

February 2026



Whither the Weaver?

Fragmentation and Abandonment in School
Infrastructure Programmes in South Africa

A Follow-Up Report on *Implementing Agents: The Middlemen in Charge of Building Schools (2018)*



Top: March to Parliament for the National Budget Speech (2025)
 #EducationOverAusterity
 #SafeSchools
 #iSafetyNgokuCampaign.

Middle: #FundOurSchools
 #EndAusterity
 #TaxTheRich

Bottom: World Toilet Day Roundtable Discussion on Sanitation in a Changing World, in Limpopo, 19 November 2025.

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Introduction



Equalisers in KwaZulu-Natal demonstrate outside the KwaZulu-Natal Provincial Legislature to demand increased government funding for and reliable and safe scholar transport.

Introduction

In his 2024 Opening of Parliament address, President Cyril Ramaphosa invoked the image of the social weaver bird to evoke purposeful collaboration and a state capable of constructing a more equal society. Yet for many school communities, confronted with dilapidated and overcrowded classrooms, unsafe sanitation, and a trail of abandoned infrastructure projects, the weaver's careful craft feels absent. Instead of a coherent nest, the school infrastructure delivery system is marked by fragmentation, outsourcing, and institutional drift. This report asks: Whither the weaver? Why is the organising centre of the state's school infrastructure efforts so frail; why have the systems meant to weave our nests together instead unravelled?

In the coming year (2026), the Department of Basic Education's Accelerated School Infrastructure Delivery Initiative (ASIDI) and Sanitation Appropriate for Education (SAFE) programmes will be phased out. The national department will now be responsible only for policy development, monitoring, and oversight. The task of actually delivering school infrastructure will rest entirely with Provincial Education Departments (PEDs). But how will provinces fare?

This question strikes at the heart of South Africa's enduring crisis in school infrastructure delivery. South Africa's school infrastructure delivery system appears gridlocked in a cycle

of dysfunction. Despite an array of legal and regulatory frameworks, guidelines, and reforms, learners' right to safe and adequate school infrastructure remain unrealised. This report finds that the crisis is not only procedural but systemic – rooted in austerity budgeting, fragmented planning, inept performance management, and an absence of meaningful accountability.

The 2024 amendment to the Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure, which removed the legally binding deadlines for eradicating unsafe infrastructure backlogs and providing essential facilities, symbolises the state's organised abandonment of learners. Pit latrines persist, libraries and laboratories remain scarce, and infrastructure planning continues to lag behind demographic and spatial realities, perpetuating further inequality in our education system.

This follow-up to Equal Education's 2018 report, *Implementing Agents: The Middlemen in Charge of Building Schools*, broadens the focus to encompass the ecosystem of infrastructure delivery – from budgeting and planning to performance management and consequence enforcement – across numerous provinces. It asks why, despite a proliferation of frameworks and institutions, the system remains persistently unable to deliver.

Through document analysis and interviews with officials from the DBE, PEDs, National Treasury, implementing agents (IAs), oversight bodies, and school communities, the study identifies recurring weaknesses across four interrelated domains:

- 1. Budgeting:** Infrastructure funding remains constrained by austerity and inequitable allocation formulas that fail to match provincial needs and capacity.
- 2. Planning:** Planning processes are fragmented, reactive, and often outsourced, with weak alignment between needs assessments, budgets, and project implementation. Technical inefficiencies are compounded by a fragmented institutional configuration that undermines coherent planning.
- 3. Performance Management:** Monitoring and evaluation systems are dominated by compliance reporting rather than developmental accountability. Data is incomplete, inconsistent, and rarely used to support any effective internal controls or inform corrective action.
- 4. Consequence Management:** Oversight institutions continue to identify the same failures year after year, with little corrective action. Accountability chains are blurred, sanctions are rare, and there is weak coherence between the various stakeholders involved in the accountability ecosystem.

These domains do not exist in isolation. Weak planning undermines performance management; poor performance monitoring impedes accountability; and the absence of accountability perpetuates poor planning. The system's dysfunction is thus cyclical, self-reinforcing, and resistant to superficial reform.

By analysing these intersecting weaknesses, this report underscores that the failure of infrastructure delivery is not simply technical. It is also political. The logic of austerity and managerial outsourcing has reconfigured the public sector into a fragmented network of contracts rather than a coherent developmental state. With ASIDI and SAFE coming to an end, the moment demands reflection and reconfiguration: the DBE must support provinces to rebuild internal capacity, restore coordination, and reclaim the public ethos of delivery. Only by re-establishing coherence – through reinvestment, institutional rebuilding, and enforceable accountability – can learners of this generation realise the right to education in material and dignified form.

Abbreviations and Acronyms



AGSA	Auditor-General of South Africa
ASIDI	Accelerated School Infrastructure Delivery Initiative
BFI	Budget Facility for Infrastructure
CDC	Coega Development Corporation
CD	Client Department
CFO	Chief Financial Officer
CIDB	Construction Industry Development Board
CIO	Chief Information Officer
CRC	Convention on the Rights of the Child
DBE	Department of Basic Education
DoPWI	Department of Public Works and Infrastructure
DoRA	Division of Revenue Act
EA	Executive Authority
ECDoE	Eastern Cape Department of Education
EC DoPWI	Eastern Cape Department of Public Works and Infrastructure
EFMS	Education Facilities Management System
EIG	Education Infrastructure Grant
ESSS	Eyabantu Senior Secondary School
FIDPM	Framework for Infrastructure Delivery and Procurement Management
FSDoE	Free State Department of Education
GDE	Gauteng Department of Education
GIAMA	Government Immovable Asset Management Act
GTAC	Government Technical Advisory Centre
HOD	Head of Department
HRM	Human Resources Management
HRMU	Human Resource Management Unit
IA	Implementing Agent
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDMS	Infrastructure Delivery Management System

IPIP	Infrastructure Programme Implementation Plan
IPMP	Infrastructure Programme Management Plan
IRM	Infrastructure Reporting Model
IU	Infrastructure Unit
KZN DoPWI	KwaZulu-Natal Department of Public Works and Infrastructure
KZNDoe	KwaZulu-Natal Department of Education
LDoE	Limpopo Department of Education
MDoE	Mpumalanga Department of Education
MEC	Member of the Executive Council
MSS	Mathukulula Secondary School
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NCOP	National Council of Provinces
NEIMS	National Education Infrastructure Management System
NPA	National Prosecuting Authority
NPAAA	National Prosecuting Authority Amendment Act
NSS	Ndlelanhle Secondary School
NT	National Treasury
PAMA	Bill Public Administration Management Amendment Bill
PDA	Protected Disclosures Act
PED	Provincial Education Department
PES	Provincial Equitable Share
PFMA	Public Finance Management Act
MEC	Member of the Executive Council
MSS	Mathukulula Secondary School
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NCOP	National Council of Provinces
NEIMS	National Education Infrastructure Management System

NPA	National Prosecuting Authority
NPAAA	National Prosecuting Authority Amendment Act
NSS	Ndlelanhle Secondary School
NT	National Treasury
PAMA	Bill Public Administration Management Amendment Bill
PDA	Protected Disclosures Act
PED	Provincial Education Department
PES	Provincial Equitable Share
PFMA	Public Finance Management Act
PMU	Programme Management Unit
PMS	Programme Management System
PPP	Public-Private Partnership
PSA	Bill Public Service Amendment Bill
PSC	Public Service Commission
PSP	Professional Service Provider
PT	Provincial Treasury
SAFE	Sanitation Appropriate for Education
SAHRC	South African Human Rights Commission
SAI	Supreme Audit Institution
SASA	South African Schools Act
SCM	Supply Chain Management
SDA	Service Delivery Agreement
SGB	School Governing Body
SIBG	School Infrastructure Backlogs Grant
SIPDM	Standard for Infrastructure Procurement and Delivery Management
SIU	Special Investigating Unit
U-AMP	User Asset Management Plan
UDHR	Universal Declaration of Human Rights
WCED	Western Cape Education Department
WPA	Witness Protection Act

Methodology



Methodology

This report draws on a combination of document analysis and semi-structured interviews to understand the planning, budgeting, delivery, and oversight processes involved in school infrastructure in South Africa. This approach was designed to better understand both the institutional logic and the lived experience of stakeholders in the school infrastructure ecosystem.

By combining numerous sources and perspectives, the methodology provides a rigorous basis to draw practical policy lessons, identify systemic constraints, highlight areas that would benefit from further investigation, and provide avenues for increased advocacy to promote accountability, transparency, and ethical conduct in the public sector.

Document Analysis

We conducted an extensive review of documents produced by key public entities, including the Department of Basic Education (DBE), Provincial Education Departments (PEDs), National and Provincial Treasuries, the Government Technical Advisory Centre (GTAC), Parliament, and the Auditor-General of South Africa (AGSA), among others listed in the bibliography. These materials included policy and planning frameworks, guidelines, various reports, oversight documents, and case studies.

This served several functions: to trace accountability processes, identify systemic constraints, and compare budgeting, planning, and delivery processes across provinces and over time.

Quantitative and qualitative data extracted from these documents were aggregated to produce descriptive statistics, highlight patterns of performance, and explore potential correlations between various inputs and outcomes. This

process allowed the researchers to situate individual cases or provincial experiences within a broader evidence base, strengthening the validity of the findings.

Key Informant Interviews

To supplement the document analysis and provide qualitative depth, we conducted semi-structured interviews with representatives from relevant departments, oversight bodies, and implementing agents. These interviews focused on the institutional, technical, and procedural dynamics shaping infrastructure planning and delivery, as well as the practical constraints and opportunities faced therein.

Interviews were conducted with:

- National Treasury (NT)
- Department of Basic Education (DBE)
- KwaZulu-Natal Department of Public Works (KZN DPW)
- Eastern Cape Department of Public Works (EC DPW)
- Development Bank of Southern Africa (DBSA) – Gauteng (via written correspondence)
- Limpopo Department of Education (LDoE)
- Gauteng Department of Education (GDE)
- South African Human Rights Commission (SAHRC) – Eastern Cape
- Auditor-General of South Africa (AGSA)
- Special Investigating Unit (SIU) – Eastern Cape
- Eastern Cape Provincial Parliament (opposition member, formerly in the Education Portfolio Committee)

Each interview followed a guide structured around key aspects of infrastructure budgeting; planning; procurement; performance; and consequence management. This ensured consistency while allowing respondents to elaborate on context-specific dynamics.

School-Level Engagements

In addition to engagements with government and oversight entities, interviews and focus group discussions were conducted with school communities in four provinces. These included:

- Gauteng (1 school)
- Limpopo (3 schools) – individual interviews with principals
- KwaZulu-Natal (3 schools)
- Eastern Cape (4 schools)

These discussions provided grounded insights into how national and provincial infrastructure processes translate into realities at school level, and the extent of coordination and accountability mechanisms available to school communities throughout the process.

Limitations

This study faced several methodological and contextual limitations. Despite these constraints, the collective set of information analysed presents a credible and multi-layered picture of the challenges and dynamics shaping school infrastructure delivery in South Africa that can still inform actionable recommendations and identify areas for further research.

1. Institutional Attribution and Anonymity:

To protect respondents' anonymity, interview data are attributed to the institution from which insights were gathered. The perspectives expressed by interviewees do not necessarily reflect the official positions of the institutions they are affiliated with.

2. Representation and Comparability:

The research was not specifically designed as a representative or comparative study. Not all provinces and implementing agents (particularly state-owned enterprise implementing agents) were included, and it was not possible to triangulate data consistently within each province. As a result, while we highlight trends that appear generalisable, the detailed circumstances are likely to vary across contexts.

3. Bias in Source Perspectives:

The data are skewed toward PED perspectives, with fewer insights from implementing agents and oversight institutions. This may introduce a bias towards explanations that foreground external constraints over internal departmental challenges.

4. Non-Engagement and Limited Access:

Despite extensive effort, several key entities either declined to participate or did not engage substantively, including:

- a. Coega Development Corporation, which cited an antagonistic engagement with Equal Education in 2017 as a reason for continued non-engagement.
- b. WCED, which offered only to share their latest annual report which was already publicly available
- c. KZN Department of Education, which could only agree to a physical meeting. Internal resource constraints thus prevented us from gauging their insights.
- d. Provincial Treasuries in the Western Cape, KwaZulu Natal, which stopped engaging after our initial request.
- e. BTKM, the PMU in the Eastern Cape, which stopped engaging after our initial request.

5. Environment of Fear:

We encountered a significant degree of hesitancy among interviewees to speak candidly, which we attribute to an environment of fear or reputational risk. Nearly all respondents requested anonymity.

6. Incomplete or Unverified Information:

In several instances, interviewees were unable to provide supporting documentation or did not respond to follow-up requests. As a result, some claims could not be independently verified.

We did not schedule interviews with the Construction Industry Development Board (CIDB) and the National Prosecuting Authority (NPA).

Legislative Framework



Legislative Framework

The Right to Education

The Constitution of the Republic of South Africa (Act No. 108 of 1996)¹

Section 29 (1) (a) of the South African Constitution recognises education as a fundamental human right that the state has an obligation to work to advance and uphold. In 2011, the Constitutional Court of South Africa ruled² that the right to education is deemed immediately realisable and is not subjected to qualifiers including 'progressive realisation' or 'within the state's available resources' that characterise other existing socioeconomic rights.

The Right to Education at the International Level

The right to education enjoys protection in international law and is acknowledged by several international conventions including the **Universal Declaration of Human Rights (UDHR)**³, which was the first international instrument to give expression to the right to education, in 1948, and the **Convention on the Rights of the Child (CRC)**⁴, which protects the right to education in article 28. Article 28 (1) (a) of the CRC obliges state parties to make primary education compulsory and free while article 28 (1) (b) of the CRC requires states to make secondary education available and accessible to the child.

In 2015, South Africa became a state party to the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, article 13⁵ of which affirms the right of everyone to education.

Educational legislation in South Africa

In addition to the South African Constitution, several educational legislation and regulations have been enacted to regulate education in the country. These include the **South African Schools Act (Act No. 84 of 1996)**⁶ and the National Education Policy Act 27 of 1996⁷. SASA provides a standardised framework for school administration, financing, and organisation. It also emphasises and safeguards students' access to high-quality education, which involves or extends to appropriate school infrastructure.

Regulations Relating to Minimum Norms and Standards for Public School Infrastructure, 2024

Section 5A of the SASA provides the legal basis for the establishment of the minimum norms and standards for school infrastructure⁸ and read with the **Government Immovable Asset Management Act (No. 19 of 2007)**⁹, outlines the constitutional mandate of provinces to ensure the provisioning, management and maintenance of public-school infrastructure.

1 <https://ccac.concourtrust.org.za/constitutional-links/education-rights-section-29>

2 <https://www.derebus.org.za/wp-content/uploads/2024/11/Governing-Body-of-the-Juma-Musjid-Primary-School-and-Others-v-Essay-NO-and-Others-Centre-for-Child-Law-and-Another-as-Amici-Curiae-2011-8-BCLR-761-CC.pdf>

3 <https://www.humanrights.com/course/lesson/articles-26-30/read-article-26.html>

4 <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

5 <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

6 <https://www.gov.za/documents/south-african-schools-act>

7 https://www.gov.za/sites/default/files/gcis_document/201409/act27of1996.pdf

8 https://www.gov.za/sites/default/files/gcis_document/202406/50876gon4994.pdf

9 <https://www.gov.za/documents/government-immovable-asset-management-act>

10 https://www.gov.za/sites/default/files/gcis_document/202406/50876gon4994.pdf

It is important to note that implementing agents are required to comply with these minimum uniform norms and standards in the design and construction of new schools and any improvements and upgrades to existing schools. In fact, section 58C of the SASA creates a mechanism to enhance accountability by requiring Provincial Education Departments' (PEDs) Heads of Departments (HODs) to identify resources to comply, identify risk areas for compliance, develop a compliance plan for the province, establish protocols with schools on how to comply with norms and standards and manage any risk areas and, report annually on the state of compliance.

Agency and Delegation

At times, government departments, including the Department of Basic Education (DBE) and the nine PEDs, who have a constitutional mandate and concurrent functions of providing quality education to learners, inclusive of the need to provide complete, accessible, safe and usable education facilities, procure the services of implementing agents to assist them in fulfilling the implementation of their school infrastructure projects.

This is largely owed to the reality that these government departments do not have the

capacity, technical expertise, processes and systems required to plan, procure the services of different Professional Service Providers (PSPs) and contractors and manage the implementation of school infrastructure projects effectively and efficiently and more directly.

Section 238 of the Constitution of the Republic of South Africa (Act No. 108 of 1996) provides for **agency and the delegation** of powers between executive organs of state in any sphere of government, such as the DBE or PEDs, citing that they may:

- a) *delegate any power or function that is to be exercised or performed in terms of legislation to any other executive organ of state, **provided the delegation is consistent with the legislation in terms of which the power is exercised or the function is performed;** or*
- b) *exercise any power or perform any function for any other executive organ of state on an agency or delegation basis.*

The purpose of this provision is to help enhance the efficient delivery of services by allowing for the flexible transfer of responsibilities between different government bodies, as is the case with implementing agents who are contracted to implement school infrastructure projects on behalf of PEDs.

Public Financial and Procurement Management

Client Departments (CDs) enter into contractual agreements with implementing agents to deliver school infrastructure on their behalf. It is important to highlight that these implementing agents are required to follow procurement processes and manage contracts in compliance with the same legislation the CDs are subject to, given that they act (manage projects and funds) on behalf of them. This relates to, for example, constituting procurement structures or soliciting the services of Professional Service Providers (PSPs) or Contractors and is also done to ensure accountability for (the allocation and use of) public funds. To this end, the applicable legislation they are legally bound to includes the following:

- **Section 217 of the South African Constitution**, which requires government institutions or other designated institutions to contract for goods and services through a competitive, transparent, equitable, fair, and cost-effective system but which also provides for the implementation of a preferential procurement policy in line with the overarching constitutional principles.
- **Public Finance Management Act (Act No.1 of 1999)**¹¹ which provides the framework for fiscal management and public procurement in government institutions.
- **Public Procurement Act (Act No. 28 of 2024)**¹² which supersedes previous Acts such as the Preferential Procurement Policy Framework Act (Act No. 5 of 2000), provides a single, overarching national regulatory framework that governs public procurement across all three spheres of government and aligns with the constitutional requirements for public procurement to be fair, equitable, transparent, competitive and cost effective, in line with section 217 (1) of the Constitution;
- **Framework for Infrastructure Delivery and Procurement Management (FIDPM)**¹³ which supersedes the Standard for Infrastructure Procurement and Delivery

Management (SIPDM) and has been effective since 1 October 2019, as per the National Treasury Instruction Note No. 3 of 2019/2020), applies to organs of state which are subject to the PMFA or implement school infrastructure projects on behalf of other organs of state and prescribes minimum requirements for the implementation of Government's Infrastructure Delivery Management System (IDMS);

- **Division of Revenue Act (DoRA)**, as gazetted from financial year to financial year and which includes Conditional Grant Frameworks which specify how conditional grants, including the Education Infrastructure Grant (EIG) and the School Infrastructure
- **Backlogs Grant (SIBG)**, must be spent, to ensure that nationally funded allocations to CDs and by extension, implementing agents who manage funds on their behalf where they are procured to implement school infrastructure projects, are used to achieve national government policy objectives, support the provision of basic services such as education and enforce national norms and standards.

Implementing Agents Guidelines

The Guidelines on Minimum Requirements for Implementing Agents in the Basic Education Sector (2019)

¹⁴

The Department of Basic Education (DBE) has developed these guidelines to provide clarity to the basic education sector on the minimum level of service to be expected from entities that provide implementing agency services (implementing agents which are public or private entities contracted to perform a function or service on behalf of an organ of state) when assisting Client Departments (CDs) such as the DBE and nine Provincial Education Departments (PEDs) with the implementation of their school infrastructure projects. Furthermore, it outlines the minimum requirements regarding management systems, internal processes, institutional structures, and the technical capacity these entities are expected to possess.

11 <https://www.treasury.gov.za/legislation/pfma/act.pdf>

12 https://www.parliament.gov.za/storage/app/media/Acts/2024/Act_No_28_of_2024_Public_Procurement_Act.pdf

13 https://cdn.ymaws.com/www.safcec.org.za/resource/resmgr/construction_legislation/fi_pdm/fi_pdm_2019.pdf

14 https://www.education.gov.za/LinkClick.aspx?fi_leticket=M6qi4MUBryl%3D&tabid=93&portalid=0&mid=8142

The guidelines also serve as a tool for CDs to scrutinise the acceptability of an implementing agent it seeks to engage and assess its past performance, if any.

The Construction Industry Development Board Act (Act No. 38 of 2000)

The Construction Industry Development Board (CIDB) which is an infrastructure-related regulatory body in South Africa is established in terms of and derives its mandate from the **Construction Industry Development Board Act (Act No. 38 of 2000)**¹⁵.

