bodies; let us not fail our bodies and avoid intervention by doctors.

Thank you very much. [APPLAUSE]

## **THE SPEAKER**

Thank you, honourable MEC. Is there any further Executive Statement? There is none. Can I check all the political parties if they want to respond to the MEC's statement? Hon Managa, you are recognised.

## **MS MANAGA**

Thank you, Hon Speaker. We really appreciate the health education that you have just given us this morning. However, as the Economic Freedom Fighters we are very concerned because those treatments that you were speaking about they are not accessible and they are not in our regional hospitals and our districts hospitals. Our poor masses out there have to travel long distances for them to get those treatments.

You will agree with me that those treatments have some side effects, and after the treatment the patients has to travel back home in those conditions. We would like to request MEC, maybe to look at decentralising the oncology departments to different regional hospitals. I thank you. [APPLAUSE]

## **THE SPEAKER**

Thank you, Hon Managa. I recognise the DA? Is there any comment from the DA?

**MR MAHARAJ**

Thank you, Hon Speaker. Thank you, honourable MEC. Indeed, it is a very important month for breast cancer awareness and likewise, we have a concern with the availability of resources for a lot of the patients in rural areas and access to medication in rural areas but we do welcome the initiatives and the awareness around the campaign and the DA will be supporting the spreading of the awareness on Breast Cancer Month. I thank you.

**THE SPEAKER**

Thank you, Hon Maharaj. I recognise the Hon Chief Whip.

**THE CHIEF WHIP**

Thank you, Hon Speaker and good morning to honourable Members. As the ANC we welcome the department's endeavours in raising awareness about breast cancer awareness during this month of October. We are also making a clarion call to the women of Limpopo to get tested as the MEC has just said that earlier detection of the condition makes it easier to deal with it hence the famous axiom that says, prevention is better than cure.

The ANC government has rolled out primary healthcare outlets from the strategic spots in the province and we call upon our residents to take full advantage of these facilities. They must conduct tests on cancer and other assortment of other conditions. This is in line with ANC's policy programme of providing a decent and inclusive healthcare to the majority of the people of this country.

We also support the MEC that all those who are still sexually active must do as she said. Unfortunately, some of us are no longer there MEC.

We welcome this great initiative and support it. Thank you, Hon Speaker.  
[LAUGHTER]

**THE SPEAKER**

Thank you, Hon Chief Whip, you for the comments.

**6. TABLING OF COMMITTEE REPORTS, OTHER REPORTS AND PAPERS**

Is there any tabling of reports, other reports and papers? There is none.

**7. ORDERS OF THE DAY**

7.1. Consideration and adoption of the 2018/19 reports of the Portfolio Committee on Education.

Committee chair, you are recognised.

**MS MATHYE**

Inkomu, Manana Xipikara. I, Mathye Susani Violet, rise to present the 2018/19 second quarter performance report on the Department of Education for the House to consider and adopt as a report of this House. I so move, Hon Speaker.

**THE SPEAKER**

Thank you, honourable chair. Is there any seconder? Hon Aphiri, you are recognised.

**MS APHIRI**

Thanks very much, Hon Speaker. I rise to second the motion as presented by Hon Mathye.

**THE SPEAKER**

Thank you very much. Committee chair, you are recognised.

**MS MATHYE**

I rise to present the 2018/19 third quarter report on the Department of Education for the House to consider and adopt as its report. I thank you, Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? Hon Phala, you are recognised.

**ADV PHALA**

I stand to second the report as tabled by the committee chairperson. Thanks very much.

**THE SPEAKER**

Thanks very much. Committee chair, you are recognised.

**MS MATHYE**

Thanks again. I rise again to present the 2018/19 fourth quarter report on the Department of Education for the House to consider and adopt as its report. I thank you, Hon Speaker.

**THE SPEAKER**

Thank you very much. Is there any seconder? Hon Mahasela, you are recognised.

**MS MAHASELA**

Thank you, Hon Speaker. I rise to second the motion as presented by Hon Mathye.

**THE SPEAKER**

Thank you very much. Over to you again committee chair.

**MS MATHYE**

Thank you, Hon Speaker. I, Mathye Susani Violet, rise to present the annual performance report of the Department of Education for the House to consider and adopt as a report of this House. Thank you, Hon Speaker.

**THE SPEAKER**

Thank you very much. Is there any seconder? Hon Phala, you are recognised.

**ADV PHALA**

I rise to second the report as tabled by the committee chairperson for education. Thanks very much, Hon Speaker.

**THE SPEAKER**

Thanks very much. We shall now refer to the Speakers' List. The first speaker on the list is Hon Aphiri.

**MS APHIRI**

Once more, Madam Speaker, thanks very much. Greetings to yourself and the Deputy Speaker, the Chief Whip, Members of the Executive Council, the chairpersons of the portfolio committees and the honourable Members.

Speaker, allow me to start my debate with the words of wisdom from Norbert Juma when he said, "Education is one of the most powerful things in life. It allows us to find the meaning behind everything and helps improve lives in a massive way." It is irrefutable that our children live in a society that is characterised by a rapid growth in development. This growth is fully led by an education system and this why Hon Speaker, it is important to address the many challenges that our educational system is faced with today, some of which I am going to mention.

The committee observed that in this quarter under review the department was faced with the challenge of appointing therapists in special schools. This implies that services that should be provided by psychologists, occupational therapists, speech therapists and others remain unattended to the detriment of our learners. This is a serious challenge as it means that our learners are continuously delayed in terms of their education progress.

Specialists were unwilling to apply to the Department of Education because they were not offering competitive rates. We understand that the department has since managed to attract some of the specialists by offering competitive rates. It is important to also ensure that the environment is conducive so that these specialists may stay.

The department should brief the House on progress so far. It is also advisable to centralise these services given the current shortages so that the schools across the

province are able to share these scarce resources. The other challenge that the department is facing is the delay in the infrastructure project at Rivoni School for the Blind and Asiphumelele. These are matters that both the Premier and the MEC have pronounced on in various budget speeches. We should be concerned that this thing has a serious problem in taking off the ground.

If we continue to talk without action, we will continue to lose the faith that the public has in us. We should also take care that we do not continue to put the lives of our learners at risk. We should keep in mind that these are learners with visual impairments, and they are currently housed in an environment that is not conducive to their needs. In future, it is rather advisable for the MEC and the Premier to avoid what seems like premature announcements until such time that they have their house truly in order. Before pronouncing on any commitment, it would be advisable for them to ensure that whatever project they wish to see, it is thoroughly planned at an administrative level. We should not find ourselves in situations whereby the political head is informed or the executive makes pronouncements while those who are to implement on the ground are simply not ready. This may not be a comfortable matter to raise but a very important one because whatever is pronounced in the Budget Speech becomes a policy commitment. It would be unbecoming if we get into the habit of pronouncing on matters but are found wanting with regards to implementation.

There is continuous poor audit outcomes. The department fails to receive an unqualified audit opinion. The MEC speaks again to the level of carelessness and recklessness in its management of the public purse. This department receives the lion's share of the Budget but fails to use public funds in a prudent manner. The department has the most disclaimers of any provincial department. In short, of all the provincial departments, this department is one of the most ill-managed. According to the AGs report, for the year under review, the department has received disclaimers in the following programmes: public ordinary schools, early childhood development, infrastructure development, examination and education-related services. This simply means funds related to these projects are not managed in accordance with the prescripts of the PFMA.

The House should note that the report that I am debating is for the previous financial year. There has been continuous noncompliance with laws and regulations in the following areas: expenditure management, consequence management, annual financial statements, procurement and contract management. The department reports that it has plans in place to turn the situation around. However, given the history of the department, this is not promising. There remains a challenge with regards to immovable tangible capital assets and assets and liability management. The Auditor-General has identified differences between the supporting documentation and what was recorded in the underlying accounting records of the department.

Immovable tangible capital assets as disclosed are continuously understated. There needs to be firm action by the department to ensure that a reliable and dependable asset register is in place and that all immovable capital assets should be guarded at all material times. Furthermore, appropriate steps ought to be taken against the accounting officer for failing to safeguard assets belonging to the department as prescribed by PFMA.



Irregular expenditure as well as fruitless and wasteful expenditure remain a continuous problem in the department. The MEC must take appropriate action against the officials for failing to comply with the provisions of the PFMA. The department does not seem to have adequate systems in place to identify and report on all fruitless and wasteful expenditures incurred, or if it does, the accounting officers allowed individuals within the department to continue unabated with this reckless behaviour. Despite providing a detailed report on the fruitless and wasteful expenditure involved, there seems to be a general lack of will to take appropriate action to recover the money from responsible officials. It is important that the Member of the Executive, as the political head, takes the necessary action to put an end to this situation. The MEC must remember that she is present to faithfully deliver on the mandate of the ANC on behalf of the citizens of Limpopo. Any failure in this regard seems as a failure in the ruling party and not of nefarious state officials.

On COVID-19 matters, this is a very important matter more so with regards to the services rendered during the epidemic. PPEs (Personal Protective Equipment), sanitisers, and water services were procured by the province in response to the scourge. We, however, must appreciate that so far, we have not heard cases of serious outbreaks in schools as it was anticipated. This talks to good management as well as proper cooperation between departments. We would like the department to brief the House on how it plans to manage the matters of COVID-19 in schools moving forward.

During our oversight visits as committee members, we were pleased to observe that a significant number of schools were complying, and many were COVID-19-ready. We would also like the MEC to brief the House on the Rand Water supply programme which was also initiated during the breakdown.

The MEC should also indicate the status of this programme so far as well as the cost to the department. I thank you so much, Madam Speaker. [APPLAUSE]

## **THE SPEAKER**

Thank you, Hon Aphiri. I call upon Hon Mphahlele.

## **MR SESHOKA**

Hon Speaker, I am not Hon Mphahlele. The EFF would like to make a submission to your office to say that, due to unforeseeable circumstances, Hon Mphahlele is unable to make it to the House today. We would like to submit the hard copy to your office for consideration without making a presentation in the House.

## **THE SPEAKER**

It is noted Hon Seshoka. Let's move to Hon Smalle.

## **MR SMALLE**

Thank you, Hon Speaker. The Department of Education in the 2018/19 financial year underperformed in using its resources. It had underspent in key programmes of the department that are vital in the development of our learners. The department only used

88,6% of its early childhood development budget, underspending it by R21,267 million. The department's underspending is due to the non-filling of the vacancies, late delivery of LTSM (Learning and Teaching Support Materials) and bursaries for our ECD (Early Childhood Development) practitioners registered at the North-West University which were not paid.

Only 94% of the infrastructure development budget was used, underspending it by R59,180 million. This situation is not acceptable and a province with severe infrastructure backlogs like ours, should not be underspending in such an important programme. The department continues to falter financially due to the weak internal controls as well as lack of accountability and transparency.

In the 2018/19 financial year, the department incurred irregular expenditure of R694 million, as well as fruitless and wasteful expenditure to the amount of R87,94 million. As a result of interest charged on overdue accounts, the Auditor-General also found that capital commitments amounting to R1,916 billion disclosed in note 26 to the financial statements was overstated by R408 million and accruals understated by the same amount.

This paints a very poor state of financial management within the department. What is even more concerning is that the A-G reports on a lack of consequence management in the department and no evidence of investigations being conducted into all allegations of financial misconduct committed by some of the officials as required by Treasury Regulation 4.1.1.

The fourth quarter report highlights a very worrying fact that speaks to the quality of education we are giving our children in this province. It states that there was 17% of the 60% of the targeted teachers showing some requisite competence of the required content knowledge of the subject they offer in specific grades. The rest did not have required content knowledge of the subjects they teach. This is an indication that teachers are either teaching subjects they do not specialise in or that they are not competent enough in the subject matter. Capacity-building and continuous assessment of teachers is a must for the department to ensure quality education. The reports of the department demonstrated poor progress with regards to Infrastructure Development Programme in all quarters of the 2018/19 financial year.

The report outlined a backlog on this programme with 12 public ordinary schools provided with water and instead of 33 and only 37 of the 59 public ordinary schools supplied with sanitation. Only 7 of the 21 additional special rooms built in public ordinary schools and there were 34 of the 43 schools where scheduled maintenance projects were completed. It is shocking why there was underspending on this programme when targets were not met in all of the areas of the programme.

In 2018/19, the number of learners in public ordinary schools benefiting from the no-fee schools policy decreased from R1,646 million to R1616 million but the total enrolment of learners in public schools dropped as compared to 2017. That represents a 30 000 student drop and is very worrying. It needs to be addressed. It is worth noting however that during the year, the department managed to train 1550 educators in literacy, language, content and methodology and 2100 educators in numeracy, mathematics and content methodology. Only 350 Funza Lushaka graduates were

placed in schools within six months upon completion of their studies or upon confirmation that their bursar has completed his studies.

In conclusion, the report shows that some independent schools did not meet the qualifying criteria or performed less than the provincial grade 12 examination performance and that they do not qualify to receive subsidy. The department only managed to register 69% of independent schools receiving subsidies. The department needs to ensure that the independent schools that are not registered and do not qualify for subsidy are closely monitored for compliance and there must be a strategy to ensure they all register and are supported to improve their grade 12 examination performance. I thank you.

## **THE SPEAKER**

Thank you, Hon Smalle. Let me recognise Hon Maritz. I can't see her. Yes I can't see Hon Maritz. Let us move to Hon Mathye.

## **MS MATHYE**

Muchaviseki Manana Xipikara, Xandla xa Xipikara, Ximokokulu xa Huvo yo Endla Milawu, Muchaviseki Mokgonyana, Muphurimiya wa hina na loko va nga ri kona, na Komitikulu ya vona, Swirho swa Huvo yo Endla Milawu swa Xifundzankulu xa Limpopo. Ndza mi losa! Ndzi tlhela ndzi khensa Manana Xipikara loko va ndzi nyikile nkarhi wo vulavula.

Education and health consume the greater percentage of the provincial allocation. This is because the ANC government prioritises education because it has shown that education has been proven time and again to be central in improving the overall living conditions of citizens. Education, indeed, is a precondition for development. It is important therefore madam MEC that this responsibility that has been given to you must be exercised with the due diligence that it warrants.

The greater part of the education Budget is spent on compensation of employees as the business of the Department of Education is to ensure that at the end of it we should emerge with a child who can read and write and thus contributes meaningfully to the society. For that, we need well-trained and adequately compensated professionals. Furthermore, our country has identified a gap with regards to skills, hence our focus is on getaway subjects, the maths and science. As such, the department should continue to support the Dinaledi and Dinaletsana programmes and update the House what the status is with regards to this programme.

On merging of schools, we commend the success of this programme, as we have been struggling as a province with nonviable schools that refuse merging. We commend the MEC on this effort and encourage her to forge through with this programme. This is an important programme because some of these schools that refuse to merge continue to register a percentage part of less than 50% despite having fewer students because of lack of teachers. Indications so far are that 32 schools have been merged. We, however, needed to remember that school buildings are assets as such, the department should have a clear plan with regards to these buildings which will now be lying vacant.

On public special schools, the programme has a budget of R569 million. We note with serious concern MEC, that the challenge remains in terms of providing specialists for special schools as it was said by Hon Aphiri. There seems to be a challenge with regards to recruiting necessary therapists for special schools as the department does not offer competitive salaries. Thus most professionals are attracted to the Departments of Health and Social Development. Most of these schools are functioning without the necessary support and it seems like the department does not seem to have a plan in place to deal effectively with this particular challenge since it does not have the financial muscle to attract these specialists.

With regards to public special schools, we would like to draw particular attention to Rethuseng Special School in the Blouberg area. We are certain that the MEC is familiar with this school for intellectually impaired children. The school has a serious challenge of infrastructure and the environment in that area is totally not stable for learners, just before lockdown the school was damaged by a storm and many children were forced to stop attending as the classrooms were not safe for the learners. We know that our hardworking MEC visited the school and it would be to the benefit of the House and society at large if the MEC could provide us with an update on the progress so far.

On the issue of infrastructure, maintenance of school infrastructure remains a challenge within the department. The department ought to present to us a progress report on the special schools mentioned by both the Premier and the MEC and as this seems to be programmes that are now rolling over from one year to the next. The MEC should be reminded that a Budget Speech is a policy document and as such, whatever is pronounced there must be fully implemented.

