

Incorporation of King Code to the Performance of Governors At Our Institutions In South Africa Could Improve Accountability And Provision Of Services

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ABSTRACT: This study intends to expose the importance of corporate governance within the South African spectrum in relation to school governing bodies in particularly but not limited to only school governors. The role played by school governing bodies needs the infusion of corporate governance unfortunately during the inception of the legislation in 1996 dealing with Schools Act when the department of education started with transformation in abolishing the school committee which was used as the core institution of governance during apartheid regime the current government that came in through democratic processes never infused the King Report on corporate governance as it looked more established for private institutions mainly in 1994 though is not the case as corporate governance is found from all State-Owned Institutions and therefore important also to our public institutions like school governing bodies, boards or councils at our public and private higher institutions of learning as well as municipal councils hence the governing party adopted a minimum requirement for anyone willing to be a councillor should have a certain level of rudimentary knowledge in order to be considered for councillorship positions.

Any institution to achieve its vision, mission, goals and objectives should be having stable governance to play oversight and offer assistance when the set targets are not being realized. The same applies to all our schools and universities, to achieve their visions need competent and capable governors who will make sound decisions for the best interests of all stakeholders involved for the benefit of the community at large. This study recommends the infusion and shows the importance of corporate governance on governors who regard it as the tool to be applied in communicating with all stakeholders involved in the undertaking of such institution as the bar to hold the managers is not compromised and report is prioritized for shareholders and stakeholders as well as the school community with huge interests of the development of such institution in their localities. Development of policies by governors for implementation by the accounting officers needs some level of skills and knowledge to perform such functions hence is very important to go through continuous trainings before resumption of duties where it will be emphasized the importance of consulting and reporting back to the major shareholders and stakeholders who participated in the elections of those governors in order to access the assigned duties if are carried out accordingly to achieve the common goal of all parties involved.

KEY WORDS: School governing bodies; school committees; section 20; section 21; corporate governance; whistle blowers; protection; school management teams

I. INTRODUCTION

The abolishment of school committees and their replacement by the democratically elected SGB was hailed as a significance milestone in improving school governance and the general management of schools. This was also perceived as an important step towards the improvement of the quality of the culture of learning and teaching as well as commence of transparency and accountability to the people who had elected them as it was not the case during the era of school committees who were not democratically elected. This initiation has been met with challenges of its own as most schools have experienced crisis of governance one way or another because of the insufficient skills the structures encountered due to a number of educational and history background of those members elected to govern of which this had have an impact in making well informed sound educational decision in terms of the mandate bestowed upon them to benefit the schools. According to DOE (1996:22) the SGBs were instituted with the aim of entrenching democracy and instituting representative governance, which, it is strongly believed will enhance the effectiveness of schools and therefore improve the quality of education.

The inception of democratically elected SGB brought different upshots to different schools, some of the schools were stable under the leadership of School Committees and some were not managed properly and the inception made some of those schools which were managed properly to deteriorate in terms of school performance whereas some just improved. The rift of power between the structures and the principals as to who should run

the school caused schools commotion in some schools where this process was not managed properly and it had an impact somehow, as is still being integrated judiciously to do its own duties within its boundaries. The tussling of school committees in favour of school governing bodies was to enter in another dimension which has to be used to achieve the intended goal of the government, and this study is to expose the barriers which hinder such good plans the government has initiated and outlined some of the strategies which could assist in schools to achieve those plans the government had at first so that quality education could be found in South African public schools as is the case in former model C schools which are run independently without huge interference by the department.

School community could form some projects to fund hardworking students to tertiary level in a form of encouraging and tantalizing commitment from the parents, educators and learners to work together towards the common goal which is to achieve best quality results in their schools. The family circumstances could not be ignored if children have to be guided to work hard towards realization of better results so that they may better their family situations, so the family values towards education are primary important to shape the children in focusing in getting education. Should parents be dedicated in monitoring the progress of their children this battle can be won as this practice could instill the will to learn by the children for their own benefit than for their parents who try by all means to create conducive learning space. The Department of Education and School Governing Bodies have to work as partners in ensuring that the schools do produce the quality results in all the schools, this can be achieved if they form a mutual co-operation and collaboration in executing their roles knowing that there is no entity amongst themselves which can able to achieve the full potential of the education system in isolation without the active participation of the other stakeholders. Anderson-Butcher and Ashton (2004:40) define collaboration as `working together and sharing responsibility for results`.

The parents communities have to take their roles seriously and responsible without fulfilling the constitution`s obligatory duty, they have to contribute positively by making sure that they take the education of their children in a serious note by engaging with them in a various ways like checking their books at home, establishing Quality Learning and Teaching Committee which will some time visit schools to check their books randomly to find out if indeed they are writing the class tasks and people to be assigned on these activities could be people who have already graduated from matric. This implies that, as a starting point, a school management team needs to establish an atmosphere that is inviting to parents and community members for participating in school activities (Joubert, Mestry, Mosoge, Naidoo & Ngcobo, 2008:130).

