REALISING EVERY CHILD’S
RIGHT TO NUTRITION

An analysis of the National School
Nutrition Programme in the Eastern Cape
AN ANALYSIS OF THE NATIONAL SCHOOL NUTRITION PROGRAMME IN THE EASTERN CAPE

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List of Acronyms and Translations

Amasi ______ Sour milk
JSS ______ Junior Secondary School
NSNP ______ National School Nutrition Programme
PAIA ______ Promotion of Access to Information Act 2000
Spaza shops ______ Informal convenience shops
SPS ______ Senior Primary School
SSS ______ Senior Secondary School
Umngqusho ______ Samp and beans
Vetkoek ______ Fried bread
Executive Summary

The National School Nutrition Programme (NSNP) is a vitally important government programme in South Africa that contributes significantly towards realising children’s constitutional rights to basic nutrition, access to sufficient food and basic education. In spite of the substantial benefits of the programme, gaps exist that must be filled in order for the South African government to meet its obligations for the full realisation of these fundamental human rights.

The NSNP is a nationally funded scheme which provides a daily meal to learners in South Africa’s poorest schools during the school term. The NSNP aims to provide nutritious food to enhance learning capacity, promote healthy lifestyles through nutrition education and support the development of food gardens in schools.

The NSNP has extremely positive implications for learners, and broader positive ramifications for communities. For example, it relieves the burden on poor households of a daytime meal for learners during school terms, incentivises children to come to school as they know they will receive food, improves learner alertness and activity in class, provides a source of regular income for food handlers and is a reliable source of food for vulnerable learners, including child-headed households.

There are two models for food procurement under the NSNP. The first is a centralised model, where the provincial departments receive the funding from National Treasury and procure the food for schools on their behalf. The second is the decentralised model, where the provincial departments transfer the funding straight to schools, who then procure the food (as well as fuel and other items) for the NSNP themselves. The decentralised model is used in the Eastern Cape, the focus of this report.

Through qualitative interviews at nine Eastern Cape public schools and with five suppliers, this report investigates the benefits of the decentralised procurement model of the NSNP in the Eastern Cape in terms of its impact on the quality and quantity of food received by learners. It looks at the challenges faced by schools in implementing the daily meal programme, including as a result of inadequate infrastructure for food storage, poor cooking facilities and late receipt of funding. The report also touches upon the broader community feedbacks of the decentralised model and considers the current extent of local procurement of food.

SUMMARY OF ISSUES

A number of common issues were observed to be experienced by schools. These include the following.

Schools are being unfairly denied funding for learners without identification documents

In every school visited, there were learners who do not possess identification documents, such as a passport or a South African identification card. These learners are not being included in school enrolment figures by the Eastern Cape Department of Education. As a result, schools are not receiving their full funding entitlements under the NSNP, as well as other initiatives such as post provisioning and funding for text books. The misallocation of NSNP funding forces the schools to make difficult choices: either (1) provide less food for children, or (2) dip into other funding pots, such as for infrastructure, in order to adequately feed all children.

The other major implication of a lack of identification documents, as it relates to children’s rights to food and nutrition, is that households in need are not getting child support grants for those children. This includes child-headed households (see below). These households have little or no money with which to purchase food, or the inputs required to grow their own food. These children are completely unable to meet their basic nutritional requirements.

Child-headed households

The high prevalence of HIV/AIDS, and other social and economic factors, has resulted in a high number of child-headed households in the areas we visited. Where these children do not have other family members to live with, they rely entirely on the NSNP for their daily food. Weekends and holidays pose a particularly serious problem for these learners, as they commonly go hungry and struggle to survive.
School meal is the only stable source of food
In addition to child-headed households, a number of other children rely solely on the school meal. These include children whose primary caregivers do not have enough money or resources to feed households.

Right to water violations
Almost every school and parent interviewed identified issues in accessing water. Commonly, people in the areas visited rely on rainwater tanks. These frequently run out and parents are forced to fetch untreated water from local rivers, while schools must buy water, but with no extra financial assistance.

No NSNP budget for essentials such as water
There seems to be a strict ring-fencing of NSNP funding, which is reserved for food and a limited amount of fuel only. This fails to recognise that cooking relies on other essentials, such as water. Schools expressed concerns that the funding is not enough to cover utensils, even though these items are provided for by the Conditional Grant Framework. Schools have to pull from other budgets to source these necessities in order to ensure the NSNP is able to be implemented.

Inadequate infrastructure for food storage, cooking and dining
Food handlers are commonly required to cook in tin shacks or in the open air – exposing themselves and the food they are preparing to the elements. If a school does not have a dining hall, learners eat in classrooms. This can be disruptive for teachers. Food theft was cited as a problem in all schools.

Teachers assist out of their own pockets
In all schools, already-overburdened teachers are reaching into their own pockets out of compassion to assist particularly needy learners who do not have regular access to food.

Security needed for school food gardens
A number of schools revealed problems of community theft of school garden produce. Other issues relating to food gardens include a lack of support for tending the school garden and inadequate agricultural knowledge. Often this has resulted in schools desisting from using the gardens for produce or nutrition education.

Learner interest in greater involvement in maintaining school food gardens
Learners at every school expressed an interest in learning more from school food gardens.

Informal snack sellers are performing important functions, but not with the right food
At most schools, informal traders (normally local women) sell snacks to learners. On the one hand, these women are fulfilling an important function by selling snacks to learners on the school grounds, thereby ensuring child safety. There are, however, some nutritional concerns regarding what they sell. While some are selling more nutritionally valuable snacks such as vetkoek [fried bread] and fish, others sell chips and sweets— which are all high in salt and sugar, and low in nutritional value. There is no other food available for learners to buy during their breaks, contrary to learners’ rights to food and nutrition.

Corruption remains a concern of the NSNP
Both a literature review and interviews with schools revealed that corruption, nepotism and bribery remain concerns at all levels of the NSNP. Accountability is key to the fair functioning of the programme.

Greater administrative training and support for staff needed
In those schools that are struggling with the increased administration under the decentralised model, greater training and knowledge support for staff would go a long way to easing the added work burden.

Inconsistent communication
Some schools understand they have flexibility with the menu and so adapt, whereas others feel they must stick strictly to the menu even though they are experiencing problems with staying in budget.
RECOMMENDATIONS

In this context, the Legal Resources Centre supports the following suggestions made by schools:

- The Department of Basic Education must ensure that the right amount of budget is available for learners at a school – irrespective of whether the learners have an identification document or not.
- The Department of Basic Education must transfer funds to schools on time.
- Funding for a daily breakfast should be added to the NSNP.
- Annual funding for equipment, gas and firewood, water and all other necessities for cooking should be added to the NSNP.
- Meal servers’ pay should be increased from R1 000 to a higher amount. If breakfast is reintroduced or the meals extended beyond school days, the food handlers would need to be paid more to reflect the extra work.
- The Department of Basic Education should provide personal visits and assistance with auditing the NSNP budget to all schools.
- The Department of Basic Education should provide school-specific support for schools struggling with their food gardens.
- The Department of Basic Education should ensure adequate funding for fruit.
- Schools require more training for staff on administering the NSNP.
- New, safe kitchens with adequate storage and security for all schools that require them should be provided.
- Indoor, safe dining areas for each school should be provided.
- Funding should be provided for security to prevent theft of food and school property damage.
- Adequate uniforms, including foot attire, should be provided for food handlers.
- The Department of Basic Education should consider serving meals after school and during weekends or school holidays for identified underprivileged learners, especially child-headed households.
- The Department of Basic Education should encourage the inclusion of learner assistance in food gardens in school curriculums.
- Actual food prices should be reflected in an increase per-learner funding.
- The Department of Basic Education should allow for school-specific menu adaptations, such as a reduction in samp and beans from two days to one.
- Schools would like to increase portion size allocations, especially for older learners.
- The Department of Basic Education should consider knowledge retention by increasing food handler contracts to two years and overlapping start dates to allow for 50% retention the next year.
- The Department of Basic Education should compensate school staff for the extra work involved in coordinating the NSNP.
- Interdepartmental cooperation should improve local infrastructure, such as roads, so that all schools are accessible for food deliveries and other supplies.
- The Department of Basic Education should ensure Grade R is included as part of the NSNP funding.