On poor audit outcomes, the department still struggles to receive a clean audit. This talks to matters of financial prudence in the department. The department has only received two qualified audits in the past financial years after a series of disclaimers spanning more than five years. The department seems to be a serial offender with regards to irregular and fruitless expenditure. This recklessness continues to paint the department as well as the provincial administration in a bad light. The continuous lack of firm and decisive action had allowed individuals to continue to be careless with the public purse.

In the 2018/19 financial year, the regular expenditure was noted at almost R700 million and R694,4 million. The department ought to clarify the House corrective action taken towards individuals who allowed this situation to happen, more so in the office of the chief financial officer. The MEC must take appropriate action against officials for failing to comply with the provisions of the PFMA.

We, therefore, recommend that any irregular expenditure must be cleared with the provincial and national Treasury. Fruitless expenditure amounting to R84 million due to late payments of accounts was also incurred by the end of the financial year. This is the money that the department does not have to spare, more so given the tough fiscal discipline the Minister of Finance has required of all of us. The MEC must provide a detailed report on the fruitless and wasteful expenditure involved and ensure that the HOD takes the appropriate action to recover the money from responsible officials.

In conclusion, education is a precondition for development. However, this will not be fully attained if the department is not managed well. It is not acceptable that a decade has passed, and the department still fails to receive an unqualified audit opinion. Sadly, for the reason that the department together with health consume a bigger portion of the provincial Budget and thirdly, it is entrusted with the future of our children, we have the right to demand better fiscal management because any rand and cent lost only delays the progress our children. Dysfunctional systems and corrupt individuals within the department must be dealt with without fear or favour. Where necessary, the MEC must call in the Special Investigating Unit to deal with those who continue to loot and plunder the state resources. There can be no progress if we do continue to fear those who steal the future of our country and our children. I thank you, Hon Speaker. [APPLAUSE]

### **THE SPEAKER**

Thank you Hon Mathye. We shall now call upon the MEC for Education to respond to the debate.

### **THE MEC FOR EDUCATION**

Thank you very much, Madam Speaker and thanks very much chairperson of the portfolio committee and Members that have debated on the report. Let me start with what Hon Aphiri has raised in terms of appointing therapists. It is a pity because we are talking about the last financial year but up to so far, Hon Aphiri be rest assured, we are on that matter. We have appointed learner support agents, 270 of them, we have also appointed 30 social workers. In terms of, speech therapists, occupational psychologists, clinical psychologists, we have appointed 30. Given the Budget, we would be able to increase. That is why I am saying the dilemma is we have to give to that.

The other challenge which Treasury is trying to assist us on is this issue you have raised about the salary levels. It is true, in Limpopo we are paying our social workers and experts less than what other provinces are paying, as a result, they leave the province and go to Gauteng and other provinces. We are trying to raise it and say as provinces we should be able to pay the same because we are the same government, but we are on top of it and Budget-permitting we would be able to increase them. It is not only experts in special schools, it is also in terms of support staff. In our previous audit which the committee has highlighted are saying we lack in terms of legal and contractual management and unfortunately due to COVID-19 and shortage of funds, the Treasury has refused us to advertise those posts. But the MEC for Treasury have assured us that he will support us. We need to have a bilateral so that we can be able to explain the situation.

In terms of the infrastructure of Rivoni, I must say we are disappointed by our implementing agents and I think I have said it in this House that they are disappointing us, and the worst thing is that the Department of Public Works is fading away IDT (Independent Development Trust) of which the IDT is the implementing agent in terms of Rivoni and Asiphumelele. It seems they will transfer the project back to us. We will see how best we accelerate them. Let me also give you information, that the reason why we are not succeeding with Rivoni, it is because IDT went there and promised them that we will build a R420 million school for 116 learners and there is no way as

government we can have that kind of money to build one school for that matter. Actually, I asked them if the school has escalators inside or something like that, because we have got a backlog in Limpopo and we can't afford to use that money. I think the reason they came to that figure is because you will remember they marched to our offices and even blocked the roads and declared what they called a 'shutdown'. It is because out of this R420 million, they were promised 30%, even when we explain to them that the government does not have money, they just want this because they want the 30%. We said in terms of Rivoni and also the land issue was a problem. Because apparently the land does not belong to the school as a department or government, we can't build a structure on a land that we do not own. But let me assure you, we have agreed that we are going to start with hostels and the process of Rivoni is at the bid adjudication committee.

It is not only Rivoni, it is all the special schools. Setotolwane have been relocated from where they were and now they are at Hwiti. I went there, and if you go there, you can see that it is a serious problem. Also, Rethuseng along the Matlala road where the school is in a shack. We are trying our best to deal with them. There is a vacant school as the honourable chairperson has said next to them, Noko Primary School, where we are trying to relocate them as a temporary measure but in terms of the long-term solution we think we need to build a provincial special school with all the facilities because they need special facilities and equipment and we can be able to accommodate them. We are not sure how far is the process of the IDT in dissolving it, but we will take it up from there.

In terms of the audit report, I, as the MEC, since appointed last year I think I have met with the Auditor-General's office five times because as we meet they are able to tell you where the problems are and what we need to do. I must say here that they have been very helpful to us. Chairperson, without blowing our horn, I think we have improved very much in the current audit. There are only two issues that the Auditor-General has raised, the first one is of course the section 100 funds, which we asked from time to time to say that the Auditor-General must be able to help us with them and they referred us to Treasury, and the Treasury will refer us to Auditor-General but ultimately we have agreed with the MEC for Provincial Treasury that we need to urgently meet because we need direction in terms of what do we do with this section 100 money because it has been rolled over to the department from 2011 and as you know some of the documents have disappeared. Some, like the tender boxes were bombed. We need finality on this issue of section 100 funds. If we remove that or resolve them I can tell you in the next financial year as the Department of Education we will receive a clean audit.

We have also strengthened our management as you know. We have appointed a new CFO who started on 1 June and is a woman for that matter and we have also appointed a Chief Director for Infrastructure. I can say with certainty that in terms of infrastructure we are moving. The pit toilets that we used to have will be a thing of the past because work is going on. We will continue to improve the audit outcome of the department and the Auditor-General is assisting us.

In terms of the Rand Water programme, I must say here that it is not the department's programme, but it is the national Department of Basic Education programme. Remember, even the pit toilets that we are talking about, Basic Education was supposed to have eradicated them long time ago, but they did not do it. At the moment

we are dealing with 515 schools that have pit toilets and the Presidency through the DBE are doing the 300. They were going to do the 215 later in years. We said as the Limpopo province we want to eradicate these toilets that is why you see us doing that. Even with water, it is not the Department of Education in Limpopo that is dealing with Rand Water, it is the national department, and it is not only in our province but also in other provinces. In terms of the fund and the money coming from there, I think the minister will be able to account for the money because it is in terms of their own Budget.

May be let me finish with the COVID-19 later when I come to it. In terms of the early childhood, Hon Smalle through you Madam Speaker, I think we have agree that we need to empower them. We are paying for their bursaries, but I have also insisted that the 44 who have qualified must be absorbed by the department. The challenge remains that we will be told by Treasury that our COE (Compensation of Employees) is overheating. On Friday, we had a bilateral where they told us they need to cut almost R4 billion from the province and R2 billion must come from the Department of Education. I can tell you now, if that money is taken from the Department of Education, we would be unable to pay salaries to teachers and we will go straight to section 100. But we are busy communicating with Treasury to assist us in that regard. With the internal controls I agree with you, but we have resuscitated meetings with our internal audit committee. The matters that they raise we attend to them very seriously. That is why you see in terms of the procurement of PPEs, sanitisers, masks, we never had challenges because we are busy dealing with it.

In terms of independent schools the policy is, if you are an independent school and perform below the provincial mark, you are not entitled to any subsidy. We monitor them from time to time including during the examination because most of the times the cheating that you find in the examinations are normally from private schools. Remember they attract learners based on the performance, so they are then tempted to temper with the examination. I think I have dealt with special schools.

In terms of the infrastructure, we have 123 storm-damaged schools in our province. Yesterday I was in Mogalakwena attending to Sephuthi School, that school Ma-Kgoši Tauyatswala was telling me that it is about 50 years and the infrastructure there has dilapidated. When we spoke to Department of Public Works, which is our implementing agent in terms of storm-damaged schools, they told us the 123 are at stage four and the next stage is the construction or renovations of the schools. We hope that because COVID-19 regulations have been relaxed we are on level one, Public Works will be able to accelerate the storm-damaged schools so that we can be able to help our people.

In terms of the maintenance of our schools, yesterday, I was also at Moyaneng School. It is a new school, but the tiles there and other things are not in good condition. I was saying to the principal, we might not come back here again to fix some of the things as leadership they must use norms and standards to repair broken windows, broken tiles and all other things. [INTERJECTION]

## **THE SPEAKER**

Hon MEC in conclusion.

## **THE MEC FOR EDUCATION**

In conclusion, okay I was not about time. I hope Madam Speaker we will be given time then to present the COVID-19 report as requested by Hon Aphiri. But safe to say as Limpopo province, we do not have cases of COVID-19 in our schools affecting both our learners and educators. It is because of the cooperation that we get from my colleague, the MEC for Health who with her officials are with us in terms of the standard operating procedures and making sure that we conquer. I am sure you have heard in Eastern Cape that in one school, about 102 learners were infected with COVID-19 but in our schools, we do not have those. Actually, our schools are the safest and we will take this opportunity to thank the MEC for Health for assisting us in this regard.

We have brought all the grades back to school from grade R to grade 12, including the special schools, and learners are preparing for their examinations which will start on 5 November.

In conclusion, Limpopo will not be the same. We are a government at work. Thank you very much. [APPLAUSE]

## **THE SPEAKER**

Thank you very much. Let's move to Item 7.2: Consideration and adoption of the 2019/20 report of the Portfolio Committee on Education. I call upon the chairperson of the committee.

## **MS MATHYE**

Thank you, Hon Speaker. I, Mathye Susani Violet, rise to present the 2019/20 first quarter performance report on the Department of Education for the House to consider and adopt as its report. I thank you, Hon Speaker.

## **THE SPEAKER**

Thank you very much. Is there any seconder? I recognise Hon Mahasela.

## **MS MAHASELA**

Thank you, Hon Speaker. I rise to second the motion presented by Hon Mathye.

## **THE SPEAKER**

Thank you very much. I call upon the committee chair.

## **MS MATHYE**

Thank you, Hon Speaker. I rise again to present the 2019/20 second quarter performance report on the Department of Education for the House to consider and adopt as a report of this House. I thank you, Hon Speaker.

## **THE SPEAKER**



Thank you very much. Is there any seconder? I recognise Hon Mochadi.

**MS MOCHADI**

Thank you, Hon Speaker. I rise to second the motion as presented by the chairperson of the Portfolio Committee of Education, Hon Mathye, I thank you.

**THE SPEAKER**

Thank you very much. I call upon the committee chair.

**MS MATHYE**

Thank you, Hon Speaker. I rise to present the 2019/20 third quarter performance report on the Department of Education for the House to consider and adopt. I thank you, Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? I recognise Hon Mdaka.

**MR MDAKA**

Vito ra mina hi mina Falaza Mdaka ndzi yimele ku seketela leswi boxiweke hi Manana Violet Mathye handle ka ku tipfinyinga. Inkomu.

**THE SPEAKER**

Thank you very much. Over to you honourable chair. [SILENCE]

**MS MATHYE**

Thank you, Hon Speaker. I rise to present the 2019/20 fourth quarter performance report on the Department of Education for the House to consider and adopt. I thank you, Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? I recognise Hon Radzilani.

**MS RADZILANI**

Thank you, Hon Speaker. I rise to second the motion as put forward by the honourable chairperson of the portfolio committee, Hon Violet Mathye. Thanks!

**THE SPEAKER**

Thank you very much, Hon Radzilani. Our first speaker on the list to debate is Hon Falaza Mdaka.

**MR MDAKA**

Thank you very much, Hon Speaker, Hon Premier in absentia, Members of the Executive Council present, our honourable Chief Whip. Honourable Members allow me to greet you all this morning, Avuxeni!

It is a great honour for me to stand before you on behalf of the ANC to participate on this debate on the performance of the Department of Education in the province for the quarters of 2019/20 financial year. Allow me to borrow from the great words of the great statesman of our country, the late honourable former President Mandela when he said, “education is the most powerful weapon that you can use to change the world.”

What does this mean to us? Indeed, education is the most powerful weapon that our learners in our schools can use to change themselves for the better. It is through education that a son of a domestic worker can become a president of a country, and a young woman in the name of Asnath Mahapa from our own province can become a world-known female pilot.

Education is critical to allow our people to free themselves from poverty, hunger and suffering. An educated nation is a healthy nation. The Freedom Charter of 1955 states that the doors of learning and culture shall be opened. Indeed, the doors of learning and culture have opened. This historical document of note puts in the centre, the importance of young people to be taught to love their people, to love their culture, liberty and peace.

It is against this background that the department in our province developed its Annual Performance Plan which by the way is a law for 2019/20 to deliver the quality of education efficiently and effectively. Maximum monitoring and accountability was cited as key in achieving these objectives. Therefore, pronouncements by the MECs should be implemented without failure by those that are charged to implement whatever that is actually put in the APPs.

However, it was noted that only 20 and 25% was spent in the first quarter of the financial year and only about 48% or 40 to 50% is spent on the second quarter just like that 75% in the third quarter and 100% happens in the final quarter. This has just become a culture. I am not going to dwell too much on the financials because other Members have debated in our first debate for 2018/19 financial year.

Allow me to try and focus more on the COVID-19 interventions. I would like to focus my debate on COVID-19 interventions because 2019/20 actually closed at the time when we were actually on lockdown. This is because other matters of course have been and will still be robustly addressed by other MPLs in this particular Legislature. Moreover, I want to also avoid the swan song of issues that are raised year-in year-out, particularly on issues of financial matters in terms of how we should deal with that as always debated in this House.

The COVID-19 epidemic has led back the challenges faced by Limpopo as a province. I knew that I will actually experience this, and I think it is because there is no support from the House. I have been on the laptop since I arrived this morning. Anyhow, I managed to then make sure that there would be another way of reading my speech. Now it will be more difficult because I am reading from a phone.

The opening of schools in Limpopo for senior grades and higher primary and high schools level was warranted by an attempt to save the academic year. The committee of education in the province resolved that Members therefore visit schools within their constituencies to check readiness and compliance with COVID-19 regulations. The ANC, as the ruling party, has indicated the political will to deal with the COVID-19 epidemic as actually indicated by the World Health Organisation (WHO). South Africa was cited as exemplary in its conduct with regards to dealing with this pandemic. It was generally pronounced by the WHO as we are all aware, that the early lockdown has allowed the country to buy time with regards to the eventual management of the virus as well as decreasing in its spread.

The increasing numbers in India and United States as well as increased infections under level one in South Africa indicate that we are not out of the woods as yet. Development across the world serves as a reminder that a second surge of the virus remains a reality. Why am I saying this now? Of course, the MEC will respond and already she has responded to some of the issues. But as we move around in our schools, we can see that our young people, particularly even in primary schools, are not taking the issue of wearing masks very seriously.

Scholar transport, when they pick up our children, sometimes even drivers are not having their masks on. When children are getting into the buses even when we have tried to make sure that they alternate, sometimes there is some abuse in terms of how that is dealt with. You find that some of our buses are overcrowded. It is important therefore for us to make sure we come up with the solution in that regard.

Another very disturbing element of course is the issue of absenteeism of teachers which has been recorded between three and four percent as compared to one percent by learners that has just become a norm throughout the year under review. Of course, now that there is lockdown the situation might even be worse. This means that learners could not be taught other subjects for some days when some teachers were absent. Without any ambiguity, this contributes to the high failure rate in our schools and increase the burden of progression of learners. Progression has become very much fashionable, and it is not a very good to actually happen to you as a learner. It is not good for anyone that has a child for it to happen to their child that they be progressed to the next step.

Some learners actually repeat grade 10 for several years in a way, of course, progression has to happen so that they actually move to the next step, and what will happen to them when they come to grade 12? By the time they are in grade 12, they have actually acquired nothing. There is a need for us we find a way of avoiding that and not necessarily changing the policy because the policy is actually doing some good in making sure that we do not actually disadvantage our learners for them to remain in school for very long years without actually progressing to the next grade. We must find a way of making sure that there is serious teaching in our classes and learners are there to learn so that we can avoid celebrating being number three from the back and maybe we should then celebrate being number one or number two from the front. So that we do not celebrate mediocrity as sometimes it happens. When grade 12 results are read, you can't expect us sometimes being in the best three, it used to happen many times long ago, but nowadays we are always at the lower levels. There is a need for us, honourable MEC, to change that because Limpopo used to be the

best. Other provinces used to come to our region to get the education that is needed for our kids.