Background and motivation: Education is vital to the development of its society in any country which needs to compete in a global space of learning. In South Africa there is a legislation which has been passed which allows the parent community to work with department of education in achieving the results intended by the government which is to educate the nation and by doing that the nation will come out from it socio-economic challenges that the whole nation is living under at this stage. Policies and regulations have been laid down in section 16 of SA School Act 84 Of 1996 about the situation of reaching the best out of the partnership of the school community and the department of education, but the challenges are the competence and capacity of SGBs in making sure that the establish mutual relationship is beneficial to the intended mission of the school through its enabling systems which could cater for an obligation from the parent community and usage of available resources for the benefit of the children. This should be followed by engaging in strategies that have been identified as holding promise for enabling successful collaboration and cooperation between schools and communities (Joubert et al, 2008:132).

The eligibility of parents who qualify to serve as guardians was key in electing SGBs to govern the schools initial as it was believed that only people with children in such schools could make difference though the Act has got provision of co-opting members with the right skills to serve also in the SGB without voting rights as is the case to members with children. Wragg & Partington (1990:67) stress that co-opted members should bring a dimension which other members can not readily give in the structure. In practice most of the School Governing Bodies are just regarded as curtains which do fulfill the interests of the principals and teachers in many schools as they cannot actively participate in decision-making of the issues which concern governance and this gives the professionals that leeway to take advantage of the situation and when they come across the living parent communities who are conversant about the acts and procedures they find it difficult to work with such community as they are used in taking decision without encountering any challenges in the meeting they used to have with parent-component structure as most of them were just there to add the number to form quorum. The schools under section 21 also do experience this practice whereby the principals are just empowering themselves through the services of these

SGB members as most of them accept whatever request the principals make and they end-up accepting the maladministration of funds while serving in that school as they are given some kickbacks to shut them from speaking out what is happening in the schools, however we have few whistleblowers in these SGBs but they are also afraid to be victimized and crucified, these schools under section 21 are given the funds by the state and do administer them at their own but you may find that in many schools under this section chairs, desks and textbooks are not found but you will find that employees are appointed to paint and repair the fence.

The schools under section 20 as well do have their own challenges of which here are the active participation from parent-component and withdrawal of the parent-component in attending the meetings, so the SGB is still not playing its role accordingly but they are just fulfilling the mandate of the department at the expense of their own children whom they are supposed to own and be responsible about, few SGB from this section do have the finance committees in order and running to check the spending of their school budget but the majority do not know even know the figure given by the department. The parents' communities have to take up their roles without fear and prejudice of their personal background when it comes to education of their children so that we may get the intended results in our schools as the nation. The department seem to be the active player and the parent community to be just recipient of which all of them have to play equal role therefore children belong to the parents and teachers belong to the department so this means equal efforts have to be put in place by all these stakeholders to achieve the mutual relationship which is profitable and beneficial to its intention.

There is a lot which needs to be done after it has been seen that most SGBs do not have necessary skills and qualities to govern which has been a big blunder to the government because a lot of funds have been mismanaged to benefit individuals than the intended common goal of the child's education. Public funds has been used as cash cows by some who are in the structures for many years without any sanctions, strong actions are needed to curb this scourge. Taking into account what has been a norm in handling of public funds which play a major role in buying resources like textbooks, chairs, tables, stationary, technology equipment and sustaining the infrastructures for the school children so that effective teaching and learning could take place, this research is to deliberate on how best the schools could be governed by most capable SGBs which have got necessary skills to read and interpret policies, so that they may able to set up Quality Learning and Teaching Committee, Finance Committee, Disciplinary Committee, Panel and Recruitment Committee among others which will have to meet regularly to monitor the progress being made by the committee established for that particular aspect, and have to report back to its constituencies and other major stakeholders using incorporated King III report principles. The board should ensure that the ethical standards guiding the institution's relationships with internal and external stakeholders are clearly identified (King, 2009: 25).

The board is responsible for corporate governance and has two main functions: first, it is responsible for determining the institution's strategic direction (and, consequently, its ultimate performance); and second, it is responsible for the control of the institution. The board requires management to execute strategic decisions effectively and according to laws and the legitimate interests and expectations of stakeholders. The board is responsible to ensure that management actively cultivates a culture of ethical culture and sets the values to which the company will adhere. These values should be incorporated in a code of conduct (King, 2009:20). Incorporation of King Code should be the norm to all our public and private institutions in order to get the intended results whereby those delegated with authority are held accountable in their performance and steps to be taken against them if they are not fulfilling their assignments base on negligence and corrupt practices but incompetence will need extensive capacitation by universities with accreditation to do that to ensure the value of money is received by the community at large for the benefit of the country 's economy.

