



Commission
for Gender
Equality



Provincial Investigation into
sexual abuse and harassment
at schools in Limpopo



Commission
for Gender
Equality



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Equal Voices,
Equal Choices.

EXECUTIVE SUMMARY

This report presents the findings of the Commission for Gender Equality's (CGE) provincial investigation into sexual abuse and harassment of learners within schools in the Limpopo province. The investigation was initiated following a complaint received by the CGE's Limpopo Provincial Office during the 2024/2025 financial year, alleging that a school principal had sexually violated both female staff members and learners over a prolonged period, resulting in pregnancies and significant harm to victims. The complaint further alleged that, despite the matter having been reported to the Limpopo Department of Education, no decisive action had been taken against the alleged perpetrator. These allegations raised serious concerns regarding institutional accountability, safeguarding mechanisms, and the protection of learners within the education system.

In addition to the complaint received, the CGE observed multiple media reports and stakeholder concerns relating to sexual abuse and harassment of learners in Limpopo schools. Taken together, these developments suggested that the problem may be systemic rather than isolated, warranting a broader investigation into the prevalence of sexual abuse in schools and the effectiveness of institutional responses to such incidents. The CGE therefore resolved to conduct a systemic investigation into the extent of sexual abuse and harassment of learners by educators and school personnel, as well as the management of such cases in accordance with the DBE's Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools.

The investigation was conducted using a mixed-methods approach that included stakeholder consultations, data collection via questionnaires, document analysis, and engagement with relevant institutions within the education cluster. Key stakeholders consulted included the South African Council for Educators (SACE), the Limpopo Department of Education, the Department of Social Development (DSD), and the Education Labour Relations Council (ELRC). These engagements sought to obtain data on reported cases of sexual abuse, disciplinary actions taken against perpetrators, referral processes to relevant authorities, and the availability of psychosocial support services for affected learners.

The findings of the investigation reveal significant institutional weaknesses in the prevention, reporting, and management of sexual abuse cases in schools within the province. Of particular concern is the failure to consistently implement mandatory vetting procedures for individuals working in schools. Data provided during the investigation indicates that a substantial number of individuals were appointed without being vetted against the National Register for Sex Offenders (NRSO). This represents a serious safeguarding failure and exposes learners to potential harm by allowing individuals with possible histories of sexual misconduct to gain access to school environments.

The investigation also identified serious delays and inefficiencies in the handling and finalisation of disciplinary cases involving sexual misconduct by educators. A significant proportion of cases remain pending or unresolved for extended periods, with inconsistent tracking and limited accountability mechanisms to ensure timely resolution. The low rate of finalisation of reported cases undermines the credibility of institutional processes and may discourage victims and witnesses from reporting incidents of abuse.

Furthermore, the investigation revealed weak coordination among key institutions responsible for safeguarding learners, including the Limpopo Department of Education, the Department of Social Development, and regulatory bodies that maintain registers of sexual offenders and child protection records. In several instances, cases were not consistently referred to relevant authorities as required by existing legal and policy frameworks. This lack of coordination creates gaps in the child protection system and limits the effectiveness of preventative and corrective measures.

The CGE further observed that while certain measures have been implemented to address sexual misconduct in schools, such as professional ethics oversight by SACE, disciplinary inquiries by the ELRC, and training programmes conducted by the Limpopo Department of Education, these interventions remain unevenly implemented. In particular, weaknesses in monitoring systems, limited training coverage, and the absence of robust oversight mechanisms continue to undermine efforts to ensure compliance with safeguarding protocols.

The CGE concludes that sexual abuse and harassment in Limpopo schools constitute a serious governance and child protection concern, reflecting broader systemic failures in safeguarding, accountability, and institutional coordination. Without decisive intervention, these weaknesses risk perpetuating an environment in which abuse may continue to occur without adequate prevention or redress.

Accordingly, this report presents a series of recommendations to strengthen safeguarding measures, improve vetting and monitoring systems, enhance interdepartmental coordination, and ensure that disciplinary processes related to sexual misconduct are handled swiftly and effectively. The CGE emphasises that the protection of learners is a constitutional imperative and calls on all responsible institutions within the education sector to implement these recommendations as a matter of urgency to safeguard the dignity, safety, and rights of children in the schooling system.

ACRONYMS

BCEA	Basic Conditions of Employment Act 75 of 1997
BPA	Beijing Platform of Action
CCTV	Closed-Circuit Television
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CGE	Commission for Gender Equality
CPD	Continuous Professional Development
CPSP	Crime Prevention Students Programme
DBE	Department of Basic Education
DHA	Department of Home Affairs
DOJ	Department of Justice & Constitutional Development
DSD	Department of Social Development
EEA	Employment Equity Act 55 of 1998
ELRC	Education Labour Relations Council
GBV	Gender-Based Violence
HoD	Head of Department
LGBTQIA+	Lesbian, Gay, Bisexual, Transexual, Queer, Intersex, Asexual, plus other diverse identities
Limpopo DE	Limpopo Provincial Department of Education
M&E	Monitoring and Evaluation
NCPR	National Child Protection Register
NRSO	National Register for Sex Offenders
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
PWDs	Persons with Disabilities
RCL	Representative Council of Learners
SACE	South African Council for Educators
SADC	Southern African Development Community
SAGE	South African Council of Educators
SAPS	South African Police Service
SBST	School-based Support Team
SDGs	Sustainable Development Goals
SGB	School Governing Body
SMT	School Management Team

**Every Learner Deserves
a Safe Place to Learn.**



1. INTRODUCTION

The Commission for Gender Equality (CGE) is an independent statutory body created under Chapter 9 of the Constitution of the Republic of South Africa, 1996. The CGE has a mandate to promote and protect gender equality in government, civil society, and the private sector. To this end, the Commission for Gender Equality Act 39 of 1996 (CGE Act) gives the CGE the power to monitor and evaluate policies and practices of organs of state at any level, statutory bodies and functionaries, public bodies and authorities, private businesses, enterprises, and institutions to promote gender equality and make any recommendations that the CGE deems necessary.

Section 11(1)(e) of the CGE Act mandates the CGE to investigate any gender-related issue on its own accord or on receipt of a complaint and endeavour to resolve the same. The procedure to be followed in any investigation shall be determined by the CGE in terms of Section 12 of the CGE Act.

2. BACKGROUND

During the 2024/2025 financial year, the CGE's Limpopo provincial office received a complaint alleging that the principal of a school in the province had sexually violated both female staff members and learners. Some staff members and learners had become pregnant as a result. The complaint further alleged that the matter had been reported to the Limpopo Department of Education, but no action had been taken against the principal. Furthermore, formal workplace grievances against the principal had been lodged, but there had been no progress on these either. The complainant concluded that this had been happening for several years, but the department had consistently failed to act and remained silent about the matter. In addition to the complaint, the CGE had observed several media reports of sexual abuse/ harassment within the province where learners were the alleged victims.

Consequently, the CGE resolved to conduct a systemic investigation into the allegations through its Limpopo Provincial Office. The aim of the investigation was to ascertain the extent of sexual abuse and harassment of learners by educators and staff members in Limpopo, as well as to analyse the extent and effectiveness of the handling and management of such cases in terms of the established protocol.

During the investigation, the CGE engaged various departments and relevant stakeholders in response to the urgent need for an integrated strategy for prevention, response, and support for learners that would ensure justice is served and that perpetrators are dealt with appropriately under the law.

This report, therefore, details the steps taken by the CGE during the investigation, the challenges encountered, the findings, and the recommendations.

3. INVESTIGATIVE METHODOLOGY

The objectives of the investigation were the following:

- a) Obtain information regarding cases of sexual abuse and or harassment in schools, and more specifically, the number of reported cases.
- b) Determine whether learners are provided with the necessary psychosocial support.
- c) Assess whether staff members and learners are provided with training on sexual abuse and or harassment and related matters.
- d) Assess whether sexual abuse and or harassment cases are reported to the South African Police Services (SAPS), South African Council for Educators (SACE), and Education Labour Relations Council (ELRC)
- e) Ascertain what action was taken against perpetrators.