We are now in 2020, and just a decade away from our Vision 2030 as stipulated in the NDP. Are we focused enough to realise those objectives? Amongst other things mentioned in the Planning Commission's diagnostic report is the poor education and lack of education facilities in our black communities. Of course, ourselves honourable MEC, our motto is to provide excellence in provisioning of innovative, quality basic education.

We, therefore call upon the department that it is also expected to deliver in line with the NDP (National Development Plan) to accelerate the delivery of school infrastructure in our province. The ANC-led government is very much serious about the issue of education as indicated by other Members. Opposition or no opposition, we need to work together on the issue of education to make sure that we move forward, side by side to free our people from poverty, inequality and unemployment. This is possible if we combine our effort instead of finger pointing and passing the blame or the buck thinking that things will change.

It is through education that the scourge of gender-based violence and other serious crimes that are taking place in our community can be eliminated. It is not the noise and bickering that will bring a better life in South Africa but hard work, under the guidance of the ANC. Our students in our schools, our learners, parents at home must convert their rooms into classrooms and teach their children during weekends. We should focus on assisting our children to learn the so-called difficult subjects such as mathematics and science, that are so easy with practice daily. We need engineers in our country. We need doctors. We need geologists. We need chartered accountants. We have enough pastors of course, but we lack boilermakers, mechanics and artisans, so that unemployment can be defeated.

We need young people who can go to school to learn how to create jobs so that they become job creators instead of job seekers. That is the direction we should take if we are to succeed in our Vision 2030 mission. COVID-19 has given us extra time with our families, let us teach our children. We must teach our children to be honest, accountable and be disciplined. We should not only educate our kids but also improve ourselves so that each one teaches one for us to become a society that is full of capabilities. I thank you, Hon Speaker.

## **THE SPEAKER**

Thank you, Hon Mdaka. Hon Mphahlele did not make it. Let me call upon Hon Smalle.

## **MR SMALLE**

Thank you, Hon Speaker. With reference to the 2019/20 all quarterly reports by the Department of Education, the teacher and learner absenteeism rates were of considerable concern and remained problematic during the 2019/20 financial year. In the first quarter there was a 0,5% learner absenteeism rate while teacher absenteeism was at 3%, against the 2,5% targeted rate. In the second quarter there was a 2% learner absenteeism rate and a 4% teacher absenteeism against the 2,5% target. The third and fourth quarters the learner absenteeism rate was 1,21% and the teacher

absenteeism rate was 3% of the targeted zero percent. This equates to nearly 10 000 learners that dropped out during these four quarters.

This is very concerning and it needs to be addressed with a solid strategy because it highlights many learners missing a significant number of school days but the larger teacher absenteeism rate indicates days where learners found themselves without teachers for certain subjects that can only ever negatively impact learning. The department also had critical vacancies and they failed to recruit much-needed therapists, specialised staff in the first quarter for special schools.

In all four quarters, the department was requested to brief the committee on progress made regarding the relocation of ECD centres from the Department of Social Development to the Department of Education. The progress in this regard still remains unclear and until this is resolved there will be opportunities for matters to fall through the cracks.

The need to monitor and ensure compliance of independent schools remains crucial to maintaining the integrity and quality standard of our education system. We cannot have unregistered, bogus and underperforming schools taking in learners and leaving them stranded. In the fourth quarter, the department planned to subsidise 111 schools of which amounts 70% independent schools in the province of which seven of the secondary schools did not meet the requirements and thus could not be subsidised. The department has indicated plans to intensify monitoring in order to assist these schools.

The Infrastructure Development Programme underspent its allocation and this is simply unacceptable because the province has over a R2 billion infrastructure maintenance backlog. The programme is vital because it provides infrastructural support to public ordinary schools, public special schools and ECD development. It is disappointing that the department only spent 67% of its allocated budget of R949, 975 million. The department's excuse for the R313 million underspent due to supply chain management delays is simply not good enough anymore and brings into question why there is no consequence management for the responsible officials.

The MEC, Hon Boshielo, also promised the eradication of pit toilets during her Budget Speech and yet the province is currently no-where-near reaching that target. The failure by the MEC and the department to provide sufficient water and eradication of pit toilets has been further exposed by the threat of COVID-19 pandemic that requires much better hygienic standards. It is clear that the department needs better internal controls and consequence management to officials and hold them accountable when resources are misused or when targets are not met. There is a serious need to revisit plans that tackle learner-teacher absenteeism rates.

The Infrastructure Development Programme must respond quicker to infrastructural challenges which threaten the performance and the safety of our learners in this province. I thank you, Hon Speaker.

#### **THE SPEAKER.**

Thank you, Hon Smalle. Again, Hon Maritz did not make it. Let us call upon Hon Violet Mathye, the chair.

## MS MATHYE

Thanks, Hon Speaker. The matters raised with regards to education are similar to the ones raised in the last debate. We would like to debate in such a manner that we are able to put certain matters to rest. That said, we continue to talk about the same issue year after year turns to suggest that there is a constant failure in the department to adequately address these matters. The question then MEC becomes, what should we do if we are to move effectively and efficiently as the provincial government?

The role of the Legislature is to play oversight over the department. The fact that we continue to talk about the same thing year-in year-out suggests that we are not moving forward, or we are not being heard. MEC, there are matters that continue year after year as if it is business as usual and there is no attempt by senior officials in the department to correct this situation. If you let this state of affairs to continue, your good work as the MEC for Education will soon be surpassed by these issues. Amongst the matters at hand are the following pressing concerns, the issue of special schools. We are happy and acknowledge the report that we have just received from our MEC. This will help us as a committee to conduct a proper oversight over the department. Why is this MEC? The reason we emphasise this is because we would still like to be seen as a government that works in both the spirit of Thuma Mina and Khawuleza. We cannot afford to delay programmes while our children continue to be disadvantaged. On the same issue, we appreciate the progress report with regards to the recruitment of therapists as this has been a long-standing matter.

On infrastructure, the department had advertised bids for various construction projects prior the COVID-19 epidemic. We would like the MEC to update the House on these programmes. We understand that some of these are short-term projects that should be completed within four months, if the MEC could brief the House on these projects and how far the department is in implementing them? With the rainy season upon us, we should not be found wanting in terms of infrastructure funded projects for the year under review. The department ought to manage with care to ensure that funds for incomplete projects are ring-fenced so that these projects maybe completed once the situation has normalised. This is very important because year after year the department continues to account to Scopa due to its failure to manage public funds. We would not want to see this situation to continue unabated MEC.

On COVID-19 matters, the safety of our learners remains our priority. With the country having moved to level one, we see a spike yet in infections. When listening to the MEC for Health, she was talking about the second surge that is coming. We would like an indication from the department as to what is the plan moving forward to avoid an anticipated increase in infection rates. Indications globally are that infections continue to rise, and we should have plans moving forward. Countries such as India, for example, are reporting an infection of up to seven million people while Limpopo remains with a low infection rate. We need to continue being careful more so in our schools. We need that as a significant number of students in Limpopo live in multiple-generational households. Therefore, the risk of the young spreading the infection to the elder relatives remains a serious concern.

We would also want the MEC to assure this House that the PPEs distributed in the Department of Education were all above board and that the MEC should clarify this

House on the breakdown of how the PPEs were distributed across regions. We are also aware that there were contracts with Rand Water to provide water to various schools across the province, if the MEC can also clarify this House on the progress with regards to this project as well as where the budget stands thus far. This is important MEC, because we have to be open to the people of Limpopo and indicate to them that we are spending their money prudently.

On exam readiness, we would also like the MEC to brief us on examination readiness. We are anxious as citizens of Limpopo because we know the havoc that COVID-19 epidemic caused for the academic year. How ready are our pupils to face the matric exams? How prepared is the department to deliver? We know that last year's exams proceeded smoothly, and we didn't have the challenge of exam paper leaks. We hope that this remains the case this year as well and we know you can do it honourable MEC.

In conclusion, let me on behalf of the committee call upon the people of Limpopo, especially parents, to give unwavering support to their children during these tough times of writing their final exams while wishing them good luck as the committee and we are also saying to our learners; hard work, hard work, hard work pays. I thank you, Hon Speaker.

#### **THE SPEAKER**

Thank you, honourable chair. I call upon the honourable MEC.

#### **THE MEC FOR EDUCATION**

Thank you, Madam Speaker. I am not sure whether I should repeat some of the things that I have said but I think the House has recorded them.

#### **THE SPEAKER**

You must not.

#### **THE MEC FOR EDUCATION**

Thank you. I should not? I was scared. Hon Mdaka, it is the programme of the Department of Education in Limpopo to decolonise the education system and we are busy with it as you have indicated. We are saying in Limpopo, we need to train our learners such that we prepare them for the world of work. It is just that in some instances we will be constrained by the Budget but we will not make excuses about it. We have identified the 16 Dinaledi schools that we said we are going to resuscitate and make sure that they function and we go back to the glory of the province being the one that is providing South Africa with good quality results in terms of physical science, maths and technology. We are also resuscitating eight agricultural high schools so that our learners should know that cabbage comes from the land and not from Pick n Pay. So we are preparing them so that as we go on, we do not have a problem of food security, they would be able to do that. As we were discussing with the MEC for Health, if we are able to get this right, they would be able to provide food to our learners and hospitals. We would not have to go to tenders for feeding schemes in order to feed them, these learners will assist in achieving those objectives.

We have also identified 26 technical schools in our province, we are busy equipping them with relevant equipment and also training our teachers so that we are able to train our learners in terms of what is happening in the economy. We are in discussion with the mining industry that we need a mining high school in our province. At the moment, we are targeting three schools, one in Sekhukhune, one in Mogalakwena, and one in Phalaborwa. We are saying to the industry, we will bring you the facilities, you bring the machines and operation managers to come and train our teachers so that as the learners finish, they must just directly go to work.

There is one school in Mogalakwena, Phaladingoe where we launched it last year with the CEO of Anglo American. The learners there are doing heavy electrical courses. They are taught by the mines around Mogalakwena and the principal was telling me that during the weekends, those learners make a lot of money because they fix kettles, stoves and all the electrical appliances. That is the education that we really want to go to and that is why I am saying that Limpopo will be never be same, we are going to go on and pursue that.

In terms of the COVID-19, I don't know, I will just touch it briefly because it is a lot that we have done, and I think I will be answering some of the questions that Hon Smalle was asking. In terms learner attendance, we have records as from the week that all the grades returned on 24 October on what percentages of learners were at school and not. Like on 2 October 2020, 88,9% of primary school learners were at school. In terms of secondary schools, 89% were at school. We have for every week and I don't think I would go one by one into them. Comparatively, learner attendance has slightly declined in primary schools more than in district schools. Learner attendance has declined in secondary schools, except in grade 9. Part of the reason is that grade 12s are writing preparatory examinations such that they are not forced to be at school. You know that when we write examinations you do not have to be at school, maybe Hon Smalle they were doing that.

We went on to dissect this absenteeism in terms of attendance between girls and boys. We have noticed that there are no glaring anomalies. There are learners who have not gone back to school and who have not applied for home schooling. Others have applied for home schooling due to comorbidities, but other parents just decided that they are not going to bring them because they are afraid of "coyona". We are trying to persuade the parents to bring them back to school. We are also engaging school management teams to say that learners are better off at a school rather than at home. We are on top of it trying to make sure that we account for our learners.

In terms of the support for grade 12s, in preparing them for matric, as I said I am just touching here and there so that I do not take your time. We have weekend classes where we are teaching eleven gateway subjects for grade 12 full-time and part-time. We also have spring classes and we are also teaching eleven gateway subjects. Radio lessons through SABC and Capricorn FM, TV broadcasts, Limpopo TV have also come on board and also online services like your HeyMath where we are busy trying to assist our learners. We also have online links and our teachers have come on board.

Yesterday at Mogalakwena, teachers were telling me, "we are bringing 100% because we teach our learners even on weekends (Saturday and Sunday) without demanding extra pay", which is very humbling and I think we really need to appreciate that and



you will remember that this is Teachers Month. We also submitted to Treasury that we do not have money for some of the enrichment classes that we want to do and the camps. I must say that in terms of taking our learners to the camps because health and safety issues will always be on our minds, we are in discussion with the Department of Health to give us a go ahead to say we can go on with the issue of camps so that we keep our learners at all times. We have submitted a budget to PCC (Provincial Command Council) two weeks ago where we need R54 744 914 to be able to continue with the extra classes for the learners and I hope the portfolio committee will come on board and support us in this regard.

In terms of the preparation for the exams, we are ready. Our full-time candidates are 12 012, including the ones who were supposed to write in June, is about 140 000. The challenge would remain adhering to COVID-19 issues, like your social distancing. Where the class used to have 45 learners, we are now forced to have 20. We will need more classes, also it says to us we will need more invigilators and more markers. We are busy with the plans to do that. We are busy counting down to matric exams. We are going to sign pledges with learners that they will not cheat in the examination and I think the honourable House will be invited so that our learners can see that they get support from the House. We are almost done with our preliminary examinations and from that we will be able to get information where our learners are struggling and concentrate on it so that they are able to go on. But I must say that our learners are ready. Yesterday as I was addressing the matric learners, they were telling me that MEC 100% here we come, corona or corona we are coming. They are very much positive, and they really want to go on.

In terms of other grades, the Department of Basic Education has devised means to say how we are going to make sure that they are assessed to go into the next grade. We will be guided by that. In terms of absenteeism, we must also note that the absenteeism from the House. Some of the Members since we resumed coming to the Legislature have never set their foot here. I think we need to start with us and not only the learners.

The most worrying factor, which I think we will discuss with the committee, is this issue of saying that Limpopo is number last in terms of the results, and you know that Limpopo in terms of the number of learners that are writing examinations is high. It is just that you compare it with Free State, with 30 000 learners when you are representing almost 157 000 learners. The second one, for sure you saw it in the papers, there are provinces and in particular Eastern Cape, Free State and Northern Cape where they hire private consultants to microwave the learners. In Eastern Cape I think they were paying R300 million. They teach learners question papers and how to answer them and not even the content and that is why we will never have quality there. We have raised the matter with the minister to say as Hon Mdaka has said, we need to concentrate and we said in Limpopo, we will concentrate on the Foundation Phase to make sure that our learners are able read and write with understanding and we are not going to be deterred because people will say we are number nine. We might be number nine but in terms of quality and not cheating, I think we are number one in the country.

The last one chairperson, is that in terms of infrastructure, as I have said we have appointed the chief director for infrastructure, but our EXCO has come on board to assist us. They have allowed us to appoint what we call the project management unit

and also the panel of contractors. As I have said in this House, when I gave my Budget Speech, I said the problems that are in the infrastructure and what we are going to do. There is movement now in terms of building the toilets and it is because of the unit trying its best to deal with the infrastructure. We will not be rushed into doing something that is not correct. We will follow all the rules and regulations in terms of our laws so that we do the infrastructure.

On the issue of PPEs chairperson, I think the Premier has announced that he has taken the issue of PPEs in the Department of Education, Health and CoGHSTA to the SIU (Special Investigating Unit). We are still waiting for the report from the SIU and as soon as we get it and the recommendations, we will take action. We do not want to seat here and start suspecting people without any information or evidence and next time we will be in court being sued. Let's be patient colleagues. Let us wait for the SIU to do the final report and then we will definitely table it in this House but also, we will also bring the committee on board. Chair, we are busy as the department and I said we are busy as Limpopo government at work.

I want to thank all my colleagues, including the MEC for Health, in ensuring that our learners are safe. I can safely say the MEC for Health will back me up, our schools are the safest in terms of COVID-19. I go to schools every day, learners there wash their hands, they wear masks and they sanitise, and they are social distancing. Unlike people in malls or at home, they do not adhere to that. I said to the MEC, three weeks ago, I deliberately went to get tested for COVID-19 and it was negative. Besides me attending to all the schools in all the districts, it shows that what we are doing in terms of COVID-19, especially in our schools we are doing very well. We will continue to ask our colleagues here to assist us to be able to deal with this issue. Together we can do more. Let me thank you, Madam Speaker.