Problem statement: The performance of schools is everybody 's concern in the country which regards education as weapon in fighting poverty in favour of uplifting its socio-economic factors. There is a huge effort which is being dedicated and channeled to the department of education by national government so that this country could produce an educated nation through its citizens, however there is a challenge of how to meet such expectations in schools which fall under Section 21 and schools which fall under Section 20, schools with and/without power to manage their own funds. A School Governing Body is a legal juristic person with invested powers by the Act to govern schools, that in itself means that their decisions which they make in a formal meetings are binding to be enforced in such schools, so the problem statement to be deliberated on this study is how best the members elected carry out their duties effectively and efficiently without any hindrance of reading and interpreting policies that have to be used in governing the schools. Some of the learning areas which are taught in our schools seem not to be yielding the intended results as envisaged by the department and this makes this country to be the last when it competes with other countries global especial when it comes to Maths and

Science, so is the SGBs structures which are running the schools to have a turnaround strategies by working hand in hand with other major stakeholders in education like department and school communities in making sure that the country is able to produce the best out of those learning areas so that South African industries could benefit through these scarce learning areas. The environments where SGBs are supposed to operate, is there any conducive room for them to perform their functions as expected without any victimization in terms of their educational and family backgrounds by which could derail their morale of being active members in the structure if they consider their profiles to be of low standard compare to those ones of the educators whom they serve together in the structure to develop school policies and others? Do they have the self-confidence to challenge those who are in the education systems in terms of interpreting the policies, do they demonstrate responsibility and accountability to those who elected them to be in the structure by regularly providing them with developments which do happen in the school, does the department give them the necessary support and mutual respect to perform their roles?

Aim of study: The aim of this study is to explore the challenges which are faced by the SGBs and how to make use of those challenges to the advantage of its existence by means of using such challenges as learning curve in doing the right things which will benefit the community, learners, educators, department, civil organizations, councilors, professionals and traditional councils in Vhembe District and Johannesburg Central District.

Objective of study

- To identify the challenges encountered by the governors when executing their primary duties.
- Strategies to be applied by governors to overcome challenges.
- Governors` enthusiasm and capacity in executing their duties.
- Governors` accountability and responsibility in decision-making.
- The impact brought by governors in schools.

Significance of study from the perspective of the researcher : The importance of this study is to divulge the benefits the schools found themselves into if they have got most capable SGBs in that particular circle of operation as by law the SGB has to be in charge for almost three years and after that, another SGB has to be in helm of the operation of that school and what could be done to sustain such stable atmosphere which has been created in the school by the SGB which has got capacity and capable to execute their duties effectively as expected by the constitution. The schools are allowed to recommend the extension of such SGB by law or co-opt some of the outgoing members to remain so that incoming SGB could carry on with them without any break of the skills acquired in the process of running the school.

The challenges faced by the schools if they have got the SGB which are not much au fait with the policies of the department have to be outline so that the department could pay attention to them in making sure that they are attended to before is too late as the school could not able to function properly without the stable and capable SGB in charge. This study will divulge how they managed to sustain their performance and how some have managed to improve their performance with their SGBs in charge, hopeful that some strategies have been adopted and implemented in some of these schools, and some of them have sustained the strategies which have been used by previous SGBs which came before them. Significance of this study on the part of the department is to make them to be pro-active about bringing things which could assist the national school governing bodies, for instance, by considering the compensation of the members serving in the structure for raising their motivation to be on the par with the task the department expects them to fulfill, however this function needs the department to source funds to fulfill this aspect, by looking at the grants which are been paid to people who have got children without having an income, also this important task could be fulfilled as the SGB members are not to be paid monthly but quarterly after hosting quarterly meetings.

The training of SGB members intensively in their mother tongue could pay huge dividends to the governance of schools throughout the country and that will contribute to the national performance of the school results in all grades without focusing much at grade 12. The competency certificate could enhance quality governance in our schools if the SGB members are to be issued with competency certificate which could confirm the suitability of being a member of the structure which is responsible and accountable of the operation of the school which is expected to produce quality results. Members with such competency certificates could be recommended to be always available to assist when there are challenges in the schools nearby with the knowledge they have acquired during their tenure as SGB members and they can be at the forefront to challenge corrupt practices done by the schools employees while serving in that school or not, as they will be au fair with the policies and the governance prescripts which are used to govern public schools. It is also important to the department to

amend or add some of the eligibility requirements for someone to qualify to serve in the structure as a member, taking into account that reading and interpreting of policies from the department form key aspects in governance , the department is supposed to consider such recommendation for effective and efficiency governance which will spot corruption and stop it with immediate effect as many schools have been accused of defrauding the department a lot of funds because of having illiterate SGB members who just sign blank cheques which is highly prohibited in terms of their financial Acts which govern public funds.