The Legal Resources Centre adds the following suggestions for policy makers and officials involved in the implementation of the NSNP in the Eastern Cape:

- Maintain the decentralised procurement model in Eastern Cape, but fine tune its implementation by way of the specific suggestions set out above.
- Include all learners, irrespective of whether they possess identification documents, in budget allocations including, but not limited to, the NSNP.

The Legal Resources Centre recommends further research on the implementation of the NSNP, including of the Eastern Cape, but also extending the study to other provinces.
Introduction

Food and nutrition insecurity remain extremely prevalent in both urban and rural settings in South Africa. The most recent health and nutritional status survey revealed that 26.0% of South Africa households are food insecure, while 28.3% are at risk of hunger. Hunger is divided along racial lines: the African racial group had the highest rate of food insecurity (30.3%), with the coloured population being the second highest (13.1%). By comparison, only 1.3% of the white population is food insecure. According to this survey, the Eastern Cape is the most food insecure province of nine, measuring food insecurity at 36.2%. South Africa is also suffering multiple burdens of malnutrition – that is, a combination of undernutrition, and overweight and obesity. Child stunting rates sit at 25% and overweight and obesity are rife in adolescent and adult populations, especially among girls and women.

Numerous studies have shown that food accessibility is a major problem in South Africa. This is certainly the experience of many learners, who may only receive the school meal – and no other food – on school days. Many such learners are without reliable food during holidays and on weekends.

These horrifying figures exist in spite of strong legal protection of the rights to food and nutrition in South Africa. The South African Constitution enshrines the right of every child to basic nutrition. Beyond the specific nutritional rights of children, the Constitution further enshrines the right of everyone to access sufficient food.

Therefore, the National School Nutrition Programme (NSNP) is a vitally important government programme in South Africa. Adequate food and nutrition are essential for learners to realise other fundamental rights, such as their right to education. As the South African Human Rights Commission has acknowledged, "hunger and malnutrition impair the learning abilities of children and may force them to drop out of school and work instead, limiting and undermining their enjoyment of their right to education."

School feeding schemes have great potential to contribute to the achievement of both children’s nutritional rights and the broader food rights of others, if they are implemented efficiently. The benefit to children’s nutrition is patent, as carefully designed menus can deliver a reliable source of protein, starch, vitamins and minerals to children.

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2 Ibid, 145
3 Ibid, 146
7 (Constitution of the Republic of South Africa, 1996), Sec. 28
28 Children
(1) Every child has the right
(c) to basic nutrition, shelter, basic health care services and social services;
8 (Constitution of the Republic of South Africa, 1996), Sec. 28
2) Health care, food, water and social security
(2) Everyone has the right to have access to
b) sufficient food and water, …
A less obvious, but also important potential benefits of such schemes, are the local economic feedbacks that careful procurement of food supplies can encourage. As the former special rapporteur on the right to food, Olivier De Schutter, observed in his report on women’s rights and the right to food:

School-feeding programmes can also have important multiplier effects on the local economy. ... Ideally, under these programmes, priority should be given to disadvantaged persons when hiring, and living wages should be paid to the women employed through them. The local procurement of foods, and local processing, provides market opportunities for local food producers and service providers. In this regard, the Right to Food Guidelines recommends that States “consider the benefits of local procurement for food assistance that could integrate the nutritional needs of those affected by food insecurity and the commercial interests of local producers” [Brazil] requires that the national school feeding programme (PNAE), benefiting 49 million children, source 30 per cent of its food from family farms. Linkages with public works programmes could also be encouraged, in which poor, unemployed women could be paid to cook meals in schools.

De Schutter explored these concepts further in another report called, “The Power of Procurement: Public Purchasing in the Service of Realizing the Right to Food.” He observed that, “the promotion of the right to adequate food in schools through public procurement also improves the realization of the right to education.”10 While this report focuses on the decentralised model (see further for an explanation of decentralised versus centralised models), and so is technically outside the realm of public procurement, the same principles can be applied when considering where schools are buying their food from. The information should also be borne in mind, if this study is extended to looking at the centralised model of procurement in one of the provinces that implements the NSNP through that model.

As is discussed in this report, the current implementation of the NSNP in the Eastern Cape is seeing many extremely positive impacts for the rights to food and nutrition in the Eastern Cape, but there is also room for improvement.

Food and nutrition are intrinsically linked. The World Health Organization defines “nutrition” as “the intake of food, considered in relation to the body’s dietary needs.”11 It goes on to explain that “good nutrition” is, “an adequate, well balanced diet combined with regular physical activity” and, “a cornerstone of good health” and that “[p]oor nutrition can lead to reduced immunity, increased susceptibility to disease, impaired physical and mental development, and reduced productivity.”12

While the right to food encompasses more than the food simply being nutritious, and nutrition encompasses more than the intake of adequate food, each is essential to the other. The WHO definition shows that adequate food – with reference to diet – is an essential and primary component of nutrition. Similarly, the right to food is only realised if the food is adequate, meeting “dietary needs” through nutritious food.13 The connection is worth belabouring in the South African context as adequacy, along with accessibility, is a particularly concerning element of the right to food – as both are lacking in many homes.

Access to sufficient, safe, acceptable, physically accessible and affordable water is essential to realising the right to food. Water is necessary for food production and preparation, and for consumption.14 A number of international documents recognise the interdependence of these two rights.15

12 World Health Organization: Nutrition
15 See, for example, ibid. paras. 6, 7. “The right to water is also inextricably related to ... the [right] to ... adequate food.” Article 24, paragraph 2, of the Convention on the Rights of the Child requires States parties to combat disease and malnutrition “through the provision of adequate nutritious foods and clean drinking water.”
The right to water is enshrined in the South African Constitution, with the government constitutionally obliged to take reasonable measures to achieve the realisation of this right. To be reasonable, the measures must account for those whose needs are most urgent and whose ability to enjoy the right is most in peril. The government’s minimum core obligation is to ensure people have access to 25 litres of potable water per day. To fulfil this obligation, South Africa established the Water Services Authority to ensure efficient sustainable access to water. Yet, as this report discusses, schools and communities continue to face problems with access to reliable safe water. This has detrimental impacts on school meals, often rendering the meals impossible to serve and inhibiting the realisation of the learners’ rights to food and nutrition.

The National School Nutrition Programme

The NSNP is a nationally funded scheme whose purpose is to, “provide nutritious meals to targeted learners.” The NSNP is coordinated by the national Department of Basic Education (DBE) in cooperation with the provincial education departments and is funded through a Conditional Grant. The NSNP has three objectives that extend beyond the simple provision of meals to learners. The objectives are to:

1. Provide daily nutritious meals to enhance learning capacity;
2. Promote healthy lifestyles through nutrition education; and
3. Support the development of food gardens in school.