#### **THE SPEAKER**

Thank you, honourable MEC. Maybe before we can proceed, I would like to propose this to the honourable Members, particularly the honourable MEC of Health and Deputy Speaker; because according to the Order Paper, you are supposed to respond twice to each and every report in terms of the financial years, so I would like to propose that what if you respond once after all the debates? Is it taken? Thank you very much.

#### **THE CHIEF WHIP**

Thank you, Hon Speaker. I am standing to agree with your proposal but also proposing that we do the same with the speakers that will be presenting because I have realised that you have the same speakers who are speaking twice on these issues. Thank you, Hon Speaker.

#### **THE SPEAKER**

Can you please repeat, Hon Chief Whip?

#### **THE CHIEF WHIP**

Thank you, Hon Speaker. In agreeing with your proposal, we would like to further propose that even the speakers who are supposed to speak on the two reports, they

speak once in the two reports because they are repeating themselves on a number of issues. Thank you, Hon Speaker.

**THE SPEAKER**

Okay. Thank you. It is like they do not agree with the last proposal. Hon Deputy Speaker, you are recognised.

**THE DEPUTY SPEAKER**

Hon Speaker, let us go with your proposal. The reports are different, let us go with your proposal and the MEC and the Deputy Speaker respond later, and the debate continues.

**THE SPEAKER**

7.3. Consideration and adoption of the 2018/19 reports of the Portfolio Committee on Health

Let me call upon the committee chair, Hon Seono.

**MS SEONO**

Thank you, Hon Speaker. Let me rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the 2018/19 first quarter report to the House to consider and adopt. Thank you.

**THE SPEAKER**

Thank you, Hon Seono. Is there any seconder? Hon Mathye, you are recognised.

**MS MATHYE**

Thank you, Hon Speaker. I rise to second the report as presented by Hon Seono. I thank you.

**THE SPEAKER**

Thank you. Hon Seono on behalf of the chair.

**MS SEONO**

Thank you, Hon Speaker. I again rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the 2018/19 second quarter report to the House to consider and adopt. Thank you.

**THE SPEAKER**

Thank you, Hon Seono. Is there any seconder? Hon Monyamane, you are recognised.

**MS MONYAMANE**

Thank you, Hon Speaker. I rise to second the move by Hon Seono.

**THE SPEAKER**

Thank you very much. Committee chair, over to you.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the 2018/19 third quarter report of the Department of Health to the House to consider and adopt.

**THE SPEAKER**

Is there any seconder? Hon Mdaka, you are recognised.

**MR MDAKA**

Thank you, Hon Speaker. It is my pleasure to rise to second the motion as raised by Hon Seono.

**THE SPEAKER**

Hon Seono, you are recognised.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the fourth quarter report of the Department of Health to the House to consider and adopt. Thank you.

**THE SPEAKER**

Is there any seconder? Hon Mathye, you are recognised.

**MS MATHYE**

Thanks, Hon Speaker. I rise to second the move as made by Hon Seono. Thank you.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the annual report of the Department of Health to the House to consider and adopt. Thank you.

**THE SPEAKER**

Is there any seconder? Hon Monyamane, you are recognised.

**MS MONYAMANE**

Thank you, Hon Speaker. I rise to second Hon Seono.

## **THE SPEAKER**

Thank you very much. We shall now move to the Speakers' List. I call upon Hon Seono.

## **MS SEONO**

Thank you, Hon Speaker. Hon Speaker, let me greet you and also the Deputy Speaker, the honourable MECs present here today, the honourable Chief Whip of the ruling party, and also extend my greetings to the honourable Members of this provincial Legislature.

On audit outcomes, the committee was concerned that the Auditor-General still raised a concern that the strategy of the department on resolving the asset management did not work. The department through its briefing informed the committee that verification of assets has been done and it is a continuous process which commenced on 01 November 2019. About 271 471 assets as quantified were successfully verified. The committee will monitor the implementation process based on the report by the department. Sections 38 to 40 of the Public Finance Management Act of 1999 enforce compliance by the accounting officer to implement internal controls and assets. For the audit opinion to regress to a qualified opinion in 2018/19 because of the internal controls and assets is a punishable offense. The executive authority must institute consequence management regarding that.

On filling of vacant post in hospitals, most personnel who worked at senior management positions in hospitals retired and some resigned. There are many vacant positions in hospitals and clinics. In most of those positions, the department appointed acting personnel and they are not paid acting allowances for those positions. The department must rectify this and ensure that those that are appointed to act on vacant positions are remunerated accordingly. These appointments should go with delegation of responsibilities and accountability by acting personnel. The committee is concerned that most hospitals do not have porters, groundsmen and ward attendants. This is viewed in serious light as it makes our hospitals to look untidy and not give hope to patients that they will heal and go back to their homes healthier. The department should account on the nonappointment in these posts and most of them are funded.

On infrastructure at hospitals and clinics. Most of the hospitals and clinics have dilapidated and there is a need to either refurbish or destroy them and build new infrastructure. The committee would like to indicate that, there is not enough space for personnel to sit during breaks or resting. Some of the hospitals' walking distance from the reception to theatre is too long, which makes the survival of patients to be unsafe, also the passage they walk from reception to theatre is not smooth for the trolleys wheels to move with ease. When it rains it gives theatre personnel a serious challenge to move patients from reception to theatre. Hospitals in question are WF Knobel, Siloam, Helen Franz, and the clinic with dilapidated infrastructure are Indermark Clinic, just to mention. The department must attend to this situation in hospitals and clinics.

On COVID-19, the committee applauds the work done by the department during the lockdown from level five to level one. There are reports being received about the statistics for those who tested positive, those who are recovering, and number of deaths were encouraging. We also would like to thank the health practitioners who were on the frontline to face the scourge of COVID-19 which no one had experience of it. However, it was reported that 47 medical doctors tested positive for COVID-19 which is a serious cause for concern. It poses a serious challenge to a province like Limpopo if its medical doctors are to be hit by this virus while there is a shortage of medical doctors. It is important for the department to increase the number of health practitioners in hospitals and clinics. It was also reported that 302 nurses tested positive. The department is faced with a serious challenge absorbing its trained nurses from its colleges, now the scourge of coronavirus has exposed the weaknesses of our department in terms of shortage of nurses, who in some clinics and hospitals have to rotate in terms of caring for those who tested positive and are in isolation.

The committee is also disturbed by allegations of corruption related to PPEs in the Department of Health. We must implement the resolutions of the ANC as the ruling party in terms of fighting corruption. The MEC must ensure that those involved are reported to the law enforcement agencies and ensure that those cases are winnable. It cannot be business as usual when communities are worried about corruption and they are the ones who gave us a mandate to lead this government. We applaud the Hawks for arresting a company director for defrauding the Unemployment Insurance Fund (UIF) of R3,2 million in COVID-19 relief funds. This is a highlight that law enforcement agencies are hard at work. The same should happen in the department on those who defrauded the public purse by awarding PPEs tenders to non-existing companies.

On fruitless, wasteful and irregular expenditure, the committee commends the department for reducing the spending on fruitless and wasteful expenditure from R15,7 million to R4 million in the 2018/19 financial year. There was also a reduction of irregular expenditure from (sic) R217 million to R554 million in the 2018/19. However, internal controls were not implemented to prevent irregular expenditure from occurring further. The irregular expenditure is mainly caused by not following proper tender processes by the department. What is concerning is that the department is doing nothing to implement consequence management for this violation. The department had a challenge of reporting reliable information in prior years. This continued in 2018/19 financial year, where the sample was done on programmes 2 and 4 by the Auditor-General measuring the reliability of achievements reported in the annual report for 2018/19 against 2014/15.

The Executive Authority must implement consequence management as this will cast doubt on the reliability of the information from the Department of Health. With regard to litigations, the committee is concerned with the number of litigations that are prevalent in the department. In most of these litigations the department is found to be a defendant. The department is defending the negligence caused in the main by its staff members.

This is a cause for concern. For an amount of R6,4 million to be defended is huge and probabilities of losing the cases are high. These billions could be used to deliver quality services and purchase required equipment that is required in hospital and clinics. The department has no surety that the cases are winnable. The department should

implement consequence management regarding this type of negligence as this will also help to save public money.

On health facilities management it is reported that the purpose of this programme is to provide planning; equipping new facilities or assets; upgrading, rehabilitation and maintenance of hospitals and clinics. The committee would like to report to this august House that an oversight work was conducted at hospitals and clinics. The state of most hospital's and clinic's infrastructure is not in good condition. Some hospitals and clinic buildings need to be destroyed and rebuilt from foundation, while others require serious rehabilitation.

The department should account to this august House about the kind of planning they have done and implemented. This is serious that some of the buildings' roofs might fall while patients are on their sick beds. The department should ensure that all recommendations made by the committee in its report and those made in this august House are implemented. I support that the committee report be adopted will all the recommendations. I thank you.

## **THE SPEAKER**

Thank you, Hon Seono. I now call upon Hon Managa.

## **MS MANAGA**

Thank you, Hon Speaker for the opportunity to participate in this debate. Hon Speaker, the Department of Health has a tendency of underspending as noted in the report for 2018/19, first quarter to fourth quarter while the majority of our citizens continue to suffer. It is not acceptable that the department underspends public funds that are meant to improve the health and lives of the people. It is not acceptable that the department continued to underspend when we still have dilapidated public healthcare facilities that the honourable Member has just mentioned. It is not acceptable because we have facilities that need to be refurbished; that need to be rebuilt or maintained.

We still have shortages of medication; some disposable items; medical equipment and also poor maintenance of equipment in the department, yet the department is not spending the total Budget that is allocated to them. What could be the reason for underspending other than the desire to loot public resources to the disadvantage of the poor people? This underspending is deliberate while the real motive behind it is stealing the money which was not spent and secondly, to shift the funds to the subsequent quarters while delaying service delivery.

Underexpenditure on programmes 6 and 9 is disturbing because it simply implies that these programmes are insignificant and therefore do not need serious attention. Budgets must be spent on the quarters they were planned for and not be shifted to subsequent quarters which they were not planned for. We call upon the government not to postpone service delivery and not to shift money to subsequent quarters.

Such postponement of Budget spending will ultimately lead to service delivery protests which we have observed in the last five years. The department budgeted an amount of R74 461 million to appoint 20 medical specialists, 23 cleaners, 1 071 ward attendants, 368 groundsmen and 30 porters during the period under review. Not a

single of these posts was filled during the period under review. This scandalous criminal act must be condemned in the strongest possible terms and those officials who are involved must be held accountable.

It is a pity that consequence management in the current administration does not apply, especially when it comes to those officials deployed by the ruling party in government. People just do as they please and get away with murder. Consequence management only applies to those officials who are not members of the ANC.

Hon Speaker, it is also noteworthy that the department continues to violate the 30-day payment policy affecting the livelihoods of people employed by those companies doing business with the government. The House must be empowered with a full report of which companies were paid through the 30-day payment policy and what are the names of companies that were paid in line with this policy.

Our suspicion is that only companies that are linked to politicians get paid on time and those that are not linked to them get punished by being paid late. This noncompliance to the policy has a negative impact to the day to day operations of black businesses, especially on their cash flow. We call upon the government to stop killing black emerging businesses and rather support them to grow and create jobs for the people.

Hon Speaker, despite our countless calls to the department to open all primary health facilities for 24 hours, we still have many of them that close their doors at 16h30 in the afternoon. The ANC government is telling this House that our people only get sick during the day, while they are guaranteed of good health during the night. They are further telling us that women can only deliver during the day and not during the night. The “EFF government” will upgrade hospitals such that each district should have a regional or a well-equipped hospital with a minimum of at least 450 beds, which opens 24 hours and seven days a week, with internal medicine, paediatrics, obstetrics, and gynaecology and general surgeons, nephrology department, oncology as well as a urology department.

The failure to provide primary healthcare facilities with security is worrying because criminal elements continue to take advantage of this loophole. We have received reports of assault of healthcare workers in various hospitals and clinics. The latest incident was reported in Lebowakgomo Hospital where a video was circulated with a patient beating doctors and nurses. The shortage of psychiatrists and psychologists in our hospitals is unacceptable and the status quo cannot be allowed to remain like that. Something drastic must be done to change the situation.

The “EFF government” will massively increase the number of healthcare practitioners and ensure that they are evenly spread across districts and provinces. Furthermore, the “EFF government” will increase the number of nurses and doctors in South Africa by establishing at least one healthcare training facility per province and ensuring that there is no province without a medical school. I thank you.

## **THE SPEAKER**

Thank you very much. Hon Mathe, you are recognised.

## **MR MATHE**



Thank you very much Hon Speaker, I wanted to rise on a point of order because ...  
[INTERJECTION]

**THE SPEAKER**

And you did not.

**MR MATHE**

Yes, you did not recognise me and I didn't want to be chaotic like others. So I respected the fact that we might have challenges in terms of noting all those that are raising hands.

**THE SPEAKER**

What was your point of order?

**MR MATHE**

My point of order was that, firstly the speaker, Hon Managa, makes a very misleading statement which cannot even be substantiated that underspending by the Department of Health is deliberate so that looting can be facilitated. I find that statement to be reckless, irresponsible and misleading.

**THE SPEAKER**

Hon Mathe, what you are raising is not a point of order. You are now debating.

**MR MATHE**

I'm not debating.

**THE SPEAKER**

You are debating Hon Mathe. You are addressing the House.

**MR MATHE**

So are you suggesting that I should move to the second one?

**THE SPEAKER**

The MEC will respond.

**MR MATHE**

Because any misleading statement without substantiation becomes a misleading statement which is then out of order.

**THE SPEAKER**

I'm agreeing with you on that one.

**MR MATHE**

I'm not debating. Wena homola. Mara ba nkwele.

**THE SPEAKER**

Honourable Members, can we please proceed. I now call upon Hon Maharaj.

**MR MAHARAJ**

Thank you, Hon Speaker. Hon Speaker, the poor financial management of the Department of Health continues to be the biggest problem. It managed to improve on its irregular, fruitless and wasteful expenditure from previous years. But the levels are still unacceptable. In the 2018/19 financial year, the fruitless and wasteful expenditure was R4 million and irregular expenditure of R54 million. The majority of irregular expenditure was caused by not following proper tender processes and payments not made within 30 days as prescribed.

These are similar issues raised by the Auditor-General in previous years but no action was taken against transgressors. There are common issues that appear on a recurring basis from the first quarter to the fourth quarter of the 2018/19 financial year. These are issues such as asset management and the asset register; noncompliance with the 30-day payment policy; the prolonged shortage of psychiatrists and psychologists in the province's psychiatrist hospitals and an ongoing challenge of the shortage of specialists in surgery and in orthopaedics in both tertiary hospitals and the inability to implement both 24-hour service and on-call service system to communities.

Hon Speaker, in the second quarter of 2018/19 the department reported that its priorities were the training and development of personnel which included training of 400 personnel in medical ethics and in litigation; 400 in medical records management; 200 in asset management; 260 in financial and revenue management. However, no quarterly targets to address those priorities were present. If these were sort out as a priority, then targets to track progress should be set.

The Emergency Medical Services (EMS) has 375 ambulances of which only 132 were fully functional. This is simply not enough. It is commendable that 50 new ambulances were procured, but even with those new ambulances, the ambulance to patient ratio, is 1:26 thousand and this still falls short of the national and provincial standard of 1-10 thousand.

Madam Speaker, it is clear that the department did not have adequate of systems of internal control and this resulted in failure to collect revenue amounting to R432 million. This issue is further compounded by the fact that it has potential litigation claims worth billions that might bankrupt the department. Cerebral palsy claims are at the total of R6,4 billion, with 362 cases pending; obstetrics and gynaecology the claims are at a total of R877 million and with 295 cases.

There are also claims of R293 million for orthopaedics and these equate to 161 cases; R330 million for surgical claims which are 85 cases and R322 million for other claims. The total amount for all claims is R8,7 billion, with 1 108 cases. The department needs a strategy to settle these claims amicably and at minimal cost and improve the standard of healthcare at facilities to stop receiving these claims. There should be consequence management if we have recurring medical practitioners with negligence claims.

Hon Speaker, the department needs to frequently update the asset register and improve asset management. There is also a need for improvement on security planning for our primary healthcare facilities to ensure both of our healthcare workers and our patients in rural areas are safe. Engagement with SAPS and investment in security infrastructure is important to ensure the safety of personnel, patients and infrastructure.

The department also needs to ensure that they address the large number of nursing and medical officer vacancies in the province. Financial management must improve through holding officials accountable for the department's performance. Thank you.