This study will also alert the department about the school community stakeholders who play a huge role in supporting the local school to be productive in delivering its mandate of which they can adopt King III report principles to be used by the SGBs so that transparency and accountability as well as corporate responsibility could be demonstrated which dictated that major stakeholders and shareholders should be provided with the progress that is made by the institution which does operate in their environ. Should this be adopted and some other measures, theft and corruption by the school could be spotted before lots of finds are mismanaged as it supposed to be spent mainly for learners than any other thing at the school in which it has been allocated 60% of the share from any given budget from the department.

II. LITERATURE REVIEW

The department and other affected parties dealt with a number of issues about the challenges of the school governing bodies in performance of schools and how to inculcate and sustain such run-through in the education system for a long term undertaking since the creation of open participation in education. The dawn of democracy in South Africa has seen the passing of legislation specifying the participation of various stakeholders in school governance (Mosoge & Van Der Westhuizen, 1997:67). Schools are now governed by elected school governing bodies (SGB) who develop policies, adopt constitution, monitor implementation of agreed decisions, support the professional performance and administrative duties in making sure that schools do perform their duties effectively and efficiently to attain quality results.

This inception gave schools mandate to govern and run their own affairs for the benefit of their learners. According to Van Wyk (2004:49), this proliferation presents schools with an enormous task of governance because in South Africa , neither parents nor educators have had much experience of participatory decision making since in the past, principals were generally considered to be the only people with the required knowledge and authority to make decisions. This practice is still continuing in township and rural schools thereby the principals find it difficult to relinquish power of governance to the responsible structure mandated to do that by the Constitution. “At the beginning of new government, we had to make sure that each and every stakeholder in education has got space and a platform to get involved in the decision-making processes in education.” However, the education of our children, said Thakgedi Nkosana, is not an isolated societal matter (Talane,2014). “It has to address the rules of a country because it is a societal responsibility.” At the time that the policy around which the structure and purpose of SGBs was formulated, the government had to look at which societal stakeholders can spearhead discussions and policy making around education (Talane,2014). There is still a need to develop, adjust and amend some of the prerequisite in favour of the inclusion of a minimum literacy level for suitability and eligibility to execute core duties of governance.

Nash (2015:5) believes that governing bodies are the key strategic decision makers and vision setters in every school. The existence of SGBs in schools play an important role than existence of school committees to all who are affected and attached to such school, in case of difficulties and challenges which do happen unexpectedly, the role players know that in this circumstance there are many stakeholders to play a massive role in mapping out strategies to be used to turn around that situation into normal before any serious scar do happen. Parents must participate in all aspects of the management of their children`s schools in order for school governing bodies to carry out their purpose (Talane,2014). Education is the responsibility of any structure that is found in that area where the school is located. Communities may breed a nation which is able to educate itself and prioritize the education of its offspring without favour, fear or prejudice.

Incorporation of King III report principles into SGB constitution : Taking into account that the SGBs are elected by the community at large, it would be very advisable if they follow the King III principles to report to its citizenries so that running of the school could be on the same level with running of public entity of which even the school does qualify to be on that state as it is owned by the stakeholders which have got primary interests of the development of such school together with the state. So an incorporation of the King III report principles to the code of conduct of governing body 18A of SASA 84 of 1996 and/ to the constitution of the school governing bodies could serve a meaningful purpose to the effectiveness of the SGBs as elected by the

community whom at this stage could be regarded as the major shareholders of the school where their children are studying, of which one learner is a lot of funds to be paid by the state, so the learner could be used as the money invested in that business which has to bring back the profit to the shareholder and the profit could be regarded as the end product of the entire work done during the four quarters of the year.

Section 16(2) of SASA states that, “a governing body stands in a position of trust towards the school.” By this it is meant that there must exist between the partners, openness, co-operation, honesty, integrity, fairness, transparency, participation and accountability to work together to achieve the effective management of financial resources. The principles of corporate governance which are as follows are very crucial for considerations if government is to make the schools effective and efficiency in its daily operations of its businesses: Accountability by the SGBs in any decision to be taken, discipline by the governance, fairness in executing its functions in making sure that no discrepancy is committed to sideline a certain stakeholder which has got interests in the development of the school, interdependence to all involved stakeholders in realizing the objective of the entire business which is effective teaching and learning through meaningful support from all stakeholders, responsibility by the SGBs is very vital to make sure that any unwanted conduct is attended to with immediate effect and remedial action is taken to align the school into its intended mission as well as to put the school at the right place within acceptable and expected time frame, social responsibility of the governance is to make sure that the community is taken care of by making sure that the environment where the school is located has to benefit through the existence of that school and finally, transparency in a form of providing its stakeholders with accurate reports which do happen quarterly in the school for smooth running and effective governance which could fasten a mutual conventional relationship between the school and its stakeholders.

Incorporation of King III report principles to the constitution and code of conduct of the SGB members could eradicate such malpractices done in schools as there is no accountability demonstrated to the stakeholders which have invested fiduciary mandate upon the members of the SGB to serve on behalf of the entire school community and stakeholders of the school to develop and manage it to the next level. The aspect of accountability by virtue of being paid for one's services is entrenched in Kogan's definition “(Watt et al, 2002) of accountability as being answerable to one's clients (moral accountability), one's colleagues (professional accountability), liable to oneself and responsible to employers” (Mestry, 2006:31).