This mandate includes:

1. Providing strategic leadership to construction industry stakeholders to help grow, reform, and improve the construction sector,
2. Promote the sustainable growth of the construction sector,
3. Determine, establish, and promote best practices and improved performance of public and private sector clients, contractors, and other participants in the construction delivery process,
4. Promote the uniform application of policy throughout all spheres of government and promote uniform and ethical standards, construction procurement reform, and improved procurement and delivery management – including a code of conduct,
5. Develop systematic methods for monitoring and regulating the performance of the industry and its stakeholders, including the registration of projects (Register of Projects) and contractors (Register of Contractors), set out in chapter three of the Act.

In terms of sections 5(2)(b) of the Act, the CIDB is empowered to, by notice in the Government Gazette, establish best practice standards and guidelines. This **Competence Standard for Contractors**¹⁶ published in the Government Gazette of 31 October 2017 established the competencies (skills, knowledge, qualifications, and experience) of a contracting enterprise which need to reside with the owner and/or key nominated representatives of the contractor. These competencies are measured against minimum acceptable standards necessary for running a contracting enterprise and for supervising building and construction works.

The CIDB's Standard for Uniformity in Construction Procurement¹⁷ is published in terms of sections 4(f), 5(3)(c) and 5(4)(b) of the CIDB Act of 2000, read with Regulation 24 of the Construction Industry Development Regulations, issued in terms of section 33 of the Act.

It is mandatory for organs of state who solicit tender offers in the construction industry to comply with this standard. This standard establishes minimum requirements for uniformity in construction procurement and is based on Construction Procurement Best Practices guidelines¹⁸ published by the CIDB.

Finally, the CIDB also has infrastructure delivery management guidelines¹⁹ to help guide different decision makers involved in the management of infrastructure delivery, required at different entry points, to manage different stages of project management.

15 https://www.gov.za/sites/default/files/gcis_document/201409/a38-000.pdf

16 <https://www.cidb.org.za/wp-content/uploads/2021/04/Competence-Standard-for-Contractors.pdf>

17 <https://www.cidb.org.za/download/100/procurement-documents-templates-and-guidelines/6162/standard-for-uniformity-in-construction-procurement.pdf>

18 <https://www.cidb.org.za/wp-content/uploads/2021/04/Applying-Procurement-Prescripts-of-the-cidb-in-the-Public-Sector-1.pdf>

19 <https://www.cidb.org.za/wp-content/uploads/2021/04/Practice-Note-22b.pdf>

Public Administration in South Africa

Chapter 10 of the Constitution sets out the basic values and principles that should govern public administration in the country. **Section 195(1)** states that public administration should be guided by the following principles:

- (a) A high standard of professional ethics must be promoted and maintained,
- (b) **Efficient, economic and effective use of resources** must be promoted,
- (c) Public administration must be development-oriented,
- (d) Services must be provided impartially, fairly, equitably and without bias,
- (e) **People's needs must be responded to**, and the public must be encouraged to participate in policy-making,
- (f) **Public administration must be accountable.**

Section 195(2) states that these principles apply to:

- (a) **administration in every sphere of government,**
- (b) **organs of state,** and
- (c) **public enterprises.**

The **Public Service Act of 1994**²⁰ provides for the organisation and administration of the public service of the Republic, the regulation of the conditions of employment, terms of office and the discipline, retirement and discharge of members of the public service. Linked to this and the **Public Administration Management Act of 2014**²¹ which promotes public administration values and regulates business with the State, are the **Public Service Amendment Bill (PSA Bill) 2023**²² and the **Public Administration Management Amendment Bill (PAMA Bill)**²³ which form part of ongoing legislative reforms geared towards enhancing the professionalism, efficiency and responsiveness of the public service and administration in South Africa. Both Bills introduce provisions which are aimed at enhancing administrative powers, strengthening accountability mechanisms and improving efficiency in public service.

Anti-Corruption Legislation

The Prevention and Combatting of Corrupt Activities Act 12 of 2004²⁴

This Act aims to strengthen existing measures to prevent and combat corruption and corrupt activities, provide for investigative measures in respect of corruption and related corrupt activities, provide for the establishment of a Register that places certain restrictions on persons and enterprises convicted of corrupt activities relating to tenders and contracts and to place an obligation on accounting officers and executive authorities to report certain corrupt transactions.

Special Investigating Units and Special Tribunals Act No.74 of 1996²⁵

This Act provides for the establishment of Special Investigating Units for the purpose of investigating serious malpractices or maladministration in connection with the administration of State institutions, State assets and public money as well as any conduct which may seriously harm the interests of the public and of instituting and conducting civil proceedings in any court of law or a Special Tribunal in its own name or on behalf of State institutions.

The Act also provides for the establishment of Special Tribunals to adjudicate upon civil matters emanating from investigations by Special Investigating Units.

In 2019, President Cyril Ramaphosa established a Special Tribunal, in terms of **Section (2)(1) of the Special Investigating Units and Special Tribunals Act 74 of 1996**.²⁶

The Special Tribunal was established by the need to fast-track the finalization of matters that the SIU refers for civil litigation, following the conclusion of their investigations.

20 <https://www.dpsa.gov.za/dpsa2g/documents/acts®ulations/psact1994/publicserviceact.pdf>

21 <https://www.gov.za/documents/public-administration-management-act>

22 https://pmg.org.za/files/240214_B13B-2023-public-service-_3.pdf

23 <https://www.dpsa.gov.za/dpsa2g/documents/acts®ulations/Amendment%20Bills/PUBLIC%20ADMINISTRATION%20MANAGEMENT%20AMENDMENT%20BILL%202023.pdf>

24 <https://www.gov.za/documents/prevention-and-combating-corrupt-activities-act-0>

25 <https://www.siu.org.za/wp-content/uploads/2018/11/SIU-Act-with-2012-Amendments-10-Jan-2013.pdf-GV.pdf>

26 <https://www.gov.za/news/media-statements/president-cyril-ramaphosa-appoints-special-investigations-unit-tribunal-24>

These are matters where the SIU would have referred to civil litigation contracts entered into by state institutions to be declared irregularly invalid or set aside, helping the unit to recover monies and or assets lost by state institutions through irregular and corrupt means. The litigation process includes both public and private sectors, persons, and entities.

National Prosecuting Authority Act, 1998 (Act 32 of 1998) established the National Prosecuting Authority (NPA) in South Africa.²⁷ Section 179(2) empowers the NPA to institute criminal proceedings on behalf of the State and to conduct any necessary functions linked to instituting criminal proceedings. Prosecution is the core function of the NPA, as initiated by investigations. The institution is tasked with playing a critical role in ensuring those who commit crime are charged and held accountable for their actions. In August 2024, the **National Prosecuting Authority Amendment Act (Act 10 of 2024)**²⁸, took effect. The NPAAA provides for the establishment of the Investigating Directorate against Corruption and its powers and functions as well as the appointment, vetting, remuneration and conditions of service and the powers and functions of investigators.

Whistleblower Protection

South Africa's key legislative framework, the **Protected Disclosures Act (PDA) (Act 26 of 2000)**²⁹ makes provision for procedures in terms of which **employees** in both the private and the public sector **may disclose information regarding unlawful or irregular conduct by their employers** or other employees in the employ of their employers and for the protection of such **employees** who make a disclosure. The PDA protects employees from becoming victims of any 'occupational detriment' including harassment, demotion or dismissal because of blowing the whistle on any unlawful or irregular conduct. The **Protected Disclosures Amendment Act (Act 5 of 2017)**³⁰ extends the application of the PDA to any person who works or worked for the State or another person or who

in any manner assists or assisted in carrying on or conducting the business of an employer or client as an independent contractor, consultant, agent or person rendering services to a client while being employed by a temporary employment service and provide for immunity against civil and criminal liability flowing from a disclosure of information which shows or tends to show that a criminal offence has been committed, is being committed or is reasonably likely to be committed.

The **Witness Protection Act (Act 112 of 1998)**³¹ makes provision for temporary protection pending placement under protection, for the placement of witnesses and related persons under protection and for services related to the protection of witnesses and related persons.

Although the PDA and WPA were both designed to essentially protect whistleblowers, their safeguards have proven insufficient in practice. For example, the anonymity of whistleblowers who make disclosures is not always guaranteed, often resulting in instances of a breach of confidentiality, compromising their personal safety and the personal safety of their families.

To reverse this trend, urgent legislative reform has been underway to help strengthen existing laws to better support and protect whistleblowers in the country. To this end, the South African Department of Justice and Constitutional Development embarked on the task of reviewing both the PDA and WPA and in June 2023, called for public input on a discussion document³² it published. The discussion document follows on the State Capture Commission's recommendations, contained in its report published in 2022³³, that whistleblower legislation be amended to provide increased protection, contains a comparative analysis of whistleblower systems in various developed countries with 'established frameworks' as well as those in several African states and acknowledges the need for whistleblowers to receive the necessary legal and emotional assistance to help them navigate a complicated legal system and deal with the various challenges that come with whistleblowing.

27 <https://www.justice.gov.za/legislation/acts/1998-032.pdf>

28 https://www.gov.za/sites/default/files/gcis_document/202405/50713natprosecutingauthorityamendact102024.pdf

29 https://www.gov.za/sites/default/files/gcis_document/201409/a26-000.pdf

30 https://www.gov.za/sites/default/files/gcis_document/201708/410162-8-2017act5of2017protecteddisclosuresamendacta.pdf

31 <https://www.justice.gov.za/legislation/acts/1998-112.pdf>

32 <https://www.justice.gov.za/legislation/invitations/20230629-Whistleblower-Protection-Regime.pdf>

33 <https://www.statecapture.org.za/site/documents>

Key proposed reforms include the expansion of the definition of a whistleblower to include volunteers and contractors, criminalizing threats made against whistleblowers, establishing a fund to support to assist whistleblowers with legal costs and living expenses, protecting whistleblower confidentiality and allowing whistleblowers to report corruption through independent bodies instead of through internal structures, to help mitigate the risk of retaliation.

The **Whistleblower Protection Amendment Draft Bill** is said to be released for public comment in the first half of 2026.

Budgeting for School Infrastructure



Equal Education marches to Parliament to demand that the National Budget 2025 tabled and passed align with the people's needs and priorities, toward the progressive realization of their human rights!

Budgeting for School Infrastructure



Key Findings:

- Real (inflation-adjusted) allocations to conditional grants for school infrastructure have fluctuated dramatically and declined overall, over the past ten years (2015/16 – 2025/26).
- The level of funding allocated to school infrastructure is less than half of what is estimated to be needed to eliminate all backlogs.
- Funding allocations are inequitable: Provinces with the largest backlogs receive less per-school funding than better-resourced provinces.
- Underspending generally occurs in provinces with the largest backlogs (with the exception of KwaZulu-Natal. This suggests that is often a symptom of capacity and institutional constraints. Using underspending to justify budget cuts risks a vicious cycle of decline.
- Mid-year reallocations frequently reward better-spending provinces and further penalise high-need, low-capacity provinces, reinforcing inequality.
- Strategies to cope with budget cuts – like the proliferation of Implementing Agents, the use of outsourced Programme Management Units, haphazard reprioritisation, and public-private partnerships – carry significant risks. These each increase opacity, dilute accountability, stunt planning, and can also risk higher long-term costs.

Introduction

The effectiveness of school infrastructure delivery in South Africa depends fundamentally on how budgets are formulated, allocated, and managed across national and provincial levels. Despite the establishment of multiple funding instruments aimed at addressing infrastructure backlogs, the budgeting process remains fragmented, inequitable, and undermined by austerity.

This section examines how funds for school infrastructure are allocated, planned, and executed, and identifies systemic weaknesses that constrain the state's ability to meet its obligations under the Regulations relating to Minimum Uniform Norms and Standards for School Infrastructure.

Drawing on expenditure data, policy documents, and interviews with officials, implementing agents, and school communities, the analysis focuses on three interrelated dimensions:

- The structure and functioning of school infrastructure funding mechanisms;
- The effects of austerity and inequitable fiscal distribution; and
- The implications of weak budgeting practices for delivery, accountability, and equity.

The analysis situates these issues within a broader political-economic context marked by austerity and the gradual erosion of state capacity. It argues that while cost containment measures are often rationalised as an efficiency measure, it has in this case instead entrenched inefficiency by outsourcing its responsibilities and hollowing out the institutional capabilities necessary for effective and accountable delivery. The result is a system of enforced scarcity that struggles to spend, plan, and execute credibly.

Systemic Challenges in the Budgeting process

School infrastructure budgeting involves multiple actors across different levels of government and different funding streams.

The largest source of funding for these programmes comes from the Education Infrastructure Grant (EIG), a conditional grant allocated to provinces, whose purpose is to accelerate and enhance capacity to deliver, maintain, and repair school infrastructure; and assist in ensuring that targets set out in the Minimum Norms and Standards for School Infrastructure are met. Despite accounting for the majority of school infrastructure funding, the EIG is a Schedule 4³⁴ conditional grant, and therefore intended to be a supplementary source.

Provinces are expected to contribute towards education infrastructure programmes from revenue derived from the Provincial Equitable Share (PES). The level of funding from this source remains relatively low in all provinces except for the Western Cape.³⁵

A third key funding stream, the School Infrastructure Backlogs Grant (SIBG), was introduced as an indirect conditional grant administered by the national Department of Basic Education (DBE). Initially designed in 2011 as a temporary intervention to eradicate the most urgent infrastructure backlogs – particularly unsafe buildings and lack of water, electricity, and sanitation – the SIBG suffered from administrative failures and had to be repeatedly extended. In 2024, National Treasury announced that the SIBG would be merged into the EIG and fully phased out by the 2027/28 financial year.

34 Republic of South Africa, Division of Revenue Act No. 02 of 2025, Government Gazette No. 53139, Notice No. 6495 (8 August 2025), available at https://www.gov.za/sites/default/files/gcis_document/202508/53139gon6495.pdf

35 Author's own calculations based on an analysis of various provincial governments' *Estimates of Provincial Revenue and Expenditure* (2025), available at <https://www.treasury.gov.za/documents/provincial%20budget/2025/3.%20Estimates%20of%20Provincial%20Revenue%20and%20Expenditure/Default.aspx>

The fourth source of funding is the Budget Facility for Infrastructure (BFI), a cross-government mechanism for priority public infrastructure projects. While BFI allocations are channelled through the EIG, the application and approval processes are separate, adding complexity to the overall school infrastructure funding landscape. At the time of writing this report, only two provinces, Gauteng and the Western Cape, received funding for school infrastructure projects under this facility.

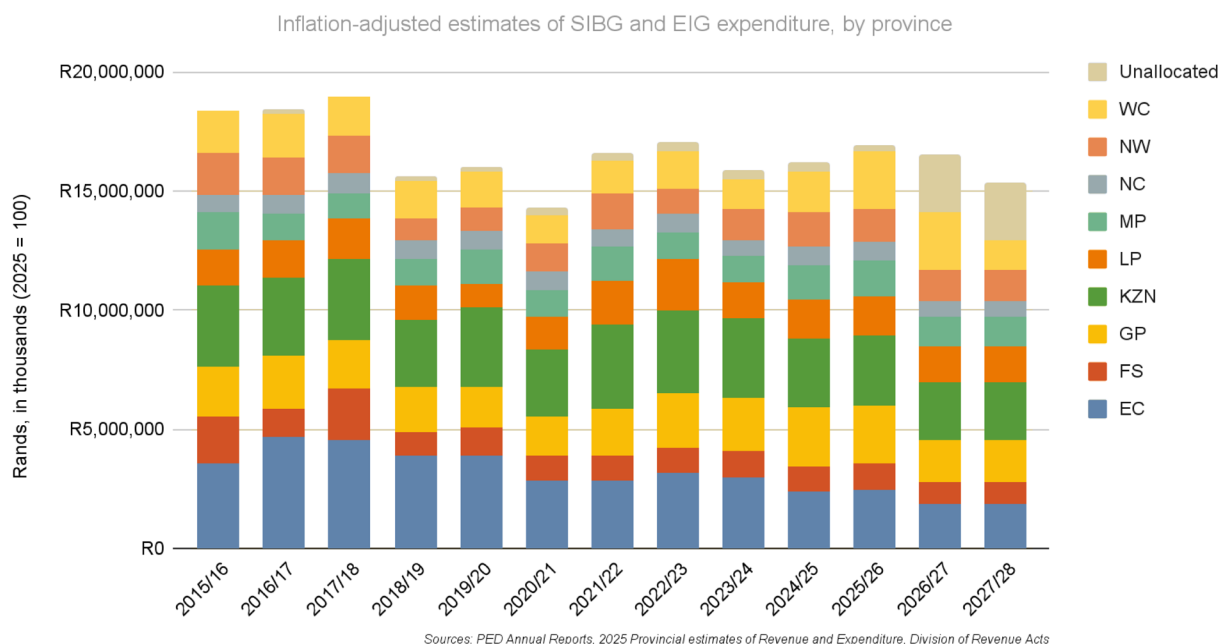
To receive funding from National Treasury for school infrastructure, PEDs are expected to maintain ten-year infrastructure plans, broken into prioritised three-year project lists under the Medium-Term Expenditure Framework (MTEF). These plans, detailed in Infrastructure Project Management Plans (IPMPs), should contain costed, viable projects ready for implementation.

These are then tracked through National Treasury's Infrastructure Reporting Model (IRM), and reflected in a table commonly referred to as Table B5. Table B5 details each project's total cost, location, phase, expenditure to date, projected spending over the MTEF, and source of funding. However, the accuracy and credibility of this data is inconsistent across provinces.

Despite these formal processes, three structural weaknesses persist. The government's austere fiscal framework is misaligned with its obligation to provide adequate school infrastructure, and funding allocations between provinces are not proportionate to levels of need. These issues exacerbate problems of coherence between budgets, plans, and implementation. This creates cascading difficulties not only for PEDs, but also for IAs, contractors, and school communities.

Austerity and the Shrinking Infrastructure Envelope

Figure 1: Education Infrastructure Grant + School Infrastructure Backlogs Grant³⁶



³⁶ Figure 1: The graph consolidates spending figures from the Education Infrastructure Grant and the School Infrastructure Backlogs Grant between 2015/16 and 2023/24, with a revised estimate for 2024/25, an initial appropriation for 2025/26, and projections for 2026/27 and 2027/28. Figures are adjusted for inflation using the Consumer Price Index from Stats SA, based on own calculations. Source: Provincial Education Department Annual Reports (various years); Estimates of Provincial Revenue and Expenditure (various years); and Division of Revenue Acts (various years).

Real allocations to conditional grants for school infrastructure have fluctuated sharply and declined overall across the past decade. As Figure 1 illustrates, Conditional grant funding fell from R18.3 billion in 2015/16 to R16.9 billion in 2025/26, after accounting for inflation. The merger of the SIBG into the EIG does not appear to be matched by compensatory increases over the MTEF. The 2025/26 national budget indicates that annual infrastructure allocations through conditional grants are expected to reduce by R1.5 billion over the next two years in real terms.

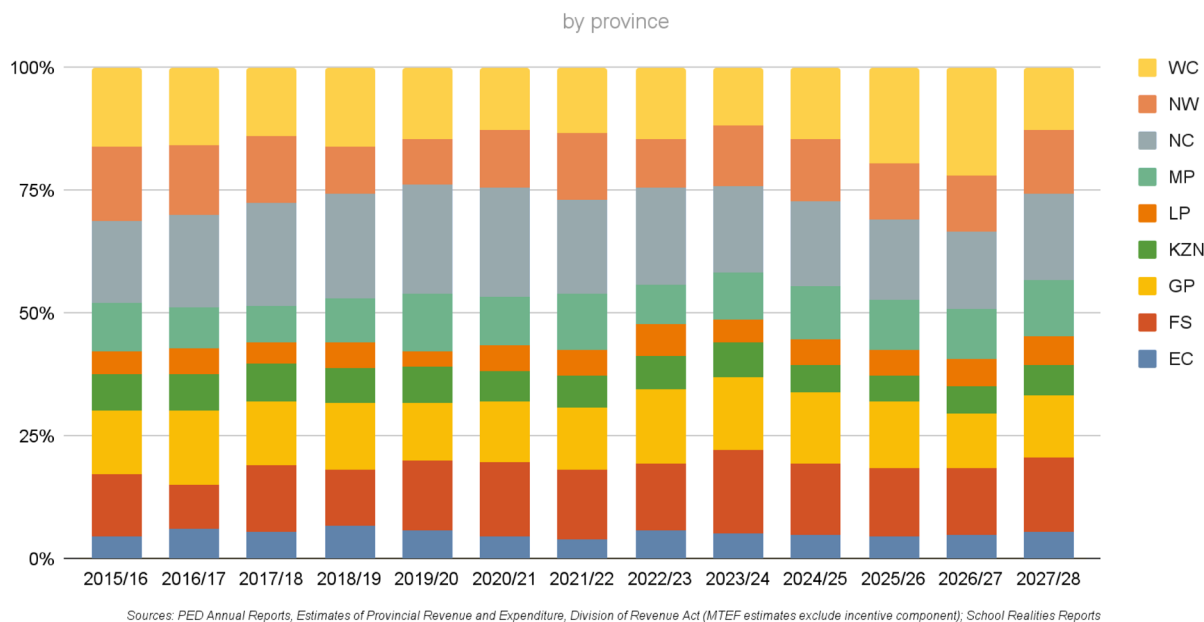
In 2023, the DBE estimated that ensuring all schools comply with infrastructure norms and standards by 2030 would require R42.4 billion

annually – more than double current allocations. The result is a chronic shortfall that perpetuates poor learning environments.