#### **THE SPEAKER**

Thank you, Hon Maharaj. I now call upon Hon Monama.

#### **MR MONAMA**

Hon Speaker, I'm not sure as to whether I should proceed as the chairperson of the portfolio committee. I am reliably informed by the proposal by the Chief Whip that we should debate once and the Executive Authority must then respond once. I don't know whether I will still be in order to proceed or to wait for my turn after all speakers have debated.

#### **THE SPEAKER**

Okay Hon Monama, the last proposal did not materialise, because we said Members are debating two different financial years. So that is why we stick to the Order Paper in terms of the debate, but in terms of the response by the MEC, they will respond once.

#### **MR MONAMA**

Thanks very much, Hon Speaker. Hon Deputy Speaker, Jerry Ndou; honourable Members of the Executive Council, my fellow Members of the Provincial Legislature, the Chief Whip of the majority party; Hon Essob Mokgonyana.

Madam Speaker, firstly the Portfolio Committee on Health wants to applaud the tremendous effort and diligence demonstrated by the Hon Premier in leading the Provincial Coronavirus Command Council on its outstanding work in flattening the curve and quest to reduce the infections and spread of this invisible pandemic. The Provincial Command Council entered this unprecedented terrain that required able-bodied men and women to urgently exercise discretion in decision-making while following the stipulated official protocols.

The nature of virus required visionary leadership of their calibre to run an unlimited marathon while the runners had to take care of themselves as well. We also want to appreciate and applaud the leadership by the honourable MEC in exercising leadership during the first surge of this coronavirus. In the face of doom and gloomy peace, the honourable MEC, managed to transverse upon the length and the breadth of this province in spreading the message on how people should be safe.

We pride ourselves as one of the provinces that has achieved greatly in mounting successful defeat to COVID-19 in the first surge. Faced with uncertainty, anxiety and no base of knowledge, owing to the novelty of this complex invisible virus, within history of budgetary constraints, we collectively managed to weather the turbulence of this uncharted terrain. The Provincial Command Council was ensuring that the people of Limpopo are kept abreast of the new developments everyday by providing statistics or statistical data of the infected, recoveries and those who unfortunately their immune system could not fight the virus and may their souls rest in peace. Indeed, it was tough, decisions had to be taken.

However, the committee is concerned with the serious allegations of tender malfeasance in the procurement of PPEs. We want to take this opportunity on behalf of the ANC to appreciate the leadership of the Premier for instituting a forensic investigation by appointing the Special Investigating Unit and other law investigating authorities to establish the authenticity of these allegations.

We appeal to the honourable MEC that as and when these outcomes are coming, you institute the necessary consequence management. That is why as the portfolio committee we'll look closely into that situation. Hon Speaker, we are also worried that some of the narratives are that the officials, more especially in the department and other departments were involved in the procurement of these PPEs. So we are calling upon the honourable MEC to investigate these serious allegations because in government there is what we call Remunerative Work outside Public Service (Rwops)

We also wanted to put across the MEC that in our oversight visit to health facilities we were worried about the acute shortage of staff and secondly the leadership in those institutions. You have the Hollywood whereby the majority of the people, except in Vhembe, are acting. I'm not even sure whether to say they are on acting capacity because they are not remunerated. Because acting is regularised in terms of the Public Service Act. So it is just an assignment but these people have to take major decisions in turning the situation around.

The other issue is the state of the EMS fleet. We are quite worried about the condition and the lifespan of these EMS fleet as my fellow honourable Members have stated. As and when we appreciate that on a yearly basis you are purchasing an EMS fleet but we think they are not enough because by the time that you give them one, others have run out their kilometres. We are just fortunate that they are not involved in some terrible accident and if they can be involved, we would be liable for litigations by other people.

Hon Speaker, we are worried about the stagnant audit outcomes by the department that has been there on qualified and there are historical matters that have to be

addressed. The issues of contingency liabilities; the issue of asset management; unwanted expenditures and so forth.

We will continuously play an oversight role to monitor the department to ensure that it doesn't regress in terms of audit opinion, but improves. The department must also ensure that they implement the recommendations of the A-G in their totality without any failure. We also want to commend the department for drastically reducing the irregular expenditure. If you can fine tune and sharpen the internal processes; control measures that are there, I think we will see the light.

As the committee we will also monitor the implementation of the recommendations of the Auditor-General and ensure that all the cited officials that have flouted the supply chain processes and the Treasury regulations are taken to task. We also want to take this opportunity to applaud the frontline workers, our public health professionals who stood unwaveringly to serve their country. We owe an indelible debt of gratitude to these healthcare workers. These patriots were raised to believe that their noble profession is a life calling and should be about the service to others. Many risked their lives and endured the insidious stigma of mental health issues that persist within the medical community.

We thank the gratitude of these professionals. We therefore support the adoption of the 2018/19 departmental progress report. Thank you very much, Hon Speaker.

#### **THE SPEAKER**

Thank you, Hon Monama. [APPLAUSE] We will now move to item 7.4 as I have indicated that I'm going to skip item 7.3.2.

#### **7.4. Consideration and adoption of the 2019/20 report of the Portfolio Committee on Health**

I now call upon the committee chairperson.

#### **MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the first quarter report of the Department of Health for 2019/20 financial year for consideration and adoption by the House.

#### **THE SPEAKER**

Thank you, Hon Seono. Is there any seconder? I recognise Hon Mahasela.

#### **MS MAHASELA**

Thank you, Hon Speaker. I rise to second the motion as presented by Hon Seono.

#### **THE SPEAKER**

Thank you very much. Hon Seono, you can proceed.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the second quarter report of the Department of Health for 2019/20 financial year for consideration and adoption by the House.

**THE SPEAKER**

Thank you, Hon Seono. Is there any seconder? Hon Monyamane, you are recognised.

**MS MONYAMANE**

Thank you, Hon Speaker. I rise to second the motion as presented by Hon Seono. Thank you.

**THE SPEAKER**

Thank you very much. I call upon Hon Seono.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the third quarter report of the Department of Health for 2019/20 financial year for consideration and adoption by the House. Thank you.

**THE SPEAKER**

Thank you, Hon Seono. Is there any seconder? Hon Lekganyane, you are recognised.

**MS LEKGANYANE**

Thank you, Hon Speaker. I rise to second the motion as presented by Hon Seono.

**THE SPEAKER**

Thank you very much. You can proceed, Hon Seono.

**MS SEONO**

Thank you, Hon Speaker. I rise on behalf of the chairperson of the Portfolio Committee on Health, Hon Matlou, to present the fourth quarter report of the Department of Health for 2019/20 financial year to be considered and adopted by the House. Thank you.

**THE SPEAKER**

Thank you very much. Is there any seconder? Hon Mdaka, you are recognised.

**MR MDAKA**

I, Falaza Mdaka, rise to second the motion as presented by Hon Seono. Thank you.

## **THE SPEAKER**

Thank you very much. Hon Monyamane, you can open the debate.

## **MS MONYAMANE**

Hon Speaker, the Premier in absentia, Members of the Executive Council, Members of the Legislature, kgotsong! Hon Speaker, the department is commended for appointing mental review boards in other hospitals, however, it is reported in this august House that in Capricorn and Sekhukhune Districts such boards were not appointed during the financial year under review.

The department must ensure that mental review boards are appointed to ensure that monitoring is intensively exercised at mental health hospitals. The committee noted that accruals were incurred in in-patient expenditure. The department paid R5 369 instead of R4 800. The committee recommends that the HOD should ensure that before payments are made, there should be double checking of invoices against the captured amount.

With regard to infrastructure at hospitals and clinics, the committee reiterates its concern on the state of infrastructure in hospitals and clinics. It is of utmost importance that the department rehabilitate, maintain and improve the infrastructure in hospitals. It is saddening to find that the personnel is appointed and the equipment he/she is supposed to use is not functioning at all. The equipment is there but it is not functioning for a period of more than three months.

The department should ensure that new mortuary buildings are built. The equipment inside mortuaries must also be serviced timeously as the odour from the mortuaries becomes hazardous to hospital patients and personnel. Lack of water is also a concern that needs to be attended to. Hon Speaker, you cannot have toilets inside the clinic but they don't have water. The hospitals and clinics we are talking about here are WS Nobel Hospital, Helen Franz Hospital, Buffelshoek and Indermark Clinic, just to mention a few. This unpalatable situation must be worked on.

The department must present a detailed maintenance plan on the refurbishment of hospitals and clinics. If the detailed maintenance plan is not developed and funded, the department will always incur unnecessary expenditure and in other cases it will face litigations as a result of collapsed buildings that might cause unnecessary damage.

Hon Speaker, the nurses homes must also be maintained. The electrical infrastructure and their ablution facilities are also in a bad state. The safety of nurses is a cause for concern. The department should ensure that a proper palisade fencing is erected in clinics. The department used to recruit young people to be trained as nurses through its nursing colleges. The committee raised a concern that its report on training seems not to reflect activities of the department. There has been a concern by the nurses who were trained by the department who were not absorbed into the system.

The department should ensure that its key performance indicator is well-aligned because the committee exercises its oversight role based on the Annual Performance Plan. I support that the report be adopted by this House. Thank you, Hon Speaker.

## **THE SPEAKER**

Thank you, Hon Monyamane. I now call upon Hon Managa.

## **MS MANAGA**

Thank you, Hon Speaker. I really appreciate the time that you have given me again to debate for the second time. Hon Speaker, it should be noted by this House that the Department of Health remains a disappointment despite the fact that it is claiming to have victories. The department is still below the 50% target of women representation at SMS (Senior Management Service) level and worse it is at 0,37% on people living with disability.

These failures on equity and social transformation are a confirmation that the ANC government always excels with lip service, misleading our people. The department must refrain from this tendency of advertising posts and opting not to appoint people. This exercise is costly to our ordinary people who have to spend money travelling to certify and make copies of required documents. It's a pure ANC factional stunt which is self-serving as government posts are used to garner internal party support whilst giving people of Limpopo false hope on job creation.

We need a report of posts which were advertised and why there were no appointments and reasons for carryover on such posts, including on appointments made by the department in the last three financial years. We further demand a detailed report on all those who were appointed in the past three financial years.

The EFF needs clarity if the department did background checks on all their recruits as some media reports suggest otherwise. Hon Speaker, the department must clarify this House on why they are failing to meet targets on the payment of invoices. The ANC-led government is failing the people of Limpopo on health matters. We demand that the Department of Health gives a written report on why condoms are no longer distributed. Furthermore, we need clarity as to why there has not been immunization in clinics and hospitals for the last three quarters.

The department could not even provide vitamin A to children. The people of Limpopo must bring lawsuits when their children go blind or experience other health complications as a result of government failures. Over 20% of babies will experience night blindness as a result of these failures.

A report should be made public on all shortages indicated; since when there was shortage of what, its impact and implications on the health of patients in our regions. The EFF government will establish a state pharmaceutical research and development centre and generic pharmaceuticals, tailored to the pharmaceutical needs of South Africa and the continent, creating 2 000 jobs, 1 000 of which will be reserved for women and the youth and people living with disability.

The EFF government will build at least one clinic per ward and make an extension per village in wards that are having more than one village. The promised ambulances are not properly accounted for, as a result the people of Limpopo continue to receive bad services from the department.



The department spent almost a billion on PPEs yet EMS could not provide much required services as they were not supplied with PPEs. This led to some patients dying and delays in provision of EMS. Hon Speaker, the department should provide confirmation that all suppliers delivered the PPEs noting that there has been a shortage despite massive orders being issued.

The EFF government will upgrade hospitals and will also make sure that we have at least 450 beds in each district like I indicated before. The EFF will ensure that the public enjoys proper healthcare across the country without a hassle. I thank you.

## **THE SPEAKER**

Thank you very much. Hon Maharaj, it is your time.

## **MR MAHARAJ**

Thank you, Hon Speaker. The Department of Health consistently failed through all four of the quarters of 2019/20 to fulfil its responsibility to comply with its equity targets. In the first quarter a 40% equity on females at SMS level was achieved, while 0% was achieved for people living with disability. That slightly improved to 0,4% for the whole department.

In the fourth quarter the numbers improved to 43% equity of females at SMS level and 0,37% achieved for people living with disability. However, these numbers are an underachievement based on the national targets of 50% for women at SMS level and 2% for people living with disability. More still needs to be done to empower women and people living with disability. Accruals continue to be a drain in the department's resources and a reminder of the department's legacy of poor fiscal management.

In the first quarter, only 64% of invoices were paid and 36% of the outstanding funds were used to pay for accruals and payables carried from 2018/19. In addition to that the targets for patients in hospital day expenditure of R2 800.03 in district health services; R3 200 in provincial hospitals and R4 800 in tertiary hospitals was exceeded to R3 473, R4 177 and R5 369 respectively. This is as a result of accruals from unpaid impatient suppliers from the 2018/19 financial year.

Hon Speaker, in all four quarters the department failed to supply condoms as targeted, due to the unavailability of condoms from contracted suppliers. Immunisation of children less than one year, was also affected by unavailability of stock. These are long-standing issues that should have long been addressed. Even more worrying, is that the department could also not meet its target of providing Vitamin A to children between 6 to 59 months of age due to shortage of funds. The report states that the deficiency in Vitamin A could lead to night blindness in 20% of the children.

The department's Emergency Medical Services has suffered and underperformed largely due to an aged fleet, long travelling distances in rural areas and a failure to achieve the forty minute response rate, high usage resulting in vehicles frequently at merchants for servicing as well as repairs and the 2019/20 financial year saw 42 ambulances being withdrawn from service as they had reached the end of their economic life span.

The department also had serious challenges with the availability of medicines in hospitals, clinics and health centres. This was mainly caused by the unavailability of funds and service providers that were unable to deliver. In the fourth quarter, the department reported that 31 specialists, 20 cleaners, and 277 ward attendants, 165 groundsman were appointed and about 700 people for the whole financial year.

The department had struggled to appoint employees from 2017 due to shortage of funds and this surely affected their capacity. In 2019 during the fourth quarter, the department improved the number of 24-hour clinics to 59 and the number of clinics on call to 113. The department needs to increase investment into emergency vehicles to replenish its depleted fleet. There is still a need to focus on improving security to ensure there can be more 24-hour clinics and clinics on call to serve the people of Limpopo.

It is clear to see that most of the department's problems stem from poor financial management and the failure to hold officials accountable. This has now come back to haunt us with the COVID-19 funds. We call upon the MEC to hold accountable the people who are responsible and letting the Department of Health and the people of Limpopo province down. She must also ensure that there is consequence management on officials that plunder the public resources. I thank you.

#### **THE SPEAKER**

Thank you, Hon Maharaj. I now call upon Hon Monama.

#### **MR MONAMA**

Madam Speaker, honourable Members of the Executive Council present, Hon Deputy Speaker, Hon Jerry Ndou, fellow Members of the provincial Legislature, the Chief Whip of the majority party.

Madam Speaker, building a department which is patient-centred, clinician-led and stakeholder-driven with community responsibility is very important. Our oversight role as the portfolio committee will continuously hold the MEC responsible for health accountable. We want to applaud the MEC for the sterling work that she's doing in that department in trying to turn the situation around. We know that when you inherited that department it was in a state of shambles and in a state of paralysis. We really appreciate some positive spin-offs that are being witnessed on a daily basis.

However, we want to take this opportunity to say honourable MEC that, an insufficient budget in terms of programme 8 in the department is a worrying thing. As much as we have the 74% of the Budget going to compensation of employees, but if we can put more budget on programme 8 for infrastructure development in all our health facilities, it will assist us because the state of facilities in the province is quite old and dilapidated. If we can have the infrastructure development plan, so that we invest a lot in infrastructure as a committee we will really appreciate that.

We also want to bring it to the attention of this House, that in our oversight visit to all these facilities; given the spread of Coronavirus we were quite worried about the perceptions and the stigma that is happening in our communities. This was

demonstrated whereby we experienced what we call refusal of hospital treatment, whereby the relatives take their people from the health facilities and say re nyaka go leka go gongwe. That is one issue that I think as a community we have to be educated around. But we also wanted to appreciate the department for creating what we call the pass made easier facilities for elderly, the aged and the disabled.