1.1 Stakeholder engagement

On 26 June 2025, the CGE held a stakeholder engagement with the education cluster. The purpose of the stakeholder engagement was to obtain more information regarding cases of sexual abuse and harassment in schools. The engagement included representatives from the South African Council for Educators, the National Association of School Governing Bodies, the South African Principals Association, the Professional Educators' Union, the South African Democratic Teachers Union, and the Representative Council of Learners.

1.2 Data collection

The investigation included an analysis of data gathered from various sources. To gather this data, the CGE dispatched questionnaires to various entities. These questionnaires focused on the extent of sexual abuse and harassment of learners by educators and staff members in Limpopo, and the management of such cases in terms of the established protocol. A separate questionnaire was drafted for each of the following: the National Department of Basic Education (DBE), the Limpopo Provincial Department of Education (Limpopo DBE), the Department of Social Development (DSD), the Education Labour Relations Council (ELRC), and the South African Council for Educators (SACE).

The questionnaires included requests for information relating to reported cases, arbitration awards, and the list of educators referred to DSD for inclusion in the National Register for Sex Offenders (NRSO).

The CGE also dispatched written correspondence requesting copies of the National Register for Sex Offenders and the National Child Protection Register (NCPR).

Upon receipt of the requested documents and information, the CGE conducted a comparative analysis of the documents and information regarding progress made in complying with established protocols.

4. LEGAL FRAMEWORK

1.3 National legislative framework

Constitution of the Republic of South Africa, 1996

At the constitutional level, several constitutional rights contained in the Bill of Rights have direct application to the issue of sexual abuse and harassment of learners by educators and staff members at schools.

Firstly, Subsections 9(3) and (4) expressly prohibited the state or any person from unfairly discriminating directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, and birth. The South African courts have on many occasions repeatedly stated that sexual assault is an infringement, *inter alia*, of the right to equality.¹

Secondly, at the same time, the courts have also linked sexual assault to an infringement of the right to dignity, enshrined in Section 10 of the Constitution.²

Section 12 of the Constitution states that everyone has the right to freedom and security of the person, which includes the right not to be free from all forms of violence from either public or private sources and not to be tortured in any way. It further states that everyone has the right to bodily and psychological integrity, which includes the right to make decisions concerning reproduction, security in and control over their body, and not to be subjected to medical or scientific experiments without their informed consent.

The right to health care services is a basic human right guaranteed by the South African Constitution. Section 27 of the Constitution provides that everyone has the right to have access to healthcare services, including reproductive healthcare services, and no one may be refused emergency medical treatment, while Section 27(2) imposes on the state a duty to take reasonable measures within its available resources to achieve the progressive realisation of this right.

Section 28(1)(c) of the Constitution provides that every child has a right to basic nutrition, shelter, basic health care services, and social services. Subsection 28(1)(d) further stipulates that a child must be protected from maltreatment, neglect, abuse, or degradation. Section 28(2) also provides that a child's best interests are of paramount importance in every matter concerning the child.

1. See *S v Chapman* 1997 (2) SA 341 (SCA) at 345C-D; *Director of Public Prosecutions, North Gauteng v Thabethe* 2011 (2) SACR 567 (SCA) at 577G-I; *Director of Public Prosecutions, Masiya v Director of Public Prosecutions, Pretoria and Another* (Centre for Applied Legal Studies and Another, Amici Curiae) 2007 (5) SA 30 (CC) para 36.

2. *Western Cape v Prins* 2012 (2) SACR 183 (SCA) at 186 Section 29(1)(a) of the Constitution states that everyone has the right to a basic education, including adult basic education, and (b) provides that to further education, which the state, through reasonable measures, must make progressively available and accessible.

Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007

Chapter 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 sets out various offences that involve acts of a sexual nature committed against children. These are clustered into three overarching groups: offences involving *de facto* sexual acts with certain children, offences involving sexual exploitation and sexual grooming of children, and offences involving compelling or causing children to witness sexual offences and acts.

Sections 15 and 16 both criminalise consensual sexual acts with certain children between the ages of 12 and 16. Regarding the sexual exploitation of children, Section 18 criminalises sexual grooming of children, Section 19 criminalises exposure or display of or causing exposure or display of child pornography or pornography to children, and Sections 19A and 20 deal with offences relating to child pornography.

Chapter 6 of the Act also creates a National Register for Sex Offenders, and Section 42 requires that the name of any person convicted of a sexual offence must be inserted into the register. Section 41 prohibits any person who has been convicted of a sexual offence, and whose particulars have been included in the register, from being employed to work in any circumstances with a person who is vulnerable, including children.

When students feel
safe, they're free to
learn, grow, and thrive.

Children's Act 38 of 2005

Section 6(2) of the Children's Act provides that all proceedings, actions, or decisions concerning a child must:

- a) respect, protect, promote, and fulfil the child's rights set out in the Bill of Rights, the best interests of the child standard set out in Section 7 and the rights and principles set out in this Act, subject to any lawful limitation;
- b) respect the child's inherent dignity;
- c) treat the child fairly and equitably;
- d) protect the child from unfair discrimination on any ground, including on the grounds of the health status or disability of the child or a family member of the child."

Furthermore, Section 6(4) of the Children's Act provides that in any matter concerning a child, an approach which is conducive to conciliation and problem-solving should be followed and a confrontational approach should be avoided. Any delay in taking action or making a decision must be avoided as far as possible.

Section 9 of the Children's Act guarantees that all matters concerning the care, protection, and well-being of a child, and the standard that must be applied must be for the child's best interests, which are of paramount importance. Section 10 states that every child who is of such an age, maturity, and stage of development as to be able to participate in any matter concerning that child has the right to participate in an appropriate way, and views expressed by the child must be given due consideration. Section 13 specifies that every child has the right to have access to information on health promotion and the prevention and treatment of ill-health and disease, sexuality, and reproduction.

South African Schools Act 84 of 1996

The South African Schools Act provides content about the state's constitutional obligation to provide a safe learning environment. Section 8 of the Schools Act requires a school governing body (SGB) to adopt a code of conduct for learners, "after consultation with learners, parents and educators of the school". Section 8(4) stipulates that all learners attending a school are bound by that school's code of conduct.

Section 8(3) further provides that the minister may establish guidelines for the governing body's consideration in adopting a code of conduct. Pursuant to this provision, the *Guidelines for the Consideration of Governing Bodies in Adopting a Code of conduct for Learners* was published in 1998.

South African Council for Educators Act 31 of 2000

The South African Council for Educators Act (SACE Act) seeks, *inter alia*, to “set, maintain and protect ethical and professional standards for educators”.³ The SACE Act obliges the SACE to compile, maintain, and, from time to time, review a code of professional ethics for educators who are registered or provisionally registered with the council.⁴ It also empowers SACE to sanction a registered educator who is found guilty of a breach of the code of professional ethics.⁵

SACE's Code of Professional Ethics stipulates that an educator promotes gender equality, refrains from courting learners from any school, refrains from any form of sexual harassment (physical or otherwise) of learners, refrains from any form of sexual relationship with learners from any school, and refrains from exposing and/or displaying pornography material to learners and/or keeping pornography in their possession.

Department of Basic Education's (DBE) Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools

The purpose of the DBE's Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools is to provide schools, districts, and provinces with standard operating procedures for addressing allegations of abuse, and to specifically detail how schools must respond to reports of sexual abuse and harassment perpetrated against learners, educators, and other school staff.

The protocol prescribes an approach that enables educators and employees of the DBE to identify, intervene, report, and provide support to all learners and school staff who are sexually abused or harassed in school, whilst offering an appropriate response to perpetrators of sexual abuse and harassment. Thus, apart from the step-by-step mechanisms for the reporting of incidents of sexual abuse and harassment, it also outlines the process for sanctioning perpetrators of sexual abuse and harassment. This protocol applies to all schools within the Republic of South Africa.