The philosophy of the King III report is based on leadership, sustainability and corporate citizenship, and the report relates to institutions, boards of directors and all those charged with the functional responsibility of governance (Grove, 2009:20 cited by Bushney, Grundling, Naves, Nel & Vorwerk, 2012:13). In addition, emphasis was placed on the requirement to report on how the institution intends to enhance those positive aspects and eradicate any possible negative impacts on economic life of the community in which it will operate in the year ahead (PricewaterhouseCoopers 2009:2 cited by Bushney et al, 2012:13). The researcher believes that this is the concrete way to give a progress report made in the institution in order to assess if the expectations by the major stakeholders are being achieved and if not being achieved what could be done to realize them in the next academic year.

Whistleblowers and protection: Corruption is sinking South Africa and the situation has exacerbated by leaders who act with impunity, writes Corruption Watch executive director David Lewis in the watchdog's annual report (Watson,2015:3). Public funds are being misused and mismanaged because of such leaders we have in high positions of public entity who do not have moral values to address the socio-economic challenges the country has other than being concerned about satisfying personal determinations by virtue of holding influential positions with authority.

In its annual report, Corruption Watch says that while corruption is widespread throughout government, it is particularly endemic in schools (Watson,2015:3). The Department and schools should accommodate different role players in curbing this endemic behavior pervasively becoming a normal culture within public schools, but the ethics of anonymity must be adhered to especial by the department until the consent is found from the whistleblowers in respect to the matter being investigated and offering of incentives in some exceptional cases reported could help in making the role players to take this matter of mismanagement through fraud and corruption serious. “Given this, we were prompted to launch a Schools Campaign. Through it, we aim to influence policy and practice regarding the management of school funds, as well as to support access to information about the use of these funds. The overall objective is to encourage the public to resist and report corruption in schools,” said Lewis (Watson, 2015:3). Lewis writes the organization will be focusing on encouraging young people to oppose corruption (Watson, 2015:3).

Youth could bring transformation if they are given the necessary support and sometimes they can be radical in challenging things that are disadvantaging their wellbeing social and economically, so getting them in board could reduce this rotten culture of using school funds to enrich personal pockets by some in the SGB structure and the school management team. Civic societies, political parties, community structures and youth development forums in different communities have to be vigilant in rooting out corruption which is being practiced at different schools in different forms. Silence could mean that you appreciate the ill-activities done in front of you at the expense of the society at large.

Studies by Maluleke (2023:129) posits that corruption seems to be in a play here if indeed the four companies assigned to effect payment to students in the whole country do not have the necessary expertise to do the mandate given by NSFAS in terms of meeting the financial requirement as service provider in this aspect. Such makes the country to open its eye brows as to how these companies were appointed and who is supposed to benefit from this deal amongst the major stakeholders? If the statement cited by Tshwane University of Technology that money is disappearing from students' accounts, so what is happening with the money meant for students? All these issues need competent boards to deal with these shenanigans together with the responsible ministry as well as the parliamentary committee responsible in doing oversight to higher education of our students in the country. According to Mzekandaba (2023), the NSFAS board has decided to cut ties with the Fintech partners selected to disburse monthly allowances to tertiary students. This, after an investigation into allegations surrounding their appointment to facilitate the payment of allowances to NSFAS students uncovered "conflict of interest".

The NSFAS board appointed Werksmens Attorneys and Advocate Temba Ngcukaitobi to investigate allegations against suspended Andile Nongogo and the appointment of the four Fintech partners to assist the NSFAS to administer direct payment services to students. As result of the investigation's findings, Khosa, the chairperson of NSFAS board said the board has among other measures, decided to: "advise all the four direct payment service providers that their contracts will be terminated after the investigation found that their appointment was irregular (Mzekandaba, 2023). The researcher believes if all corruptions were treated urgently once reported like this NSFAS saga our country would win in dealing with this unethical and mischievous acts done by executives conniving with governors sometimes to defraud the institution funds meant for education of the students. The researcher believes that the Minister of Basic Education should emulate Dr Blade Nzimande, the Minister of Higher Education and Training in this regard as he requested NSFAS board to ensure the matter was investigated urgently in order to report to him so that he may also report to the parliament as to what transpired into the alleged corrupt practices that made the students to be taking up arms in different institutions in our country fighting for their rights of which at first they were ignored but they intensified their call against these companies hired to provide direct payments to their accounts after they witnessed some unusual conduct from some of these companies hired by NSFAS. Cases of corruption reported at DBE are not investigated hence the rife of corruption within the department of education particularly in our schools as there are no consequences for wrong doings. The position taken by the governors from NSFAS after they learnt some shenanigans during the process of hiring the four companies to provide direct payments to our students should serve as example to other governors that corruption and abuse of power should not be tolerated in our public institutions if we need sound accountability which is transparent in order to ensure that quality services are offered for the benefit of our citizens.