That is the positive note that we have witnessed as the portfolio committee. We are also more worried about the chronic shortage of staff, more especially in critical positions. Some of the majority hospitals do not have permanently employed CEOs, which I think there is a lack of leadership and management in those facilities they are unable to take some of the major decisions that have to be taken. What we have also observed as the portfolio committee, honourable MEC is that as and when you implement the project going forward, is the lack of the medical equipment in all the hospitals, more especially the critical ones, those who still have the broken medical equipment like your sonar, ECGs (electrocardiogram) and so forth.

If we can also prioritise those things. We also have a problem in terms of obstetric ambulances. We just have ordinary ambulances which I think cannot assist when we have major accidents in the province. The other issue that I think is a problem is around information management. If we can adopt the national health digital strategy so that we are sure that the patient's record is well kept in terms of the Fourth Industrial Revolution. The other issue that I think is a problem that I think we need to record in this august House is the issue of the mental health, the psychiatric ward. We are worried as the portfolio committee that psychiatric patients in are mixed with other ordinary patients which I think it poses a serious risk to them. But also they don't have mounted beds and we are experiencing a lot of escapees in this regard.

We are also worried about patients in the psychiatric ward whereby there is an issue of substance abuse which is quite rife. The other issue that is worrying us, is the issue of schizophrenia which is problem that has to be addressed by society as a whole. We also need to have comprehensive package services in terms of primary healthcare, so that our people must enjoy and access quality services. We also have to regularise the partnership that we have with the mining houses in line with their social labour plans so that they can assist us in terms of packaging the healthcare facility infrastructure because that will assist a lot.

We have been to these facilities honourable MEC, together with Hon Managa and Hon Maharaj, and we have seen that there is an adequate supply of condoms, maybe they need special ones. But we have seen that they are available. Maybe they are not enough for them. I therefore move that the House adopts this report.

## **THE SPEAKER**

Hon Maharaj, there is no need for you to respond. Hon Maharaj, I'm saying there is no need for you to respond, that was a debate. A debate is a debate. We shall now call upon the honourable MEC for Health to respond.

## **THE MEC FOR HEALTH**

Thank you, Hon Speaker. Hon Deputy Speaker, Members of this august House. Let me appreciate the opportunity that has been afforded to us to respond and welcome

all the debates and the inputs and for us as the Department of Health when you have got a different view with us we see you as contributing towards building the department, because whether we like it or not, as indicated earlier on health affects all of us.

As the honourable chairperson of this portfolio committee for today has indicated, health is very critical and any mistakes that happen in health unfortunately do not get corrected. That is why we strive for excellence on a daily basis because any single mistake results in the loss of life, and a life lost can never be regained.

Hon Speaker, I need to indicate that in terms of asset management, I must put this diverging view from what honourable Members are saying. In terms of financial management, we would like to also differ that as a department we are moving towards a positive direction towards addressing these challenges that have been raised. The reports that we see and which even other honourable Members have attested to, that if you see us improving from fruitless expenditure for five years ago at over R447 million or over that, to what is currently about R2 million are an indication that the department is on the positive note.

I would not want to go to irregular expenditure because honourable Members must remember at some stage when we came to this House we had to really justify why we would have an irregular expenditure of more than R544 million, but today we are at R14 million and we agree with honourable Members that this R14 million is too much because every single cent if it's not going direct to the patient who it is meant for, it means we are failing our people and we need to work hard towards that.

We want to appreciate the fact that honourable Members are even confirming that our compensation of employees is at 74% and therefore it just leaves us with just a mere 26% to do the day-to-day running of the department, which is quite unfortunate. This is the historical issue that we have inherited and which we feel that we need to deal with it and we are continuously trying to deal with. For that 74% if it was talking about a cleaner, a porter, a nurse, a doctor, a medical specialist, a pharmacist, a radiographer it would be something. But we are talking about certain administration staff, some of the people at senior management level where you have got a lot of duplication and a lot of directors who we don't really know what they are doing.

This is something that happened in 2010 and we should not run away from that fact that we need to deal with. Because the sensitivity of this matter is that we are dealing with human beings, and you can't just wake up in the morning and say 'I don't need you in my department, I need nurses, so go home'. It cannot be, there are labour relations that need to be followed. That is why we are also working with other departments, for instance I was negotiating with the MEC for Sport, Arts and Culture for all the vacancies that they have, and some can be assessed and be able to work there. Because what we are simply saying is that there are people who are wrongly placed in the Department of Health and who do not necessarily fit in the Department of Health, but they can fit in other departments.

We are also proud to announce that in the last EXCO meeting there was an agreement that Treasury has now appointed an external person who will come and assist in this particular matter because dealing with it internally when it affects my position is going to be very difficult and we have seen that. So let's allow this work which was delayed

by the issue of COVID-19 which EXCO has already endorsed and approved and Treasury has already informed us that together with the Office of the Premier they will be coming to deal with issues of human resources, because unless we deal with this matter, it's going to be difficult to absorb those community healthcare nurses on an annual basis. You will absorb them and do what? They will come and sit and you pay them without medication to give to patients, and without infrastructure. I would rather have those few that are there and at least I will be able to buy some of the equipment for them to can utilise. We need to balance, because patients come to hospital to require medicine and we can't continue without providing those medicines.

On the issue of nursing students that we are not absorbing as a province, of course there is this one dilemma that you are saying we are not absorbing those that we are producing every year, and there are still those who are still doing second, third and fourth year. When they also complete they will require absorption. So would you still take the first years without addressing the backlog? Because those who have completed last year and this year we have not absorbed them. We just jump and continue to absorb without having a plan. That is why we sit down and say how then do we allow the second and third years to also complete. But at the same time you have to also say the nursing directorate at national level and Nursing Council is restructuring the whole training and curriculum. And as province we felt it would be wrong for us to continue with the training and then when the curriculum comes it's a completely different one and it becomes a challenge.

There has been a delay but we are hoping that next year we will be able to have this particular curriculum and which if it is there, we will continue with our nursing training and we would have addressed these issues. We must also remember that we are in serious trouble because in terms of the Budget cuts as the Department of Health we are expected to cut R2,9 billion and also remember that earlier on we had to take more than R1,09 billion to be diverted towards COVID-19 and now we are again expected to cut R2,9 billion.

So this will affect all these appointments that we would want to see happening and all these acting allowances that we would want to pay. Let's also remember that we don't have HR delegation, all our delegation in human resource lies with Treasury and the reason is that they don't want to see the 2010 situation repeating itself. And this is part of our effort to try and normalise COE (Compensation of Employees). The reality and a fact is that the Limpopo Department of Health is number one in terms of expenditure on COE. Even if you look at the Limpopo's Office of the Premier, it is number one in terms of COE compared to all other provinces. So that tells you that a lot of work needs to be done in terms of COE so that we can address this and have money to can deal with other issues that we want to deal with.

On the issue of failure to spend, honourable Members, we don't fail to spend because we want to steal money or we want to loot. The failure to spend is as a result of not being able to appoint medical specialists that we wanted to appoint. It is a fact. You can only appoint them when they are available. If we can produce some of them, that we can vet, and if we are happy with them we will definitely give them a job offer. At least with them we have a ring-fenced the NTSG (National Tertiary Services Grant) that used to appoint them. They don't have to compete for equitable share like all others.

So as it is now, the reason why we could not fill those posts and as result there is underexpenditure now, it was also as a result of not appointing those medical specialists who were not available at that time because most of the time we wait for them to graduate. You might remember that I even imposed myself in their graduations at different colleges so that we could meet with them and recruit them. Up to so far we are happy with those that we were able to recruit. Earlier on I was talking of a young plastic surgeon that we went to recruit and he choose Limpopo.

Our urogynaecologist is here is working with us and there is a quite a number of them that we couldn't appoint during that quarter. We will appoint them during the third quarter because we are not looting, but because he will only be available in June, and not in the first quarter where we wanted to appoint him. The issue of litigation honourable Members is a huge concern for all of us and we have to deal with this because this is one area that is milking our entire system.

But the fact of the matter is that this is not necessarily a problem of the Department of Health in Limpopo, and not only the problem of Department of Health in the country, it is a problem of both public and private sectors. The example of disciplines and specialities that has been used for instance the obstetricians, gynaecologists, and neonatologists, orthopaedic surgeons that honourable Members were using, is affecting even the private sector.

Go to certain private hospitals you will find most of the obstetrics and gynaecologists are no longer practising obstetrics. They are now focusing on gynaecology because they are afraid of being litigated. They are afraid of being sued. We have seen one of our anaesthetists, being gunned down just because of some of the issues and comments that people made in public. To think that a doctor will take you to theatre to kill you or to kill your child.

That is not correct, and that will never happen. When a doctor takes you to theatre it means you are in the 50/50 chance of survival and the reality is that the reason you find yourself in that environment is because the doctor has to decide, 'If I don't take you to theatre you might die', and if he takes you to theatre you might either die or survive. And in the process you might end up dying, so we are not encouraging what is happening but we have to talk about facts as they are. Because this notion that when I'm taken to theatre I must come back alive, has resulted in us losing one of our doctors ... [INTERJECTION]

## **THE SPEAKER**

As you conclude, honourable MEC.

## **THE MEC FOR HEALTH**

As we conclude, on issues of infrastructure backlog we will deal with them. We are going to address them. We welcome the appreciation of our frontline workers. But I must also indicate that of the 47 doctors and over 300 nurses that are infected, we must also remind honourable Members that they are also part of us, they are human beings. Let's remember the first case of Limpopo COVID-19, which was a case of a medical doctor who did not get infected because of a patient.

He got infected because he had gone overseas like any other person and came back with the virus. Same with the first nurse to become positive, she had gone on the cruise. So I'm just trying to say while we are saying our frontliners might be infected, but they are also human beings, they are in the malls and some of them might get the virus at the malls. As the department we did our level best to provide them with PPEs from the beginning we have said and we even put it as a policy that there is no single healthcare worker in Limpopo who must touch a patient without PPE.

That is why the minister later on adopted our slogan after learning from this particular province. Hence our numbers remain very low because those who are listening and abiding by the laws complied. Lastly, we are saying we are committed towards clean government and we also need to correct honourable Members because they are still repeating what a journalist has said. This department has not spent close to a billion on PPEs. The Treasury has published a report which shows the entire province has not even spent close to a billion and that includes all departments and also the SOEs (state-owned enterprises).

We have not spent that amount of money. We do appreciate when journalists become whistleblowers and raise issues. But we are also asking honourable Members that when they read newspapers, they must also read with caution to say that this is a journalist who might be having a view that has been said by somebody else and it might not necessarily be a fact. We welcome all other institutions and even the honourable MEC for Education earlier on and Hon Monama have indicated that immediately after those newspaper articles, the Premier went out and appointed the SIU to investigate.

Up to so far honourable Members we have not even had a report from SIU suggesting that there could have been wrongdoing in the PPEs. We are seeing reports that are coming and which they are not complete in other provinces and in other areas. Even one honourable Member has indicated that somebody has already been arrested in Malamulele for the UIF and that is a fact. Because SIU when they find something wrong they immediately act on it.

When they find that PPEs that are being ordered are wrong they immediately instruct us to stop payments. They immediately close the accounts of those are involved. I'm not saying there is nothing wrong with what is happening with the PPEs, but I'm just saying from where I'm sitting, the first Auditor-General's report that the A-G presented to me on the PPEs, has indicated that there is nothing they could find which is related to PPEs, so I get guided by what those institutions or our Chapter 9 institutions will say. In terms of PPEs now in the Department of Health, we don't have any reason to say we must start to be acting. Let's await the SIU to give us the final report.

Let's await for the Hawks because they are also investigating. If there is anything wrong and irrespective of whether it is Dr Ramathuba the MEC or not, that person must face the law and be arrested. Even the Public Protector is also investigating, so let me reassure honourable Members we are committed towards clean government. We made a commitment when we started to fight COVID-19 that we are going to fight this disaster, this pandemic in a clean way and we are still committed to that. Thank you very much. [APPLAUSE]

**THE SPEAKER**

Thank you, honourable MEC.

7.5. Consideration and adoption of the 2018/19 report of the Oversight Mechanism Committee

I now call upon the committee chairperson.

**MS LEKGANYANE**

Thank you very much, Hon Speaker, for the opportunity. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the first quarter report on the Limpopo Legislature for the 2018/19 financial year to be considered and adopted by this House. I so move, Hon Speaker.

**THE SPEAKER**

Thank you, honourable chairperson. Is there any seconder? I recognise Hon Seono.

**MS SEONO**

Thank you, Hon Speaker. I, Mmaishibe Rebecca Seono, stand to second the motion as presented by Hon Maria Lekganyane. Thank you.

**THE SPEAKER**

Thank you, Hon Seono. You can proceed honourable committee chairperson.

**MS LEKGANYANE**

Thank you once again, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the second quarter report on the Limpopo Legislature for 2018/19 financial year to be considered and adopted by this House. I so move, Hon Speaker.

**THE SPEAKER**

Thank you honourable chairperson. Is there any seconder? Hon Masekoameng, you are recognised.

**MR MASEKOAMENG**

I stand here to second the report as tabled by Hon Maria Lekganyane. Thank you.

**THE SPEAKER**

Thank you, Hon Masekoameng. You can proceed honourable committee chairperson.

**MS LEKGANYANE**



Thanks once more, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the third quarter report on the Limpopo Legislature for the 2018/19 financial year to be considered and adopted by this House. I so move, Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? Hon Radzilani, you are recognised.

**MS RADZILANI**

Thank you, Hon Speaker. I rise to second the motion as presented to this House by the honourable chairperson of the portfolio committee. Thanks.

**THE SPEAKER**

Thank you. You can proceed honourable committee chairperson.

**MS LEKGANYANE**

Thank you once again, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the fourth quarter report on the Limpopo Legislature for 2018/19 financial year to be considered and adopted by this House. I so move Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? Hon Mdaka, you are recognised.

**MR MDAKA**

I, Falaza Mdaka, rise to second the motion as presented by Hon Maria Lekganyane. Thank you.

**THE SPEAKER**

Thank you very much. You can proceed honourable committee chairperson.

**MS LEKGANYANE**

Thank you once more, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the Annual Report on the Limpopo Legislature for 2018/19 financial year to be considered and adopted by this House. I so move, Hon Speaker.

**THE SPEAKER**

Thank you. Is there any seconder? Hon Monyamane, you are recognised.

**MS MONYAMANE**

Thank you, Hon Speaker. I rise to second the motion as presented by Hon Lekganyane.

## **THE SPEAKER**

Thank you very much. We shall now call upon Hon Monama to open the debate.

## **MR MONAMA**

Madam Speaker, Hon Deputy Speaker, honourable Members of the Executive Council, my fellow honourable Members of this august House, the Chief Whip of the majority party.

Madam Speaker, first and foremost allow me on behalf of the ANC to applaud our deployees, the Speaker and the Deputy Speaker and the management of the Limpopo Provincial Legislature for obtaining a clean audit opinion. [APPLAUSE]

Undoubtedly, the institution has shown itself to be generally well-governed in terms of corporate governance. It shows that it has effective internal control measures to ameliorate any conditions susceptible for financial leakages and fiscal dumping. This clean audit should serve as a permanent albatross, Mr Mothoa on your neck and management echelon, so that we don't regress as an institution.

This puts us also as honourable Members collectively in our collective wisdom to speak with authority when we subject departments, public entities and municipalities to account on the prudent financial management and optimal utilisation of public resources. As an activist Legislature, there is no way in which we can condone a situation where governance structures and accounting officers unashamedly bend, break and bulldoze over the clearly defined laws and prescripts that are meant to ensure proper fiduciary responsibilities.

Legislature is a critical instrument of advancing socio-economic conditions of our people to the highest trajectory and radical transformation of our society. It is constitutionally empowered and well-poised and positioned to fulfil its tripartite mandate of law-making, oversight and public participation.

The report under review states that the Legislature was unable to obtain clean audit in that financial year because of the failure of one political party which was unable to submit audited financial statements. We are not surprised why they are not here because they cannot account on the public money that was allocated to them. It is incumbent upon to the Legislature to put more checks and balances to avert future recurrences of this anomaly.

Madam Speaker, the Legislature is still hum-strung by an alarming rate of acting personnel at the strategic management level and that is the situation that has to be corrected. We can't afford the situation where people can act for more ten years. We are creating what is legally called legitimate expectation. The fact that these people were able to get clean audit, it means we have the requisite capacity of the human resource or the human capital that we have.