An initial three-year target for all schools to have access to water, electricity, and sanitation by 2016 has still not been met at the time of writing in 2025 – 448 schools still have pit latrines on premises, and 206 schools are significantly built with inappropriate materials. 19,847 (88%) do not meet the DBE's condition rating of full compliance with required standards. Interviews with PED officials and IAs have confirmed that years of budget constraints and cuts have impeded their ability to meet their targets and deliver school infrastructure programmes.

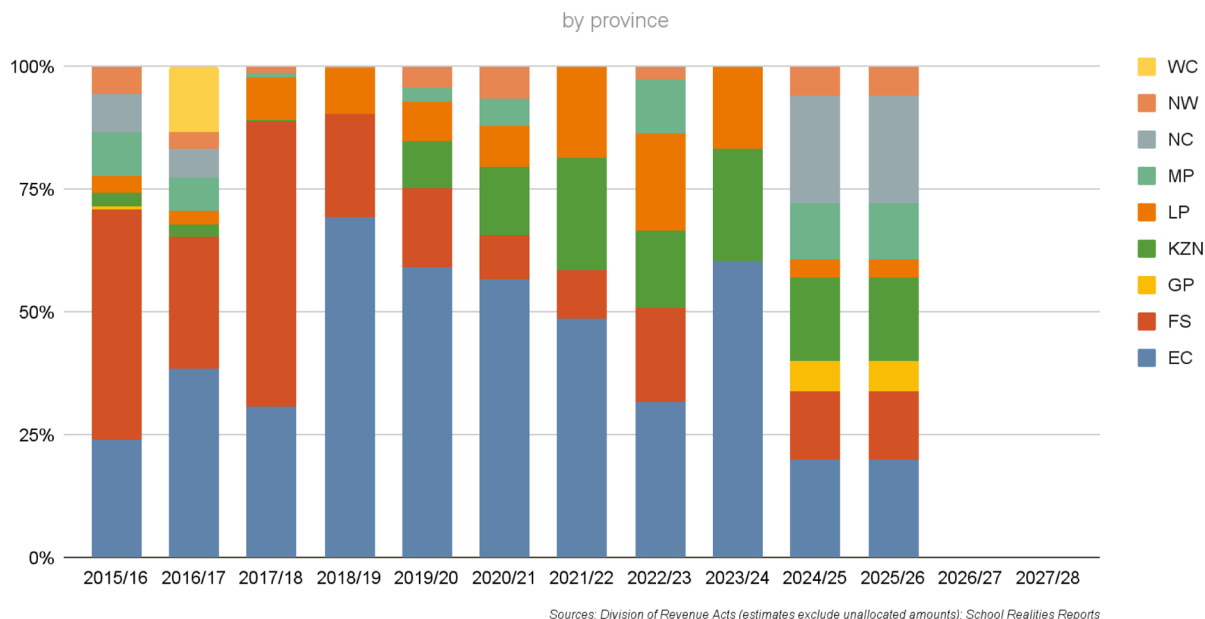
Inequitable Distribution Between Provinces

Figure 2: EIG spending per public school³⁷



³⁷ Figure 2: The graph is a 100% stacked column chart showing Education Infrastructure Grant spending per province, relative to the number of schools in each province, highlighting differences in per-school spending patterns and the relative weight of allocations between provinces. Source: Provincial Education Department Annual Reports; *Estimates of Provincial Revenue and Expenditure*; *Division of Revenue Acts* (Medium-Term Expenditure Framework estimates exclude incentive component); and *School Realities Reports*.

Figure 3: SIBG spending per public school³⁸



Conditional grant allocations reveal persistent inequities. Analysis of EIG data, presented in Figure 2, shows that provinces with the greatest infrastructure backlogs – Eastern Cape, Limpopo, and KwaZulu-Natal – receive disproportionately less funding per school compared to other provinces. The SIBG, designed to target urgent backlogs, was more equitable, as illustrated in Figure 3. But the SIBG has in the years analysed constituted only about 15% of total conditional grant spending.

The present PES formula further entrenches inequality. While 48% of the formula as it is presently applied weights education, this component of the calculation excludes poverty, disability, and rurality³⁹. This disadvantages poorer, rural provinces by ignoring higher costs of education delivery in remote areas. Learners with special needs are also then likely to be neglected. Consequently, provinces with the greatest need have the weakest fiscal capacity to address infrastructure and educational deficits.

These inequities manifest in tangible outcomes: between 2015 and 2024, the Eastern Cape lost 537 public schools, KwaZulu-Natal 146, and Limpopo 303 – often justified under the guise of efficiency and “rationalisation” amid austerity. Yet these closures also reflect the cumulative impact of deliberate underinvestment that erodes the viability of rural schools and drives internal migration toward overcrowded urban schools.

Austerity, coupled with inequitable allocations, thus reinforce a cycle of spatial inequality: as the state organises to abandon rural areas, precarity increases, rural schools are defunded and closed, and learners are displaced. Austerity places an effective siege on these communities, forcing them away from their homes and into urban areas to adapt to the cut-throat cruelty of the market. Urbanisation is not a natural outcome of development, but a constructed path by racial capitalist modernity through deliberate policy choices.

³⁸ Figure 3: The graph shows the distribution of School Infrastructure Backlogs Grant spending across provinces, relative to the number of schools in each province, highlighting differences in per-school spending patterns and the relative weight of allocations between provinces. Source: *Division of Revenue Acts (estimates exclude unallocated amounts); and School Realities Reports*

³⁹ The Education Component of the Provincial Equitable Share formula is in the process of being updated to account for poverty and disability. Source: *Annexure W1, National Budget 2025: Review and Outlook, National Treasury of South Africa, May 2025*, available at <https://www.treasury.gov.za/documents/National%20Budget/2025May/review/Annexure%20W1.pdf>.

Underspending and Budget Credibility

Underspending has historically been a key challenge in the implementation of school infrastructure programmes. It is frequently invoked in public discourse as evidence that education departments' budgets are not genuinely constrained. In practice, however, underspending tends to reflect a complex set of administrative, technical, and structural factors that often require more resources to address, rather than fewer⁴⁰.

A number of factors contribute to underspending within the EIG. These include weaknesses in project planning and procurement processes, delays in appointing implementing agents or service providers, and challenges in aligning cost estimates with the actual prices of construction inputs. Capacity constraints within provincial departments – particularly in rural provinces with chronic infrastructure backlogs – exacerbate these issues. Budgeting for construction projects is inherently difficult because of the uncertainty associated with variables such as site conditions, community participation, and exchange rate fluctuations that affect the cost of materials. Officials interviewed during this research noted

that initial cost estimates are often based on standardised departmental models which may differ substantially from the more granular costings produced by IAs and contractors.

In some provinces, higher estimates have afforded flexibility to fund smaller projects at the risk of slower overall progress and fiscal dumping, while in others, lower estimates have required costly reprioritisation and mid-year adjustments and increased the risk of accruals, underspending, and abandonment. Both methods create serious problems and undermine not only the credibility of provincial plans and budgets, but also the achievement of expected outcomes.

The DBE has updated its school infrastructure cost model to accommodate a greater degree of variability, but this model still cannot account for a proportion of actual costs incurred.

Despite these longstanding challenges, financial performance under the EIG has shown notable improvement. On average, provinces have spent approximately 100.5% of their adjusted EIG budgets between 2015/16 and 2024/25 – an indicator of improved expenditure management and budget credibility⁴¹. However, this statistic masks the effect of mid-year adjustments which reduce and reallocate departmental budgets.

40 Parliamentary Budget Office, *Analysis of Government Underspending in Basic Education* (22 May 2023). Available at: https://www.parliament.gov.za/storage/app/media/PBO/Budget_Analysis/2023/3-june/05-06-2023/Analysis_of_Governemnt_Underspending_Basic_Education_22_May_2023.pdf

41 Author's calculations, taking the difference between actual spending and the amounts received, excluding 2016/17. Source: Department of Basic Education, Annual Reports (2015/16 to 2024/25), available via "Reports" on the Department of Basic Education website <https://www.education.gov.za/Resources/Reports.aspx>

Figure 4: EIG Spending⁴²

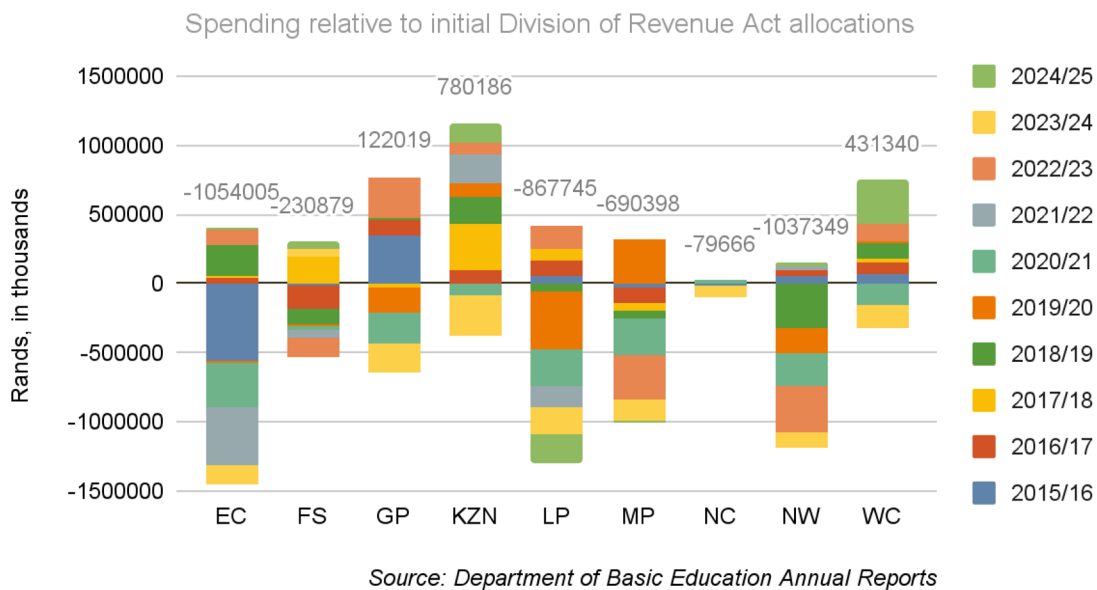
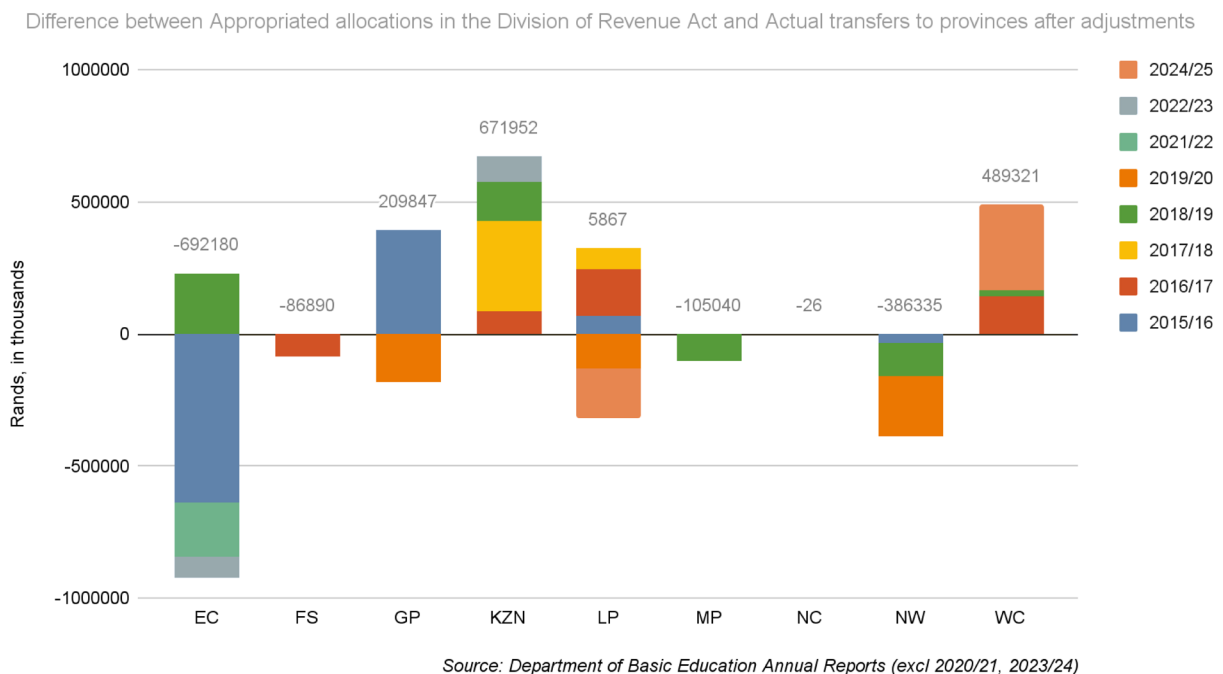


Figure 4 illustrates spending outcomes relative to initial EIG allocations to reveal persistent interprovincial disparities. Over the years,

provinces such as the Eastern Cape, Limpopo, and North West have each underspent by nearly R1 billion each relative to their initial allocations.

Figure 5: Adjustments to EIG Allocations



⁴² Figure 4 shows the difference between actual spending and initial Division of Revenue allocations for basic education, based on figures taken from Department of Basic Education Annual Reports. Source: Department of Basic Education, *Annual Reports* (2015/16 to 2024/25)

Treasury officials noted that, in some cases, funds are reallocated mid-year from underperforming provinces to those with greater spending capacity. Figure 5⁴³ depicts the net effect of mid-year adjustments between provinces (excluding 2020/21 and 2023/24 when there were large mid-year reductions across provinces). While such reallocations are intended to maximise the overall performance of the grant, they can entrench inequities by rewarding provinces with stronger delivery systems and penalising those facing the steepest infrastructure deficits.

Mid-year adjustments to the EIG are also not always the product of underperformance. Budget documentation indicates that only in 2015 were adjustments explicitly made due to foreseeable underspending; in other years, changes were driven by factors such as natural disasters, the COVID-19 pandemic, or broader macroeconomic shocks⁴⁴. Nevertheless, the effect of these adjustments on provincial planning is significant. Provinces that experience in-year reductions – most frequently the Eastern Cape and North West – must halt or delay projects, which further undermines their ability to meet infrastructure targets and perpetuates the appearance of weak capacity.

Viewed in this context, the use of underspending as an argument for further budget reductions is misleading. It risks conflating capacity constraints with inefficiency, and ignores the circular logic of austerity: when departments are deprived of the resources necessary to plan and implement effectively, their ability to spend declines, thereby inviting even deeper cuts. While there remain legitimate concerns about planning quality and financial management within specific provincial education departments, the overall trend in EIG spending suggests a

gradual strengthening of budget execution rather than systemic fiscal waste. The challenge ahead is not to reduce allocations, but to build the institutional and technical capacity required to improve credible and equitable infrastructure delivery across provinces.

Coping Mechanisms and Emerging Risks

Persistent budgetary constraints and process shortcomings have fostered a range of adaptive strategies within PEDs. While these strategies often appear to be pragmatic responses to acute resource and capacity shortages, they carry significant risks for equity, quality, and accountability in the delivery of school infrastructure. Collectively, they illuminate deeper systemic weaknesses in planning, forecasting, and public-sector capability.

A prominent example is the growing reliance on an increased number of IAs to manage infrastructure projects. Faced with severe shortages of professionals in the built environment – such as engineers, quantity surveyors, and project managers – PEDs have expanded their use of numerous IAs to compensate for internal skills deficits. However, the proliferation of IAs has introduced new layers of bureaucracy, complicating coordination and diffusing accountability. The multiplicity of actors involved can obscure lines of responsibility and lead to duplication of functions, administrative delays, and inconsistent project oversight. Rather than resolving coordination challenges, this arrangement deepens them – particularly where PEDs lack the managerial capacity to oversee IAs effectively.

43 Figure 5 shows the difference between initial allocations and actual transfers to provinces for basic education, based on figures taken from Department of Basic Education Annual Reports. Source: Department of Basic Education, *Annual Reports (2015/16 to 2024/25)*

44 Source: National Treasury, *Adjusted Estimates of National Expenditure, Basic Education Votes (2015–2024)*, available at <https://www.treasury.gov.za/documents/mtbps/default.aspx>.

A related and more concerning development is the outsourcing of core departmental functions to Programme Management Units (PMUs). PMUs are tasked with managing the very IAs that were originally contracted to deliver school infrastructure on the department's behalf. This creates a paradoxical, triple-tier outsourcing arrangement in which PEDs outsource, management, implementation, and oversight – effectively distancing themselves from the very functions for which they remain responsible. The risks involved here are not insignificant. PMUs are private firms contracted to provide technical and managerial support, and are assigned critical responsibilities such as financial administration, feasibility assessments, contract management, and Education Facilities Management System (EFMS) reporting. PMU contracts may be valued in excess of R100 million^{45, 46} but limited public information is available about their operations, performance, or governance. While PMUs can help fill temporary capacity gaps, overreliance on them may entrench a form of institutional dependency. Without adequate oversight, PMUs risk becoming embedded actors with disproportionate control over implementation decisions, creating potential conflicts of interest and further eroding in-house public-sector capacity. The result is an opaque, profit-driven intermediary structure that undermines accountability and further weakens the institutional foundations of public-sector delivery.

A third coping mechanism has been the frequent reprioritisation of infrastructure projects. Such shifts may be necessitated by political directives, emergency responses to natural disasters, unanticipated enrollment surges, or as the result of court rulings. However, frequent reprioritisation disrupts multi-year planning and undermines the

credibility of infrastructure pipelines. Anecdotal evidence suggests that in some cases, project reprioritisation and associated procurement processes are reported inaccurately or lack transparency. Emergency infrastructure solutions – such as mobile classrooms – often prove costlier and less durable, compromising long-term value for money. Furthermore, these mid-cycle adjustments place additional strain on IAs, who must revise budgets and project scopes midstream, often at the expense of ongoing projects.

Finally, some PEDs have turned to alternative financing mechanisms and public-private partnerships (PPPs) as a means of mitigating fiscal constraints. Such models, including Build-Operate-Transfer agreements and credit-guarantee schemes, are often presented as innovative solutions to funding shortages. However, international evidence suggests that PPPs in education infrastructure are not guaranteed to deliver the anticipated efficiency gains or additional investment. Instead, they can increase long-term costs and introduce private profit motives into the delivery of essential public goods. In contexts where public-sector oversight capacity is weak, these arrangements also heighten fiscal risks and further diminish the state's ability to plan and manage infrastructure provision sustainably⁴⁷.

In sum, the coping strategies observed within PEDs reflect the cumulative pressures of austerity, skills shortages, and institutional fragility. While they may offer short-term relief, they often do so at the expense of long-term efficiency and accountability. Strengthening internal capacity, rather than externalising key functions, remains essential to ensuring that infrastructure delivery is both equitable and fiscally sustainable.

45 ECDoE Tender Specification for a PMU requiring to provide the services of 114 full-time employees: <https://eceducation.gov.za/tender-details/520/appointment-of-a-professional-service-provider-for-education-infrastructure-programme-management-support-services>

46 LDoE Tender Award for the appointment of a service provider Infrastructure Technical Resource Unit: https://www.edu.limpopo.gov.za/index.php?option=com_phocadownload&view=category&download=1045;publication-of-award-form&id=158;publication-of-award-form

47 Privatisation in Education and Human Rights Consortium, *Demystifying Education Public-Private Partnerships: What Every Policymaker Should Know* (2025). Available at: https://static1.squarespace.com/static/67af53a8c6eba55a4baf32e4/t/6823bfc977c48d480935e442/1747173328747/PEHRC_Demystifying_Education_Public_Private_Partnerships_EN.pdf.

Conclusion

The dynamics observed across South Africa's school infrastructure budgeting process reveal a system that bears the imprint of organised abandonment rather than organised development. Years of austerity have hollowed out the state's capacity to plan, build, and maintain public infrastructure, producing a paradox in which cost-containment measures are imposed in the name of efficiency, yet they systematically undermine the very conditions for efficient and accountable service delivery.

The persistent reliance on outsourcing – from IAs to PMUs – reflects more than administrative adaptation. It signifies a political economy of retreat, in which public functions are ceded to private intermediaries under the guise of “capacity support.” These arrangements exemplify the logic of outsourcing as accumulation: by transferring technical and managerial responsibilities to profit-driven entities, the state becomes both dependent on and displaced by private contractors. Each additional layer of externalisation distances decision-making from democratic oversight and embeds the logic of extraction into the delivery of public goods.

In many respects, the school infrastructure crisis operates as a slow-motion form of disaster capitalism. The chronic underfunding of education infrastructure, combined with recurrent emergencies – from collapsing classrooms to storm damage and sanitation failures – necessitates extraordinary interventions. Private consultants and emergency procurement mechanisms are then justified as necessary responses to the very dysfunction that austerity has produced. This cyclical dependency between crisis and outsourcing transforms fiscal constraint into a mode of governance. Not only does this decrease the efficiency and usefulness of department budgets, but it also makes the system more vulnerable to abuse and corruption.