3. Section 2(c) of the South African Council for Educators Act.

4. Section 5(c)(i).

5. Section 5(c)(iii).

Paragraph 2.5.5 of the Protocol:

- 2.5.5.1. Must provide a safe and private space for the learner to disclose the details of [an] incident and keep information shared with them confidential.
- 2.5.5.2. Report any incident or suspected incident of sexual abuse and harassment to the principal or a member of the school management team if the principal is the alleged offender.
- 2.5.5.3. Observe any changes in the learner's behaviour following the report and refer to the principal (or member of the [school management team]) if necessary.
- 2.5.5.4. Ensure that the guidelines and procedures for the reporting of sexual offences are covered within predetermined lessons and refresh learners' awareness of these procedures periodically."

Paragraph 3.1 of the Protocol provides that:

- 3.1.1. Disclosure can be made by a victim to either an educator or support staff. All incidents of sexual abuse and harassment have to be disclosed to the principal or a member of the school management team directly.
- 3.1.2. Reports can be done verbally or in writing or both, but the circuit manager is to receive a written report of the incident.
- 3.1.3. During the disclosure process, the victim must under no circumstances be questioned to verify the truthfulness of the allegation, since the educator or school employee's role is merely to receive the report and report directly to the principal and grade head. For that purpose, only information relevant for reporting to the circuit manager may be obtained from the victim as prescribed in Annexure D, namely the type of sexual offence, the name of the victim and of the alleged offender. No one but the SAPS is to question the victim in case of a Level 4 offence (as outlined in Chapter 4).
- 3.1.4. When communicating with the victim, the person to whom the incident was reported must ensure that the interview takes place in a safe environment safeguarding the complainant's privacy, and where the complainant will not come into contact with the alleged perpetrator.
- 3.1.5. Disclosure is a process and it must be managed with care, sensitivity and confidentiality. Effective management of the process will ensure that the learner victim, alleged learner offender and employee are protected from additional and unnecessary emotional trauma. For further information on the rights of victims, refer to the Service Charter for Victims of Crime in South Africa."

Paragraph 3.2.1 of the Protocol requires the following process to be followed:

- 3.2.1.1. If a learner was the victim of sexual abuse or harassment, the following role-players are required to be notified. The principal must:
- i. Inform parents/guardians of the learner victim (if not the alleged perpetrators) and of the learner perpetrator (if the case). If unavailable, a member of the school management team assumes the role of *locum parentis*.
 - ii. If the alleged perpetrator is a learner, ensure the grade head is informed.
 - iii. Inform SBST.
 - iv. Report to circuit manager.
 - v. Report to DSD.
 - vi. Inform the school governing body chairperson.'

Paragraph 3.3 of the Protocol provides that:

When a learner makes an allegation of sexual harassment that constitutes a Level 1-4 incident, the principal and grade head must be informed immediately.

Paragraph 3.4 of the Protocol sets out the procedures to be followed once such an incident has been reported. The paragraph provides as follows:

- 3.4.1. If the victim is a learner and upon receipt of the complaint, the principal must immediately telephonically contact the victim's parents or guardian and the complainant's parents or guardian (if a learner is the alleged perpetrator). The principal must furthermore write a letter to the parents detailing the incident within 24h of receipt of the complaint. The letter must contain the nature of the reported incident and the procedures to be followed, but must NOT reveal the names of the victim/alleged offender.
- 3.4.2. The process following a report is to be explained to the victim by the principal in the presence of their parent/s or guardian/s (if the victim is a learner and if the latter is not the alleged offender), including the involvement of a social worker (the designated social worker or school social worker where applicable) and the different roles and responsibilities of the school and external role players.
- 3.4.3. Victims of sexual abuse and harassment are to be referred to the district Psychosocial Services. Learner victims can also be advised to call the Childline toll-free number at 0800 055 555 to speak to one of the counsellors or an appropriate organisation offering support services to abused children. All victims can contact the DSD call centre at 0800 42 8428."

Chapter 4 of the Protocol describes one-off incidents of sexual harassment as a Level 3 offence, where the following corrective and restorative measures against perpetrators are suggested:

- If in the same class with the victim (learner, educator, or school staff), the offending learner will be removed from class and placed elsewhere, if accommodation can be made.
- The school governing body may suspend a learner from attending school for up to seven school days, during which time there will be a disciplinary hearing or tribunal hearing (depending on the severity of the particular offence).
- The learner will be referred by the SBST to psychosocial services for a rehabilitative programme.
- Sanctions may include detention with an assignment on values, detention with community service, detention, and work with the leadership of a peer education group for a specified period.
- A letter outlining the decision shall be placed in the learner's personal file.
- After the disciplinary hearing, the school governing body may recommend to the district head of department that the learner be expelled from the school. Where approval for expulsion is not granted, learners will attend counselling or the relevant life skills programme before they may return to class. The district head of department may make an alternative arrangement for the learner's placement at another public school or direct the learner to an alternative supervised location if the learner is still of compulsory attendance age in terms of Section 3(1) of the South African Schools Act 84 of 1996. The learner perpetrator may NOT be placed in a school adjacent to the school of the learner victim.

Chapter 5 of the protocol also sets out the various key stakeholders relating to sexual abuse and harassment at schools, and their respective roles and responsibilities in this regard. Of note is Paragraph 5.3.5 of the protocol, which describes the relevant provincial DSD as investigating the truthfulness of a report of sexual abuse or harassment or causing such a report to be investigated.

Paragraph 5.8 of the protocol expressly refers to the CGE's role in matters relating to sexual abuse and harassment at schools. Paragraph 5.8.1 envisages the CGE as investigating gender-related matters and playing an advisory role in sexual abuse and harassment matters at schools. Paragraph 5.8.4 envisages the CGE referring matters reported to it to the relevant provincial DBE to investigate.

5. ANALYSIS OF INFORMATION

1.4 Strategic engagement

On 26 June 2025, the CGE conducted a stakeholder engagement wherein all stakeholders present in the session were afforded an opportunity to give a presentation on the causes of sexual abuse and harassment from their respective perspectives, their services in relation to measures put in place to alleviate sexual abuse and harassment, and the challenges they each faced in their endeavours.

Many of the stakeholders articulated in their presentations that sexual abuse and harassment in Limpopo schools persists due to a range of interlinked issues. These include the normalisation of abuse, where cultural and societal norms often accept harmful practices such as gender discrimination as part of everyday life, lack of clearly defined reporting protocols, the unobserved sections of the Children's Act which are about the best interest of the child, and mandatory reporting of child abuse respectively. Furthermore, lack of security personnel in lower quintile schools, lack of training of role players, and lack of accountability were also identified as some of the issues exacerbating sexual abuse and or harassment. That is, there is poor coordination within the education cluster, which in turn leads to ineffective, unresponsive support systems and inadequate protection for learners.

Many of the stakeholders present said they were caught in a conflict between their members' interests and the requirements of Section 28 (2) of the Constitution and Section 110(1) of the Children's Act. One of the representatives misspoke and said that as a union, they protect their members. The statement reiterates that unions consider their members first and do not honour certain sections of the constitution regarding the learners.

The prevalence of conflicts of interest creates confusion about roles and responsibilities. That is, if unions are to protect their members, then members will also want to protect their fellow members, which will result in a confusion of roles when cases are recorded. However, this does not apply to all cases, as severe cases are reported, and some of the role players are hesitant to escalate cases they deem less severe.

There is also confusion that comes from playing secondary roles with little to no professional capabilities, in the sense that the stakeholders feel that the lack of psychosocial support professionals in schools leaves educators with a role that they are not qualified for, and that will bring confusion in the roles they should play in any given situation.

The CGE further acknowledges the measures put in place to combat sexual abuse and/or harassment; however, it notes that there is no legal framework identified, which is an oversight in the processes and procedures for ensuring those measures are implemented.

In this regard, the stakeholders suggested that the CGE step in as an oversight body to ensure the roles, responsibilities, and accountability of all role players.