We then call upon the Executive Authority in the Legislature to ensure that before the end of this financial year, all these strategic or vacant funded posts are filled. The report also paints a gloomy picture of the never-ending renovations of this structure. The technical integrity of the structure. This has been there for quite some time. We call upon the Executive Authority to liaise with the Department of Public Works, Roads and Infrastructure to ensure that this matter gets resolved. We are more interested because the more in terms of the project matrix, the more it takes, the more costly it becomes, and we don't want to experience that and this is one matter that has to be taken and this House must on a regular basis be updated about the outcome of your interaction with the relevant implementing agency and the concerned department.

Madam Speaker, in the financial year under review, it is concerning that no training was conducted for political party support staff despite the fact that there was a budget set aside for that purpose. This support staff, without any fear of contradiction, plays a critical part in assisting political parties in the Legislature, hence we are saying it is of paramount importance that they must be subjected to the training needs of this institution. Otherwise we will not be equal to the task of the Executive as the activist parliament.

Madam Speaker, digital communication is now becoming epic with the emergence of the fourth industrial action. Our library and research services should be compatible with these new technological advancements so that we are able as the institution to develop a scope of knowledge within our path so that we are able to represent our people with the dignity that they deserve.

The Legislature should remain a true watchdog of democracy and we are at material times expected to be the voice of the people. Over and above meeting our tangible deliverables, the legislative arm of government must impress upon the Executive to deliver as mandated and where the Executive fails to fulfil its mandate, the Legislature should be in a position to really make its voice heard. Thank you very much. [APPLAUSE]

## **THE SPEAKER**

Thank you, Hon Monama. I now call upon Hon Mohlala.

## **MR SESHOKA [ON BEHALF MR MOHLALA]**

Thank you, Hon Speaker. We have made a submission that Hon Mohlala will not be available and I will standing in for him. Hon Speaker, let me start by saying the adherence to the AG's recommendations by the Legislature has given us the fruit that today we are enjoying and therefore we would like to join the chorus of congratulating the Legislature for obtaining a clean audit.

Hon Speaker, the EFF notes the inconsistency in terms of sittings of the Programming Committee. Only one Programming Committee meeting out of five was held and one Internal Arrangements meeting during the period under review. The budget should always allow members to do more oversight work instead of spending more time in meetings. Can we be briefed on why the Risk Management Committee is failing to execute its mandate as expected?

Hon Speaker, a report detailing the bulk spending of funds in the last quarter of the financial year is necessary to ascertain that financial resources were used for designated purposes. On maintenance of vehicles, we would like to know if previously disadvantaged companies are involved in this transaction as part of opening doors for the disadvantaged communities. The EFF would also appreciate a report detailing who sanctioned the 11 posts and who approved the deviation and all processes involved, noting that the extra post was not in line with FMPLA (Financial Management of Parliament and Provincial Legislatures Act) and what actions were taken to remedy the situation.

Underperformance on allocation of bursaries is worrisome, though improvement is noted. The mistake should not be repeated as education remains vital for development of our society. We note the intake of interns by the Legislature, however the tendency of not following due process seems to emerge when opportunities arise. Who determined that only seven interns are required and what was the process followed? Did the Legislature take any action against involved officials? The Legislature is required to lead by example, as a result a party which continuously develops an allergic reaction towards submission of audited financial statements negatively impacts on attainment of clean audit.

Measures should be developed to force submission or suspension thereof of such funds. What are the measures in place to ensure that House Proceedings meets all its three targets namely ceremonial events, Bill facilitation and Sittings? Hon Speaker, Scopa is central to the functioning of this House, the 17 Sittings which failed to take place cannot be justified. Scopa hearings must always take place as planned in order to hold government departments accountable.

The EFF calls upon the Limpopo Legislature to immediately withdraw from the so-called Central Bargaining Forum with other Legislatures because it is a timewasting, useless exercise which only frustrates workers rather than advocating for their interests. While in the long-term this Forum could benefit workers such that their remuneration is on the same par with Legislatures like the Eastern Cape and Gauteng, the short-term implication is devastating to the workers.

The Parliament of the Republic of South Africa is not helping the situation in this case as it is directly involved in frustrating this structure. The negotiations in terms of the Central Bargaining Forum may be kick-started afresh next year with clear minds, determination and focus. I so move, thank you.

## **THE SPEAKER**

Thank you, Hon Seshoka. I now call upon Hon Lekganyane.

## **MS LEKGANYANE**

Hon Speaker, Deputy Hon Speaker ... [INTERJECTION]

## **THE SPEAKER**

Hon Lekganyane, can you please take your seat. There is a hand.

**MS PHALA**

Thanks, Hon Speaker. I'm not sure if I'm assuming but, Hon Lekganyane is the chairperson of the committee and if she's debating now, I think we skipped the DA's debate.

**THE SPEAKER**

You are not audible, Hon Phala.

**MS PHALA**

I'm saying I'm assuming that Hon Lekganyane is the chairperson of the Oversight Mechanism Committee and if so, it means she's closing the debate and we have skipped the DA's.

**THE SPEAKER**

Are you saying I have skipped the DA? Sorry Hon Phala, you can proceed.

**MS PHALA**

It's fine, Hon Speaker. Hon Speaker, it is commendable that in the 2018/19 financial year the Legislature managed to achieve and managed to exceed many of its targets. There was no irregular expenditure incurred in the year under review although the Legislature did only spend 94% of its Budget and underspent by R26,9 million. The Budget for the year was just over R417 million and the total expenditure was just over R390 million.

One of the areas that needed to be addressed, Hon Speaker, was with regard to Sittings and meetings conducted. There were 30 targeted Sittings and only 28 were conducted, and out of the 30 programming meetings, only seven were conducted. However, the internal arrangements meetings and 12 year monitoring sessions were conducted. Other targets not achieved included the allocation of bursaries and policy workshops which are determined by need.

The Legislature also failed to implement and fulfil the gender equity and disability employment. This is an area that requires attention in ensuring that these groups are empowered. Hon Speaker, it is concerning for the year under review that there were key vacant positions that affect the running of the Legislature. The positions that were vacant were that of Manager: Library Services, Manager: House Proceedings, Divisional Manager: Fleet and Logistics, Manager: Human Resources and Labour and Manager: Information Technology.

There needs to be a strategy to ensure that vital vacant positions are filled quickly and in case of retiring staff, there needs to be a proactive process to ensure that there is a transfer of skills and a plan to avoid the loss of institutional memory well before time.

Hon Speaker, there were 88 planned oversight committee meetings and all were conducted. The 6 site visits and 12 oversight reports were conducted, facilitated and produced respectively. It is not clear why the 3 workshops and 17 Standing Committee

on Public Accounts hearings were forfeited. However, it is important to acknowledge the Public Participation and Petitions Programme activities such as educational workshops, sectorial parliaments, public hearings and petitions were implemented as per the plan and the performance surpassed the targeted number.

Hon Speaker, the Legislature had many targets where it excelled and overachieved, but also had many targets where it fell well short and needed to improve. The manner in which some of the targets were exceeded and others were inadequate indicates that there might be a need for better and more realistic planning of targets in order to improve implementation. Thank you.

## **THE SPEAKER**

Thank you, Hon Phala. Honourable chairperson of the committee, you can close the debate.

## **MS LEKGANYANE**

Thank you very much, Hon Speaker. Deputy Speaker, Hon Ndou; Hon Premier in absentia, the Chief Whip and Deputy Chief Whip, Members of the Executive Council, chairpersons of the portfolio committees present here, all honourable Members of the House, kgotso ya Modimo ga e be le rena.

Hon Speaker, thanks for the opportunity that you are giving us to present the report of the Oversight Mechanism Committee for the 2018/19 financial year on the first, second, third and fourth quarters and the Annual Report of the Limpopo Legislature, for consideration and adoption by this House.

The Constitution of the Republic of South Africa, 1996, section 114(2) read together with section 4(3) of FMPPLA and Rule 81(1)(b)(c) of the Standing Rules and Orders of the Limpopo Legislature confers powers to the Oversight Mechanism Committee to maintain oversight over the provincial Legislature. In compliance with these legal prescripts, the committee was briefed by the Legislature on the Annual Report of the Limpopo Legislature for the 2018/19 financial year in a meeting held on 06 March 2020.

The Limpopo Legislature had an annual Budget of R360,9 million for the financial year 2018/19 and it was adjusted to R417,3 million. At the end of 2018/19 financial year, the overall expenditure was at R390,57 million which is 94% of the total adjustment of the allocation. On audit performance, the Legislature received an unqualified audit opinion in 2018/19.

The Legislature was commended on the outcomes, but also encouraged to improve on the audit outcomes for attainment of the clean audit. The Legislature should lead by example to the entire provincial administration. We thus commend the able leadership in the Legislature and also the administration support provided. Underspensing was incurred due to the failure of one political party that could not submit its audited financial statements, and that resulted in the Legislature getting an unqualified audit opinion.

The Legislature has shown itself to spend well and consistently in the quarters and year under review. If this fiscal discipline is maintained, there should be no problem moving forward. Given the overall role played by this committee, it should find a way to share the exemplary performance of the Legislature with other departments that are just simply not doing very well.

There are 4 performance indicators under the sub-programme namely, number of sittings, Programming Committee meetings, Internal Arrangements Committee meetings and in-year monitoring reports. On objective 1: only 4 sittings out of 5 were held; 1 programming meetings out of 5 was held and 1 internal arrangement meeting was held as planned and in-year monitoring was conducted as planned.

The other planned activities not implemented according to the planned targets were depended on the needs of the institution. In this regard, Hon Speaker, it is important that the office remains consistent with adhering to its commitments on meetings. The office is generally doing very well and should not relax in case it misses some pressing matters by postponing meetings. Indeed, Hon Speaker, the Fourth Industrial Revolution is upon us, therefore, meetings are no longer as cumbersome as before. Virtual meetings have made it so much easier to work. We believe that efficiency in this office, was seen under the former Speaker, Hon Lerule-Ramakhanya and will continue under the current Speaker, Hon Molapo.

The Office of the Secretary managed to achieve all annual targets and overperformed in one of the targets. [APPLAUSE] The other achievement was attributed ... Did you say something, Hon Speaker?

## **THE SPEAKER**

No, honourable Member.

## **MS LEKGANYANE**

This again speaks to the quality of political and administrative leadership in the institution. We once more commend this able leadership and we would like them to keep up the good work. Re a le leboga. Le šoma ka bokgwari. However, we would like the Legislature not to receive an unqualified statement, but a clean audit statement. Don't forget that this is the 2018/19 financial year report. There was improvement in supply chain management audit where by all procured goods and services were in compliance with policies and procedures. The Legislature is the watchdog of the Executive, therefore its matter of doing business should be above reproach.

So far the Legislature has done well to maintain the trust that has been rendered upon it as an oversight body. We believe that it will continue to move forward. During the course of the 2018/19 financial year, it was found that underpayment was made to political parties due to one party not submitting its audited financial statements on time as required by clause 2.4 of the Limpopo Legislature Political Party Funding Policy and section 60(1) of FMPPLA.

Similar performance was noted in 2017/18 financial year, whereby Congress of the People did not submit its audited financial statements and thus leading to underspending by the Legislature. However, we commend the parties that were able

to submit to the Legislature and thus fully account for the use of public funds. We know very well honourable Members that accountability goes together with responsibility. In future, it would be well for the CFO to alert us in time on a quarterly basis if there are any challenges so that the COPE situation doesn't occur again.

The Library Services encompass purchase of books and material that support a variety of services and sections of the Legislature including support material for studying purposes. The Legislature should look at ways in which it brings the Library Services to be up to date with regard to the Fourth Industrial Revolution. As the committee, we commend that the institution performed fairly on most of the planned targets and the committee made some recommendations to the Legislature as follows: We recommended that the proper implementation of performance plans should be adhered to; we also recommended that the institution should provide the necessary support to political parties in order to curb challenges pertaining the submission of audited financial statements; we further recommended that a succession plan should be developed as part of the skills transfer; retention of the institutional memory and enhancement of the institutional capacity.

We recommended that the institution should regularly ensure that the implementation of the audit action plan is given attention in an endeavour to achieve a clean audit. There is a need for prudent alignment of programmes for budgetary allocations in order to avoid incidents of irregular expenditure.

In conclusion, we commend the leadership provided in the Legislature. However, we want to urge our colleagues in the Executive to work with us so that the voice of the people surely finds concrete expression throughout the departments. We should advice departments to take matters raised by the Legislature seriously and to act on recommendations so that this democracy may find meaningful expression in programmes of government.

We would further want the Legislature to strengthen its working relationship with the provincial administration and to agree on tracking tools of matters raised by this committee and how far they are in terms of implementation of those issues. Hon Speaker, the committee considered the first, second, third and fourth quarter reports and annual report for the 2018/19 financial year of the Limpopo Legislature. I hereby move that this report be adopted as a report of the House. I thank you. [APPLAUSE]

## **THE SPEAKER**

Thank you, Hon Lekganyane. Honourable Members, I'm begging you please, particularly you who are still present, we still need a quorum up to the end of our programme or up to the end of our Order Paper. Please make sure that you don't leave until we are finished, I'm begging you. I think political parties are also observing what I'm observing. They know what to do.

Item 7.6: Consideration and adoption of the 2019/20 Reports of the Oversight Mechanism Committee. I now call upon the committee chairperson.

## **MS LEKGANYANE**



Thank you, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the first quarter report on the Limpopo Legislature, for 2019/20 financial year to be considered and adopted by this House. I thank you.

**THE SPEAKER**

Thank you, honourable chairperson. Is there any seconder? I recognise Hon Monama.

**MR MONAMA**

Thank you, Madam Speaker. I, Monama Rodgers, rise to second the motion as presented by the chairperson of the committee.

**THE SPEAKER**

Thank you very much. You can proceed honourable chairperson.

**MS LEKGANYANE**

Thank you very much Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the second quarter report on the Limpopo Legislature for 2019/20 financial year to be considered and adopted by this House. I thank you.

**THE SPEAKER**

Thank you. Is there any seconder? I recognise Hon Aphiri.

**MS APHIRI**

Thanks, Madam Speaker. I, Mokgadi Johanna Aphiri, rise to second the motion as presented by the chairperson of the portfolio committee from the Mankweng cluster.

**THE SPEAKER**

Thank you very much. You can proceed honourable chairperson.

**MS LEKGANYANE**

Thank you very much, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the third quarter report on the Limpopo Legislature for 2019/20 financial year to be considered and adopted by this House. I thank you.

**THE SPEAKER**

Thank you. Is there any seconder? I recognise Hon Mochadi, the Deputy Chief Whip.

**DR MOCHADI**

Thank you, Hon Speaker. I, Sekutu Monicca Mochadi, rise to second the motion presented by Hon Lekganyane, the chairperson of the committee. Thank you.

**THE SPEAKER**

Thank you very much. You can proceed honourable chairperson.

**MS LEKGANYANE**

Thank you once more, Hon Speaker. I, Nakedi Maria Lekganyane, rise on behalf of the Oversight Mechanism Committee to present the fourth quarter report on the Limpopo Legislature for 2019/20 financial year to be considered and adopted by this House. I thank you.

**THE SPEAKER**

Thank you very much. Is there any seconder? I recognise Hon Mahasela.

**MS MAHASELA**

Thank you, Hon Speaker. I rise to second the report as presented by Hon Lekganyane.

**THE SPEAKER**

Thank you very much. We shall now refer to the Speakers' List. Hon Mapula Mokaba-Phukwana, you may open the debate.

**MS MOKABA-PHUKWANA**

Thank you, Hon Speaker, the Deputy Speaker, the Chief Whip and all honourable Members present here, good day. I stand here to debate the first, second, third and fourth quarter reports of the Oversight Mechanism Committee for the financial year 2019/20.

Starting with Administration, which is the Office of the Speaker. There are 4 performance indicators under the sub-programme which are a number of Sittings; Programming Committee meetings; Internal Arrangements meetings and in-year monitoring reports.

The committee noted that throughout the financial year, from the first to the fourth quarter, there was underperformance on the number of Sittings held and Programming Committee meetings. The reason that was forwarded was that due to preparation for elections, the work of the Legislature was interrupted and for the most part put on hold. We should take note of these developments as elections are part and parcel of a healthy democracy.

However, we should also in the same breath find ways to still conduct our oversight work. It cannot be that during election season, departments are not called to account. Furthermore, we should find a way to facilitate proper handing over of work from one administration to the next. This should not necessarily be difficult as whatever work that has been done remains in the custody of the Legislature and not of any political

party *per se*. This is an important point to note and to consider seriously by all Members of the provincial administration as representatives of the citizens of this province.