At the level of lived experience, austerity translates into overcrowded classrooms, unsafe learning environments, and the erosion of public trust. These everyday manifestations of fiscal

discipline mark a slow violence: they normalise infrastructural neglect as inevitable, even as constitutional obligations to provide safe, dignified schooling are deferred indefinitely.

This case of Mathukulula Secondary School cruelly illustrates this banal violence. The school is reliant on pit latrines as its only form of sanitation. A contract was awarded to replace and eradicate these toilets, but the contractor abandoned the site after having barely laid the foundations for a new sanitation block. Officials at the KwaZulu Natal Department of Public Works and Infrastructure – the IA in charge of this project – casually lamented that they have run out of funds and therefore cannot appoint a new contractor to fix the toilets at the school. While the contractor has been reported by the IA for potential blacklisting, learners are left stranded without access to safe sanitation. Both the Department of Basic Education and the KwaZulu Natal Department of Education (KZNDoe) have not availed a response to us when probed about this.

The risks and inefficiencies of the current system are therefore not technical anomalies but structural outcomes of a policy paradigm that privileges fiscal consolidation over the rights of learners. Attempts to “rationalise” infrastructure spending by reducing the number of schools and delegating functions to private actors have not improved efficiency. Instead, they have produced its antithesis – fragmentation, opacity, and dependency.

An alternative conception must begin with the recognition that public capacity is itself a form of infrastructure. Building and maintaining credible, equitable delivery systems requires investment not only in physical assets but in the people, institutions, and knowledge systems that sustain them. This includes restoring the integrity of the budgeting process itself: ensuring that allocations are based on the needs of learners, credible baselines, realistic cost models, and multi-year planning horizons; that conditional grants promote capacity-building rather than punishment for underperformance; and that expenditure reporting, reprioritisation, and adjustments are transparent and participatory.

The Planning Deficit



The Planning Deficit in School Infrastructure Delivery

Key findings

- Planning remains ritualised and compliance-focused: planning scores have risen but are weakly linked to execution accuracy; province characteristics explain more variation than formal planning scores.
- Data and documents that feed into the Infrastructure Delivery and Management System are often poorly populated, outdated, or inconsistent. The Education Facilities Management System and Infrastructure Reporting Model is not integrated, exacerbating fragmentation across planning processes and undermining efficiency.
- Demographic forecasting is weak: neither urban growth nor migration patterns are consistently integrated into plans; and the effect of poor infrastructure and service delivery on pushing people out of their communities also does not appear to be accounted for. This worsens overcrowding in urban areas and underdevelopment in rural areas.
- Despite a significant proportion of funding allocated to projects prior to construction, costing and scheduling are frequently inaccurate. This produces overruns, reprioritisations, and inefficient spending outcomes.
- There are human resource constraints for built environment professionals, like Quantity Surveyors, architects, and engineers, whose expertise would improve planning.
- The reliance on external actors to fill technical gaps hollows out state capacity and deepens moral hazard risks.
- Outsourcing also multiplies coordination burdens – Outsourced Programme Management Units, as well as multiple IAs with differing strategies create opaque accountability chains.
- Technical and institutional failures interact: poor data and weak oversight enable design flaws and cost escalation to persist uncorrected.



Equalisers convene for a Youth Group in Limpopo.

Introduction

Education departments' weak planning capacity has persistently hampered school infrastructure delivery. It is instructive, and harrowing, here to reference EE's 2016 Planning to Fail⁴⁸ report, which documented damning findings against the Eastern Cape Department of Education's (ECDoE) failure to plan for and deliver school infrastructure in the province. Similar issues persist across numerous provinces nearly a decade later. While improvements from technical reforms and planning assessments have been made, the relationship between better plans and better outcomes remains tenuous. Critically, PED's latest annual infrastructure plans are not available to the public, despite the legal obligation to do so. Where the monitoring of plans are reported publicly, problems identified several years ago still persist. The perennial reiteration of vague risk-mitigation strategies

suggest that these problems lie not only in technical incapacity, but also in institutional arrangements – particularly the fragmented and poorly coordinated system of outsourcing overreliance on IAs.

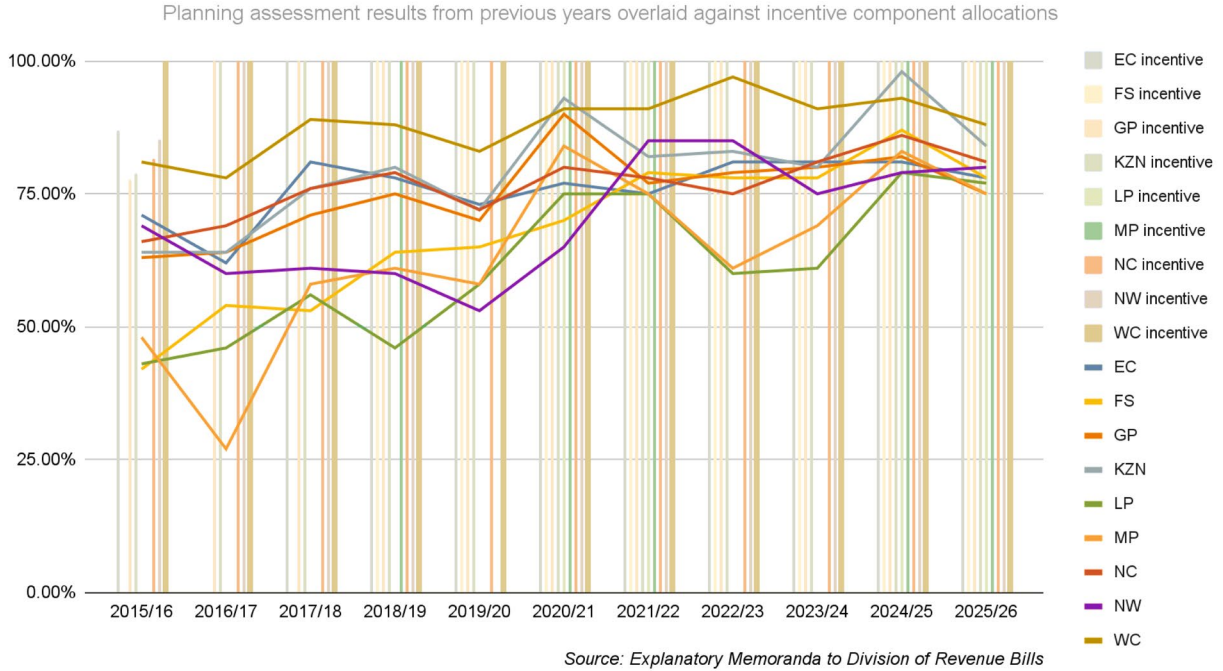
This section interrogates the relationship between planning processes and delivery outcomes in the context of outsourced and fragmented infrastructure delivery. It begins by examining departmental planning performance in relation to spending, and then by describing the formal systems that are meant to govern planning and delivery processes. This lays the foundation for understanding the gaps between intention and implementation. The analysis then contextualises these issues by drawing on an array of evidence from provincial Annual Reports, Infrastructure End-of-Year Reports, and interviews with public officials, IAs and school communities to illustrate how institutional and technical deficits translate into chronic delivery failures.



Equal Education members gather to challenge the Minister of Basic Education, Siviwe Gwarube, to visit schools in the Eastern Cape and together with the Eastern Cape Provincial Education Department (EC PED) urgently address the ongoing school infrastructure crisis in the province (2025).

48 Equal Education, Planning to Fail: Summary of Findings (2016). Available at: <https://equaleducation.org.za/wp-content/uploads/2016/07/PLANNING-TO-FAIL-SUMMARY-OF-FINDINGS.pdf>.

Figure 6: ELG Incentive Component



The EIG, which comprises the largest source of school infrastructure spending, includes an incentive component tied to an annual assessment of PED infrastructure plans. Provinces that score above 60% are eligible for

an equal share of the incentive allocation. As Figure 6 illustrates, overall planning assessment scores have trended upward since 2015/16. Unfortunately, the link between planning scores and financial performance remains opaque.

49 Figure 6 plots Provincial Education Departments' planning assessment results from a previous year, overlaid against a bar graph showing the proportion of the Education Infrastructure Grant incentive component they received relative to the highest receipt that year. Source: Annexure W1, Explanatory Memorandum to the Division of Revenue Bills (2015–2025), National Treasury of South Africa, available at <https://www.treasury.gov.za/documents/national%20budget/default.aspx>

Figure 7: Spending Performance vs Planning Scores⁵⁰

Source: DBE Annual Reports; Explanatory Memorandum to the Division of Revenue Bill

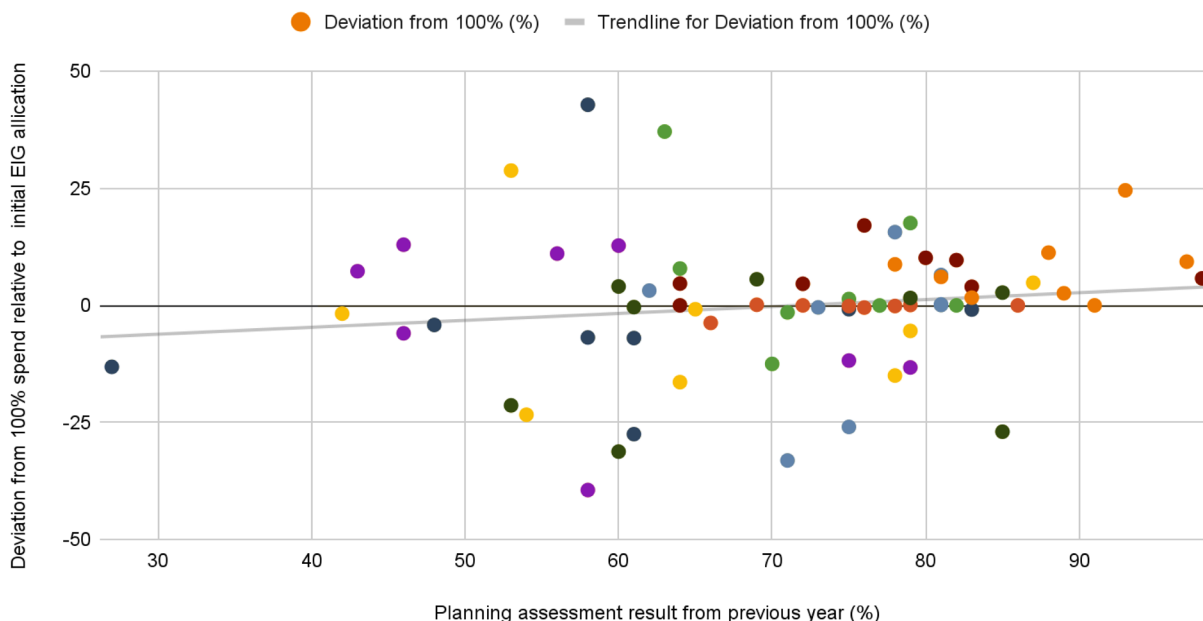


Figure 7 plots PEDs' actual spend deviation from the amount initially allocated to it in the EIG against its planning assessment results from the previous year, over the period between 2015/16 to 2025/26. Financial years 2020/21 and 2023/24 are excluded because large mid-year adjustments took place across provinces in these years. Regression analysis⁵¹ conducted for this study finds that higher planning scores are somewhat albeit not statistically significantly associated with smaller squared deviations between budgeted and actual expenditure ($R=4.8\%$ $\beta=-6.05$, $p=0.057$). Fixed-effects models show that between-province variation explains more of the differences in execution accuracy than changes in planning scores within

provinces over time (between $R^2=51.5\%$, within $R^2=1.4\%$). This implies that province-specific characteristics may matter more than formal planning quality indicators.

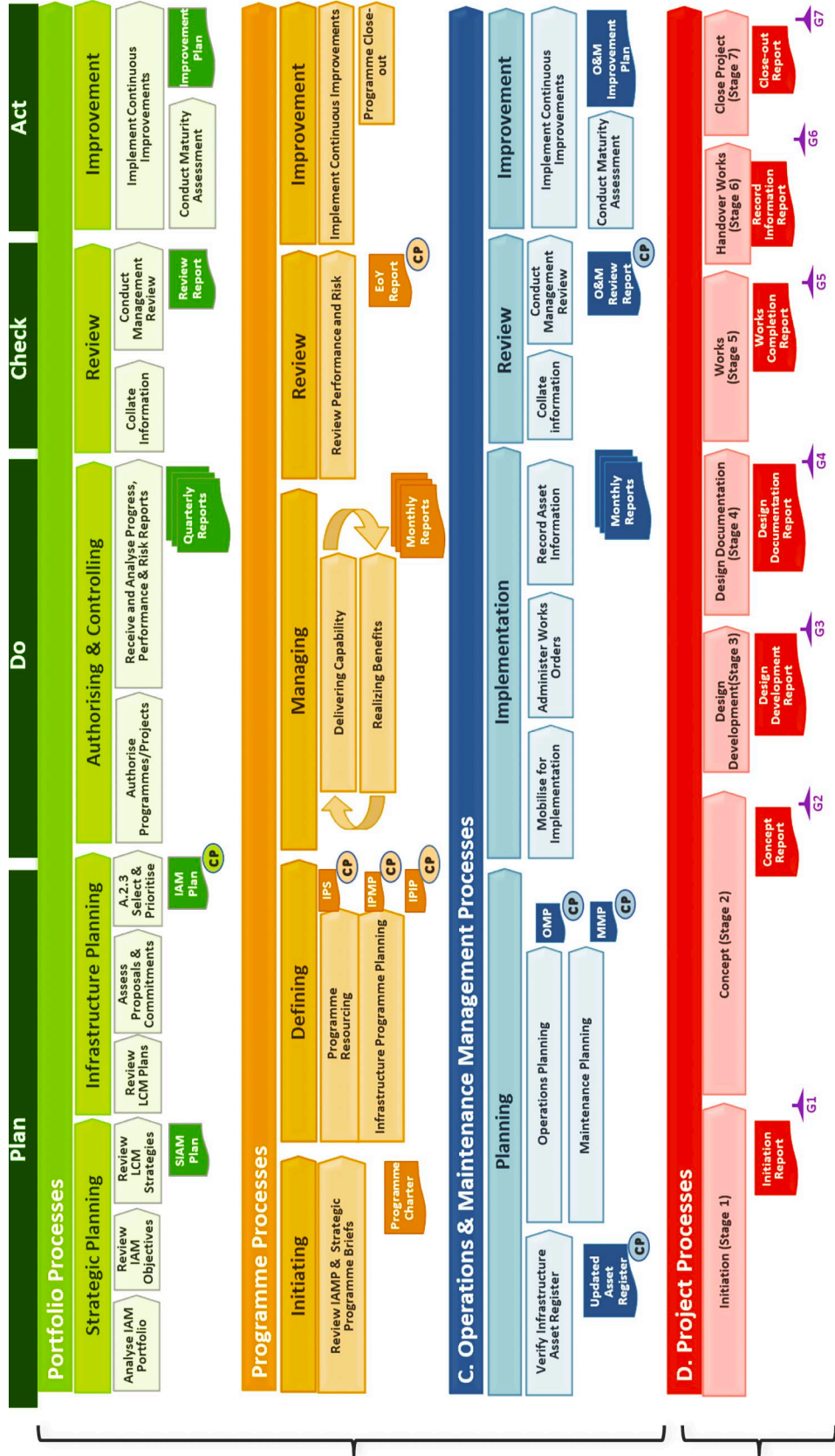
Because planning scores on their own do not predict financial performance, then it becomes important to examine not only the narrow efficacy of the framework itself, but also the political, technical, and institutional factors that affect infrastructure planning. Without understanding these factors, planning assessments, risk functioning not as tools for improvement, but as mere tick-box exercises divorced from real delivery constraints.

50 Figure 7 involves author's own calculations. Source: National Treasury Annexure W1: Explanatory Memorandum to Division of Revenue Bill; Department of Basic Education Annual Reports (2015/16-2024/25)

51 See Annexure

The Planning Framework and Its Limits

Figure 8²



Cyclical phases are applicable to Portfolio, Programme and Operations and Maintenance

Linear stages are applicable to Projects

52 National Treasury. Framework for Infrastructure Delivery and Procurement Management. (May 2019). Available at: <https://ocpo.treasury.gov.za/Legislation/Instruction/Notes/NationalInstruction%20Treasury%20Infrastructure%20delivery%20and%20procurement%20mana.pdf>

The Infrastructure Delivery Management System (IDMS) and the Framework for Infrastructure Delivery and Procurement Management (FIDPM) were designed to harmonise and improve infrastructure governance across sectors. The three cyclical processes of portfolio, programme, and operations and maintenance management rely on an iterative process of planning, monitoring, evaluation, and learning. A fourth linear process guiding project delivery from initiation to close-out is also meant to feed into this overall framework. These are described in *Figure 8*. Together, they should provide a coherent line of accountability from education departments and their implementing partners to the public.

PEDs produce at least two documents that are critical to the cyclical planning processes in the IDMS – namely a User Asset Management Plan (U-AMP), and an Infrastructure Programme Management Plan (IPMP). IAs are also responsible for developing an Infrastructure Programme Implementation Plan (IPIP). A significant cause of friction between PEDs and IAs is that IPMPs and IPIPs often do not align.

Alongside the IDMS framework, *The Regulations Relating to the Minimum Uniform Standards for School Infrastructure*⁵³ requires each provincial department, 90 days after the beginning of each financial year, to submit a detailed infrastructure plan on the implementation of their infrastructure programme. These must be published on the DBE and PED websites for access by the public. This is presently not adhered to.

The DBE has also developed an Education Facilities Management System (EFMS). This should, in theory, provide a live database of property and projects to guide planning and monitor delivery. Instead, it is poorly populated and often contains outdated or incomplete information. This jeopardises PED's abilities to make well-informed decisions about prioritisation, costing, and sequencing. The absence of routine condition assessments, the duplication of project entries, and the reluctance of staff to engage with EFMS systems all signal weak institutional capacity. Despite a

longstanding intention to do so, the EFMS is not integrated with National Treasury's Infrastructure Reporting Model (IRM), which hampers its efficacy. This lack of integration has also led some departments and IAs to outsourcing EFMS data entry itself – an ironic but telling symptom of institutional incapacity.

Compounding this is the variability in agency agreements and contracts between PEDs, IAs, PMUs and contractors, which differ within and between provinces. These agreements, meant to delineate roles and liabilities, are often vague or inconsistently enforced, leaving accountability blurred when plans and projects fail. Planning functions are frequently shared or contested between parties, with neither PEDs nor IAs maintaining comprehensive oversight of project readiness, cost estimation, or design quality.

In reality, then, the planning frameworks around school infrastructure seem to function more as a procedural checklist than a dynamic management tool. The frameworks are fragmented by IAs, PMUs, and various types of contractors who perform large parts of the planning, procurement, and delivery chain. These actors often do not fully integrate their systems or timelines as part of this process with those of PEDs, who remain primarily responsible for outcomes. This leaves learners vulnerable to technical failures, poor oversight, and perverse incentives across the system.

A more rigorous assessment would compare delivery outcomes across provinces with different approaches to outsourcing: those using multiple IAs, those using PMUs, those attempting in-house delivery, and those using hybrid models. This would ideally also be assessed in accordance with the various contracting strategies deployed by each PED or IA. Unfortunately, the available data does not permit such systematic comparison. The analysis that follows therefore identifies general risks and challenges across broad categories of provinces, but cannot definitively quantify the extent to which they hinder school infrastructure planning and delivery in each specific province.

53 Department of Basic Education. *Regulations Relating to the Minimum Uniform Standards for School Infrastructure*. (June 2024). Available at: https://www.gov.za/sites/default/files/gcis_document/202406/50876gon4994.pdf

How Planning Failures Translate into Delivery Failures

Evidence from various PED reports, as well as interviews with National Treasury, the DBE, PEDs, IAs, school communities, and other public institutions reveal multiple interconnected challenges that undermine effective planning. These challenges fall into two broad categories: technical failures that compromise the quality of planning inputs and processes, and institutional failures that create accountability voids, coordination problems, and perverse incentives. While these are separated for analytical purposes, they are not disconnected from each other. Indeed, a technical failure may often stem from an institutional one, or vice-versa. Understanding these interrelated failure modes is essential for developing appropriate policy responses.

Technical Failures: The Erosion of Planning Foundations

Technical failures in planning involve the core functions necessary to develop realistic, evidence-based infrastructure plans: data collection and management, needs assessment, cost estimation, design quality, and scheduling. When these technical foundations are weak, even well-intentioned planning efforts produce unrealistic plans that inevitably fail during implementation.