1.5 Responses to questionnaires

South African Council of Educators (SACE)

Management and reporting of sexual abuse and harassment in schools

In terms of Paragraph 5.2.1 of DBE's Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools, SACE is responsible for the registration of educators, and potential educators are required to be vetted during the registration process to ensure that they are not guilty of any sexual offences. If they are, the protocol forbids such a person from being registered with SACE.

SACE indicated that it does not employ educators but will at all material times vet an educator. However, it stressed that the employer also has the responsibility to vet its employees who work with children in schools.

In its response, SACE advised that its registration process involves interaction with several government departments. The processes that are embarked on with each of these institutions when vetting the fitness of educators to teach are as follows:

- SACE issues potential applicants with a Form J958/Form 8A for them to complete.
- The completed forms are then submitted to the Department of Justice along with a list of all applicants. This includes Police Clearance and ID copies for each applicant.
- When the Department of Justice is done with verification, SACE then collects the certificates.

In its responses, SACE also pointed out that it does not have access to the National Register of Sex Offenders or the National Child Protection Register for the purpose of vetting fit-to-practice educators.

On 2 September 2025, SACE officials received the login details and training on using the DSD system. SACE will prepare the system, ensuring it has Google Chrome (a prerequisite) installed for using the DSD system.

SACE's interaction with the Department of Home Affairs (DHA)

SACE submitted that both it and DHA have a consent form that applicants must complete to consent to their documents being shared with DHA. SACE submits the Identity documents and consent form to DHA and waits for a response. The time to respond varied between three weeks and a month. SACE does not have a monitoring tool to monitor the implementation of the above, and no reasons were provided.

Removal of educators from the SACE Register

Paragraph 5.2.5 of the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools states that SACE must submit a list of the names of educators removed from the SACE Register to both the National DBE and the Provincial DBE on a quarterly basis. This is for the employer to terminate the services of the concerned educators and for the National Department to monitor implementation and submit the names to the DSD for registration in the National Child Protection Register.

SACE's current measures in place to ensure compliance with Paragraph 5.2.5 of the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools include the following:

- a) Code of Professional Ethics: All registered educators are required to adhere to the SACE Code of Professional Ethics. This code outlines expected standards of conduct and provides a framework for disciplinary processes in cases of misconduct.
- b) Mandatory Reporting: SACE has implemented mandatory reporting mechanisms for all allegations of sexual misconduct, abuse, and other breaches of professional ethics. Schools and relevant authorities are required to report such cases to SACE for investigation.
- c) Ethics and Professional Development: Continuous professional development (CPD) programmes include training on ethics, legal responsibilities, and appropriate professional conduct to reinforce awareness and compliance.
- d) Monitoring and Compliance Unit: SACE has a dedicated unit that monitors ethical compliance and investigates reports of misconduct. This unit ensures that all cases are handled in line with the legal and regulatory framework.
- e) Disciplinary procedures: When misconduct is reported, SACE follows a structured disciplinary process, including investigations, hearings, and appropriate sanctions where applicable.

Where there is non-compliance with the above, SACE follows the following procedure to deal with the non-compliance:

- Investigation of allegations: Upon receiving a complaint or report of non-compliance, SACE initiates a formal investigation. This may include gathering written statements, interviewing relevant parties, and reviewing supporting evidence.
- Preliminary assessment: A preliminary assessment is conducted to determine whether the matter falls within SACE's jurisdiction and if there is sufficient basis to proceed with a disciplinary inquiry.
- Disciplinary proceedings: Where appropriate, a formal disciplinary hearing is convened. The educator is notified of the allegations and given the opportunity to respond. Hearings are conducted in accordance with SACE's Disciplinary Procedures and Code of Ethics.

- Sanctions: If an educator is found guilty of misconduct or non-compliance, SACE imposes one or more of the following sanctions:
 - a) A caution or reprimand
 - b) A fine
 - c) Suspension from the register
 - d) Removal from the register (de-registration).
- The policy provides guidance in terms of sanctions being pronounced for various breaches of the Code of Professional Ethics. The policy is child-centred and subscribes to Section 26(2) of the Constitution. The policy further provides for rehabilitative programmes and allows learners (victims) to make a presentation during disciplinary hearings, and the same for parents.
- Reporting to relevant authorities: In cases involving criminal conduct or child protection concerns, SACE reports the matter to the appropriate external bodies, such as the SAPS, the DSD, or the DBE.
- Monitoring and follow-up: SACE monitors compliance with sanctions and conditions imposed through disciplinary proceedings. Non-compliance with sanctions may lead to further disciplinary action, including permanent de-registration. SACE has monitoring tools and mechanisms in place to ensure compliance with its protocols, particularly relating to professional ethics, misconduct, and mandatory reporting. These include:
 - a) Registration and vetting database: Educators are vetted against the National Register for Sex Offenders and the Child Protection Register during registration and periodically thereafter. This tool ensures ongoing compliance with safeguarding requirements.
 - b) Ethics compliance reviews: Periodic reviews and audits are conducted through the Ethics and Professional Standards Unit to assess whether protocols and procedures are being followed consistently across cases.
 - c) Monitoring and evaluation framework: SACE implements a monitoring and evaluation (M&E) framework to assess institutional performance, including compliance with ethics protocols and the effectiveness of training interventions.



Data on the reported cases of sexual misconduct investigated by SACE

The CGE analysed the dataset provided regarding cases of sexual misconduct reported to and/or investigated by the SACE. The dataset reflects cases reported between 2020 and 2022, including the nature of the misconduct, the source of the complaint, and the institutional context. Nature and patterns of reported misconduct.

The data reveal that most reported cases relate to serious forms of sexual misconduct involving learners. These include:

- Sexual harassment of learners
- Sexual assault
- Sexual relationships between educators and learners
- Rape of learners.

A notable pattern is the recurrence of sexual relationships between educators and learners, which appears across multiple cases. This recurrence reflects a persistent violation of professional ethics and statutory prohibitions governing educator conduct.

Additionally, the presence of rape and sexual assault cases indicates that the misconduct extends beyond disciplinary infractions into serious criminal offences. This underscores the gravity of the cases handled and raises concerns regarding whether such matters are consistently escalated to the criminal justice system.

Sources of complaints and reporting channels

The data indicates that complaints originate from multiple sources, including:

- Educators
- Parents
- Community members
- Anonymous complainants
- Media reports.

This diversity of reporting channels suggests a degree of awareness regarding sexual misconduct in schools. However, the reliance on external and informal reporting mechanisms, such as media and anonymous complaints, may indicate a lack of confidence in formal institutional reporting systems.

Furthermore, the presence of anonymous complaints suggests that fear of retaliation or lack of trust in institutional processes may act as barriers to direct reporting.

Institutional distribution of cases

The cases are spread across multiple schools within the province, including both primary and secondary schools. The data reflects that:

- Misconduct is not confined to a specific school type or geographic location
- Both primary and secondary school learners are affected
- The issue is systemic rather than isolated to individual institutions.

This distribution supports the broader finding of the investigation that sexual misconduct in schools within Limpopo province is widespread and requires systemic intervention.

Gender and profile of alleged perpetrators

The dataset indicates that all identified perpetrators are male educators. This trend reflects a gendered pattern of abuse, consistent with broader national trends in gender-based violence, where positions of authority are exploited to perpetrate abuse against vulnerable individuals, particularly learners.

The power imbalance between educators and learners further exacerbates this dynamic, increasing the vulnerability of learners and limiting their ability to report abuse.

Gaps in outcome reporting and case finalisation

A critical limitation in the dataset is the absence of complete information relating to:

- Investigation outcomes
- Disciplinary actions taken
- Deregistration of educators
- Referrals to relevant authorities such as the DSD or SAPS.

The lack of outcome data significantly limits the ability to assess the effectiveness of SACE's response to reported cases. It further raises concerns regarding:

- Transparency in case management
- Accountability for perpetrators
- The extent to which safeguarding mechanisms are enforced.

This gap is particularly concerning given SACE's statutory mandate to regulate educator conduct and ensure adherence to professional ethics.