Whistleblowers are supposed to be protected than to be exposed to those who are defrauding the state, this is a challenge indeed and it needs the department to come up with some strategies of protecting those who feel that their names should be kept secret after they have exposed corrupt practices in their localities, as some fear of victimization and exploitation towards their children by those who are in control in such schools. "They will make sure my name is blemished and maybe one person will be fired," the source said (Cassim, 2012). The decision by Judge Raymond Zondo, the chairperson of the State Capture Commission, to lay criminal charges against erstwhile SAA chairperson Dudu Myeni for exposing the name of a whistle-blower sends the right message, that in the struggle for transparency and accountability, witnesses play an invaluable role. Myeni had no problem refusing to answer simple questions under the guise of fear of implicating herself but felt brazen enough to reveal the identity of a witness whose name Raymond Zondo had clearly indicated should not be made public (Sunday World, 2020:15). Judge Raymond Zondo believes that the protection of the whistle-blowers is very important to the work of the State Capture Commission, and no one should compromise this aspect by exposing their names to the public without any permission given in this regard. The researcher believes that in protecting the whistle-blowers the judge set a good precedence which could help going forward that whistle-blowers should be protected as

They play an invaluable role in exposing corruption in our schools and in all spheres of government where the tax of ordinary public is being misused to benefit the few. The researcher is of the opinion that this view should encourage school communities and school governing bodies associations to stand up against corruption of all odds and abuse of power to ensure that the SGBs play an active role in the governance, especially to ensure that the norms and standards are utilized primarily for educational purposes as well as to ensure that a number of committees in schools are created to support effective teaching and learning in order to get the department to fulfill its constitutional obligations without the supervisory role and intervention by the court. Parallel analysis should be drawn from the Corruption Watch report that principals are the most senior officials who purport corruption and mismanagement of school funds in these two provinces, Limpopo and Gauteng of which this should be an issue of concern to the Department of Basic Education however nothing much is being done to root out such doings.

Governance lies in the hands of parents in this new dispensation and this exercise should be performed by people with right skills in getting the intended results and enable to stabilize the schools should they be in a crisis of any unforeseen nature. Trainings of SBG members with some benefits at the end of the exercise could stimulate participation throughout the term. Accountability, transparency and honesty should be incorporated in the SGBs' code of conduct through King III report principles for the benefit of the large society. Deficiencies and shortcomings should be given attention without delay in order to instill good governance and values of efficiency in working hard towards quality education despite the odds.

III. RESEARCH PHILOSOPHY

According to Govindasamy (2009:62), research may be regarded as a rational approach to problem solving. Creswell (2005:39) defines qualitative research as a type of educational research in which the researchers rely on the views of participants: ask broad, general questions; collects data consisting largely of words from participants; describes and analyzes these words for themes; and conducts the enquiry in a subject -based manner. Govindasamy (2009:63) argues that a qualitative researcher's participation can vary from direct involvement to hands-off observation, and a combination of qualitative questionnaires.

Qualitative research design that is exploratory, descriptive and contextual would take place in this research project. Qualitative research was primary concerned with the view that individuals interacting with the social world construct reality. Quality researchers are interested in understanding the meaning people have constructed in making sense of the world and the experiences they have in it (Mestry, 2004:126). This method is regarded as subjectivism as it trusts that there is no definite truth in pragmatic philosophy, truth is constantly changing and being updated through the process of human problem solving by applying open-ended questionnaires, interviews and discourse analysis.

A qualitative research method and a quantitative methods would prevail in this research project, people like School Governing Bodies former Chairpersons, school clerks, educators , learners, former principals and current serving principals, could be used to give information through tested means like interviews and Delphi technique method in a form of questionnaires as these people mentioned above have got good accounts for incidents which take place in their operation of control and all the sampled schools used do have different scenarios in terms of how the SGB has played their roles in improving the performance of their respective schools.

IV. INTERACTIONS WITH RESPONDENTS

Governance and Management : Van Wyk (2004;49) stresses that this proliferation presents schools with an enormous task of governance because in South Africa , neither parents nor educators have had much experience of participatory decision making since in the past, principals were generally considered to be the only people with the required knowledge and authority to make decisions.

The respondents who lead the schools here were asked to give their insights between the separation of powers and roles of governance and management without causing any rift between the two facets: The three headmasters had different views in how to handle and integrate the two;

Principal C had this notion about governance and management; *"It was made clear in the onset that the role of the SGB is more on the governance and support of the school by providing the needed infrastructure. The SMT deals specifically with curriculum delivery and the SGB does not interfere in that professional competence"*.