Inadequate Asset Data and Missing Condition Assessments

The lack of reliable asset data represents one of the most significant technical failures undermining planning across most provinces. This has been acknowledged by the DBE for a number of years, including this year in

Parliament at a Portfolio Committee hearing, where it was admitted that there is a lack of reliable planning data, and that available data is not used efficiently for planning and prioritisation of infrastructure delivery⁵⁴. School asset audits, like the one done in 2018 to inform the SAFE programme, have proven to be unreliable. Now that the SAFE programme is scheduled to close, emerging evidence is accumulating to show that hundreds of schools are still reliant on pit latrines as their primary form of sanitation. Without accurate baseline information about existing infrastructure conditions, needs, and backlogs, departments cannot identify genuine priorities, estimate costs accurately, or allocate resources efficiently.

The ECDoE provides a stark example of this technical failure and its consequences. By its own admission, the department had not conducted any routine condition assessments more than seven years after its last one in 2014/15.⁵⁵ In terms of the Government Immovable Asset Management Act (GIAMA), condition assessments are a five-year rotational requirement⁵⁶.

LDoE and KZNDoe reported similar gaps, acknowledging that their EFMS data had not been validated for years. The result is that asset data is not reliable enough for planning or reporting on the eradication of backlogs. When plans are developed without knowing the actual condition of facilities, projects inevitably encounter unexpected problems during implementation – discovering that buildings are more deteriorated than assumed, that safety hazards were not identified, or that priority needs differ from what outdated data suggested.

The pattern across provinces suggests that U-AMP, IPMP, IPIP, EFMS, and IRM reporting failures stem from a lack of technical and resource capacity for planning to be efficient. When staff lack time, training, or incentives to populate it accurately, the technical solution fails to deliver its intended benefits.

54 Parliamentary Monitoring Group, Standing Committee on Education: Engagement with the Department of Basic Education on School Infrastructure, Maintenance Backlogs and Shortcomings; Update on Implementation of Infrastructure Norms and Standards with Minister of Basic Education, chaired by Ms K. Maimela (ANC), 06 May 2025. Available at: <https://pmg.org.za/committee-meeting/40630/>.

55 Eastern Cape Department of Education, End-of-Year Evaluation Report 2024-25 (2025). Available at: <https://www.education.gov.za/Portals/0/Documents/Reports/2025/Eastern%20Cape%20EoY%202024-25.pdf?ver=2025-08-18-093726-000>.

56 Government Immovable Asset Management Act 19 of 2007, Government Gazette 30520 (22 November 2007), available at https://www.gov.za/sites/default/files/gcis_document/201409/a19-07.pdf.

Failure to forecast demographic change

A related technical challenge concerns the ability to plan effectively for growing learner populations, particularly in rapidly urbanising areas. Both rural and urban provinces struggle to align demographic forecasts with budget allocations and school-building priorities, resulting in chronic overcrowding. In an effort to combat overcrowding in schools, the GDE and WCED have received BFI allocations to expand capacity in high-demand areas. GDE officials, however, concede that these efforts remain far too limited in scale to deal with current demand, let alone future estimates. In rural provinces, planning responses are often fragmented – school closures and mergers occur alongside inadequate provision of classrooms, transport, and other resources to absorb displaced learners. The inability to integrate demographic change into infrastructure planning reflects a broader weakness in foresight and coordination across the sector.

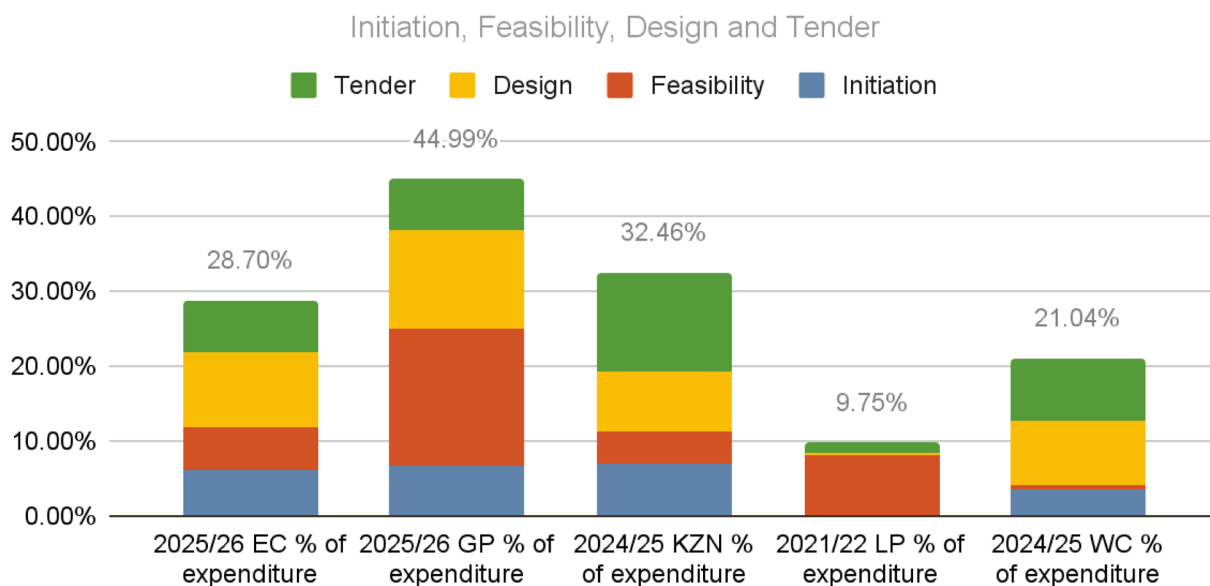
Inaccurate Costing

Specific weaknesses in cost estimation carry severe ramifications. As a growing number of provinces face increased fiscal pressure, there is an increased impetus towards updating cost planning. Whether departments have the requisite capacity and political will to assess these costs against other actors' estimates, however, remains questionable.

In 2024/25 EoY reports, KZNDoE proposed to reassess standard designs and material specifications and manage variation orders and cost overruns as mitigation⁵⁷. The Free State Department of Education (FSDoE) also noted budget overruns as a key challenge, with mitigation focused on conducting detailed cost planning and risk analysis at inception and updating cost estimates regularly to reflect market prices⁵⁸.

Figure 9⁵⁹

Proportion of Infrastructure Programme pre-works



Source: 2024/25 PED End of Year Reports (note - years differ between PEDs)

57 KwaZulu-Natal Department of Education, *Infrastructure End-of-Year Evaluation Report for the 2024/25 Financial Year (2025)*, available at <https://www.education.gov.za/Portals/0/Documents/Reports/2025/Eastern%20Cape%20EoY%202024-25.pdf?ver=2025-08-18-093726-000>.

58 Free State Department of Education, *Infrastructure End-of-Year Evaluation Report for the 2024/25 Financial Year (2025)*. Available at: https://www.education.gov.za/LinkClick.aspx?fileticket=RTuqCrVfc_A%3d&tabid=92&portalid=0&mid=5823.

59 Figure 9 is a stacked column chart showing the proportion of infrastructure funds budgeted by each provincial education department at each stage before construction commences. The Eastern Cape uses a different reporting framework, but its headings have been adjusted to align with the format used by other provinces. Source: 2024/25 Provincial Education Department Infrastructure End-of-Year Reports (note: the years analysed vary between departments)

In an interview, the LDoE provided a particularly frank assessment of cost estimation problems, noting that the biggest risks for corruption, project failure, and abuse occur at the planning stages. A representative from the department questioned why costs are estimated so highly, and why bids match these costs – suggesting potential collusion or inflated cost estimates that drive up project expenditure before construction even begins. This observation raises the question of whether poor cost estimation represents purely technical failure or has nefarious dimensions.

Figure 9 presents evidence for preliminary concern that the planning system is riddled with perverse incentives for outside actors to benefit from a PED's poor capacity to forecast costs. In particular, the GDE's allocation of nearly half of its infrastructure budget to pre-construction stages raises the question: are IAs and consulting contractors receiving inflated fees for planning services, or does this reflect an effort to prevent extensive rework, delays, and variations due to poor initial planning? While further investigation is needed, the implication is clear: weak technical capacity can cause consulting fees to accumulate at early stages, consuming budgets that could fund construction.

Moving beyond the technical failure, it is important to recognise the perverse incentives that can inform excessive cost inflation: consultants hired to conduct feasibility studies and cost estimates have incentives to inflate estimates because: their fees may be percentage-based, so higher project costs mean higher consulting fees; inflated estimates create contingency that reduces risk of cost overruns that might be attributed to their poor estimation; and contractors who expect to bid on projects benefit from inflated budgets. The possibility of collusion between construction contractors and those responsible for design cannot be discounted, with several interviews suggesting that these incentives may be present.

Unrealistic Scheduling

Several provinces identified delays from external dependencies like municipal approvals, environmental assessments, land acquisition. However, these "external" delays often reflect planning failures: inadequate identification of approval requirements, insufficient lead time built into schedules, and lack of proactive engagement with external authorities during the planning phase.

The Gauteng Department of Education (GDE) noted delays in obtaining Environmental Impact Assessments from the Department of Environmental Affairs⁶⁰; while the DBE and several PEDs noted delays in municipal approvals, and inadequate identification of required municipal services.^{61, 62} These inevitably lead to project delays, cancellations, and increased costs. The mitigation strategies proposed – primarily earlier liaison times – acknowledge that these delays are preventable through better planning.

Another lamented source of delay was community unrest, often linked to inadequate consultation with stakeholders in planning, design, and procurement processes. Some provinces have largely resolved this issue by appointing designated community liaisons within infrastructure directorates; but others still fail to include communities and Steering Committees early on in a project lifecycle.⁶³

Again, this technical scheduling failure carries an implicit incentive when processes for feasibility studies, design development, and stakeholder consultation are outsourced. If consultants and other actors can artificially prolong planning phases through multiple rounds of studies, reviews, and revisions, they can accumulate fees over extended periods. The counterfactual risk, of course, is that if IAs and PED's cannot ensure this is adequately done, then plans fail later on.

60 Gauteng Department of Education, Infrastructure End-of-Year Evaluation Report 2022/23 – 2024/25 (2025). Available at: <https://www.education.gov.za/LinkClick.aspx?fileticket=d6CdWEq4haU%3d&tabid=92&portalid=0&mid=5823>.

61 Parliamentary Monitoring Group, Standing Committee on Education: Engagement with the Department of Basic Education on School Infrastructure, Maintenance Backlogs and Shortcomings; Update on Implementation of Infrastructure Norms and Standards with Minister of Basic Education. 06 May 2025. Available at: <https://pmg.org.za/committee-meeting/40630/>.

62 2024/25 Provincial Education Department Infrastructure End-of-Year Reports. Available at: <https://www.education.gov.za/Resources/Reports.aspx>

63 Ibid.

The FSDoE, ECDoE, and KZNDoE noted poor quality of workmanship as a persistent challenge, proposing to engage qualified professionals for design and supervision and enforce contractor accountability through performance guarantees⁶⁴. While poor workmanship during construction reflects contractor performance, it often stems from inadequate design specifications during planning. The evidence of extensive budget consumed in pre-construction phases (particularly by the GDE) suggests that rework during planning and design is common. When initial designs are inadequate and must be revised, this consumes time and budget while pushing back construction start dates.

In rural provinces such as Limpopo and the Eastern Cape, these technical inefficiencies are amplified by the logistical challenges of remote delivery – poor access roads, unreliable utilities, and limited contractor availability – each of which undermines the feasibility of even well-designed schedules.

Human Resource Constraints and Professional Skills Gaps

Virtually all provincial departments struggle to retain sufficient technical and managerial expertise in the built environment to support school infrastructure planning. Vacancies in infrastructure units are widespread: LDoE, ECDoE, GDE, and the Western Cape Education Department (WCED) all noted severe difficulty in employing or retaining engineers, architects, and project managers, while KZNDoE also attributed delays and cost overruns partly to overstretched programme managers.⁶⁵

The reliance on PMUs and IAs to fill these gaps is a central feature of the system. In LDoE, the outsourcing of PED functions PMUs reportedly improved delivery performance in the short term⁶⁶. But this comes at the expense of internal

departmental learning and institutional capacity. The cumulative effect across provinces is a hollowing out of technical competence within departments, leaving them dependent on external actors for core planning functions.

Provincial Patterns in Technical Planning Capacity

The technical planning failures documented above vary in severity across provinces, reflecting different capacity levels and contexts. The interplay of poor data, weak costing, and thin internal capacity creates a self-reinforcing cycle of technical risk. Projects are initiated on the basis of unreliable information, proceed under flawed cost and schedule assumptions, and are overseen by overstretched officials. When delays or cost escalations inevitably occur, these are recorded as anomalous incidents rather than symptoms of systemic dysfunction.

Higher-capacity urban PEDs like the GDE and WCED appear to have stronger technical capacity but face different technical challenges. The GDE's problem is not absence of planning but apparently inefficient planning that consumes excessive resources in pre-construction phases. This suggests technical failures in process efficiency, contract management, and coordination rather than absolute absence of technical capacity.

Lower-capacity rural provinces like the Eastern Cape and Limpopo face the most severe technical deficits. The ECDoE's decade-long failure to conduct condition assessments represents a fundamental collapse of technical planning capacity. LDoE's large vacancy rate in the infrastructure unit means the province lacks personnel to perform basic technical planning functions. These provinces' technical challenges center on performing core planning activities at all, rather than merely improving planning quality.

64 Ibid.

65 Ibid.

66 Limpopo Department of Education, End-of-Year Evaluation Report 2024/25: Infrastructure (2025). Available at: <https://www.education.gov.za/Portals/0/Documents/Reports/2025/Limpopo%20EoY%20Report%202024-25.pdf?ver=2025-08-18-101354-000>.

Institutional Failures: Perverse Incentives and Accountability Voids

While technical failures compromise the quality of plans themselves, institutional failures create the conditions in which poor planning persists without correction. Institutional failures involve unclear responsibilities, inadequate oversight, weak enforcement of standards, coordination breakdowns, and perverse incentives that benefit from planning dysfunction.

Unclear Division of Responsibilities

As outlined several times in this report, the outsourcing of infrastructure management functions to IAs creates coordination complexity. This extends further into an institutional failure when roles and responsibilities are not clearly defined and enforced. Interviews conducted for this research suggested that agency agreements are still not clear, with little recourse available to either party in cases of abuse. This ambiguity creates accountability gaps where failures in planning and delivery cannot be clearly attributed to either the PED or the IA.

Planning functions are frequently shared or contested between parties, with neither PEDs nor IAs maintaining comprehensive oversight of project readiness, cost estimation, or design quality; or when these estimates differ between institutions.

The contracting strategy – which should specify the extent to which an IA or contracted third-party is responsible for project management, detailed design, and procurement – is often unclear⁶⁷. This often leads to unmet expectations and budget overruns. When contracting strategies are not clearly laid out, agency agreements do not clearly specify these responsibilities, both parties can disclaim accountability, and the planning failure goes uncorrected.

The persistence of this ambiguity over several years highlights the moral hazard involved in this outsourcing arrangement. IAs intermediary position creates opportunities for rent extraction through: percentage-based fees that incentivise higher project costs; control over procurement

that can unduly reward preferred firms; and information asymmetries where IAs know actual costs and requirements but PEDs do not, allowing marking up of services. This same moral hazard raises further questions around PED lack of oversight capacity.

Inadequate Oversight and Monitoring Capacity

Multiple provinces acknowledged that they lack capacity to effectively oversee IAs and infrastructure projects, creating an institutional failure where poor planning and delivery can persist unchecked. In the case of LDoE and ECDoE, this was flagged as a constraint caused by personnel shortages, while the KZNDoe and the WCED flagged it as a persistent risk that requires ongoing mitigation⁶⁸. These institutional deficits create a vicious cycle: limited personnel must focus on reactive compliance – usually responding to audit queries, rather than proactive oversight where IA plans are actively monitored. This creates a perverse incentive for IAs and contractors to cut corners, knowing that they are unlikely to be penalised. The result is a race to the bottom where planning quality deteriorates because institutional mechanisms to maintain standards are absent.

Complex Approval Processes Without Value Addition

LDoE described an infrastructure portfolio planning process involving multiple stages of concurrence: the draft is done by the LDoE, then presented to the MEC for education, then to provincial treasury to ensure alignment with planning tools and reporting requirements, and finally to the provincial infrastructure cluster to verify funding. Critically, provincial treasury and the infrastructure cluster do not have the capacity to exercise effective oversight over these plans. If each approval stage involved substantive review that improved plan quality, prevented inflated costs, or ensured realistic scheduling, the complexity would be justified. Instead, approvers appear to conduct procedural compliance checks without examining whether plans are technically sound or achievable, making this multi-layered approval process a bureaucratic impediment rather than a quality assurance mechanism.

67 Government Technical Advisory Centre. Case Study on Delivery Management of Infrastructure Projects in the Public Sector (March 2021). Available at: <https://www.gtac.gov.za/wp-content/uploads/2021/11/Case-study-on-Delivery-Management-of-Infrastructure-Projects-in-the-Public-Sector.pdf>.

68 2024/25 Provincial Education Department Infrastructure End-of-Year Reports (note: the years analysed vary between department. Available: <https://www.education.gov.za/Resources/Reports.aspx>

IA Capacity Deficits and Performance Failures

The institutional model of outsourcing to IAs assumes that IAs possess superior capacity to PEDs. However, multiple provinces documented IA capacity deficits that suggest outsourcing may relocate rather than resolve planning problems. The available evidence seems to suggest that some PEDs lack comprehensive mechanisms to assess IA capacity before contracting them; and that the DBE's Guidelines on Minimum Requirements for Implementing Agents in the Basic Education Sector are not actively adhered to inadequate monitoring that allows incapable IAs to continue receiving contracts. Where it is clear that IA capacity impedes delivery, PEDs often resort to appointing additional IAs as a mitigating strategy.

The Mpumalanga Department of Education's (MDoE) experience with four IAs and the ECDoE's with eight, have both resulted in inadequate programme management and late appointment of service providers^{69, 70}. This illustrates how multiplying IAs compounds institutional complexity.

Each IA operates with its own systems, timelines, and procedures. Coordinating across multiple IAs requires substantial capacity that PEDs often lack. The institutional failure lies in adopting an outsourcing model that exceeds the province's coordination capacity, creating fragmentation that undermines rather than enhances delivery.

Provincial Patterns in Institutional Planning Capacity

While the underlying institutional weaknesses are widespread, their manifestation varies across the urban-rural and capacity divide. Provinces with stronger institutional capacity, such as Gauteng and Western Cape, tend to be better coordinated, but still face oversight risks and challenges in their planning processes. Rural provinces, like Eastern Cape, Limpopo and Mpumalanga, suffer more acutely from accountability fragmentation and external dependency, as overstretched

departments outsource functions to multiple agents simultaneously.

The heterogeneity of performance is therefore one of degree rather than kind. Even relatively better-performing provinces confront systemic limitations imposed by a planning regime that separates authority from responsibility. While institutional fragility and moral hazard certainly transcends provincial boundaries, it would be valuable to rigorously assess the varying levels of risk and failure in a future study.

The Interaction Between Technical and Institutional Failures

To reiterate a point from the introduction, the distinction between technical and institutional failures is analytically useful but practically inseparable. Technical failures create conditions for institutional failures: when data systems are poor, oversight becomes difficult because PEDs lack information to monitor effectively. When capacity is severely limited, enforcement becomes impossible because departments lack personnel to follow up on non-compliance. Conversely, institutional failures enable technical failures to persist: when there is poor coordination and limited oversight in the planning process, technical failures like poor cost-estimation and design flaws can continue uncorrected.

What emerges across provinces is a layered system of dysfunction, where technical and institutional deficits interact to perpetuate planning failures. Rural provinces bear the brunt of this dysfunction, but no province is immune. The experience of school infrastructure delivery in South Africa demonstrates the severe risks involved when outsourcing substitutes for, rather than supplements, the state's developmental function. Building technical and institutional capacity requires that education departments recognise and confront the perverse incentives inherent in the current arrangement, and develop tools to mitigate them systematically, and not in isolation.

69 Mpumalanga Department of Education, Infrastructure End-of-Year Evaluation Report 2024/25 (2025). Available at: <https://www.education.gov.za/LinkClick.aspx?fileticket=tZZaSuDM4Q0%3d&tabid=92&portalid=0&mid=58> 23.

70 Western Cape Department of Education, End-of-Year Evaluation Report 2024/25 (2025). Available at: <https://www.education.gov.za/Portals/0/Documents/Reports/2025/Western%20Cape%20EoY%20Report%202024-25.pdf?ver=2025-08-18-103448-000>

Conclusion

The evidence presented demonstrates that poor planning contributes to poor delivery through both technical pathways, like unreliable data, inadequate cost estimates, and personnel deficits; as well as through institutional pathways, characterised by fragmented responsibilities, weak oversight, and the perverse incentives enabling persistent planning dysfunction.

The outsourcing of core aspects of infrastructure programmes to IAs has exacerbated planning weaknesses by introducing coordination complexities that PED's struggle to manage – especially those with weak capacity to begin with. Outsourcing creates opacity that obscures rather than clarifies accountability for planning failures.

Planning has been ritualised for compliance, but because it still largely occurs in fragmented and inadequately monitored modes, gaps in quality remain. This affects delivery in school communities, who are perennially plagued by the same problems that arise from coordination difficulties, inadequate consultation, poor design specifications, budget overruns, and bad workmanship.