Alignment with legislative and policy frameworks

When assessed against the DBE Protocol and applicable legislation, the data reveals potential inconsistencies in implementation:

- The seriousness of offences reported (including rape and sexual assault) requires mandatory reporting to the South African Police Service; however, the dataset does not confirm whether such referrals were made.
- Cases involving learners should trigger referral to the DSD for child protection interventions; however, this is not reflected in the data.
- The absence of information regarding deregistration raises concerns regarding compliance with provisions relating to removal of educators from the profession.

These gaps suggest that while cases are being reported, the full chain of accountability and referral required by law and policy may not be consistently implemented.

Overall assessment

The analysis of the SACE dataset indicates that:

- Sexual misconduct by educators is both serious and recurrent
- Reporting occurs through multiple channels, including informal mechanisms
- The problem is systemic and affects multiple schools
- There are significant gaps in outcome tracking, accountability, and inter-institutional coordination.

While SACE appears to play a role in receiving and processing complaints, the absence of comprehensive outcome data and referral tracking suggests limitations in the effectiveness of its oversight and enforcement functions.

Conclusion on SACE case data

The data reflects a pattern of serious sexual misconduct within schools, coupled with weaknesses in reporting transparency and case finalisation. The absence of complete information on disciplinary outcomes, deregistration, and referrals undermines the ability to assess whether justice is being effectively served and whether learners are adequately protected.

Accordingly, while SACE is an essential component of the safeguarding framework, when viewed in conjunction with the available data, SACE's current processes do not fully demonstrate a robust, transparent, and integrated response to sexual misconduct in schools.

Department of Social Development (DSD)

Chapter 5 of the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools states that the DSD investigates the truthfulness of a report of sexual abuse or harassment or causes it to be investigated, initiates proceedings in terms of the Children's Act 38 of 2005 without delay if the victim is a learner and submits particulars to the district director for inclusion in part A of the NCPR.

- DSD advised that DBE had not referred to any such cases relating to it as mandated by the Children's Act. Furthermore, the National Child Protection Register for Limpopo province, and the information on the National Child Protection Register, is held by the National DSD in terms of Section 111 (1) and not in the Provincial office. This is not delegated competency. The Sexual Offender's Register is kept by the DOJ, not the DSD.
- While the response by the DSD is acknowledged, it highlights policy and coordination gaps within the very institution mandated to respond to cases of sexual violence in schools particularly at the provincial level.

Education Labour Relations Council (ELRC)

Paragraph 4.2 of the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools mandates the ELRC to conduct compulsory inquiries by arbitration in cases where disciplinary action is taken against educators appointed by the DBE for sexual misconduct involving learners.

Table 1 below reflects the number of compulsory inquiries that were conducted between 2020 and 2025.

Table 1: Compulsory inquiries conducted from 2020 to 2025

Charges	Date reported	Date finalised	Outcome/Status	Case number
Alleged sexual Misconduct	5 March 2021	10 May 2021	Case withdrawn by Limpopo Education Department	ELRC768-20/21LP
Alleged sexual misconduct	16 March 2021	10 May 2021	Case withdrawn by Limpopo Education Department	ELRC804-20/21LP
Alleged sexual misconduct	24 March 2021	18 January 2022	Arbitration award issued	ELRC843-20/21LP
Alleged sexual misconduct	20 May 2021	11 April 2022	Educator resigned	ELRC162-21/22LP
Alleged sexual misconduct	27 May 2021	11 April 2022	Educator resigned	ELRC180-21/22LP
Alleged sexual misconduct	3 June 2021	12 November 2021	Arbitration award issued	ELRC200-21/22LP
Alleged sexual misconduct	27 September 2021	30 September 2021	Educator retired	ELRC494-21/22LP
Alleged sexual misconduct	11 July 2022	13 June 2023	Ruling issued	ELRC244-22/23LP
Alleged sexual misconduct	05 September 2022	30 October 2023	Arbitration award issued	ELRC418-22/23LP
Alleged sexual misconduct	15 April 2024	7 February 2025	Arbitration award issued	ELRC48-24/25LP
Alleged sexual misconduct	27 June 2024	19 August 2024	Arbitration award issued	ELRC275-24/25LP
Alleged sexual misconduct	11 March 2025	8 July 2025	Arbitration award issued	ELRC1338-24/25LP
Alleged sexual misconduct	12 August 2025	N/A	Part heard/Ongoing	ELRC524-25/26LP

Furthermore, Table 2 below depicts the case overview as per the information provided in Table 1 above.

Table 2: Overview of case outcomes

Year reported	Total cases	Outcomes
2021	7	Two withdrawn Two resigned Two arbitration awards One retired
2022	2	One ruling issued, One arbitration award
2023	None	-
2024	2	Two arbitration awards
2025	2 (so far)	One arbitration award One ongoing

The ELRC also submitted six arbitration reports for each case listed in Table 1 above. Six educators were dismissed for sexual harassment/abuse involving learners during the period under review (2021–2025). The arbitration awards were sent to the DBE with the expectation that the educators must be dismissed, but the DBE is yet to provide the information regarding the dismissal of educators. ELRC reported the cases to SACE and DSD.

Table 3: Cases referred to SACE and DSD

Case number	SACE	DSD
ELRC843-20/21LP	Submitted	Submitted
ELRC200-21/22LP	Submitted	Submitted
ELRC418-22/23LP	Submitted	Submitted
ELRC48-24/25LP	Submitted	Submitted
ELRC275-24/25LP	Submitted	Submitted
ELRC1388-24/25LP	Submitted	Submitted

Table 3 above indicates the cases referred by ELRC to SACE and DSD as required by the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools. Based on the data above, in the 2020/2025 financial year, ELRC referred six cases for the deregistration of educators by SACE, and for DSD to register the names of the educators in their National Child Protection system register



Harassment ends
Where respect begins.

Limpopo Department of Education (Limpopo DBE)

The Limpopo DBE indicated that it trains principals, deputy principals, departmental heads, and educators on discipline in the workplace, which includes training on *sexual misconduct*. These trainings or workshops were conducted as per Table 3 below:

Table 4: DBE Training workshops on sexual misconduct

2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2024/2025
Workshops not conducted due to COVID-19	Workshops not conducted due to COVID-19	525 principals, Deputy principals, Departmental Heads and CS1 Educators trained	1703 principals, Deputy principals, Departmental Heads and CS1 Educators trained	1124 principals, Deputy principals, Departmental Heads and CS1 Educators trained	615 principals, Deputy principals, Departmental Heads and CS1 Educators trained

Due to the impact of the COVID-19 pandemic, the Limpopo DBE did not conduct any workshops during the 2020/2021 and 2021/2022 financial years. Furthermore, the Limpopo DE's training peaked in 2022/2023, with 525 workshops conducted and 1,703 educators trained. Data provided for the 2024/2025 financial year appeared to be incomplete or duplicated, as there were two entries for that year.

Regarding the removal of educators from the SACE Register, the Limpopo DBE indicated that it was the ELRC's responsibility to refer names of educators found guilty of sexual abuse against learners to DSD for registration in the National Child Protection Register. In terms of Collective Agreement No. 3 of 2018, the Inquiry by Arbitrator process requires single inclusive engagement regarding sexual misconduct cases to avoid secondary trauma on the victims of sexual offences. The hearing must be chaired by an appointee of ELRC, and the process must serve as both the disciplinary hearing and the arbitration hearing in one. Regarding the monitoring tool, the Limpopo DBE submitted that it does not have a monitoring tool, as it does not refer cases of sexual misconduct to DSD. Concerning the quarterly reports from districts on sexual abuse and harassment cases in schools, the reporting tool was supplied by DBE, and it reports accurate information every quarter.

The information submitted by the Limpopo DBE revealed potential gaps, including that while the DBE handles reporting, the absence of DSD's involvement may mean limited cross-departmental support for affected learners. This could raise questions about inter-agency collaboration and whether cases are adequately followed up beyond reporting.

Table 5 below represents data regarding educators charged with sexual misconduct involving learners and an indication of whether matters were referred to SACE and ELRC.