The NSNP was first created by the 1994 White Paper on Reconstruction and Development as a Presidential Project under the Department of Health. When first rolled out, the NSNP was only directed at primary schools. In April 2004, it was transferred from Health to the DBE, where it has been developed further through a number of, “implementation policies, guidelines and strategic directives” intended for the, “implementation and monitoring of the program at national, provincial and district level”. In its current form, the NSNP extends to primary schools and secondary school learners in disadvantaged communities.

Funding and Departmental Responsibilities

The Conditional Grant Framework is a policy document that is updated annually to reflect the agreement between the Department of Basic Education and the National Treasury. It sets out, among other things, the goal, purpose, outcomes, outputs, conditions, allocation criteria, payment schedule and departmental responsibilities associated with the NSNP.

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17 Gov’t of Republic of South Africa and Others v Grootboom, 2001 (1) SA 46.
20 Conditional Framework, 2013/14 National School Nutrition Programme Grant.
25 The Best of the National School Nutrition Programme.
27 The Best of the National School Nutrition Programme.
The 2016/17 Conditional Grant Framework sets out the following conditions:

- Spending must be in line with national and provincial business plans
- The budget allocation must be distributed in terms of the following weightings for both secondary and primary schools:
  - school feeding (inclusive cooking used utensils): minimum of 96 per cent
  - administration: maximum of 3.5 per cent
  - nutrition education in de-worming: minimum of 0.5 per cent
- Minimum feeding requirements:
  - provides nutritious meals to all learners in the quintile 1–3 primary and secondary schools (as per gazetted national quintiles) as well as identified special schools on all school days
  - annual meal costs per learner will increase at a minimum of four per cent in all benefiting primary schools and two per cent of all benefiting secondary schools, far-flung farm and rural schools that are receiving funds directly should be allocated a higher meal cost to cover higher transport costs
  - pay an honorarium of a minimum of R1 000 per person per month, in line with food handler to learner ratio of 1:200. A ratio of 1:120 is recommended for schools where learner enrolment is 250 or fewer
  - comply with recommended food specifications and approved menu consisting of meals containing starch, proteins and fresh vegetable/fruit
  - fresh fruit or vegetables should be served daily and vary between green and yellow/red vegetables/fruit
  - a variety of protein rich foods should be served per week in line with the approved menu options. Raw sugar beans should be packed separately from samp, not mixed in one packet
  - pilchards should be served at least once a week. High-quality protein products can replace pilchards in areas where these are not socially acceptable
  - Ultra High Temperature (UHT) pasteurised milk or maas should be served once a week. Milk should be approved in line with dairy standards set by Milk South Africa
  - provinces should promote sustainable food production and nutrition education
- Provinces that are transferring funds for meals to schools (Eastern Cape, Free State, Limpopo, Northern Cape, and North West) are required to reconcile expenditure by schools against budget transfers on a quarterly basis
- The 11 May 2016 budget transfer (as per payment schedule) is for cooking facilities, equipment and utensils as per equipment specifications provided by the Department of Basic Education (DBE)
- Provincial business plans will be approved in line with the above minimum requirements and available resources. The following variations may be approved by the transferring officer based on achievements and/or critical challenges in each province:
  - feeding days reduced to a minimum of 196 days
  - feeding cost below the above stated minimum requirements, provided the quality of meals is not compromised
  - number of learners that exceed the gazetted quintiles
  - serving of processed vegetables or fruit in remote areas
  - targeting of learners in quintile 4 and quintile 5 schools
  - quintile 1-3 schools that do not feed all learners (Gauteng, KwaZulu-Natal and Western Cape). Letters from schools requesting deviation from whole school feeding must be provided to the provincial office and kept on record

The responsibilities are divided in the Conditional Grant Framework between the national and provincial departments. The national Department of Basic Education’s requirements include:

- Developing approved national business plans and submitting them to National Treasury;
- Approving and submitting provincial business plans to National Treasury;
- Managing, monitoring and supporting programme implementation in the provinces; and
- Consolidating quarterly reports and submitting them to National Treasury.

The responsibilities of provincial education departments include:

- Developing business plans and submitting them to the Department of Basic Education;
• Monitoring and providing support to districts and schools; and
• For those provinces that transfer funds to schools (decentralised procurement – see below), reconciling expenditure by schools against budget transfers on a quarterly basis.

The responsibilities of school districts include:
• Monitoring and supporting schools;
• Submitting monthly and quarterly reports (narrative and expenditure) to the provincial department; and
• Coordinating all NSNP activities in the district.

The Conditional Grant funding is transferred to provinces according to the Division of Revenue Act. For 2016, a total of R6 006 012 000 was allocated nationally.

Excerpt from Division of Revenue Act, 3 of 2016

Annual reports on the NSNP provide background to the NSNP, brief information on the implementation of the programme in each of the provinces, and highlights of some of the achievements and challenges. At the time of writing this report, the most recent annual report that has been published is for 2013-2014.

Quintile Rankings of Schools

South African schools are ranked in “quintiles” which range from 1 (the poorest) to 5 (the least poor). This ranking is based on available resources and socio-economic level of the local community. Schools in quintiles 1-3 do not require payment of fees. It is these quintile 1 to 3 schools, as well as selected special schools for learners with disabilities, which are the recipients of NSNP funding. Up until 2009, meals were only served to quintile 1-3 primary schools. In 2009, this was extended to include quintile 1-3 secondary schools, a change that was implemented between 2010 and 2012.
Menus, Food Handlers and Vegetable Gardens

Menus are developed by provincial governments and distributed to schools annually. The following image shows, by way of an example, the 2016/17 menu for Lutholi Junior Secondary School:

<table>
<thead>
<tr>
<th>DAYS</th>
<th>FOOD GROUP</th>
<th>PRODUCT</th>
<th>RAW QUANTITY TO PREPARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td>Protein</td>
<td>Chicken with bones. OR 32 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chicken livers / gizzards 25 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starch</td>
<td>Maize meal (pap) 32 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veg / fruit</td>
<td>Red / yellow vegetable in season 50 kg</td>
<td></td>
</tr>
<tr>
<td>Tue</td>
<td>Protein</td>
<td>Pilchards If 400g 63 tins</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If 425g 59 tins</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starch</td>
<td>Samp, OR 25 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice 22 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veg / fruit</td>
<td>Green vegetable in season 50 kg</td>
<td></td>
</tr>
<tr>
<td>Wed</td>
<td>Protein</td>
<td>Sour/fresh milk 126 litres</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starch</td>
<td>Maize meal (mphokoqo) 32 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veg / fruit</td>
<td>Fruit in season 630 fruit</td>
<td></td>
</tr>
<tr>
<td>Thu</td>
<td>Protein</td>
<td>Sugar beans 22 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starch</td>
<td>Samp 25 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veg / fruit</td>
<td>Green vegetable in season 50 kg</td>
<td></td>
</tr>
<tr>
<td>Fri</td>
<td>Protein</td>
<td>Pilchards If 400g 63 tins</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>If 425g 59 tins</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starch</td>
<td>Sweet potato, OR 32 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice, OR 22 kg</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Brown Bread 63 Loaves</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veg / fruit</td>
<td>Red / yellow vegetable in season</td>
<td></td>
</tr>
</tbody>
</table>

- Schools are allowed to shift entire meals (menu options) to days that are convenient for them, without repeating that same meal somewhere else in the week.
- Use NSNP compliant soya (check packaging: must contain minimum of 24g of protein per 100g and/or "soya" / "TVP" must be the first item on the ingredient list).
Each school is permitted to employ food handlers at a ratio of 1:200 learners. The food handlers receive a monthly stipend of R1 000.