Sustainable planning improvement requires a greater level of accountability for delivery outcomes, not just planning documentation; a register of progress against persistently identified risks and the success-rate of mitigation efforts; and transparency that enables public accountability when plans fail. Without these shifts, poor planning will continue to generate poor delivery, leaving learners in inadequate facilities while resources are consumed by planning processes that serve bureaucratic and potentially rent-seeking purposes rather than educational needs.

Performance Management



Project management: performance management of IAs, engagement with steering committees



Key findings:

- Problems in the planning and budgeting processes affect project performance. Budget cuts and reprioritisation within programmes have been affected by the misalignment between plans and budgets, and severely undermined delivery.
- High rates of attrition among technical staff within infrastructure programmes have hampered internal capacity and pose risks for reliance on potentially predatory consultants.
- The weak internal control environment weakens PEDs' abilities to safeguard assets, manage employees, mitigate financial risks, and conduct robust internal audits.
- Risk management mechanisms do not operate effectively. PEDs need to entrench risk management processes across various roleplayers to avoid harm that is too often dealt with retrospectively, if at all.
- Audits and other oversight reports repeatedly identify unreliable performance claims and material findings across most PEDs; many reported output figures lack adequate evidence.
- There are numerous actors in the performance management process, including (but not limited to) MECs, PEDs, portfolio committees in the legislatures, and civic actors. Effective performance management requires a workable framework for this ecosystem to feedback into.

Introduction: Why Monitor the Performance Management Process?

Provincial Education Departments (PEDs) have a legal and moral obligation to ensure the realisation of the constitutional rights of learners to education and dignity. They (and private service providers) must allocate and use public resources available to them, equitably and optimally, in pursuit of realising these rights. When they fail to either use public resources optimally or to deliver services such as school infrastructure planned for, they account for such failures. Furthermore, they must enforce decisive and timeous corrective actions to minimise the impact of risks or wrongdoing and develop and institute appropriate measures to help prevent this from reoccurring.

The performance of PEDs must be monitored and measured against the objectives, activities and performance indicators set out in their strategic plans at the beginning of the year.

Failure to monitor and measure performance leads to poor service delivery and the slow realisation of learners' rights, especially vulnerable learners from disadvantaged and impoverished backgrounds who ultimately depend on the public schooling system to access education and subsequently, in time, improve their lives and the conditions of their communities. For example, the AGSA, in its presentation to the Select Committee on Education, Sciences and Creatives Industries in March this year (2025) on the audit outcomes for the Basic Education Portfolio and Sector, indicated that inadequate project monitoring and implementation which resulted in additional costs due to payment of standing time, payment for work not done or for poor-quality work in eight provinces, namely: Eastern Cape, Free State, Limpopo, North West Province, KwaZulu Natal, Northern Cape, Gauteng and Mpumalanga.⁷¹

Furthermore, when PEDs fail to monitor and measure their performance, this prevents the feedback of performance information into the strategic planning and budgeting process for the forthcoming financial years. Past performance matters as when it is not considered when drafting strategic plans and budgets, public institutions and entities (which can be both Client Departments and Implementing Agents) seldom improve their strategic plans and budgets and overall performance (the efficiency and quality of the services they deliver).

The State of Performance Management in School Infrastructure Delivery

Performance management involves the use of public resources available to PEDs to deliver services, in line with their strategic plans, in the most efficient, effective and economic way possible, to meet the needs and priorities of learners, towards the realisation of their constitutional rights to education⁷² and dignity.⁷³

Performance management is an ongoing, systematic approach to improving results and determines whether progress towards the realisation of learners' rights is optimal in as far as quality and timing is concerned, depending on how it is carried out. Furthermore, performance management is concerned with sustaining improved results, to promote non-regression.

The strategic plans of PEDs are implemented through a performance management process. To effectively implement their strategic plans, PEDs and the private service providers they outsource projects and services to, must ensure that they: implement and maintain an effective internal control environment, monitor their performance in realising the objectives of their strategic plans and the quality of the services they deliver on a regular basis and implement a proper performance reporting system to effectively monitor and manage such performance.

71 https://pmg.org.za/files/250313Select_committee_on_education_sciences_and_creative_industries_-_Presentation_on_audit_outcomes_for_Basic_Education_Portfolio.pdf

72 <https://www.gov.za/about-sa/education>

73 <https://www.justice.gov.za/constitution/chp02.html>

Performance management starts during the strategic planning process, where PEDs set out their objectives, activities, and service delivery commitments in their **strategic plans**, for a given financial year. Performance is then monitored against these objectives, activities, and service delivery commitments. The activities set out in their strategic plans must be Specific, Measurable, Achievable, Relevant and Time-bound (SMART)⁷⁴ if PEDs are to monitor their performance, including their performance related to school infrastructure delivery, throughout the financial year. In other words, effective performance management and monitoring are dependent on **detailed strategic plans**.

PEDs must also ensure that they allocate sufficient resources (**resource allocation**) to all the activities outlined in their strategic plans – if their budgets do not allocate resources to all activities outlined in their strategic plans (deemed as unfunded or underfunded mandates), this will have an adverse effect on their performance. If all the school infrastructure projects planned for by PEDs in a specific financial year or even over several financial years, in the case of multi-year school infrastructure projects, are not sufficiently budgeted for, PEDs ultimately set themselves up for failure and will not achieve their school infrastructure development related targets.

The Eastern Cape PED has appointed the Department of Public Works and Infrastructure (DoPWI) as one of its Implementing Agents (IAs) to implement school infrastructure projects in the province. When Equal Education interviewed the DoPWI in the province, the department mentioned that it did not have a challenge with planning and managing school infrastructure projects, but rather with implementing and closing off school infrastructure projects due to the ongoing budget reductions enforced by the PED. According to the DoPWI, the PED would plan and allocate more infrastructure projects to

IAs than it would budget for. In other words, the PED would overcommit itself despite not having or allocating the sufficient resources required for the number of school infrastructure projects it planned to implement, in a given financial year.

Using the current (2025/26) financial year as an example, the DoPWI indicated that it had initially requested R500 million from the PED to be able to implement the number and scale (size and complexity) of the school infrastructure projects it was allocated. This figure was then reduced to R419 million. The DoPWI was allocated R314 million by the PED, which was later further reduced to R262 million: an allocation equating to just over half the initial amount the DoPWI had requested, in line with its own cost projections.

The DoPWI further advised that this is a year-on-year challenge and that it had written to the PED several times; to highlight the impact of ongoing budget cuts and to request additional budget allocations for school infrastructure projects it is mandated to deliver on behalf of the PED.

The DoPWI openly shared with Equal Education that there were projects that began in the 2016/17 financial year that remain incomplete, nine years later (in 2025), due to the historic and ongoing reduced budget allocations by the PED to IAs.

In its 2024 Annual Report, the ECDoE reported that it had planned to construct forty-five new schools (including replacement schools) for the 2023/24 financial year but only managed to achieve (construct) thirty-two of these. The department reported that it did not achieve its target as 13 projects could not be handed over to contractors **due to risk of overcommitment** and that **the infrastructure budget was cut by approximately R100m during the financial year, resulting in lower output**.⁷⁵ Budget cuts and reduced school infrastructure spending is not unique to the Eastern Cape.

74 <https://www.education.gov.za/LinkClick.aspx?fileticket=78bQtyPof-0%3D&tabid=687&portalid=0&mid=7186>

75 https://provincialgovernment.co.za/department_annual/1437/2024-eastern-cape-education-annual-report.pdf

In its 2023/24 Annual Report, the Limpopo PED reported that it did not achieve its' targets for the planned number of public ordinary schools provided with electricity infrastructure, the planned number of public ordinary schools provided with new or additional boarding facilities and the planned number of public ordinary schools where scheduled maintenance projects were completed, citing the reason for underachievement as **budget cuts**.⁷⁶ For the same reporting period, the Mpumalanga PED reported that it did not achieve its' targets for the planned number of public ordinary schools supplied with sanitation facilities, the planned number of public ordinary schools where scheduled maintenance projects were completed, the planned number of additional specialist rooms built in public ordinary schools and the planned number of Grade R classrooms built or provided due to **budget shortfalls**.⁷⁷

In addition to **under-resourcing** of school infrastructure, **poor expenditure management** also adversely affects the performance of PEDs, IAs and external contractors appointed to deliver school infrastructure. Examples of poor expenditure management include late or unpredictable disbursements, poor internal controls or even the misuse or abuse of public resources, not for their intended purpose.

The EC DoPWI advised Equal Education that in some cases, additional funding was allocated by the ECDoE but that these funds would only be disbursed in January. In such cases, the department would only manage to spend a portion of that additional funding allocation, with unspent funds returned to National Treasury, given that the national and provincial government financial year ends on 31 March, each year. In its interview with Equal Education, the DoPWI in KZN also confirmed that both under-resourcing and poor expenditure management, in the form of late or unpredictable disbursement of funds, were key causes of their inability to deliver school infrastructure projects allocated to them, within budget and on time. The department advised that in its experience, the late disbursement of funds by the PED often resulted in school

infrastructure project stoppages and full completion delays in the province, with some consultants and contractors even moving to issue notices to terminate existing contracts in place, citing non-payment. In some instances, some contractors even faced liquidation due to late or non-payment by the department.

The failure of PEDs to plan, budget and manage performance well often results in over or under expenditure where either: additional resources have to be found for the completion of school infrastructure projects that are not completed within budget and on time; or for project deficiencies as a result of poor workmanship and poor monitoring of project implementation; or in the event of poor financial management, the returning of unspent funds earmarked for school infrastructure to the national fiscus.

It is important to note that public institutions such as **PEDs that fail to manage their performance effectively tend to be in a weaker position when negotiating future budgets**, unless they can demonstrate what mechanisms they plan to put in place to efficiently spend and where there is value for money. For example, for the 2021/22 financial year audit outcomes, the Auditor-General of South Africa (AGSA) reported that because the Eastern Cape PED was slow to finalise the construction and upgrading of schools as most of its infrastructure projects were still in progress at year-end, with some projects having either been cancelled or halted because contractors suspended work due to non-payment, National Treasury stopped Education Infrastructure Grant (EIG) funding to the value of R205,1 million to the department and reallocated the money to the KwaZulu-Natal PED.⁷⁸

Effective Performance Management

To account for their use of public resources available to them and to evaluate service delivery, PEDs must monitor and manage their performance in implementing school infrastructure projects throughout the financial year.

76 https://provincialgovernment.co.za/department_annual/1493/2024-limpopo-education-annual-report.pdf

77 https://provincialgovernment.co.za/department_annual/1506/2024-mpumalanga-education-annual-report.pdf

78 [https://www.agsa.co.za/Portals/0/Reports/PFMA/202122/2021-22%20PFMA%20general%20report%20\(print\)%20-%20FINAL.pdf?ver=2022-12-01-094427-850](https://www.agsa.co.za/Portals/0/Reports/PFMA/202122/2021-22%20PFMA%20general%20report%20(print)%20-%20FINAL.pdf?ver=2022-12-01-094427-850)

The core aspects of an effective performance management process include:

1. Human Resources Management (HRM)

Without capable and skilled personnel across all levels, PEDs and service providers are unable to deliver quality school infrastructure, within budget, on time and where there is value for money. High vacancy rates and high turnover rates place tremendous strain on existing employees, especially within finance and infrastructure units, and consequentially, on public institutions and entities mandated to deliver school infrastructure to local communities.

While the specific PEDs and IAs Equal Education interviewed did not identify a high vacancy rate as a major, existing impediment to their progress in delivering school infrastructure, they did identify challenges relating to attrition/**turnover rates (loss of staff)** and **limited internal technical capacity**. For example, while the total number of engineer posts on the approved organogram of the Gauteng Department of Education (GDE) were reported as all filled for the 2023/24 financial year⁷⁹, one, there were just six posts and two, the GDE when interviewed, indicated to Equal Education that it often experienced a high turnover rate for its engineers, citing their desire for competitive salaries and career growth as the main reasons for this.

A lack of internal capacity has seen **PEDs overly rely on contracted external expertise (in the form of consultants)** to assist them in fulfilling their mandate to deliver school infrastructure. Equal Education argues that the prolonged use of these contractors is neither cost effective (this is often a costly option) nor sustainable, especially in an already financially constrained environment, within which PEDs currently exist and operate. Consultants should only serve as a temporary means of specialised and non-core functions of PEDs. In May 2024, National Treasury (NT) issued an HR Capacitation circular to PED Head of Departments (HODs), Chief Financial Officers (CFOs) and Human Resource Management Units (HRMUs) stating that certain Infrastructure Development

Management System (IDMS) functions should not be outsourced to consultants, for example planning for immovable assets, budgeting, approval of cost/scope variations, oversight over IAs, reporting, monitoring and evaluation.⁸⁰ This circular is issued annually by NT to guide PEDs on how to use funds in the Division of Revenue Act (DoRA), for the capacitation of their Infrastructure Units (IUs). **According to NT, PEDs cited a lack of funding as the main reason for not making progress with capacitation of their respective IUs.** As per the circular issued, PEDs were then allowed to use conditional grant funding (existing grant funding not additional funding) as provided in DoRA for the appointment of personnel as public servants, on a permanent basis, with the overall objective set as to improve the capability of the PEDs to manage their infrastructure portfolio through the **development of internal institutional capacity**.

In addition to ensuring **effective recruitment** (filling existing vacancies), PEDs and IAs must ensure **effective retention** by prioritising the **training, capacitating and upskilling of their respective staff complements** to ensure they are able to function in the future without the need to outsource key, specialised functions and by ensuring favourable working conditions, including enforcing adequate safety and security measures and making timeous payments related to salaries.

During the construction of a school, IAs should implement monthly steering committee (steerco) meetings at each construction site. Included on each steering committee should be the principal, the school governing body (SGB) chairperson, the contractor, and the department. In our interview with the Limpopo PED at the time, we were informed that the department had opted to rather have **consultation and engagement** between school communities (principals, teachers, learners, parents, SGB chairs or alternate reps), traditional leaders and local government councillors, in their capacity as elected representatives of local constituents, and IA and contractor, begin right from the planning stage, prior to the commencement of construction.

79 https://provincialgovernment.co.za/department_annual/1506/2024-mpumalanga-education-annual-report.pdf

80 <https://www.treasury.gov.za/publications/Provincial%20Government%20Infrastructure/2025/HR%20Capacitation%20Circular%20Education%202024.pdf>

This approach has assisted the department to help ensure that there is collective buy-in and support for a school infrastructure project, that contractors, sub-contractors and workers (who are mostly sourced from the local community in which a school infrastructure project is being built) and department officials are safe while working on project sites or while visiting project sites to monitor the progress of school infrastructure delivery; and that the infrastructure built is safeguarded, given that project sites are on occasion targeted by criminal elements, including construction mafia, resulting in vandalism, extortion and project stoppages - a risk often facing PEDs and IAs during the implementation stage of school infrastructure projects.

2. Internal Controls

The **internal control environment** within a PED significantly influences its performance.

Internal controls are processes and systems put in place by PEDs to minimise the risk of fraud, negligence or error, by enabling public officials to control and monitor the institution's activities, on an ongoing basis, throughout the financial year. Internal controls are classified into different categories: preventative controls, detective controls and corrective controls. They are designed and implemented by management to **help prevent threats to the objectives of PEDs materialising**.⁸¹ Detective and corrective controls more specifically, focus on **identifying and correcting failures once they have already occurred**.

Strong internal controls are essential for effective performance management as they provide checks and balances to ensure that PEDs **use available resources optimally, achieve objectives, activities and service delivery commitments** outlined in their strategic plans, **comply with all applicable legislation** and **produce credible, reliable and useful financial and performance reports**. Weak internal controls create opportunities

for the misuse or abuse of public resources earmarked for school infrastructure, prevent effective internal performance monitoring and weakens the oversight process, which are both dependent on the production of credible and reliable performance reports.

To create and foster an ideal control environment, PEDs should develop effective, efficient and transparent mechanisms to **safeguard assets; develop a proper human resource performance management system; develop a cost-effective procurement and provisioning system; and build and maintain a strong internal audit function and financial and risk management systems**.

PED HODs are responsible for the internal control environment of their respective PED and for ensuring that proper internal controls are put in place. Furthermore, HODs must institute disciplinary steps against any public official within their respective PED who commits an act which undermines the institution's financial management and internal control system. Senior public officials (line managers) within a PED must equally, depending on their specific area of responsibility, take responsibility for ensuring internal controls established for the PED are functioning effectively and efficiently.

Finally, the Chief Financial Officer (CFO) of a PED must assist the HOD by ensuring that there is **effective financial management**, including sound budgeting and budgeting control practices, effective operation of internal controls and the timely production of annual financial reports.

3. Risk Management

The poor performance of contractors poses a significant threat to the efficient and effective delivery of school infrastructure, given that it results in project stoppages and delays, increased project cost and financial losses, build quality defects and subsequent completed project underusage.

81 https://pmg.org.za/files/250313Select_committee_on_education_sciences_and_creative_industries_-_Presentation_on_audit_outcomes_for_Basic_Education_Portfolio.pdf

Effective risk management **identifies and evaluates actual and potential risks facing PEDs**. The **risk management** process involves a formal risk assessment, undertaken at least annually, to identify and evaluate the nature and extent of the potential impact of major risks and the likelihood of such risks materialising. It also identifies and evaluates PEDs strategies and capabilities to minimise incidents and the impact of major risks that do materialise. Sound risk management enables PEDs and IAs to anticipate and respond to changes in their service delivery environment and make informed decisions under conditions of uncertainty.

It is important to note that while PED HODs are responsible for the overall risk management process, risk management must be incorporated into the daily activities of all PED officials, across levels (in provincial and district offices).

In the context of school infrastructure project delivery, PEDs must exercise caution when considering whether to award any further projects to a failed IA, as informed by its risk management assessment. Equally, PEDs and IAs must endeavour to ensure that contractors that performed poorly in the past are not awarded contracts again, given that they compromise needed service delivery.⁸²

4. Internal Audit Function

Effective performance management also relies on the operation of an effective internal audit function. The internal audit units of PEDs are responsible for assisting their HODs with achieving institutional objectives – without these units, it is highly unlikely that the performance of these institutions will improve. This is because internal audit units assist line managers with **maintaining internal controls and with evaluating their efficiency**. These units also **identify and respond to potential and actual risks in the management of a PED's budget and the implementation of its' strategic plan**. When a PED's internal audit unit timeously identifies

such risks, it helps the PED minimise the potential for instances of over/under expenditure and the misuse or abuse of public resources.

A PED's internal audit unit reports directly to the HOD and Audit Committee, detailing its performance against the annual internal audit plan. To successfully fulfil their mandate, internal audit units must be completely independent of activities undertaken by PEDs, that are audited, and must have unlimited access to credible and complete information.

An **Audit Committee** of a PED reviews the effectiveness of the PED's internal audit unit and internal control systems as well as the risk areas covered by internal and external audits. It also **reviews the PED's monthly and quarterly financial and performance reports (and the adequacy, reliability and accuracy of information provided thereof) as well as the institution's compliance with legal and regulatory requirements**.

5. Performance Reporting

In the consolidated general report on National and Provincial audit outcomes for the 2023/24 financial year, the AGSA reported material findings⁸³ relating to the usefulness and reliability of performance reports of nine departments in the education sector, the Department of Basic Education (DBE) and eight PEDs. Only the GDE did not have material findings on its performance report. Furthermore, the DBE and six PEDs, the Eastern Cape, Western Cape, KwaZulu Natal, Northwest Province, Free State and Northern Cape, did not include all indicators that measure their contribution to the Medium-Term Strategic Framework (MTSF), their core functions and the roles they were established to fulfil, citing that the main reasons for this were the inadequate internal processes and systems in place to reliably measure performance as well as departments opting to plan and report informally or 'off the books' to avoid findings, scrutiny and accountability.

82 <https://www.education.gov.za/LinkClick.aspx?fileticket=M6qj4MUBryl%3D&tabid=93&portalid=0&mid=8142>

83 <https://pfma-2023-24.agsareports.co.za/pages/education-sector>

In terms of the delivery of school infrastructure, the AGSA found the following examples of reported achievements as unreliable, where

evidence provided contracted achievement reported or where there was lack of sufficient evidence to support reported achievement:

Indicator	Province	Target	Achievement
Number of public schools provided with water infrastructure	Limpopo	30	136
Number of public schools supplied with sanitation facilities	KwaZulu-Natal	300	301
Number of schools where scheduled maintenance projects were completed	KwaZulu-Natal	600	600

Unreliable performance reporting weakens the general accountability process because all role players (PED and district education officials, IAs, project managers, members of school communities etc.) required to monitor deliverables and outcomes and then make decisions are simply not working with credible or reliable information. Therefore, the performance reporting framework is critical for both internal and external oversight and for improving outcomes – internally, the performance reporting system provides the basis for a monitoring framework which aids the work of a PED's internal audit unit to identify risks in the PED's expenditure and performance management processes while externally, performance reporting provides civic actors and oversight bodies to engage with a PED's performance management process.