Table 5: Educators charged with sexual misconduct.

Educator charged with sexual misconduct involving learners	Charges	Date reported	Date finalised	Outcome	If found guilty of sexual misconduct involving a learner, please indicate whether the name/s of the educator were submitted to SACE, if not, give reasons
01	Sexual relationship with learner	11/12/2020	29/10/2021	Dismissed	ELRC refers cases to SACE
02	Sexual relationship with learner	14/01/2021	18/05/2022	Dismissed	ELRC refers cases to SACE
03	Sexual assault on learner	14/01/2021	18/05/2022	Dismissed	ELRC refers cases to SACE
04	Sexual assault on learner	28/04/2021	12/10/2021	Dismissed	ELRC refers cases to SACE
05	Sexual assault on learners	01/03/2022	23/11/2023	Dismissed	ELRC refers cases to SACE
06	Sexual assault on learners	02/07/2024	26/08/2024	Dismissed	ELRC refers cases to SACE
07	Sexual assault on learner	29/01/2024	24/02/2024	Dismissed	ELRC refers cases to SACE
08	Sexual assault on learner	14/03/2025	09/09/2025	Dismissed	ELRC refers cases to SACE
09	Sexual assault on learner	13/08/2025	Pending hearing	Pending hearing	ELRC refers cases to SACE

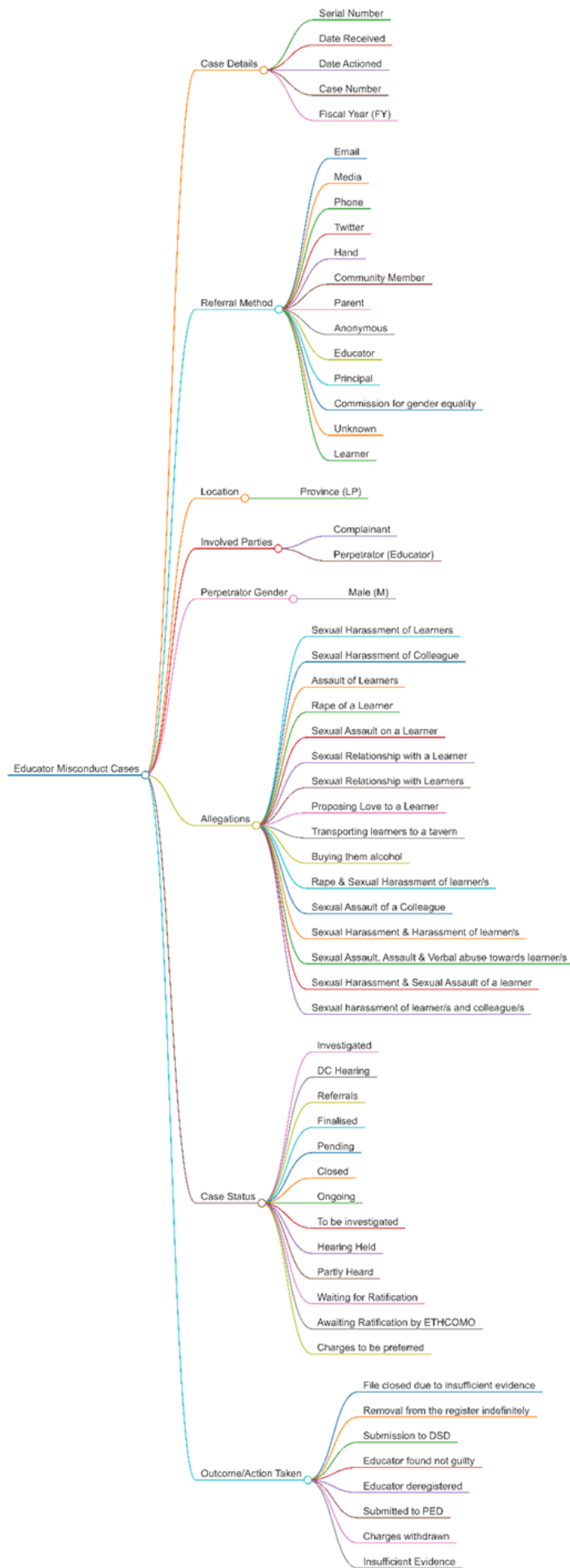
Analyses of the data provided in Table 5 above reveal that, in all finalised cases, the educators involved were dismissed from the public service, and the ELRC referred all such cases to the SACE. One case is still awaiting a hearing and finalisation.

The Limpopo DBE investigated various educator misconduct cases, primarily sexual in nature, from 2020 to 2025. Referrals came via email, media, and phone. Outcomes ranged from case closure due to insufficient evidence to educator deregistration. Many cases remain pending, awaiting ratification or further investigation.

Overall, the Limpopo DBE's finalisation rate is approximately 28% of cases (8 out of 29 cases, excluding the last two rows). Turnaround times vary significantly, from days to years. Some 2020 cases were only finalised in 2024.

Three educators were deregistered from the finalised cases where guilt was established, compared with 21 cases that are still not finalised or are ongoing. A significant number of cases are still pending investigation, awaiting ratification, or undergoing disciplinary hearings.

Figure 1 below shows the educator misconduct cases.





Respect every voice.
Protect every learner.

Figure 1: Educator misconduct cases. Limpopo DBE

Table 6: Data in relation to staff members and independent contractors at schools

List of staff members and independent contractors, charged with sexual misconduct involving learners	Charges	Date reported	Date finalised	Outcome/ Sanction/ Status	If found guilty of sexual misconduct involving a learner, please indicate whether the name/s were submitted to DSD to be included in the NRCP and National Register for Sex Offenders
N/A	N/A	N/A	N/A	N/A	N/A

As Table 6 above indicates, no staff members or independent contractors have been charged with sexual misconduct involving learners during the period under review. Accordingly, no names have been submitted to the DSD for inclusion in the National Child Protection Register or the National Register for Sex Offenders.

Table 7: Disciplinary proceedings of educators who have been deregistered

Quarterly report of educators deregistered by SACE	List of educators whose services were terminated by the department	If not terminated, provide reasons
	Educator	N/A
	Educator	N/A
	Educator	N/A
	Educator	N/A
	Educator	N/A
	Educator	N/A
	Educator	N/A

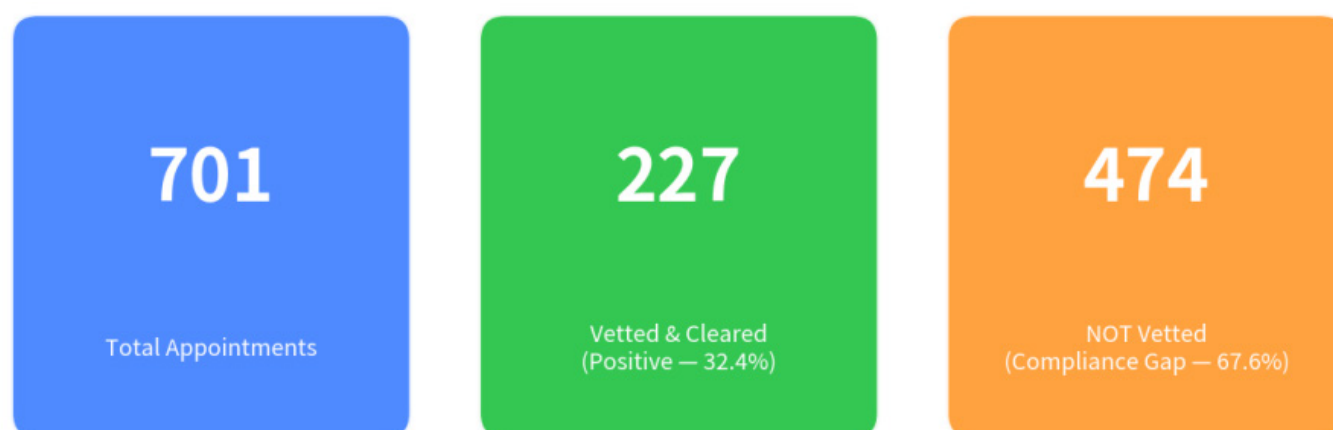
All listed entries reflect N/A, indicating no deregistration or termination cases to report. Therefore, no reasons are applicable for non-termination in this quarter.