Principal D has got another dimension in how governance and management could be separated; “ *School governing body is a body that governs the affairs of school e.g maintenance of school’s structure, fund raising, drawing up policies and constitution, however the SMT is responsible for managing administration and implementation of policies*”.

Principal B had his views which are unique compare to the given views by other members in charge of schools thus far which reads as follows; “ *To balance powers between the school governing body and the school management team must work together to prevent disagreement between them. They are all there to help learners. If these two parties have disagreements, learners will suffer*”.

The views presented here above from the three principals who run different schools with different set-ups of its circumstances have got views which are similar but different in executing such views for the benefit of the school as a whole. The policy also is understood differently by the principals in charge in schools whereby the other principal believes working together is so vital to enable the two to realize the vision of the school, however others think differently of which one thinks that curriculum is supposed to be executed by the professional and the SGB has to provide the infrastructure to be used by the school and must not interfere with professional delivery of the curriculum and the other one has got different views about how to manage the separation of powers as he believes that the SGB manages the schools affairs but the SMT is responsible for managing administration and implementation of the policies of the school. Governing bodies are the key strategic decision makers and vision setters in every school (Nash, 2015:5).

Implementation of decisions and reporting to other stakeholders : Taking into account that the SGBs are elected by the community at large, it would be very advisable if they follow the King III principles to report to its citizenries so that running of the school could be on the same level with running of public entity of which even the school does qualify to be on that state as it is owned by the stakeholders which have got primary interests of the development of such school together with the state. Wolfendale (1992:14) states that for a partnership to succeed there is a need for a shared sense of purpose, mutual respect, sharing of information, responsibility and accountability.

The views to follow are for the headmasters who are in charge of the ship with parent-component and teacher-wing involved in the SGB though they are there as an ex-officio members who qualify to be amongst them by virtue of the position, could they be responsible with implementation of the decisions and reporting to other stakeholders?:

Principal B, “*The school management teams implement some and not all of the decisions taken in the school governing body meetings. They usually implement the decisions which they wanted to be covered within those decisions. They create mutual relationship between them and school community for the learners*”.

Principal C, “*Monitoring whether SGB decisions are implemented or not that is easy. SGB members are equal partners who sit in the executive. Monitoring the implementation of decisions taken has to be a collective exercise of the entire committee. The principal as an ex-officio member will be part of that collective*”.

Governor D, “*Well nothing has been done so far, it is just the mutual understanding between the learners and teacher. In the SGB, decisions are made without considering the views of the learners. Policies are posed as non-negotiable; learners in most cases do not have adequate information concerning the role they are supposed to play as members of the School Governing Body*”.

The expressed views above are not convincingly when it comes to the effective implementation of the decisions taken by the SGB in the formal meetings, Principal B stated that SMT does implement the decisions which they wanted to hear them being taken in the meeting however the other headmasters believe that is the collective who have to make sure that everything goes according to the agreement though there is element of dissatisfaction when it comes to providing feedback to the other stakeholders and that makes the exercise not being helpful to the learners as the primary target in the process, maybe is because things are not being implemented thus why there is no effective reporting. Learners believe that decisions are taken without considering their views and only the mutual relationship between them and educators do suffice for their own benefit as in most cases they do not know in depth the role to play in governance. Reporting to all stakeholders is supposed to form core responsibility for healthy mutual partnership by all who are in governance so that the school community could able to intervene if agreed decisions are not being effectively implemented.

Governor B1, *“The school management team felt superior and put us under huge pressure, I remember when we (SGB) suggested that all chairs and steels be removed from the school premises. The management said that they would write a letter to the department for approval. They did not come back to us. They did not care much about us. We did not even call one community and school meeting. It only happened in January when parents came to clean the school yard in order for them to collect books for the pupils”.*

This sentiment above supports what has been alluded by the principal B that they implement some and they are the ones who are supposed to manage school finances as they know the needs of the school than SGB in place, it shows that the issue of SGB is just to fulfill in this school and this demonstrates that there is a lot which needs to be done by the department in making sure that the parents are in charge of the schools where they have been elected to govern than taking orders from the SMT.

Governor B2, *“I make sure that I visited the school once a week to make sure that the school management teams are busy implementing the decisions taken in the SGB meetings by so doing the mutual relationship between the school and the school community is created as well. We must see the changes at the school after what we have agreed about”.*

The above statements are contrary to each other but supplement each other about the same school, the outgoing SGB had difficulties in ensuring that the school does implement its decisions and the new SGB seems to have worked a way which will assist in making sure what was agreed is to be implemented as there will be a number of visits to the school by SGB member in trying to check the implementation of what was agreed and the information will be passed to school community.