The third objective of the NSNP is to support the development of food gardens in schools. This objective supports the nutrition education objective, as learners learn from hands-on farming experience. In spite of encouragement by the DBE for school use of funding from growing and maintaining their own vegetable gardens, it is not always feasible and, as a result, not all schools have such gardens, in spite of clear educational benefits and learner demand.\(^{35}\)

Centralised versus Decentralised Procurement

There are two models for food procurement under the NSNP. The first is a centralised model, where the provincial departments receive the funding from National Treasury and procure the food for schools directly themselves. This occurs in KwaZulu-Natal, Western Cape, Mpumalanga and Gauteng.

The second is the decentralised model, where the provincial departments transfer the funding straight to schools, who then procure the food (and fuel and other items) themselves. The decentralised procurement model is used in the Eastern Cape, Free State, Limpopo, Northern Cape and North West provinces.

The NSNP in the Eastern Cape was previously implemented under the centralised model. In January 2011, the province changed to the decentralised procurement model.\(^{36}\)

SCHOOL INTERVIEWS

Methodology

The information providing the basis for this report is a set of quantitative surveys of a limited number of principals, teachers, learners, parents and food handlers in a limited number of schools in the Eastern Cape.

This report is to be read with an acute understanding of the limitations of this type of qualitative analysis, particularly of a relatively small survey group. The research involved the following specific challenges:

- Surveys were conducted by four different interviewers who may ask or describe questions differently and experience different interactions with different people.
- There is a limited sample number due to time and resource constraints.
- The questions are qualitative rather than quantitative by nature.
- The questionnaires were gradually adapted and improved as time progressed, with earlier surveys not necessarily as complete.
- Interviews with learners were sometimes conducted in a ratio of one learner to one interviewer, but sometimes in a group of two or three learners, depending on their preference. This posed problems of learners sometimes altering answers as the questioning proceeded depending on perceived reactions of peers. One reason for inconsistencies in answers might include shame associated with being very poor and increased self-consciousness of learners (particularly males) of an early teenage age.
- Many of the learners were very young, talking to unfamiliar adults and so answers may sometimes have been naturally curtailed.
- The schools interviewed were in a similar area and so it is not necessarily representative of experiences of other areas in the Eastern Cape.

If information is not included for a certain school, such as innovations, it does not necessarily mean that it does not exist – it could simply be that the information was not captured due to methodological gaps.

In spite of these methodological drawbacks, the stories contained in this report remain a genuine, albeit narrow, snapshot of lived experiences of implementing the NSNP in resource-poor schools and areas of the Eastern Cape.


Interview Schedule

Interviews were conducted over the course of November and December 2016, during the fourth term of the school year, by four Legal Resources Centre legal researchers: Tom Burgess, Samantha Brener, Tawana Nharingo and Anna Bulman.

The following schools were visited:
- Bensile Junior Secondary School
- Ntaphane Junior Secondary School
- Gxulu Junior Secondary School
- Lutholi Junior Secondary School
- Nyangilizwe Senior Secondary School
- Maganise Junior Secondary School
- Ludeke Senior Primary School
- Tungwini Junior Secondary School
- Mahahane Junior Secondary School

Nine schools in total were visited and interviewed. While no schools classified as “rural and far flung” in the National Business Plans (obtained through PAIA, see below) were interviewed, Ludeke, Tungweni and Mahahane were interviewed as examples of remote schools that are difficult to access. The following table captures the basic interview data of the schools.

In addition to teachers, principals, food handlers, parents and learners, surveys were also conducted with Mthatha-based suppliers to gauge the sources of various food products in that area:
- Sparg’s Wholesaler, Umtata
- Individual Supplier 1
- Northend Butchery
- Jimmy’s Spar
- Kai Market
## Realising Every Child's Right to Nutrition

### School District Quintile

<table>
<thead>
<tr>
<th>School</th>
<th>District</th>
<th>Quintile Rank</th>
<th>Learners (TOTAL) (2016/17)</th>
<th>Learners W/O ID</th>
<th>No. Food Handlers</th>
<th>NSNP Supplier/s</th>
<th>Feeding Time</th>
<th>School Food Garden</th>
<th>Teachers, Principal, Staff</th>
<th>Learners</th>
<th>Food Handlers</th>
<th>Parents</th>
<th>Total Int’d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bensile JSS</td>
<td>Libode</td>
<td>3</td>
<td>661</td>
<td>27</td>
<td>4</td>
<td>Spargs Wholesalers, Mthatha</td>
<td>-</td>
<td>Y</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Ntapane JSS</td>
<td>Libode</td>
<td>3</td>
<td>897</td>
<td>~32</td>
<td>5</td>
<td>Jimmy's Spar</td>
<td>10:00</td>
<td>Y</td>
<td>1</td>
<td>3</td>
<td>5</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Gxulu JSS</td>
<td>Libode</td>
<td>3</td>
<td>822</td>
<td>23</td>
<td>-</td>
<td>Spargs Wholesale – in Sudalent St</td>
<td>-</td>
<td>N</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>Lutholi JSS</td>
<td>Libode</td>
<td>3</td>
<td>630</td>
<td>12</td>
<td>4</td>
<td>Jimmy's Super Spar; Fruit – Kei Fresh Produce; Crittledales (dairy)</td>
<td>11:45</td>
<td>N</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>Nyangilizwe SSS</td>
<td>Libode</td>
<td>3</td>
<td>975</td>
<td>&lt;38</td>
<td>5</td>
<td>Nordcrest Spar (grains); Mr Nochogobe (fruit and veg)</td>
<td>11:30</td>
<td>N</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Maganise</td>
<td>Libode</td>
<td>3</td>
<td>459 (NB: 491 on NSNP budget)</td>
<td>20-24</td>
<td>3</td>
<td>Spargs Wholesale, Mthatha</td>
<td>8:00</td>
<td>Y</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>Ludeke</td>
<td>-</td>
<td>1</td>
<td>159</td>
<td>10</td>
<td>2</td>
<td>Libode Spar, and veg supplemented by their SFG and local farmers</td>
<td>-</td>
<td>Y</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Tungweni</td>
<td>Libode</td>
<td>1</td>
<td>429</td>
<td>&lt;25</td>
<td>3</td>
<td>Jimmy spar and Spargs Wholesale as well as local Spazas–Mayeza Spaza (veg and amasi–delivers), and Bonde Spaza (gas)</td>
<td>Y</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Mahahane</td>
<td>-</td>
<td>1</td>
<td>200</td>
<td>20</td>
<td>-</td>
<td>Libode Spar</td>
<td>-</td>
<td>Y</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>5</td>
</tr>
</tbody>
</table>

**Total Interviewed:** 73

*“Int’d” = interviewed*

*Tables showing a dash indicate missing information*
General NSNP-related documents received from schools during interview visits included:

- The 2016/2017 NSNP feeding schedule (calendar).
- A blank compliance form.
- A blank food handlers’ contract.
- A blank registration form for the 2016/2017 financial year.
- Information slides from the national Department of Basic Education on the NSNP, including school committees and the sliding scale of food handlers to student ratio.
- The NSNP File Index showing reporting time frames relating to the NSNSP.