- Limpopo DE appoints vetting officials who take fingerprints for employees on the SAPS69i forms.
- *The forms are submitted to the SAPS to process.*
- Once processed, they are submitted to the Department of Justice.
- A certificate is issued for each employee.
- Employees with illicit outcomes are dealt with through disciplinary measures.



Table 8: Number of individuals vetted

Category	Number of individuals	Date vetted against the sex offenders register & outcome	Date appointed
• Vetted against sex offenders register	227	2025/2026: Positive	2025/2026
• Not vetted against the sex offenders register	474	—	2025/2026



As Table 8 above indicates, 227 individuals were vetted against the sex offenders register, with a positive outcome recorded in 2025/2026. However, 474 individuals were appointed in 2025/2026 without vetting against the sex offenders register.

This breakdown highlights a significant gap and further raises a question about compliance and risk management. It further suggests systemic weaknesses in safeguarding practices that could expose vulnerable populations to harm and organisations to reputational and legal risks.

5.2 Effectiveness of the DBE Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools and compliance therewith

Chapter 2, Paragraph 2.5.6 of the protocol states the roles and responsibilities of learners, which are to:

- 2.5.6.1 Report any incidents or suspected incidents of sexual abuse and harassment to the principal, Grade Head, member of the school management team, an educator or any other person they feel comfortable communicating with. They can also report directly to SACE.
- 2.5.6.2 Learners should only disclose the incident to any other party with the expressed permission of the victim.
- 2.5.6.3 The Representative Council for Learners (RCL) offers a forum to advocate for learner empowerment and makes fellow learners aware of the content of this protocol.'

As part of its intended analysis of the effectiveness of the protocol, as well as the extent to which it is complied with, the CGE visited schools listed in Table 9 below and engaged with learners to assess their awareness of the protocol.

Table 9: Schools visited by CGE

No.	Name of School
1	Mabodibeng Secondary School
2	Mapalagadi Primary School
3	Tshiemuemu High School
4	Luvhalani Junior Primary School
5	Weenen Combined School
6	Eiland Primary School
7	Ranti Secondary School
8	Ramoba High School
9	Sebone Primary School
10	Mogabane Primary School

The visit to the schools revealed that learners are familiar with the established Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools, and some schools have specific policies that explicitly prohibit sexual abuse and harassment. Learners understand which behaviours constitute sexual abuse or harassment in accordance with the protocol. They also know the appropriate reporting channels, including the principal, Police, parents, and teachers.

A designated secure or anonymous reporting mechanism is available in some schools for learners to report incidents. Learners are aware that they may report an incident even if they are not the direct victim. Fear of retaliation is perceived as the most significant barrier to reporting sexual abuse or harassment within the school environment.

6. ANALYSIS OF THE EFFECTIVENESS OF THE DBE PROTOCOL FOR THE MANAGEMENT AND REPORTING OF SEXUAL ABUSE AND COMPLIANCE BY THE LIMPOPO DEPARTMENT OF EDUCATION

In addition to the above analysis, the CGE also undertook a comparative assessment of the Protocol for the Management and Reporting of Sexual Abuse and Harassment in Schools against both the applicable legislative framework and also compared the same with the responses submitted by the entities. The purpose of this analysis was to determine whether the protocol is substantively effective in addressing sexual abuse in schools and whether it is being implemented in a way that ensures compliance with other legislative prescripts relevant to the prevention and response to sexual violence. The comparative analysis of the protocol revealed the following:

6.1 **Assessment of the strength and adequacy of the Protocol for the Management and Reporting of Sexual Abuse in Schools**

The protocol constitutes a comprehensive administrative framework which, on its face, provides structured guidance on reporting procedures, stakeholder roles, and disciplinary processes. In addition, the protocol seeks to create a coordinated response system within the education sector by outlining responsibilities at the school, district, and provincial levels.

However, the analysis reveals that while the protocol is procedurally detailed, its effectiveness is undermined by critical structural and legal deficiencies.

Firstly, the protocol prioritises internal reporting mechanisms through school management structures before engagement with external authorities. This approach, although administratively coherent, is not aligned with statutory requirements mandating immediate reporting to law enforcement and child protection authorities. As a result, the protocol introduces delays at the most critical stage of intervention, thereby weakening its effectiveness as a safeguarding tool.

Secondly, the protocol's classification of offences into levels is not aligned with criminal law definitions. This misalignment creates ambiguity in determining the severity of offences and may result in serious criminal conduct being treated as disciplinary infractions. In practice, this undermines the protocol's ability to ensure that cases are escalated appropriately and handled within the criminal justice system where required.

Thirdly, while the protocol provides for psychosocial support, it does not fully incorporate the comprehensive rights afforded to victims under applicable legislation, particularly regarding urgent medical interventions. This limits its effectiveness in ensuring a holistic and victim-centred response.

Fourthly, the protocol does not sufficiently integrate safeguarding mechanisms such as mandatory vetting against the National Register for Sex Offenders and the National Child Protection Register. This omission weakens preventative measures and shifts the focus disproportionately toward reactive responses after harm has already occurred.

Accordingly, the CGE concludes that both the design of the protocol and its implementation require urgent strengthening to ensure that safeguarding measures are effective, enforceable, and aligned with the constitutional imperative to protect children from harm.



**Harassment has
no place here.**

7. FINDINGS

Having considered the information obtained from stakeholder engagements, documentary analysis, and responses received from the SACE, the Department of Social Development (DSD), the Education Labour Relations Council (ELRC), and the Limpopo Department of Education (Limpopo DBE), the CGE makes the following findings:

7.1 Systemic non-compliance with vetting requirements

- 7.1.1 The investigation finds that the Limpopo DBE has failed to ensure consistent compliance with mandatory vetting requirements prior to the appointment of individuals working with learners.
- 7.1.2 Data analysed indicates that a significantly higher number of individuals were appointed without being vetted against the National Register for Sex Offenders than those who were vetted.
- 7.1.3 This constitutes a serious safeguarding failure and exposes learners to potential harm by allowing individuals who may pose a risk to be placed in positions of authority within schools.

7.2 Weak interdepartmental coordination and referral systems

- 7.2.1 The investigation finds a breakdown in coordination between the Limpopo DBE and the DSD.
- 7.2.2 The Limpopo DBE confirmed that it does not refer cases of sexual misconduct to DSD, despite such referrals being required in terms of the protocol and the Children's Act.
- 7.2.3 This failure reflects systemic non-compliance with mandatory reporting obligations and weakens the broader child protection framework.
- 7.2.4 This failure reflects systemic non-compliance with mandatory reporting obligations and weakens the broader child protection framework.

7.3 Inefficiencies and delays in case management and finalisation

- 7.3.1 The investigation finds significant delays in the handling and finalisation of sexual misconduct cases within the Limpopo DBE.
- 7.3.2 A substantial proportion of cases remain pending, unresolved, or subject to prolonged disciplinary processes extending over several years.
- 7.3.3 The finalisation rate of cases remains low, with only a small proportion of reported cases reaching conclusive outcomes.
- 7.3.4 These delays undermine accountability, weaken deterrence, and may discourage reporting by victims and witnesses.

7.4 Inadequate enforcement of disciplinary outcomes

- 7.4.1 While arbitration awards have been issued by the ELRC in several cases, there is insufficient evidence that these outcomes are consistently enforced by the Limpopo DBE.
- 7.4.2 Instances of case withdrawals, resignations, and retirements prior to finalisation indicate that disciplinary processes may be circumvented, allowing perpetrators to evade full accountability.

- 7.4.3 The absence of consistent follow-through on dismissals and deregistration processes further weakens accountability mechanisms.