To effectively monitor their performance and to account for the use of public resources earmarked for school infrastructure delivery, HODs of PEDs must produce reports on their progress in implementing their strategic plans. In

these reports, performance must be measured against the objectives, activities and service delivery commitments outlined in their strategic plans. Performance should also be measured in terms of efficiency, quality, whether there has been value for money, compliance with applicable legislative requirements and the overall success in realising learners' rights to equal and quality education.

In-year performance reports must be produced on a quarterly basis, complimenting monthly and quarterly expenditure reports which also contain key performance management information. Year-end reports should be produced annually and contain a detailed account of PEDs performance against their planned objectives, activities and service delivery commitments, a report by PEDs Audit Committee, a copy of PEDs Annual Financial Statements, a copy of the AGSA's report on PEDs performance and financial statements and a report on the misconduct and corrective action within PEDs.

The Education Facilities Management System (EFMS), a new system used by the DBE to capture school infrastructure information and which replaces the National Education Infrastructure Management System (NEIMS), which was previously used⁸⁴, assists the DBE in monitoring the progress made by provinces in their provisioning of infrastructure to schools and assists in identifying shortages or backlogs of infrastructure needed at schools. The DBE publishes EFMS reports that provide an overview of school infrastructure across all nine provinces for a particular reporting period, with the focus only on public ordinary operational schools (not a special school) and provide summary statistics on:

- Access to electricity and the type of electricity the schools has;
- Access to water and the type of water supply the schools has;
- The type of ablution the schools has;
- The type of the fence and security the schools has;
- The number of schools with and without library and whether the library has books or not;
- The number of schools with and without laboratory;
- The number of schools with and without computer center;
- The type of sports facilities the schools has; and
- The type of communication the school utilises and how the internet is used.

It is critical that performance reports produced by the DBE or by PEDs **contain credible and complete information, supported by sufficient evidence** and that **these reports are made available to members of the public**, for further scrutiny and accountability.

6. Performance Monitoring

The **monitoring** of the implementation of school infrastructure projects constitutes one of the core aspects of performance management. To this end, PEDs require a fully staffed and capacitated **Performance Monitoring Unit (PMU)**. Poor performance monitoring by PEDs, implementing agents and contractors leads to project delays, budget/cost overruns, and poor workmanship.

For the 2023/24 financial year, the AGSA audited 143 infrastructure projects, focusing on critical infrastructure including health facilities, schools, housing, roads and railways, water infrastructure, and government buildings such as police stations. The Department of Public Works and Infrastructure (DoPWI) functioned as an IA for twenty-two of these (audited) infrastructure projects. The AGSA audited 38 basic education infrastructure projects⁸⁵: 30 (79%) of them were delayed with an average delay of 21 months, 2 (6%) exceeded their original budget allocations, 14 (37%) involved poor quality build and 3 (8%) were not commissioned.

The implementation of **proper monitoring and oversight practices, on a regular basis** assists in reducing project stoppages and quality deficiencies. The AGSA identified the DBE as a good example of instituting such proper monitoring and oversight practices citing that it had monitored projects awarded to IAs by conducting a minimum of three independent site visits in the 2023-24 financial year and ensuring that contractors address identified defects timeously.

Various stakeholders play a critical role in ensuring that there is an effective performance management process:

PEDs

Once a PED, as a CD, solicits the services of and enters a contract with an IA by signing a Service Delivery Agreement (SDA), they must set up an effective Programme Management System (PMS), by securing qualified and competent technical resources to **provide monitoring and oversight functions, evaluate the work of and to manage IAs**.

PEDs must **develop their own internal project management systems and processes to track the progress of, control and manage school infrastructure projects**.⁸⁶ They must also develop, establish and implement an efficient, reliable Document Management and Control System, to receive, manage, track and verify requests for approval submitted by the IAs.

84 <https://www.education.gov.za/Portals/0/Documents/Reports/2023/EFMS%202023.pdf?ver=2023-09-04-11 5953-093>

85 <https://pfma-2023-24.agsareports.co.za/pages/infrastructure-management>

86 <https://www.education.gov.za/LinkClick.aspx?fileticket=M6q14MUBryl%3D&tabid=93&portalid=0&mid=8142>

PEDs must **issue Project Lists and Infrastructure Programme Management Plans (IPMPs)** timeously to IAs and **secure sufficient budget** to implement the identified projects.

PEDs must transfer sufficient Programme Funds and **process payments due to IAs timeously**. They must also **ensure that IAs adhere to the provisions of the Norms and Standards for Education Facilities**, various Guidelines and Framework Documents on infrastructure development issued by the DBE from time to time.

HODs of PEDs, as Administrative Heads, are primarily **responsible for performance management within the institution**, for **producing performance reports** and for providing an account of the performance in implementing their strategic plans.

Line managers including Chief Directors, Directors, Deputy Directors and Assistant Directors for Infrastructure Delivery in PEDs, together with relevant, designated education officials from district offices, are responsible for **monitoring the implementation of sections of the PED strategic plan**, for which they are directly responsible, including school infrastructure development. They are responsible for **conducting oversight and reporting on the progress of the implementation of school infrastructure projects** on a monthly and quarterly basis, to the HOD. They cannot provide accurate and complete accounts for progress made if they do not conduct regular oversight visits to school infrastructure projects and if they do not **strengthen channels of communication and reporting between them, IAs and contractors**.

Executive Authorities

Political Heads of PEDs, which are the MECs for Education in provinces, are responsible for **monitoring the performance of HODs** and for ensuring that policy priorities set out at the beginning of a financial year are achieved. They have a constitutional mandate to **conduct oversight of (not interfere with) the administration in the province (the PED)** to ensure school infrastructure projects are implemented within budget, on time and where there is value for money.

Internal Audit Unit

The internal audit units of PEDs must **maintain and measure the efficiency of internal controls and help identify and report any actual or potential risks or challenges** to HODs. The Audit Committee is responsible for **evaluating and providing an account of the effectiveness of these internal controls as well as the efficacy, accuracy, and quality of in-year performance management and reports** by PEDs. It also **reviews the internal audit function and assesses the Annual Financial Statements** of PEDs. The AGSA **audits the financial and performance reports of PEDs** to ensure that they accurately account for PEDs performance in the year under review.

Legislative and Oversight Committees

Portfolio committees such as the education and public works and infrastructure portfolio committees in provincial legislatures must **monitor and oversee the performance of their departments**, as CDs and IAs, **obtain and evaluate their performance reports**, seek explanations and justifications for any performance issues, including project delays and project deficiencies and **measure the impact of performance and service delivery** in helping to realise the rights of learners to education and dignity.

Civic Actors

Civic actors must **obtain and evaluate performance reports and seek explanations and justifications for any performance issues from their elected political representatives and from provincial and district education officials**, to deepen public service accountability and improve the delivery of infrastructure to schools.

For effective engagement with the performance management process, civil society requires a thorough understanding of the performance management process and the legal prescripts and regulations that govern this process. The sector also requires access to timely, easily accessible, reliable, and complete performance reports and the tools and skills required to conduct systematic evaluations of these.

Consequence Management



Consequence Management

- Oversight bodies repeatedly identify a failure to hold IAs to account, but corrective actions are scarcely reported.
- Penalties against IAs or contractors in the form of blacklisting, recovering lost funds, and instituting legal action are rare.
- There appears to be a culture of impunity among officials and state employees who are guilty of poor performance.
- Political and institutional configurations of the school infrastructure delivery system lends itself to opacity, siloing, and vulnerability for whistleblowers. This undermines the mutually reinforcing role of multiple coordinated stakeholders in the accountability ecosystem.



The People Against Budget Cuts Demonstration outside Parliament during the Medium-Term Budget Policy Statement (MTBPS) 2025, 12 November 2025.

Contextual Background: the State of Consequence Management Enforcement in School Infrastructure Delivery

A culture of no accountability and consequences inevitably slows progress and results in continued transgressions and poor performance. Public institutions and entities with poor consequence management practices are more prone to corruption or fraud and continued poor performance, as a result of public officials not being held accountable for their decisions and performance.

In May 2021, the then Portfolio Committee on Basic Education released a media statement wherein it linked **the inability of PEDs to deliver school infrastructure to their failure to hold implementing agents (IAs) directly accountable for their respective school infrastructure projects**.⁸⁷ It also called for strengthened monitoring and evaluation by PEDs, coupled with consistent enforcement of consequence management against IAs to ensure accountability, suggesting that this was not currently the case.

IAs have often, in their defence, cited how year-on-year poor strategic planning, resource allocation and expenditure management by PEDs directly impacts their ability to meet project deliverables, within budget, on time and where there is value for money. Seldom

are education officials, at provincial or district level, who are responsible for ensuring effective planning, budgeting, expenditure management, performance monitoring and oversight ever held accountable for their own poor performance.

Linked to this is evident poor collaboration and oversight between the DBE and PEDs, which is relevant, given that neither the MECs for education in provinces nor the PEDs report directly to the Minister or Deputy Minister of Basic Education or the DBE. The absence of this needed collaboration and oversight in a context where there is already a culture of no accountability and consequences, contributes to the failure of provinces and contracted IAs to effectively deliver school infrastructure. The AGSA confirms this: in its Public Management Finance Act (PMFA) audit outcomes report for the 2023/24 financial year, it cites lack of integration between government institutions when planning and executing projects to ensure that all the necessary basic infrastructure is available upon project completion as one of the major causes of continued infrastructure delivery weaknesses.⁸⁸

In a presentation by the AGSA to Equal Education on the annual education infrastructure audit outcomes between 2021 and 2024, **lack of consequence management** was said to have directly contributed to continued delays in already overdue projects (extended time), the escalation of project costs and financial losses (greater cost) and a decline in workmanship and overall quality (poor quality).

87 <https://www.parliament.gov.za/press-releases/media-statement-lack-consequence-management-against-implementing-agents-centre-delays-infrastructure-projects>

88 <https://pfma-2023-24.agsareports.co.za/pages/infrastructure-management>

Between August and September 2025, Equal Education visited different school infrastructure project sites in the Eastern Cape, KwaZulu Natal, Limpopo, and Gauteng, where different stakeholders in several school communities advised the organisation that they were not informed by provincial or district education officials of any consequence management enforced for the underperformance of implementing agents and contractors who were contracted by the department to implement infrastructure projects at their respective schools:

Case Study 1: Ndlelanhle Secondary School

The Mvula Trust was contracted by the KZN PED to implement a school sanitation infrastructure project at the Ndlelanhle Secondary School (NSS), in the Nquthu Local Municipality, in KZN. The school sanitation infrastructure project fell under the department's Sanitation Appropriate for Education (SAFE) initiative. The project scope included demolishing and replacing old and dilapidated blocks of pit latrine toilets with four blocks of new ablution facilities, constructing walkways and installing an innovative flushing system (enviro loo) for learners, teachers and school support staff.

Vitsha Trading was the contractor awarded the bid, with the total contract value stipulated as R7 688 108,00 (including VAT), as indicated on the project profile which was provided to Equal Education by NSS.

Although the project was completed and handed over, interviewees based at NSS informed Equal Education that they had witnessed multiple project delays during the implementation of the project. While the project duration was initially set out as eighteen weeks (four and a half months), it took fifteen months to be completed: the project site handover took place on the 21st of November 2023 and the project was only completed on the 25th of February 2025.

In July this year (2025), the KZN MEC for Public Works and Infrastructure, MEC Meyer conducted school infrastructure project oversight visits, including to NSS where he was informed of several project challenges including shoddy

workmanship, broken ablution systems and broken flushing systems.⁸⁹ It is important to note that in May, MEC Meyer, in an interview with Newzroom Afrika, indicated that the department planned to blacklist contractors for shoddy work.⁹⁰

When Equal Education visited the school in September, the situation was no different. Interviewees from NSS indicated to Equal Education that during the construction of the project that reported evident project deficiencies to the relevant district education officials, after being instructed not to engage the contractor on site directly, but that no corrective action was taken to address such project deficiencies or to hold the IA or contractor accountable. As a result of this, several hand wash basins and toilets, including those specifically designed and earmarked for learners and teachers with disabilities, remain broken, unsafe and unusable, reinforcing gross violations of learners' rights to education and dignity.

Case Study 2: Eyabantu Senior Secondary School

In Fort Beaufort, in the Eastern Cape, the ECDoE contracted the Coega Development Corporation (CDC) to deliver a school infrastructure project at the Eyabantu Senior Secondary School (ESSS), to the rand value of R39,1 million. The project, which is still ongoing and involves the demolition of inappropriate structures and the construction of new educational facilities, was initiated in January 2018 but there have been multiple stoppages since, with different role players pointing to each other to account for the ongoing delays:

In 2020, the initial contractor who was awarded the bid⁹¹ GD Du Preez trading as (t/a) Gordon Builders, decided to terminate its contract with the ECDoE and the CDC citing that the department had defaulted on their contract by not making payment, after the contractor had completed the demolition of the old structures and had laid down the foundation for the new educational facilities.⁹² The department on the other hand claimed that the contractor had simply abandoned the site, having not returned after the Covid-19 national 'hard' lockdown instituted in March 2020.

89 <https://www.facebook.com/100087582992184/posts/the-last-project-oversight-visit-conducted-by-the-delegation-led-by-mec-martin-m/703781692551258/>

90 <https://www.youtube.com/watch?v=t5EKZiugwxA>

91 <https://www.coega.co.za/site/assets/documents/awarded-tenders/2018/Contracts%20Awarded%20January%20to%20March%202018.pdf>

92 <https://groundup.org.za/article/eastern-cape-education-department-accused-of-failing-to-pay-contractor-for-incomplete-school/>



Equal Education is a mass, democratic, youth-led movement of learners, post-school youth, parents, teachers, principals and community members who use mobilization and mass action, supported by careful research and analysis, to advocate for equal and quality education in South Africa.

As highlighted earlier on in the report, the challenge around the late or non-payment of funds between different stakeholders involved in the process of implementing school infrastructure projects persists today, despite the fact that government departments are legally required to process and pay invoices within thirty days from the receipt of a valid invoice, as mandated by the PMFA and Treasury Regulation 8.2.3. When Equal Education visited ESSS in September 2025, a representative from the current contractor, CTM Construction who was awarded the bid to complete the construction of the new educational facilities to the total rand value of R32 778 568, 45, in November 2023⁹³, indicated that payment delays had informed the project stoppages that occurred between February and May 2025.

When interviewing the EC DoPWI, which is another IA for the ECDoE, the department advised Equal Education that its biggest impediment to delivering school infrastructure projects effectively and efficiently was mainly due to the late or unpredictable disbursement of funds by the ECDoE. By the end of the first quarter of the 2023/24 financial year, a total amount of R14.4 million had been spent on the school infrastructure project at ESSS, with just 26 % – 50 % of construction reported as complete.⁹⁴

No accountability or effective consequence management has been enforced by or for any stakeholder involved in the project for ongoing project delays and the expenditure of public funds with little actual progress to show for it.

Case Study 3: Mathukulula Secondary School (KZN)

Equal Education visited Mathukulula Secondary School (MSS), in Nquthu, KZN, which was earmarked for an upgrade to its existing sanitation system (the replacement of pit latrine toilets with new ablution blocks fitted with new basins and flush toilets) and for which a tender was awarded to the contractor, Nthawani Trading Enterprise (Pty) Ltd. The total rand value of the award was R3 681 370.50.⁹⁵

When visiting the school, the organisation was informed by an interviewee that the contractor

had abandoned the project and that learners were still required to make use of the existing pit latrine toilets at the school. The contractor had barely constructed the foundations for the new ablution blocks.

In our ongoing engagements with the KZN DoPWI, the IA who was allocated this project by the KZN PED, we were advised that the contractor had experienced cashflow challenges, resulting in slow progress. Consequently, the department terminated the contract with Nthawani Trading (Pty) Ltd due to poor performance. The actual termination was a sanction, with an intention to blacklist the contractor registered by the department with Supply Chain Management (SCM), to which the department has since been advised that the process is nearing completion if not already complete. The department advised Equal Education in its follow up engagement in October that blacklisting would only be confirmed once the department received full documentation. The department did not confirm the total rand value of public funds that had already been disbursed to Nthawani Trading Enterprise (Pty) Ltd.

Why Consequence Management Matters

When duty-bearers fail to optimally use public resources earmarked for school infrastructure, or, if they or others they appoint, monitor and oversight, misuse public resources, they lack public integrity. Corruption and poor performance all constitute violations of human rights, including the rights of learners who depend on public services such as education. The rights of learners can only be realized within available resources if duty-bearers manage the resources with an elevated level of integrity and when accountability is sought and consequence management enforced in instances where there is continued poor performance or misuse of public funds.

The enforcement of consequence management is a prerequisite for ensuring that public resources are translated into public goods and services that contribute to the realisation of learners' rights and needs, now!

93 https://coega.co.za/site/assets/documents/awarded-tenders/2023/CDC_Contracts_Awarded_Q3_November_2023.pdf

94 <https://vulekamali.gov.za/provincial-infrastructure/infrastructure-projects/full/46076-eyabantu-senior-secondary-school-eastern-cape>

95 https://www.kznworks.gov.za/wp-content/uploads/2025/03/AWARD_ZNTL03092W_DOE_SANITATION_PROGRAMME_FOR_MACONGCO_PRIMARY_SCHOOL.pdf



Equal Education members in Western Cape and Limpopo march against budget cuts to education, privatisation and poor school sanitation.

What Constitutes Effective Consequence Management?

An accountability culture and effective consequence management should be demonstrated by public officials, who are responsible for planning, budgeting, managing and monitoring school infrastructure projects, accounting for their decisions and performance, in an accessible way, in their routine documentation.

Public officials who do wrong themselves (who transgress) or who do nothing (who fail to act or intervene or institute corrective action) or who perform poorly (do not deliver on their constitutional obligation to ensure the right of quality education for learners) should face consequences for their actions. This helps impede a culture of public officials being compensated even when they do not fulfil their obligations and perform poorly. By extension, contractors and sub-contractors **who repeatedly underperform** by way of abandoning incomplete projects, not delivering school infrastructure projects on time and conducting shoddy workmanship, should be blacklisted and prevented from doing business with the state again.

The AGSA defines consequence management as **the institutional controls and processes that should be in place to ensure that legislated responsibilities are complied with**.⁹⁶ These legislated responsibilities include the following and **must be carried out consistently and timeously**:

- **Performing a preliminary investigation to determine the nature and causes of a transgression when it arises, who is responsible and whether any financial loss either was or will be suffered,**
- **Preventing any financial losses or future financial losses,**
- **Instituting formal investigations,**
- **Recovering financial losses from external parties,**
- **Acting against responsible officials and recovering any financial losses from responsible officials.**

For effective consequence management to become part of the daily praxis of an institution, each stakeholder involved, whether directly or indirectly, in the delivery of school infrastructure must act by instituting internal controls and processes, both consistently and timeously.

The Accountability Ecosystem

Who is responsible for enforcing effective consequence management?

The accountability ecosystem refers to the network of key stakeholders or 'accountability actors' that have an obligation, whether legal or moral, to deepen public sector accountability in South Africa.⁹⁷ In the context of the education sector, such 'accountability actors' would include Executive Authorities (EAs) such as the Minister of Basic Education and Members of the Executive Council (MECs) for Education in provinces, the Department of Basic Education (DBE), Provincial Education Departments (PEDs), Parliament, Provincial Legislatures, Legislature Oversight Committees, National Treasury, Provincial Treasuries, Implementing Agents (IAs), contractors, sub-contractors, infrastructure-related regulatory bodies such as the Construction Industry Development Board (CIDB), Monitoring, Investigating and Prosecuting Bodies; and civic actors such as members of school communities which are comprised of principals, teachers, School Governing Body (SGB) members, learners, parents and local community members.

Each of these accountability actors have a key role to play in ensuring that school infrastructure is delivered within budget and on time and that public resources specifically earmarked for this, are used optimally, for their intended purpose and where there is value for money. When this does not happen, these stakeholders must advocate for and ensure that timeous corrective action is instituted and that preventative measures are put in place to deter instances of wrongdoing, including the misuse of public resources and poor performance, from reoccurring in the future.

96 <https://pfma-2023-24.agsareports.co.za/pages/consequence-management>

97 <https://pfma-2023-24.agsareports.co.za/pages/accountability-ecosystem>

It is important to emphasise that these role players have mutually reinforcing links between them. Each stakeholder is required to be fully aware of their direct roles and responsibilities and how these influence the roles and responsibilities of other stakeholders within the accountability ecosystem - if any one of them fails to effectively play their part, this has a negative impact on the effectiveness of the entire system. They should not isolate themselves and operate in silos but instead, support each other and hold each other accountable for their decisions and performance, throughout the school infrastructure delivery value chain process.

Roles and Responsibilities of Accountability Actors Unpacked

Executive Authorities

Executive Authorities (EAs) such as the Minister of Basic Education and MECs of Education in the nine provinces, are responsible for strategic planning, monitoring and overseeing their (education) portfolio, in line with the prescripts of section 63 of the PMFA98, which sets out how the DBE and PEDs must manage and report on their finances.

EAs are required to **familiarise themselves with the performance expected from accounting officers** (administrative heads) and to **monitor and manage their performance well** by **holding them accountable for their actions and decisions** and by **implementing consequences for any transgressions and poor performance**.