Overview of Data

This section provides an overview of some of the basic information obtained from interviews.

Principal, teachers and administrative staff on whether decentralised is preferred model

Decentralised Preferred (Teachers / Administrative Staff)

- YES 7
- NO 1

Teachers, learners and food handlers on whether portions sizes are big enough

Portion sizes

Benefits of the NSNP for learners according to interviewees

- Relieves burden on poor households of meals during school terms
- Incentivises children to come to school as they know will get a meal
- Improves learner sharpness and activity in class
- Helps community: for example, food handler stipend
- Helps learners concentrate
- Reliable source of food for low-income learners, including child-headed households
- Relieve pressure of learners asking peers for food
Learners without Identification Documents

Many schools reported that the provincial Department of Education does not recognise learners without identification documents for the purposes of budget allocation under the NSNP (and other school budgets such as post provisioning). Schools are receiving less money than they are entitled to, but are still feeding these learners. In all cases this affects all learners and schools to some degree, whether because the schools have to reduce the overall portion sizes, or take funds from other areas of budget such as infrastructure.

In each of the schools, similar reasons are given for the lack of identification documents. For example:

- The parents themselves have no identification document;
- The grandparents are primary caregivers, with the paternal line of unmarried parents unable to prove familial connection;
- The parents are deceased or unable to be found; or
- The Department of Home Affairs refuses to assist to register a birth without hospital forms, in spite of the hospital not having such forms.

At the time of going to print the LRC had instituted legal action against the Department on behalf of the Centre for Child Law and others to challenge the Eastern Cape Department of Education’s decision not to fund learners without birth certificates and passports/permits. This is an ongoing matter.
School Profiles

Schools within 20 km of Mthatha

Maganise Junior Secondary School

Maganise JSS is located in Coranlay, Nyandeni Rural, about 6 km from Mthatha. Maganise is ranked as a Quintile 3 school. Maganise records a total of 491 learners on its 2016/2017 NSNP budget and menu. There are around 20–24 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Maganise has three food handlers to cater for the learners. The food handlers feed the learners at 8:00 am each day.

Maganise was the pilot school for cooked meals when the cooked meals programme first started in 2008. Prior to hot meals, bread, jam and juice had been served.
Maganise submits monthly food orders for non-perishables such as mealies and rice to Sparg’s Wholesale in Mthatha. The school orders perishables on a weekly basis, submitting orders on Monday and receiving delivery of the food late on Tuesday. This is timed so that amasi is served fresh on Wednesday. The nutrition committee checks what is delivered. The school keeps a log book to check what food is taken from the store room. This is frequently balanced and reconciled.

Meals are prepared in an old room that functions as a kitchen, which is a few hundred metres from where the food is stored at reception. Food handlers carry the food from the storage room down to the kitchen. There is no dining facility and so meal servers take the prepared meals to each class on a trolley, going back and forth, visiting each classroom until all learners have been fed.

Problems with the NSNP

- The allocated R2.95 per day for each learner is not enough to cover breakfast too. The school also needs to use this money to keep replacing stolen equipment, so it is impossible for the entire R2.95 to be spent entirely on the learner’s food.
- The room that the food handlers cook in is very old, with holes in the walls.
- Maganise has experienced theft from the kitchen area. They cannot install cameras and an alarm because the building is not well built. The school used to employ security guards, day and night, but ran out of money to pay for them and so no longer has this support.
- The kitchen is not in a good location. The food handlers experience difficulties as they have to take food back and forth from the storage room for cooking, and then have to transport the food around to classrooms for serving. It is hard work. If they were to leave food in the kitchen, however, it would be stolen. For this reason, food is stored at reception.
- The school needs a generator for when there are electricity blackouts.
- Fruit is a problem. If the school buys fruit weekly, the funds are exhausted by the end of term. As a result, the school does not serve fruit, but would like more money to resume serving fruit.
- On the whole, the NSNP needs better support, monitoring and supervision. Maganise staff considers the school fortunate, in that the district department of education officials visit the school – a practice that may not happen at other schools in the area. However, monthly reports to the provincial departments yield no in-person visits or responses.
- The Department of Education frequently deposits money very late. When this happens, the school writes to the learners telling them to bring their own lunch, but some have no food to bring. The only way schools can help them in that situation is if learners come to teachers directly and the teacher supports them in their own personal capacity. This situation occurs most often when school is due to re-open after the holidays.
- People from the community stole the hose pipe they used for watering the garden.
- Maganise staff are trying their best to help learners without identification documents to obtain that documentation; however, they are experiencing unresolvable challenges, such as the Department of Home Affairs refusing to assist without hospital forms, in spite of the hospital not having such forms. For example, one mother of a learner was born in 1986 and does not possess an identification document herself. The school has been promised visits by social workers, but they have failed to arrive.
- Maganise and its learners have the support of a Learner Support Agent. He has been reporting problems – such as the inadequate kitchen, prevalence of drugs and need for a drug tester – monthly to the Department of Education but has not received any follow up. He has been told to go to non-governmental organisations to ask for their assistance or go to other departments on issues such as identification documents. Yet, as described above, the Department of Home Affairs will not assist to provide identification documents for learners if certain documents are missing.
- Substance abuse is a very serious problem in the Maganise community. Many learners resort to drugs, as they do not have anything to do or to eat. The school sees substance abuse from as young as 13 years of age (grade 4) – most commonly dagga (marijuana), but also tik (crystal methamphetamine).
Hunger and Substance Abuse

Maganise JSS lies within a community that has a serious problem with substance abuse. Given the ready availability of drugs and the prevalence of extreme poverty, the school sees a strong correlation between learners going hungry, especially in the holidays, and turning to substance abuse.

People sell drugs such as dagga and tik, and alcoholism is common. The community is unable to prevent the sale of drugs and police reports fall on deaf ears as police are allegedly afraid to intervene.

Learners in child-headed households, or with parents who are alcoholics or drug addicts, must learn to look after themselves. Due to the close proximity of the area to Mthatha town, the learners are able to walk into town to collect plastic bags for recycling. This generates a small income that they use to purchase drugs.

The school observes learner substance abuse, and the associated problems, drop significantly when learners are in school, with regular food, a routine and support. The problems are exacerbated during the holidays, where learners are without support, structure and sufficient food.

- While 8:00 am is a good time to serve hot meals because it functions as a breakfast, by 3:00 pm learners are hungry as many have nothing to eat for rest of the day.
- The holidays present another set of serious problems as children do not have access to food, structures and support.

- Direct procurement from local food producers is impossible as no one in the area produces food.
- There are limited family gardens, as they encounter difficulties in maintaining the gardens. For example, the school’s vegetable garden is currently unused as they are struggling to find someone with adequate agricultural knowledge to tend the garden since the previous gardener sadly passed away. Due to a general unwillingness by teachers to use the garden as a teaching tool, few learners participate and it often falls to the already-overburdened principal to look after the garden.
- Weather has a big impact on the food garden and water availability. If the weather is dry, the water can run out and so the school must rely on the dam. Sometimes they go one or two months without water.
Innovations by the school

- Maganise is careful to save money by buying food products when they are on sale. The school can return food that is bad, whereas previously (under the centralised model) there was exposure to food poisoning as food that was rotting was delivered to the school and they had no way of returning the food to the supplier.