7.5 **Lack of integrated monitoring and oversight systems**

- 7.5.1 The investigation finds that the Limpopo DBE does not have a centralised monitoring tool to track sexual misconduct cases, referrals, or compliance with safeguarding obligations.
- 7.5.2 The absence of real-time tracking systems results in fragmented data, inconsistent reporting, and limited oversight of case progression.
- 7.5.3 This gap significantly impairs institutional accountability and the ability to identify systemic trends and risks.

7.6 **Inconsistent and insufficient training interventions**

- 7.6.1 While the Limpopo DBE has implemented training programmes on sexual misconduct, these interventions are inconsistent and were not conducted during certain financial years.
- 7.6.2 Training coverage varies significantly across years and does not appear to be part of a sustained, standardised capacity-building strategy.
- 7.6.3 The absence of continuous and mandatory training undermines awareness, reporting compliance, and effective implementation of the protocol.

7.7 **Gaps in safeguarding framework implementation**

- 7.7.1 The investigation finds that safeguarding measures within the Limpopo education system are largely reactive rather than preventative.
- 7.7.2 The absence of consistent vetting, weak monitoring systems, and delayed disciplinary processes collectively create systemic vulnerabilities.
- 7.7.3 These weaknesses contribute to an environment in which sexual abuse and harassment may occur without timely detection, reporting, or intervention.

7.8 **Misalignment between policy frameworks and implementation**

- 7.8.1 While the protocol provides a structured framework for managing sexual abuse cases, its implementation within Limpopo is inconsistent and incomplete.
- 7.8.2 There is a disconnect between policy requirements and operational practice, particularly in relation to reporting obligations, interdepartmental coordination, and safeguarding compliance.
- 7.8.3 This misalignment undermines the effectiveness of the protocol as a tool for protecting learners.

My Voice Matters.
My Boundaries Matter.



8. RECOMMENDATIONS

In light of the above findings, the CGE makes the following recommendations:

Limpopo Department of Education (Limpopo DBE)

8.1 The Limpopo DBE must:

- 8.1.1 Enforce mandatory vetting of all employees and contractors against the National Register for Sex Offenders and the National Child Protection Register prior to appointment, with no exceptions.
- 8.1.2 Implement an integrated digital vetting and compliance system linked to SACE, DSD, and DOJ databases.
- 8.1.3 Establish a centralised case management and monitoring system to track all sexual misconduct cases from reporting to finalisation.
- 8.1.4 Ensure compulsory referral of all cases of sexual abuse and harassment to the DSD and SAPS in compliance with legislation.
- 8.1.5 Implement strict timelines for the investigation and finalisation of cases and introduce consequence management for non-compliance.
- 8.1.6 Conduct regular compliance audits at school, district, and provincial levels.
- 8.1.7 Institutionalise mandatory, annual training programmes on safeguarding, reporting obligations, and victim support for all educators and school management.

8.2 South African Council for Educators (SACE)

SACE must:

- 8.2.1 Strengthen its vetting processes by securing direct access to the National Register for Sex Offenders and the National Child Protection Register.
- 8.2.2 Ensure the timely deregistration of educators found guilty of sexual misconduct and communicate such outcomes to relevant authorities without delay.
- 8.2.3 Implement periodic re-vetting of all registered educators.
- 8.2.4 Strengthen monitoring mechanisms to ensure compliance with its Code of Professional Ethics.

8.3 Education Labour Relations Council (ELRC)

ELRC must:

- 8.3.1 Establish a tracking system to monitor whether arbitration awards are implemented by the employer.
- 8.3.2 Ensure that cases of sexual misconduct are not withdrawn or terminated in a manner that undermines accountability.
- 8.3.3 Strengthen timelines for the finalisation of disciplinary proceedings.

8.4 Department of Social Development (DSD)

DSD must:

- 8.4.1 Establish mechanisms to ensure that all reported cases are recorded and reflected in the National Child Protection Register.
- 8.4.2 Strengthen collaboration with the Limpopo DBE to ensure timely referrals and provision of psychosocial support services.
- 8.4.3 Deploy adequate social work resources to schools to support victims of sexual abuse.

8.5 Department of Basic Education (National DBE)

National DBE must:

- 8.5.1 Urgently review and amend the protocol to ensure alignment with the Criminal Law (Sexual Offences and Related Matters) Amendment Act and the Children's Act.
- 8.5.2 Develop clear national guidelines on mandatory reporting, vetting, and interdepartmental coordination.
- 8.5.3 Establish a national monitoring framework to oversee provincial compliance with safeguarding protocols.

Recommendation to Parliament

In accordance with Section 11(1)(d) of the CGE Act, the CGE deems it necessary to make a recommendation for legislative reform. Parliament should strengthen its oversight role by requiring the Department of Basic Education (DBE), Department of Social Development (DSD), South African Council for Educators (SACE), Education Labour Relations Council (ELRC), and other relevant institutions to submit regular progress reports on the implementation of the Commission for Gender Equality's recommendations. Through its Portfolio Committees, Parliament should conduct periodic oversight hearings and monitor compliance with safeguarding measures, including mandatory vetting, timely disciplinary processes, interdepartmental coordination, and learner protection standards. Parliament should also require the development of a national monitoring and evaluation framework with measurable indicators and annual reporting to assess progress, identify implementation gaps, and hold accounting officers accountable for non-compliance.

Parliament should further consider legislative amendments to strengthen accountability by making mandatory vetting a statutory requirement for employment in schools, prescribing timeframes for the investigation and finalisation of sexual misconduct cases, and strengthening information-sharing obligations between relevant institutions to prevent perpetrators from moving within the education system. These measures will reinforce institutional accountability, improve implementation of safeguarding obligations, and ensure that the constitutional rights of learners to dignity, equality, education, and protection from harm are effectively upheld.

9. CONCLUSION

The investigation conducted by the CGE reveals that sexual abuse and harassment within schools in Limpopo province is not an isolated occurrence, but rather a manifestation of systemic institutional weaknesses across the education and child protection sectors.

While legislative and policy frameworks exist to guide the prevention, reporting, and management of sexual abuse in schools, the findings of this investigation demonstrate that these frameworks are not being effectively implemented in practice. The persistence of significant safeguarding gaps, including non-compliance with vetting requirements, delays in case finalisation, weak interdepartmental coordination, and inadequate monitoring systems, has created an environment in which learners remain vulnerable to harm.

Of particular concern is the failure to enforce mandatory vetting processes, which represents a fundamental breakdown in preventative safeguarding measures. The appointment of individuals without proper vetting undermines the integrity of the education system and exposes learners to unacceptable risk.

The investigation further highlights systemic inefficiencies in disciplinary processes, in which cases are frequently delayed, withdrawn, or left unresolved. This lack of timely and decisive action weakens accountability mechanisms and diminishes confidence in institutional responses to sexual abuse.

Moreover, the absence of effective coordination between key stakeholders, including the Limpopo DBE, the DSD, SACE, and the ELRC, reflects a fragmented approach to child protection. This fragmentation results in gaps in reporting, inadequate support for victims, and limited enforcement of safeguarding measures.

The cumulative effect of these failures is the erosion of a safe and protective learning environment, which is essential for the realisation of learners' constitutional rights to dignity, equality, education, and protection from harm.

The CGE therefore concludes that urgent, coordinated, and systemic intervention is required to address these deficiencies. Strengthening safeguarding systems, enforcing accountability, enhancing interdepartmental collaboration, and aligning policy frameworks with legislative requirements are critical to ensuring that schools become safe spaces for all learners.

The protection of learners is a constitutional imperative and must be treated as a non-negotiable priority by all stakeholders within the education sector. The CGE calls upon all relevant institutions to act decisively to implement the recommendations in this report to restore integrity, accountability, and safety within the schooling system.

All entities referred to in this report are required to submit to the CGE, by 30 August 2026, a comprehensive action plan detailing the specific measures, implementation strategies, responsible officials, monitoring mechanisms, and clear implementation deadlines applicable to each recommendation directed at the relevant entity



Kindness creates spaces
where everyone belongs.

[illegible]

[illegible]

[illegible]



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