EAs are also required to ensure that accounting officers and authorities **implement the key recommendations by internal audit units and audit committees** to help improve governance and internal control. They must **monitor progress** and **support accounting officers and authorities to improve internal controls** and **address any reported material irregularities**.

To deepen public service accountability and improve governance, EAs must **produce annual reports** to the Legislature (Parliament and Provincial Legislatures) which should include information on any cases related to misconduct and criminal offences and disciplinary incidents.

The Department of Basic Education and Provincial Education Departments

In her briefing to the National Council of Provinces (NCOP) in March 2025, the Minister of Basic Education, Siviwe Gwarube, distinguished between and outlined the responsibilities of the DBE and PEDs in as far as the delivery of school infrastructure is concerned.⁹⁹

The DBE is responsible for policy development, setting norms and standards, **oversight** and providing support to provinces. The DBE is also responsible for administering conditional grants such as the School Infrastructure Backlog Grant (SIGB) and Educational Infrastructure Grant (EIG) and **monitors** how funds are used to ensure that provinces meet their respective infrastructure targets.

The PEDs are responsible for implementing infrastructure projects, including the construction of new schools and the upgrading and maintenance of existing facilities.

Jointly, their Human Resource Management (HRM) and/or disciplinary units are responsible for **monitoring the implementation of performance agreements**, to help address incapacity or inefficiency and for **instituting disciplinary processes**.

Accounting Officers

Accounting officers including PED HODs (Heads of Departments) are responsible for **creating an environment that helps improve financial and performance management controls** and that enables adequate **consequence management**.

They must **ensure that there are consequences for transgressions, with disciplinary steps taken against officials who contravene the PFMA and other applicable legislation, that commit or permit unauthorised, irregular, and fruitless and wasteful expenditure, causing or contributing to financial losses and that continuously underperform or who blatantly and repeatedly negligent**.

Preliminary and formal investigations by HODs should be completed swiftly so that potentially fraudulent activities can be stopped, the necessary criminal investigations can start, further transgressions can be prevented, and any financial losses can be recovered.

Implementing Agents (IAs)

IAs must **institute penalties against contractors who have performed poorly**, when there are justifiable reasons to do so. An IA should list any contractors that failed to perform on the National Treasury's List of Blacklisted Companies.

IAs are responsible for procuring the services of and entering into contracts with procured Professional Service Providers (PSPs). They are also responsible for administering those contracts thereof, for monitoring and recording their performance and for **terminating their services in case of poor performance**, having due processes been followed.

IAs must **blacklist poorly performing PSPs** on the National Treasury's List of Blacklisted Companies, having their contracts been terminated expeditiously.

Interviews with PEDs and IAs suggested that the blacklisting process is onerous and that entities risk embroiling themselves in expensive legal proceedings if they attempt to blacklist contractors for poor performance. Endeavours to reduce the litigious nature of this process, and alternative penalties like greylisting, should be explored to strengthen accountability.

Monitoring, Investigating and Prosecuting Bodies

Independent and credible bodies are required to **monitor, investigate and prosecute** in cases involving: human rights' violations (including the violation of learners' rights to education and dignity), misconduct, maladministration, acts of corruption and other criminal offences involving public resources and conflicts of interest by different stakeholders involved in delivering school infrastructure, including public departments, entities, institutions; public officials, political representatives and private individuals and corporations. Examples of these independent and credible bodies include the Public Protector, the Public Service Commission (PSC), the South African Human Rights

Commission (SAHRC), the Special Investigating Unit (SIU), the National Prosecuting Authority (NPA), independent police investigators and an independent judiciary.

Public officials or external service providers who abuse or misuse funds earmarked for school infrastructure must face the consequences for doing so.

Supreme Audit Institution (SAI) - the AGSA

The Auditor-General South Africa (AGSA) is South Africa's Supreme Audit Institution (SAI) and it is responsible for **auditing the DBE and PEDs expenditure and performance during the financial year under review** and for **reporting instances** (issuing Material Irregularities) of **ineffective use or abuse of public resources** to HODs (accounting officers) and legislature oversight committees.

The AGSA is also responsible for **conducting forensic audits** into instances of the ineffective use or abuse of public resources.

Legislature Oversight Committees

Parliamentary and provincial legislature oversight committees have a constitutional mandate to **oversee the disciplinary processes by government departments such as the DBE and PEDs and private service providers**.

They must attain constant updates by way of in-year and year-end reports and internal and external audit reports, on the performance of public officials, on instances of the ineffective use or misuse of public resources and by extension, the corrective action that has been or should be instituted to address such instances.

They must **conduct oversight** in volume and over time to ensure that effective consequence management becomes deeply embedded in the culture of public institutions mandated to deliver school infrastructure.

Civic Actors

All persons, including learners and parents, have a constitutional right to access complete and reliable information on the allocation and effective management of public resources earmarked for school infrastructure and on the performance of PEDs, IAs, contractors and sub-contractors responsible for implementing school infrastructure projects and for managing and monitoring the progress thereof.

Duty-bearers must provide explanations and justifications to civic actors for their decisions and performance. In cases where there has been an abuse or misuse of funds earmarked for school infrastructure projects or where there is continuous poor performance, duty-bearers must report on the corrective action they have instituted or provide reasons for why corrective action has not been taken. They must also explain what preventative measures they have put in place to prevent these cases from reoccurring in the future. They must implement meaningful public participation programmes, to enhance public service accountability but to also create opportunities for the co-creation of solutions for existing challenges around the process of delivering quality school infrastructure.

In turn, civic actors, including learners and parents, have a responsibility to mobilise and organise themselves to hold the government departments (in this case, PEDs and the DBE) to account for their decisions and performance, to help deepen public service accountability and improve the efficiency and quality of school infrastructure delivery.

When civic actors fail to do this, they risk having decisions on strategic plans and budgets being taken by the government on behalf of them, without them. This almost always results in

misalignment between the priorities of the government and the priorities of the people, according to their needs and in pursuit of their fundamental human rights. Failure to engage and hold the government accountable, also means that transgressions and continued poor performance ultimately goes unchecked and unrectified.

Whistleblowing

Whistleblowing is one tool civic actors can use to expose and discourage corruption and help deepen public service accountability, openness and transparency. Whistleblowing requires that public institutions and entities, including PEDs and IAs, comply with all relevant legislative prescripts, address malpractices and promote accountability and transparency. It helps reinforce the idea that individuals who abuse or misuse public funds earmarked for school infrastructure face consequences for their actions. Importantly, a deeply embedded culture of whistleblowing can serve as an early warning system to assist in the management of possible risks to PEDs and IAs.

It is important to note however that while the legal frameworks intended to protect whistleblowers exist in South Africa, their practical application often falls short of providing real-world sufficient protection, leaving whistleblowers vulnerable to different forms of retaliation including demotion or dismissal, harassment and isolation, blacklisting, violence and even assassination. The enhancement of the existing legal framework for whistleblower protections via the **Whistleblower Protection Amendment Bill** discussed earlier in the report, is a significant step lawmakers have taken to address existing shortcomings and enhance the safety of whistleblowers.

Public officials and Senior Management (Line Managers)

Senior public officials in PEDs, including Chief Financial Officers (CFOs), Chief Information Officers (CIOs) and Chief Directors, Directors, Deputy Directors and Assistant Directors for Infrastructure Delivery, Supply Chain Management etc., are responsible for **providing assurance by implementing basic financial and performance controls**.

They are also responsible for **ensuring proper infrastructure project management overall** and where any project deficiencies arise, **enforcing any corrective action** as early as possible.

These officials are also responsible for **implementing controls over daily and monthly processing and reconciliation of transactions to monitor that transactions** are processed accurately, completely and in good time, which will mitigate potential school infrastructure project delays and reduce errors and omissions in financial and performance reports.

They are also for **ensuring proper record keeping and for compiling regular, accurate and complete financial and performance reports** that are evidenced and supported by credible, reliable information, which include information on the progress of the delivery of school infrastructure.

As line managers, they are responsible for **monitoring the performance and conduct of staff under their direct authority and for instituting corrective counselling or disciplinary procedures** in instances of misconduct, negligence and poor performance.

PED Internal Audit Units

Internal audit units **provide internal independent assurance** and **oversight** by assisting accounting officers to execute their direct duties and responsibilities.

They do this by providing independent assurance on internal controls, financial information, **risk management**, performance management and **compliance with legislation**, including **consequence management legislation**.

A PED's internal audit unit must monitor the department's monthly financial spending and identify potential risks in the spending of funds and the management of resources. It must also assess the department's operational procedures and its monitoring of transferred public funds, regularly.

Treasury

It is important to note that the Minister of Basic Education has no authority to sanction provinces or withhold funds allocated to them for the purpose of delivering school infrastructure. While the Treasury has such powers, the DBE does not.

The National Treasury has the power to overrule Provincial Education Departments' (PEDs) spending of conditional grants such as the SIBG and EIG, earmarked for the delivery of school infrastructure, if it **observes a pattern of misuse**. This is an **oversight function** extended to it through the National Parliament.

Treasury (whether at a national or provincial level) is responsible for promoting and **enforcing the effective management of revenues, spending, assets and liabilities** and for **intervening in instances where there are serious or persistent contraventions of financial management regulations**, which impede the delivery of school infrastructure.

Infrastructure-related Regulatory Bodies

The Construction Industry Development Board (CIDB), which is an infrastructure-related regulatory body in South Africa, has a legal mandate to **monitor and regulate the performance of the industry and its stakeholders**, including the registration of projects (Register of Projects) and contractors (Register of Contractors). It must **issue contravention notices to clients and contractors not in compliance with CIDB prescripts** concerning its Code of Conduct for the parties engaged in Construction Procurement and its Standard for Uniformity in Construction Procurement. It must act swiftly to **ensure that repeat offenders who cause school infrastructure project delays and who fail to deliver are deregistered and prevented from being awarded bids in the future**.

Recommendations



Recommendations

This research report has identified several sites of systemic failure in school infrastructure delivery. While many of these failures manifest as actors not performing optimally or not meeting their obligations, their longstanding persistence points to deeper structural conditions that enable and reproduce dysfunction. These include chronic budgetary misalignments, weak and fragmented planning systems, unreliable performance data, hollowed-out technical capacity, and an accountability regime unable to prevent or correct repeated implementation failures.

The recommendations respond to these challenges in two ways. First, they set out immediate, practical improvements rooted in existing statutory requirements and longstanding commitments. These address the need for clearer institutional coordination to reduce information asymmetries; budget reforms that incentivise better alignment between plans and allocations; planning reforms that build internal state capability and provide for credible, data-driven decision-making; performance management reforms that strengthen transparency, system usability, and timely risk mitigation; and consequence management reforms that close persistent accountability gaps.

Second, the recommendations highlight deeper structural reforms that require a reconsideration of the frameworks governing school infrastructure delivery. Learners' rights continue to be undermined by a fiscal framework that chronically underfunds the sector and by institutional arrangements that rely heavily on outsourcing, thereby increasing fragmentation and exposing the state to significant risks. While reforming or overhauling these frameworks will be politically contested and may warrant further exploration to define the precise interventions, the evidence in this report indicates that they must be part of any meaningful long-term solution.

The matrix that follows organises these recommendations into a coherent, actionable roadmap – assigning responsible actors, specifying expected outcomes, and outlining realistic timelines for implementation. It brings together both immediate, obligation-based actions and longer-term structural reforms, showing how each contributes to a more capable, transparent, and accountable school infrastructure delivery system.

Recommended Actions	Responsible Actors	Expected Outcome	Timeline for implementation
Institutional Framework			
Develop guidelines to strengthen coordination chains at all stages of the infrastructure programme.	DBE	Enhanced transparency and accountability; improved performance	Within 1 year
Reconfigure Infrastructure Delivery Programmes to reduce moral hazard and other risks associated with information asymmetries	DoPWI, DBE, PEDs	Reduce fragmentation, end risks associated with predatory outsourcing	Within 2 years
Professionalise basic education to improve infrastructure delivery	PSC, DBE, PEDs	Uniformity, standardisation and harmony in the approach to how PEDs deliver school infrastructure	Subject to political will and passing and implementation of PSA Bill and PAMA Bill
Budgeting			
Rebase infrastructure grants using inflation-adjusted norms and real backlog data to reflect the R42bn annual requirement	NT, DBE	Real-term stability in grant values; backlog funding gap reduced	Subject to political will and fiscal framework
Revise equitable share and grant formulae to integrate school infrastructure backlog and poverty weights	NT, DBE	More redistributive resource flows toward under-served provinces	Will involve negotiation between provinces, and strengthened capacity to spend in underperforming provinces
Reform grant incentives to target province-specific improvements in planning	NT	Incentivised performance and greater predictability for provinces; reduced underspending	Within 1 financial year
Publish credible annual infrastructure plans , in line with requirements by the Regulations Relating to the Minimum Norms and Standards for Public School Infrastructure	DBE, PEDs	Enhanced transparency and accountability	Immediate (existing obligation)

Recommended Actions	Responsible Actors	Expected Outcome	Timeline for implementation
Planning			
Conduct a national infrastructure condition audit to align and bolster the credibility of U-AMPs	DBE, PEDs	Reliable baseline for long-term planning	Immediate (existing obligation)
Institutionalise a medium-term infrastructure pipeline linking project prioritisation with demographic forecasts	DBE, PEDs	Reduced mismatch between demand growth and delivery	Within 1 year (existing obligation)
Strengthen internal technical capacity by reviewing HR capacitation strategies and ring-fencing funding for critical posts	NT, DBE, DPISA, PEDs	Reduced outsourcing dependence; improved planning quality	Within 1 year (existing obligation)
Standardise the use of, and integrate the EFMS and IRM systems	DBE, PEDs, NT	Improved data integrity and monitoring consistency	Immediate (existing commitment)
Improve cost estimation and feasibility studies to reduce overruns and reprioritisation	PEDs, IAs	Fewer cost escalations and abandoned projects	Immediate (existing commitment)
Involve school communities and Steering Committees at planning stages	PEDs, IAs	Strengthened functioning of steering communities; increased community buy-in	Immediate (existing commitment)
Performance Management			
Fill vacant funded posts, on time	NT, PTs, PEDs	Well-resourced PEDs = improved performance of various functions	Immediate (within eight months of becoming vacant, in line with Regulation 65 (7) of the Public Service Regulations, 2016)
Make the EFMS public as an Infrastructure Performance Dashboard integrating financial and physical progress data	DBE, NT	Real-time tracking; improved oversight capacity	Immediate (existing commitment)
Enforce timeous risk management	PEDs	Reduction of occurrence of adverse events; efficient resolution of adverse events	Immediate (quarterly updates of risk register)
Build internal monitoring and evaluation skills rather than outsourcing reporting functions	PEDs, DBE	Institutional learning and ownership of performance data	Immediate
Ensure audit and reporting findings feed directly into annual infrastructure improvement plans	DBE, PEDs	Systematic response to red flags; avoidance of repeated failures	Immediate (existing obligation)
Strengthen End of Year Reports to include credible information and meaningful recommendations for corrective action	PEDs		Immediate

Recommended Actions	Responsible Actors	Expected Outcome	Timeline for implementation
Consequence Management			
Clarify accountability in IA service-level agreements , including sanctions for non-performance or cost inflation	DBE, PEDs, IAs	Reduced impunity; enforceable performance obligations	Immediate (existing obligation)
Blacklist non-performing contractors	DBE, PEDs, IAs, NT	Reduced impunity	Immediate (existing obligation)
Greylist contractors suspected of non-performance	DBE, PEDs, IAs, NT	Systematic response to red flags; culture of accountability and good performance	Within 1 year
Empower internal control committees to recommend sanctions against IAs and employees for failing to perform	PEDs	Stronger deterrent and culture of accountability	Immediate
Provide whistleblower protection and anonymous, external reporting channels for PED, IA staff, and the public	DBE	Safer disclosure environment (helps mitigate the risk of retaliation) and early corruption detection	Immediate, and then in conjunction with strengthened whistleblower legislation (passing of the Whistleblower Protection Amendment Bill)
Build a Culture of Accountability and Ethics	All accountability actors	Efficient delivery of quality school infrastructure where there is value for money	Immediate

Ethics Declaration



Ethics Declaration

Equal Education is committed to conducting research in accordance with ethical principles and the Protection of Personal Information Act (POPIA). Participation in this research was entirely voluntary, and participants were fully informed of their rights prior to providing consent. All participants had the right to withdraw from the research at any stage without penalty, and selected stakeholders were presented with an opportunity to review the final draft before publication. The research team obtained written consent from all participants, and, where participants were under 18 years of age, consent was additionally secured from their parents or guardians.

To protect the privacy and dignity of participants, all identifying information has been anonymised in this report. For purposes of uniformity, this includes those participants who granted explicit permission for disclosure. Audio and written records were securely stored and will be destroyed three years after the publication of this report. The consent process clearly outlined participants' rights to know what information was being collected, how it would be used, who would have access to it, and how corrections or withdrawals could be requested.

The ethical protocols implemented in this project sought to create a safe and respectful research environment, particularly recognising the environment of fear and institutional non-engagement that can characterise discussions around public procurement and infrastructure delivery. Equal Education's research team took care to mitigate risks of harm or exposure to participants and ensured that all information gathered was handled responsibly and confidentially.

Equal Education's research, data collection, and dissemination activities are guided by the organisation's broader commitment to participatory, ethical, and justice-oriented approaches that amplify the voices of learners and communities.

One of the authors (Mahfouz Raffee) used a Large Language Model to assist with copy-editing some sections of this report.

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Annexure



Annexure: Regression results from Budget Analysis section

Pooled OLS estimate

```

Linear regression
Number of obs      =          72
F(1, 70)           =          3.75
Prob > F           =          0.0567
R-squared          =          0.0480
Root MSE          =          377.21
  
```

deviation_sq	Coef.	Robust Std. Err.	t	P> t	[95% Conf. Interval]	
planningscore	-6.052388	3.123849	-1.94	0.057	-12.28271	.1779331
_cons	637.2039	251.6015	2.53	0.014	135.4005	1139.007

Fixed Effects Regression

```

Fixed-effects (within) regression
Group variable: province_id
Number of obs      =          72
Number of groups   =           9
  
```

```

R-sq:
  within = 0.0135
  between = 0.5153
  overall = 0.0480
Obs per group:
  min = 8
  avg = 8.0
  max = 8
  
```

```

corr(u_i, Xb) = 0.3182
F(1, 8)       =          3.28
Prob > F      =          0.1078
  
```

(Std. Err. adjusted for 9 clusters in province_id)

deviation_sq	Coef.	Robust Std. Err.	t	P> t	[95% Conf. Interval]	
planningscore	-4.007049	2.213222	-1.81	0.108	-9.110749	1.09665
_cons	492.0133	157.108	3.13	0.014	129.7215	854.3051
sigma_u	94.052933					
sigma_e	390.43842					
rho	.05484567	(fraction of variance due to u_i)				

Two regression models were estimated using STATA to examine the relationship between provincial planning scores and budget execution accuracy, measured as squared deviations from initial budget allocations. The pooled OLS model (n=72, excluding years 2020/21 and 2023/24 with mid-year budget shocks) reveals a non-significant negative association between planning scores and squared deviations ($=-6.05$, $p=0.057$, $R^2=4.8\%$). This suggests that, at a general level, higher planning scores correlate with smaller deviations from their original budget allocations.

However, a fixed-effects specification that controls for time-invariant provincial characteristics shows a weaker and non-significant relationship ($=-4.01$, $p=0.108$). Notably, the between-province R^2 (51.5%) substantially exceeds the within-province R^2 (1.4%).

This pattern suggests that planning scores and spending accuracy both reflect underlying institutional capacity rather than having a direct causal relationship. Well-governed provinces consistently perform better on both dimensions, while struggling provinces face challenges in both planning and execution. The findings indicate that improving short-term planning scores alone may not directly translate to improved budget execution, and that deeper institutional reforms may be necessary to enhance both planning quality and fiscal performance.

More data and other explanatory variables will be useful to improve our understanding of the relationship between planning and performance in school infrastructure delivery.

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It was written by Sam Beynon (Equal Education Senior Researcher) and Mahfouz Raffee (Equal Education Head of Research).

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Limpopo

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Mmatshipi Senior Secondary
Botsikana Secondary School

KwaZulu Natal

Ndlelanhle Secondary School
Mathukulula Secondary School
Mgazi Full Service School

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The Department of Basic Education
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The Gauteng Education Department
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The South African Human Rights Commission (SAHRC)
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For any media inquiries, please contact:

Mahfouz Raffee

Head of Research Department
mahfouz@equaleducation.org.za

Sam Beynon

Senior Researcher
sam@equaleducation.org.za

Ayanda Sishi-Wigzell

Head of Communications
ayanda@equaleducation.org.za

Sesethu August

Communications Officer
sesethu@equaleducation.org.za



This report has been drafted and published by Equal Education (EE). EE is a youth-led mass democratic movement of learners, post-school youth, parents, teachers and community members who use mobilisation and public action, supported by careful research, to empower young activists and ensure equality in South African education.



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in Equal Education

Postal Address:

PO Box 40114
Elonwabeni
7791

Telephone: 021 361 0127

Email: info@equaleducation.org.za

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