- In December, the school – by way of a School Governing Board and parents annual general meeting at end of the year – checks what food is left over and divides the food between orphans and vulnerable learners.

- Previously, the school frequently experienced problems with theft of the food. Since 2010, the school has had a storage facility at the main reception, instead of the insecure kitchen room. Since then, incidences of theft have been stopped entirely.

- The school makes soup for children who are sick and are able to budget for this because there is control over food purchases.

- The SGB has been able to make practical changes to the menu. For example, the learners reported not enjoying samp and beans twice per week, so they replaced one of the samp and beans with rice. They also now serve more pap.

- The staff at Maganise try to save on gas by cooking with firewood, which is cheaper.

Decentralised Procurement Model

Maganise prefers the decentralised procurement model. Pre-2013, under the central procurement system, the school experienced problems with food quality, and had incidences of food poisoning. Service providers would bring low quality food to the school. Suppliers did not deliver according to specifications; for example, vegetables would not be delivered for the whole month. Perishables were often rotten upon delivery and the school could not send them back. There was also inconsistency in delivery times, with deliveries sometimes being a whole month late. Suppliers would seek bribes and try to backdate the proof of delivery slip. The school’s principal had to be careful not to sign these fraudulent forms. Conflicts also occurred between schools and service providers. Nepotism was a concern for the school as reports to provincial authorities went unheeded. They had to call in the national Department of Basic Education to deal with the problems. The district only came to investigate once the principal had gone straight to the national Department of Basic Education for help. Since they have been allowed to buy their own food, it has been of consistently good quality.

The Learner Support Agent agreed that it is better when the school receives money rather than food under the NSNP because the school can decide where to buy the food. He could see problems if it were re-centralised as the government does not see the learners, understand their situations, or know how to tailor menus and meals to suit their needs. The decentralised model works because the principal knows how to make the most of what they are given to suit the children’s needs. This was reaffirmed by the NSNP coordinator who explained that the food is good quality because the school buys meat fresh and amasi the day before it is served.

Suggested improvements to the NSNP

- Add breakfast to the menu.
- DBE to provide extra funding to move main meal to 12:00.
- Additional annual funding for equipment and fuel. For example, the government is funding two gas tanks per month, but the school uses four.
- Increase food handlers’ pay, for example, to R1500 per month.
- Visits and assistance in auditing the nutrition budget from national and provincial departments.
- Add a vegetable and a whole chicken to menu, rather than stew with small pieces of chicken.
- Improve the vegetable garden to be able to add a second vegetable to the daily menu.
- A food handler wished that the children should get fruit when they receive amasi.
• Timeous transferral of funds by the Department of Basic Education.
• More training for staff on handling NSNP matters.
• A new, safe kitchen with shelves and adequate security. The current kitchen is too small and the gas is dangerous (they recently had a small explosion). An electric stove would be better.
• Funding for security and a fence to prevent theft and property damage.
• Boots for the food handlers who work in the kitchen.
• One learner suggested eating twice a day at school and receiving meat once a week.
• Another learner suggested that those children without enough food could get some breakfast and then eat lunch before school is over.
• Serve a meal after school as well – try to combat substance abuse.
• Learners suggested that children help maintain the garden.
• Increase the NSNP budget of R2.95 per learner to reflect actual food price increases.

Food Price Increases

Food prices increased dramatically in 2016. Statistics SA describes that, “South African consumers paid an average of 9.8% more for the basket in March 2016 than they did in March 2015.” The following image from Statistics SA depicts the breakdown of price increases per grocery basket item:

Another food price estimator, the Pietermaritzburg Agency for Community Social Action, provided an estimation that, “Year-on-year (y/y) the PACSA food basket increased by R292.19 (17.7%) from R1 648.10 in November 2015 to R1 940.29 in November 2016.”

These figures are important to bear in mind when considering the allocation per learner for the NSNP. It is essential that the current price of food is used to calculate the budget.
Gxulu Junior Secondary School

Gxulu JSS is located in Nabeleni, Nyandeni Rural, about 11 km from Mthatha. Gxulu is ranked as a Quintile 3 school. Gxulu records a total of 822 learners on its 2016/2017 NSNP budget and menu. There were 23 learners as of December 2016 who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Gxulu has five food handlers to cater for the learners.

Gxulu buys its food on a weekly basis. On Sundays they submit a list for the week ahead to Sparg’s Wholesale. On Monday, the food is delivered. The school chooses to submit a weekly list as they do not want the food to stay at the school too long and spoil, as there are inadequate facilities for safe storage. Further, they have had problems with burglaries and rats in the past.

The food is served to students by the food handlers, who bring 25L containers to each class, depending on size of the classes. The amount is roughly 40 learners per 25L container. The children eat in their classrooms as there is no dining area or proper kitchen. The food handlers prepare the food in a tin shack and out in the sun, as described below.

Problems with the NSNP

Surveys revealed the following problems experienced at Gxulu in relation to the implementation of the NSNP:

**Teachers / Administrative Staff**

- The NSNP meal is not enough for both breakfast and lunch for the learners. Some learners come from homes without any food. They get fed at 10:00 am but, for a child without food at home, 10:00 am is too long to wait in the morning. They go hungry in the afternoon and some come in the morning with an empty stomach and so can’t concentrate from 8:00-10:00 am.

- The school food garden is not utilised because of problems experienced with theft. If the school grows food, people steal it. They tried last year to grow vegetables but failed.

- Inadequate infrastructure poses substantial problems. The school has experienced two burglaries, including theft of the food. In particular, the school lacks an appropriate storage room and a proper kitchen. The existing storage area houses all of the school’s books (its “library”), sports equipment, text books and food. The meals are cooked in a makeshift tin shack. The schools have been reporting these infrastructure problems to the Department of Basic Education, but they say there is nothing they can do.

- The food handlers have to work in difficult conditions because of the lack of proper kitchen and storage facilities.
They have to work in the hot sun or cold rain while they feed 800 learners and wash the dishes.

- Water shortages are a very serious problem encountered by Gxulu. The school relies on water tanks. If they run out, then the school is forced to buy water, with no additional assistance from the Department of Education.
- The Department of Education was depositing money based on last year’s learner numbers, in spite of the significant increase in learners from 2015 to 2016. For example, in 2016 there were 900 learners, but the school only received money for around 700 learners.
- Late payment of funds from the Department of Education.
- Shortage of NSNP funds transfer from Department, purportedly due to the failure to pay for learners without identification documents. When the school submitted identification documents, they still did not receive the adequate amount.

Gxulu’s experience with the lack of identification documents

There were 55 learners without identification documents at the start of 2016. The funds that were transferred were not adequate to reflect the actual number of learners. The principal had to ask the suppliers to grant food on credit, which they were fortunately allowed to do. After the money from the DBE was deposited into their bank account, the school paid the supplier back.

The Department said that the deficiency in the NSNP funding was caused by the lack of identification documents. In the end, the school only received R20 000 extra assistance, which was inadequate to cover the shortfall.

- Shortages of food as all children receive the meals, even when the full amount of the funding is not received.
- The school often struggles to feed learners up until the end of term. They commonly do not have food on the last days of school due to funding shortages. The school avoids this situation by buying food on credit from a supplier (Sparg’s Wholesale) – sometimes up to 2-3 weeks’ worth.
- The menu is excessively rigid and not appropriately designed. For example, the school is not supposed to deviate from the menu but the learners do not like to eat umngqusho (samp and beans) twice a week. The reasons given for the learners’ distaste were that it was not a cultural practice and the dish is not good for the stomach to eat too frequently.
- The portion sizes are technically adequate, but in practice, they are not receiving enough money (see above) and, as a result, the portions are smaller, as the school is unable to buy enough.