We are also expecting local government elections next year in 2021. Although it will be election season, we should find a way to still play our role as the watchdog and the voice of the people. If we do not open our eyes to the necessity of balancing election work and political oversight, we will find ourselves continuously overtaken by events whereby certain provincial departments will run amok knowing very well that the Legislature is fully occupied with the work of elections.

This is a matter that we would like the Speaker and the administration to apply their minds on because the work of the government departments will still continue. With regard to the Office of the Secretary and financial management, all targets under the sub-programme were achieved as planned. We are expecting a clean audit opinion given the prudent fiscal management that has been exercised by the Legislature so far.

Across all quarters, the Legislature has met all set targets without failure. If the Legislature continues to follow its own financial prescripts to the letter, and the ongoing compliance with FMPLA, we believe that it will surpass last year's audit findings which was an unqualified audit opinion. In the same breath, we commend the leadership of the various political parties in the Legislature for continuing to submit their audited financial statements without failure.

Indeed, for all political differences we may have in the House, the one thing that we have in common is to respect the public purse by duly submitting our financial statements without failure. This goes on to indicate how we, as the representatives of the citizens across the political spectrum, continue to commit ourselves to ethical leadership. This is duly appreciated.

On Corporate Services, it was found that all targets on fleet management and logistics; communication services, internal audit and information technology were successfully achieved. However, in human resource management underperformance was noted with regard to training as it was the case with both the second and third quarters of the 2019/20 financial year. It is advised that proper implementation of skills audit plan be conducted to curb challenges of underperformance.

Underperformance was also noted on the number of workshops conducted under this programme. The reason for underperformance in this particular programme may perhaps be linked once more to the change in administration and in particular, the focus on election work. Based on the points raised earlier with regard to findings, on how our work should continue amidst elections still stands.

Where possible, the Legislature should also consider skills development in the form of individual bursaries and tailored packages for individuals as informed by the skills audit. With regard to workshops, we also advice the Legislature to consider in its planning of events such as elections and possibly reducing recess and use those days to catch up on workshops and other work that may still be outstanding. Once again, we may take the advantage of the virtual platform as was the case during the COVID-19.

With regard to Members' Safety and security, the committee noted that underperformance on the compilation of the maintenance report was due to refurbishment at the Legislature which could not be completed as envisaged. This has been a long-standing problem and we believe that the Speaker and the MEC for Public Works, Roads and Infrastructure should be able to attend to this matter. This is a long-standing matter and should really be laid to rest. It is an inconvenience to staff in the office as well as a safety hazard.

Matters relating to the safety of Members in the Village, were also raised. However, security measures being currently applied at Parliamentary Village seem sufficient. With regard to facilities for Members and political parties, the purpose of this programme is to provide the payment of remuneration, claims of Members, constituency allowance and protocol services. This programme has two sub-programmes which is Political Support and Parliamentary Exchange and Protocol Services. The budget for this programme was R148,4 million, and was adjusted to R194,9 million. At the end of the quarter the overall expenditure for the programme amounted to R196,4 million of the total adjusted budget.

On Political Support Services, Protocol and Parliamentary Exchange it was found that underperformance on the programme was informed by less demand on political trips and the adjustment made in the Commonwealth Parliamentary Association (CPA) programme. This matter should be addressed by the various political parties in the House, more so with regard to political trips travelled.

The CPA Programme should also be duly supported to ensure that it does not fall by the wayside. The CPA is an important part of our parliamentary democracy and as such, its programme should be duly implemented. On Parliamentary Services, the purpose of this programme is to provide services relating to the co-business of the Legislature which is oversight, law-making and public participation ... [INTERJECTION]

## **THE SPEAKER**

In conclusion, honourable Member.

## **MS MOKABA-PHUKWANA**

In conclusion, Hon Speaker, we want to commend the good work done by the Legislature and we would want them to maintain this very high standard. It is clear that where women lead the way, there is continuous light. We believe that Madam Speaker will continue to lead in the same firm and ethical manner in which other Madam Speakers have done before. Malibongwe!

## **BACKGROUND**

Igama lamakhosikazi! [APPLAUSE]

## **THE SPEAKER**

Thank you, Hon Mokaba-Phukwana. I now call upon Hon Seshoka.

**MR SESHOKA**

Thank you, Hon Speaker. The EFF seeks clear information and clarity on what happened to the machinery which was purchased as part of cost-saving measures in the Legislature. According to the accounting officer, the institution was initially leasing machinery and later resorted to purchasing its own machines as part of cost-saving / austerity measures employed at the time. Upon encountering maintenance challenges of those machines, it was deemed necessary to revert back to leasing, given the fact that the leaser would have to maintain the machinery.

Hon Speaker, is there any progress on the Enterprise Resource Planning system and its impact on the working environment and performance thereof? Can we get a progress report on the continuous construction within the Legislature which was supposed to end during December 2019? As we speak here, we are in the dark as to what is happening with the refurbishments within the Legislature and when those offices will be handed over for use. What are the intervention methods put in place by the Legislature which can remedy the disruption caused by elections which hampers implementation of Parliamentary Services?

Hon Speaker, the Fleet Management and Logistics report indicated that 2 vehicles were written-off and later it reported that 30 out of the targeted 29 vehicles were maintained. This House must be favoured with a full report as to how many vehicles are currently on service and how many are ready to be disposed for auction as they have reached targeted kilometres. We further request a submission on the organogram and an indication of how many people are on acting allowances and how many are due for retirement.

There are two positions of senior researchers which are never filled. They get advertised and withdrawn while other posts are filled. These posts were advertised for the second time and withdrawn again which leaves much to be desired. Could it be that these senior positions in the Legislature are reserved for some staff members who are in good books with the management or they are still waiting for their preferred people to meet the requirements of the posts which they don't meet now?

Whatever is happening with these posts will be investigated and be brought to light for the people to see. The EFF government will publish the requirements for promotion and all public servants who were promoted on a quarterly basis. The EFF requests for a report on legal and litigation matters for financial year 2019/20.

Hon Speaker, the EFF government, including state-owned companies, will abolish tenders and insource all security guards, cleaners, gardeners and drivers. We will put the people at the centre of development across all sectors of society. I thank you.

**THE SPEAKER**

Thank you, Hon Seshoka. I now call upon Hon Phala.

**MS PHALA**

Thank you, Hon Speaker. At the end of the fourth quarter of 2019/20 there had only been 24 sittings out of the 30 targeted for the year and 6 had not been implemented at the end of the fourth quarter. The programming meetings were convened but did not meet their annual target. For example in the first quarter, none of the Programming Committee meetings were conducted. And in the second quarter, the number of the sittings held was 11 instead of the targeted 15. There were 5 programming meetings against the targeted of 15.

This points to a continuous failure to meet the targets with regard to Sittings and Programming Committee sittings. Hon Speaker, in the first quarter of the year under review, there were five vacant posts and only three posts were filled. There were 2 interns appointed, instead of the 8 and it is unclear why this was the case. There were also 68 employees that received training according to the Legislature institutional needs and it is encouraging to see capacity-building taking place.

Hon Speaker, during the fourth quarter 1 post was filled and a total of 34 bursaries were used out of 41 issued. Hon Speaker, the percentage of funds allocated and transferred to political parties was targeted at 25% for the first quarter and the whole 25% was transferred, this rose to 93% in the second quarter and there were no further transfers of the 7% in the last two quarters.

The Legislature exceeded its targets by managing to facilitate 69 political trips in four quarters, 20 in the first quarter, 23 in the second quarter, 15 in third quarter and 11 in the fourth quarter. In the fourth quarter, the Public Participation and Petitions programme saw 6 petitions that were coordinated and Hansard and Languages Services managed to produce 6 reports, one volume of *Hansard* and 6 Sittings meetings.

Hon Speaker, the Legislature underspent in the 2019/20 financial year. The cumulative expenditure for the fourth quarter was just over R420 million which constituted 96,2% of the total Budget of over R430 million. In programme 2 there was an overexpenditure of R1,5 million which is 0,4%. The Legislature had many sub-programmes which they underspent on, and some of the finances were for the programmes that did not meet all their targets. Only 36,5% which is R5,3 million, out of the R14,6 million of the machinery and equipment budget was used and presenting an underspending of R9,3 million which is 63,5%.

Hon Speaker, other noteworthy underspendings were in House Proceedings with R10,7 million, Committee Services annual expenditure was at R4 million, Legal Services expenditure was R6,3 million, Public Participation and Hansard Services total expenditure was R11,8 million and R10,5 million respectively. Hon Speaker, although the Legislature largely performs well and exceeds targets, it also performs extremely poor in other areas and this is shown by the targets it fails to meet and the large underspending and overspending in some programmes and sub-programmes.

Hon Speaker, there is a need for better target planning. Underspending has to be monitored and corrected. There's also a need for proper budgetary planning to avoid overspending as well. Thank you.

**THE SPEAKER**

Thank you very much, Hon Phala. Honourable chairperson, you can close the debate.

**MS LEKGANYANE**

Thank you very much, Hon Speaker. Thanks for allowing me an opportunity to present the Oversight Mechanism report for the 2019/20 financial year to be considered and adopted by this august House.

The Constitution of the Republic of South Africa, 1996, section 114(2) read together with section 4(3) of FMPPLA and Rule 81(1)(b)(c) of the Standing Rules and Orders of the Limpopo Legislature confers powers to the Oversight Mechanism Committee to maintain oversight over the provincial Legislature. In compliance with these legal prescripts, the committee was briefed by the Legislature on the first, second and third quarters of the Limpopo Legislature for the 2019/20 financial year in a meeting held on 06 March 2020.

The committee was also briefed by the Legislature on the fourth quarter performance of the Limpopo Legislature for the 2019/20 financial year in a virtual meeting held on 03 June 2020. On the Administration programme, the purpose of this programme is to provide strategic leadership and overall administration to the provincial Legislature. This programme comprises of the following sub-programmes: Office of the Speaker; Office of the Secretary; Office of the Chief Financial Officer; Corporate Services; Internal Audit and Members' Safety. An amount of R128,9 million was allocated to the programmes and was adjusted to R141,8 million after the end of the quarter.

The overall expenditure amounts to R132 million which is 94% of the total expenditure. Generally, the Office of the Speaker, has shown careful spending across quarters ensuring that it is not found wanting on other programmes. Hon Speaker, this is commendable work done by the Secretary and the political head of the institution. If the office continues to work within the system's prescripts, there should be no reason why it would not obtain a clean audit.

While administration is well-managed in the Legislature, we are concerned that the Legislature did not spend 100% of its Budget. This in essence could have compromised the overall efficiency of the Members of the provincial Legislature, more so in their role as representatives of the people. The office must ensure that in cases where training has not taken place, bursaries should at least be made available for staff who wish to further their education with credible institutions.

Indeed Hon Speaker, it would be of benefit for the House if the office could also indicate the number of bursaries granted for the benefit of all staff in the office. Hon Speaker, it was found that the underperformance on programmes was informed by less demand for political trips and the adjustment made in the CPA. The office is also requested to appraise the House on developments in the case of the former Secretary of the Legislature. Here we are on human resource issues. This is the issue that has been on the table for some time and ought to be settled soon.

The Legislature has gained a reputation for being well-managed with ethical and committed staff. We would like the office to keep up this exemplary conduct of civil servants employed in the Legislature. Therefore, we expect that in hiring new staff, the Legislature should retain its high standard by ensuring that it continues to hire

competent, qualified and ethical employees. The efficient and ethical nature of the staff indicates consistency in institutional policies; adherence by staff and good overall management by senior staff in the Office of the Speaker.

This is commendable Hon Speaker, and this is a standard that must never be allowed to drop. In conclusion Hon Speaker, the committee advised the Legislature to ensure that financial reporting is aligned to the programmes. The following recommendations were outstanding as of the third quarter of 2019/20 financial year to the quarter under review, that progress be reported on the following: filling of vacant and acting positions; security and maintenance issues at the Parliamentary Village and the Legislature respectively; details pertaining to the case of the former Secretary.

The committee also recommended that the following should be submitted: skills audit plan; organisational structure; policies governing promotions and demotions; acting positions and upgrading of posts; asset register and audit action plan.

If the office continues to run at the pace it is running with currently and also noting the points raised in the House, we should correctly expect a clean audit moving forward. Hon Speaker, the committee considered the first, second, third and fourth quarter performance reports of the Limpopo Legislature for 2019/20 financial year and I hereby move that these reports be adopted as the reports of the House. I so move, Hon Speaker. [APPLAUSE]

## **THE SPEAKER**

Thank you, honourable chairperson for closing the debate. We shall now call upon the Deputy Speaker to come and respond to the debate.

## **THE DEPUTY SPEAKER**

Thank you very much, Hon Speaker. Let me take this opportunity to appreciate the Members of the Oversight Mechanism Committee for their advices. Indeed, the oversight work contributes significantly to the work that we do efficiently, effectively and economic use of resources of the Legislature. We welcome all the suggestions and advices that have been made and congratulatory messages from Members.

There are few issues that have been raised and we have been requested to talk to. The first one is the filling of funded posts. The Legislature advertised several posts before COVID-19, now due to the conditions that were created by COVID-19, there's a delay in processing those applications. However, we hope that very soon, as the conditions are clearing, we will then be able to deal with that process. All the posts that have been mentioned are part of the posts that have been advertised.

The issue of safety and security at the Legislature and Parliamentary Village, Members should know that currently we have measures of security both at Parliamentary Village and here at the parliamentary precinct. These two compounds have been declared as a national key point. But for us to meet the requirements of a national key point, there are several things that need to be done and the administration is working on those things and hopefully the implementation of these requirements will be done as we implement together with public works in the next financial year.



With regard to the case of the former Secretary that has been running for some time, we must remember that she took the case to the Labour Court on issues of unfair dismissal. But in the process she then withdrew the case from the Labour Court, so currently there is no case in front of the Labour Court. She has abandoned her appeal. We will submit the organisational structure; we will submit the audit action plan; we will improve in the work that we need to do towards achieving our targets. In some instances we might blame the Coronavirus, but we have to adapt to the conditions to make sure that we are able to achieve our targets.

With regard to the Fourth Industrial Revolution, we have agreed and decided that we can't wish away the Fourth Industrial Revolution. Our role is to position the Legislature to be able to be compatible with the Fourth Industrial Revolution and therefore, that work is work in progress and we hope that with the resources available to us we are going to achieve that.

With regard to the refurbishment of the Legislature office blocks, what we can say is that the refurbishment has been completed and the Department of Public Works, Roads and Infrastructure has handed the building over to us, and what the Legislature is doing to furnish those offices and there was also a problem of cabling which was the responsibility of the Legislature and which we are busy working on now. We hope that very soon those offices will be handed over to staff to use.

I think that those were the issues that were raised, and we were advised to submit to the House, Madam Speaker. We will also like to thank the chairperson of the Oversight Mechanism Committee, Hon Lekganyane and all the Members of the committee for your work in ensuring that the Legislature's resources are managed effectively and efficiently. With your oversight work, we got a clean audit as an institution. Thank you very much. [APPLAUSE]

## **THE SPEAKER**

Thank you very much, Hon Deputy Speaker. Thanks once more honourable Members, I think it has been a long day. I could also realise seated here that Members are tired. Thank you for your patience and tolerance. Honourable Members, you have shown a high level of discipline and commitment. Thanks very much once more. I think we will work around this thing in future, together with the Programming Committee, because honourable Members have been here since morning without lunch so maybe that is why they are so tired. Thank you very much for your patience.

## **8. ANNOUNCEMENTS**

Are there any announcements, honourable Members?

## **THE DEPUTY SPEAKER**

Hon Speaker, there are no announcements, but we will consider the concerns of the Members and that on Thursday we will provide takeaways instead of them sitting down and eat here, and for today there's nothing.

## **THE SPEAKER**

Hon Deputy Speaker, can you please repeat what you just said.

**THE DEPUTY SPEAKER**

What I'm saying is that there is no lunch today and as we discussed this morning we've agreed that on Thursday we will provide lunch, and it will not be in the committee boardroom, Members will have takeaways.

**9. ADJOURNMENT**

**THE SPEAKER**

Thank you, Deputy Speaker. This House is adjourned until Thursday, 15 October 2020 at 10:00 in this Lebowakgomo Legislative Chamber.

**[THE HOUSE IS ADJOURNED]**