Governor A1, *“Yes, I involved myself as the chairperson actively in the school governance structure. I had regular discussions with children about general school matters and create a home environment conducive to study and assist in the protection of education resources and conduct meetings with the community and give the performance of the school results”.*

Governor C1, *“The only option which I believe was better than the other options was to arrange a regular follow-up meetings and timeframes which will help to measure the performance and also the commitment in the implementation of the decisions made. That helped the SGB and the school management team to understand each other and also to create a mutual relationship”.*

Governor C2, *“Any decisions taken in a school situation it must be recorded down, so to monitor that decision taken one should follow all steps recorded down. The decision taken should also be reported to the community while reading the report to the community at large. This will build a strong relationship amongst educator, learners and the parent at large. This will not create any hidden agenda as the ball will be played fair and openly”.*

The views expressed by the governors of school C do not differ vastly with the views of the principal that collectively they have to implement the decisions agreed in the meetings as recorded down and reported to the community at large, the position of the researcher on how school C and A are governed it is satisfactory to the required standard of implementing the decisions and reporting to its constituencies for the benefit of all to work in harmony towards the common goal of improving the education of a learner. King III reporting principles are been adhered to directly and indirectly by these governors who promote transparency, accountability, responsibility and openness to all its stakeholders without fear or favour but for the benefit of the learners.

Governor D1, *“By having constant meeting with SMT to see if the SGB recommendations are being implemented. Mutual relationship between SMT and SGB is encouraged. SGB must support the SMT and vice versa”.*

Governor D2, *“The SGB working together with the management of the school should sit and plan the activities of the school. The mandate must be clearly defined. Subcommittees should be supported to ensure that the mandate is carried through. At the end of the project reporting must be done. This will help the school in future when such need arises”.*

The views expressed do state that reporting and implementation of SGB decisions are carried out but there is still much needs to be done to integrate the SGB and SMT for future endeavors in this school without excluding

teacher-component which seems not being reliable when interpreting the views expressed by the principal D of this school, however room for improvement is there though effective reporting seems to be a challenge in a number of schools of which it has got a potential to cause rift between the affected stakeholders if this matter is not attended on time.

V. CONCLUSION

Effective communication by all stakeholders also was emphasized for consultation and up- dating other stakeholders about the decision being reached in their absence as well as the developments taking place in the school. The Department of Education should put monitoring mechanism in place to oversee if compliance by the SGBs in executing their duties is done as expected and to oversee if agreed decisions are implemented by the schools to enable them to detect discrepancies on time and attend to them before the situation becomes worse.

It has been identified that in most cases when things do not go well in schools the department is to be blamed as they do not put effective monitoring mechanism to detect inefficiency on time and to act early. Whistle blowers do report discrepancies to the department at an early stage but the department is accused of being reluctant to act swiftly. Department of Basic Education as government is one of the most primary stakeholders in expecting quality results from schools as they are the major shareholder who gives the money to the schools in addressing the basic needs of a learner as their responsibility to educate its citizens and has to play active role in attending to the concerns raised which disrupt active teaching and learning. The Department of Education should act towards reported ill-behavior by the governors within a normal stipulated timeframe as a signal that mismanagement of public funds and corruption by governors could not be tolerated at the expense of a learners` money. Thorough investigations are prioritized after receiving such reports and whistleblowers` identity should be protected if they feel their identity should be victimized by the accused culprits.

The Department of Education to combat mismanagement of funds and corruption in schools finances should hire department auditors and accountants in each and every circuit who will audit schools finances quarterly to prevent mismanagement of public funds as well as to provide support at an early stage to the governance which fail to meet the expected standard of how to handle school finances. Schools should be prevented in hiring the same auditors at the end of every year to audit their books as some collude with them to benefit out of that process or the department should consider revoking this function to the schools in favour of utilizing skills of its own employees whom should have been hired to execute those duties of auditing and inspections.

The Department of Education has to ensure that reporting to other stakeholders is an accountability that goes with obligation by integrating King III report of Corporate Governance which does not leave any stakeholder out without being informed about the progress and challenges which do happen in the organization need be the remedial actions have to be sought by all the stakeholders involved before the situation is out of hand and this will enable transparency in the school affairs especial when it comes to managing of school funds which form central part in the success of any school in terms of producing quality results as all the activities are funded from that coffer and this will be achieved through capable governors in charge of our public institutions with capacity to hold the managers accountable in performance of their duties.

School Governing Bodies should be encouraged to fund for outsourcing experts services; extra lessons, Saturday classes and holiday classes to enable them claim ownership of schools as governors. Donors should be approached by the Department of Education and schools to fund this undertaking. The governors should pay close attention on issues of security in our remote rural areas, this need to be given priority in order to ensure that effective teaching and learning do happen in positive climate that could enable all affected parties to do their constitutional assignment with focus and dedication rather than dealing with unintended disruptions which could be caused by lack of securities as well as criminal elements at our schools as that could pose risk to the lives of all within that institution. Police working with the department of education should make it their priority to guard schools by working together with security guards and education officials through randomly visits to schools in trying to foster relations with the school management teams, professionals, security guards, learners, governors and school communities as well as councilors and traditional leaders alike to prevent criminal activities in advance in our public institutions which have now become trends and haven for criminals.

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