Food Handlers

The shack where they cook (the “kitchen”) leaks when it rains.

The wind is cold and there is no insulation in the kitchen shack; they sometimes get sick from cooking in the cold, especially in winter. Conversely, it is extremely hot in summer and sometimes they get dizzy. The heat is amplified as they cook with gas stoves and fire, and the sun is very strong.

Transferring the food from storage to the kitchen and then as a cooked meal to the students is hard work. The women carry the food on their heads in 25L containers.

Parent

- Poverty impacts on families’ ability to grow food for learners at subsistence level at home. There is a lot of land, but it is difficult to fence. Garden plots are reduced in size in order to be able to protect the area from goats.
- Access to water is a very serious problem for families too. One parent described how she wakes up very early to collect water from the river while it is still fresh and not yet disturbed by the animals. Once the animals arrive, the water is dirty and no longer good for drinking. She has to queue for a long time at the river and so gets up between 4:00 and 5:00 am to collect water each day.
Innovations by the school

- Gxulu School sometimes alters the menu by swapping days. For example, they sometimes make samp and beans on Tuesday or Wednesday rather than Monday because the food order only arrives on Monday morning at around 10:00 am and there is not enough time to make samp and beans.
- There is an advantage to using the same supplier for buying food on credit in times where the Department of Basic Education does not deposit funds on time. While this is an innovative adaptation to a negative reality, this should not have to be the school’s innovation; they should rather receive full funding on time.

Decentralised Procurement Model

The strong impression from Gxulu was that the decentralised model is preferable to the centralised model. The quality of the food is far better when it is bought by the school as compared to when it was supplied by the government under the earlier centralised model. Whereas now the schools go to the supermarket and order what they want, previously, when it was centralised, the government gave out tenders (outsourced procurement) and the suppliers were delivering third grade food to the schools. Now the quality is much better as the school is able to source first grade food.

In terms of local procurement direct from producers, it was explained that no one in the immediate area grows enough food to sell it to the school. Even if they did, there were concerns over price hiking and nepotism. Gxulu is adamant that it wants to retain the ability of choice and control over its implementation of the NSNP.

Suggested improvements to the NSNP

- Fund a security guard to protect school property, including the garden so that the school could have a food garden again.
- Ensure that the right amount of money for all the learners at school is budgeted by the Department of Basic Education, irrespective of whether they have an identification document or not, and that it is transferred on time.
- Reduce servings of samp and beans, and the reduction of fish to once per week (instead of twice per week) – cultural reasons were cited, and mince and chicken were suggested as protein alternatives.
- Include mielie-meal porridge or cornflakes for breakfast for learners.
- The food handlers emphasised the need for a food garden to provide vegetables and made suggestions for improving water infrastructure.
Lutholi Junior Secondary School

Lutholi JSS is located in Sibangweni, Nyandeni Rural, about 13 km from Mthatha. Lutholi is ranked as a Quintile 3 school. Lutholi records a total of 630 learners on its 2016/2017 NSNP budget and menu. There were 12 learners in 2016 who did not have identification documents and so were not counted in official school enrolment tallies for funding purposes. Lutholi has four food handlers to cater for the learners. The food handlers feed the learners at 11:45 am each day.

Lutholi procures its food for the NSNP through a handful of suppliers. The school sources staples and meat from Jimmy’s Super Spar, fruit from Kei Fresh Produce (a market at Vulindlela Heights) and dairy (amasi) from Crittedales Dairy, which is delivered on the day of consumption.

Problems with the NSNP

Surveys revealed the following problems experienced at Lutholi in relation to the implementation of the NSNP.

Teachers and Administrative Staff

- Lutholi has experienced multiple burglaries and has a desperate need for an adequate storage facility; however, they lack the funding to build one.
- Lutholi had previously served breakfast under the NSNP but the Department removed breakfast from the scheme without adequate consultation. This has had a negative impact, especially on learners from very poor families who come to school without breakfast and then find it hard to focus. Lutholi would prefer to see breakfast reinstated, and can see room to include it in the existing funding model, but highlighted the problem that strict guidelines from the district office prohibit them from doing this, and without a breakfast menu, they are not permitted to provide breakfast.
- The Department of Basic Education is strict with how money from the NSNP is to be used, even if an improvement relates directly to the smooth functioning of the NSNP.
  - For example, the school receives messages from government that they should provide fresh produce, but they have no money allocated to plough the garden or buy inputs for garden – even though this could be managed under the NSNP funding received.
- A further example of this can be seen in relation to a kitchen and dining facility that the school had built in spite of resistance by government. Ironically, the Department now claims credit for the building as a success of the NSNP, even though the school had to dip into building funds because of the strict ring-fencing of NSNP funding.
- The school is not even allowed to use NSNP funds to buy water when they run out, even though water is an essential element for cooking and cleaning up.

- Lutholi has experienced delays in transfer of the funds to the school by the Department of Education.
- Lutholi has experienced shortages of funds from the Department of Basic Education. The amount of funding is fine if it comes in accordance with the budget. However, the school is short-changed every quarter, which leads to difficulties.
- School holidays present a problem for learners as many do not receive adequate nutrition without the school meal supplementing their diets. When school reopens, often children are not feeling well, which was speculated may be due to a lack of food during the holidays.
- Sometimes the school goes without water for days. The school depends on the municipality for water and, if that fails, the school must buy water itself.
- The school had to stop buying fruit due to a lack of budget due to the identification documents issue. After weighing up the options, the school decided to use the money they had to buy more staples to accommodate those learners without documentation.
- The school was apparently promised breakfast at an earlier stage but this never eventuated, even though some other schools serve breakfast.

Food Handlers
- The kitchen was broken into in April 2016. Break-ins happen every year. As a result, they may not be able to cook for the children for the rest of the month.
- A number of menu changes were suggested by the food handlers, including:
  - Increase the amount of meat in the menu – chicken (not chicken livers) was suggested.
  - Some learners don’t eat sour milk and so they do not eat at all when it is served.

Learners
- There are many child-headed households at the school who rely entirely on the NSNP for their nutrition.

Child-headed households
Child-headed households are shockingly common in the Eastern Cape. In many instances, parents have passed away from illnesses such as HIV/AIDS and relatives are either not around or have left to work in other provinces.

One story told by a learner at Lutholi Junior Secondary School was of a learner in Grade 8 who cares for her little sister who is in Grade 4. Both parents have passed away. The children have no social grant and so no household income. Occasionally, their grandmother visits them, but they cannot stay with her due to family problems.

The girls stay with their brother who is a drug addict, and who threatens to kick them out. He earns money, but uses the money for drugs. They have no identification documents, no support grant and no stable family, let alone sufficient food to fully realise their most fundamental right to food and nutrition.

- In relation to cooking food at home, one learner explained that they cannot cook every day as sometimes there is no water for cooking. This happens around one or two days per week.
• Learners expressed a desire for a functioning school food garden from which they could learn about food production and nutrition.
• Samp and beans sometimes makes the learners a bit tired.

Innovations by the school
• Official NSNP rations stipulate one spoon of rice, one spoon of cabbage, and one spoon of protein, but that is not enough for older learners. As such, Lutholi increases rations for older learners, where they can, by buying in bulk.
• Some children at the school are orphans, so the school gives them surplus food for supper, where possible.

Decentralised Procurement Model
Staff at Lutholi like being able to independently procure food under the decentralised model. The Lutholi clerk, Percyval Nyaba, explained that when he first started at the school in 2009, the NSNP was centralised. Problems experienced under the centralised procurement model included irregularity of food delivery (sometimes it would not come at all) and low quality of foodstuffs, as well as spoiled food. Now, the quality of the food has increased greatly.

Another benefit of the decentralised model has been ensuring payments to the food handlers. Before the system changed, the food handlers were sometimes not paid for some months. Now the school controls the money and pays by cheque every 25th day of the month.

Overall, it is much more convenient for Lutholi when implementation of the NSNP is controlled by the school. Decentralised procurement is much more efficient for both the Department of Basic Education and the schools. If funds are managed carefully, and if sufficient flexibility is given to schools to recognise practical problems faced in implementing the NSNP, surplus funds can be used to support the programme, such as has been done at Lutholi with their kitchen and dining hall.

Suggested improvements to the NSNP
• The Department of Basic Education needs to improve the accuracy of its figures and marry budget amounts with the amounts deposited.
• Breakfast should be brought back; for orphaned children in particular. If breakfast is reintroduced, the food handlers would need to be paid more to reflect the extra work.
• Bigger portions should be allocated for the older learners. The portion size is enough for Grade R, but not the older learners.
• Increase the meat protein allocation in the menus – and preferably buy fresh over frozen. Include beef, if there is enough money.
• The food handlers develop a good rapport with the children over the year. They know the ones who are poor and know to make sure they are eating. If they don’t see the children at school, they know to ask after them. The children are used to them and trust them. This knowledge is lost when a new team of food handlers start at the beginning of the year.
• It was suggested to consider either making some food handlers permanent, or make the contracts two years long with overlapping start dates of one year for half of the food handlers, so that this knowledge can be passed on.
• Increase funding (or pay proper amount) so that more fruit can be supplied.
• One learner suggested adding more vegetables, such as peppers, and increasing portion sizes.
Ntapane Junior Secondary School

Ntapane JSS is located in Lalini, Nyandeni Rural, about 8 km from Mthatha. Ntapane is ranked as a Quintile 3 school. Ntapane records a total of 897 learners on its 2015/2016 NSNP budget and menu. There are approximately 32 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Ntapane has five food handlers to cater for the learners. The food handlers feed the learners at 10:00 am each day. Food is ordered on a monthly basis from Jimmy’s Spar in Mthatha.

Problems with the NSNP

- Ntapane has experienced some challenges serving meals in accordance with the Department’s menu. For example, samp is not appropriate to eat early in the morning. In this respect, there is a conflict between what the teachers are teaching in Life Orientation regarding good nutrition and what is being served in the NSNP.
- The school lacks adequate food storage facilities. They used to leave food in the kitchen but it was stolen. Now they keep food in the principal’s office because it has an alarm.
- The Department of Basic Education requires learners to be given food in class while teaching takes place. This disturbs the teaching process. It would be better if the school had a specific dining hall and designated time for eating so that classes were not disrupted.

Suggested improvements to the NSNP

- Particularly vulnerable learners should also receive meals during the holidays as they need food but there’s no feeding scheme during holidays.
- Learners should receive breakfast early in the morning, and get a meal later in the day.
• The food handlers are only getting stipends, but they do so much work. They should get more money.
• Teachers should be compensated for the extra work involved in coordinating the NSNP, or receive extra support.
• It would help with theft to have an alarm installed in the kitchen.
• The school needs a dining hall and a designated time for eating to minimise class disruptions.

Nyangelizwe Senior Secondary School

Nyangelizwe SSS is located in Ikwezi, Mthatha. Nyangelizwe is ranked as a Quintile 3 school. Nyangelizwe records a total of 975 learners on its 2016/2017 NSNP budget and menu. There are around 38 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Nyangelizwe has five food handlers to cater for the learners. The food handlers feed the learners at 11:30 am each day.

Nyangelizwe sources its NSNP food from a variety of suppliers and producers. Non-perishables such as grains are bought at Nordcrest Spar, while fruit and vegetables are bought from an independent supplier. Fruit and vegetables are ordered and delivered on a weekly basis. Non-perishables are bought on an as-needs basis. Meat is delivered every Monday.

Problems with the NSNP
• The school used to use service providers, but these service providers had obtained a copy of the schools’ budget and so inflated prices to what the budget could absorb.
• Nyangelizwe commonly receives funds from the Department of Education late and so has to dip into other funds to keep the NSNP running.
• There is no functioning school garden because the vegetables were frequently stolen.
• Learners expressed a wish for a functioning school food garden, because the vegetables would be fresh, available, reliable and cheaper.

Teacher Generosity

If a learner tells a teacher that they do not have food, teachers often give them money or food from their own pockets. This is common in all of the schools visited. The care that teachers show for the learners is truly admirable. The teachers should not, however, be put in this position by the government.

Innovations by the school

• Most learners at Nyangelizwe are from underprivileged homes. The NSNP budget does not allow the school to serve breakfast to everyone, so the coordinator encourages those in particular need to come forward and make themselves known to the teachers. They then serve those most needy learners and the grade 12 learners (who start at 6:30 am) a modest breakfast of Morvite (an instant porridge) prior to school assembly. However, the school feels it could do better.

“This school food programme is helping the people who cannot afford to buy food.”

Learner at Nyangelizwe

The tin shack kitchen at Nyangelizwe
Decentralised Procurement Model

If the Eastern Cape government were to recentralise the NSNP (as discussed below), it would depend on the honesty of the service providers, for example, to bring correct quantities, not changing expiry dates, not bringing old food and not inflating prices.

Suggested improvements to the NSNP

- Increase food handler salaries.
- Build a dining area with a kitchen.
- It would be good if the Department of Basic Education catered for child-headed households in partnership with the Department of Social Development.
- There should be breakfast and lunch for all the learners, not just those who come early in the morning, and not just Morvite.
- Funding should be made available for a security guard to protect school property, including the school vegetable garden.
- Transferral of funds by the Department of Basic Education on time or even earlier.

Bensile Junior Secondary School

Bensile JSS is located in Ngolo, Nyandeni Rural, about 8 km from Mthatha. Bensile is ranked as a Quintile 3 school. Bensile records a total of 661 learners on its 2016/2017 NSNP budget and menu. There were 27 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Bensile has four food handlers to cater for the learners. The food handlers feed the learners between 8:00 am and 11:00 am each day. They start feeding the youngest learners at around 8:00 am and continue serving the meal until 11:00 am. This means that some students are in class and learning while others are being served.

Bensile obtains monthly quotations for food from Spargs Wholesale in Mthatha. The principal signs the cheque for shop purchases and the food handlers go to the shops and purchase the food. The food is stored in the room next to the kitchen. Vegetables, fruit and amasi are delivered on a weekly basis – the amasi is delivered the day before it is served.

Problems with the NSNP

Teachers / Administrative Staff

- The school is not receiving the correct funding for the NSNP; it is not receiving money for those learners without identification documents.
- The mandated pre-10:00am timing of the meal presents practical difficulties. The schedule is difficult for the food handlers to meet and it causes problems for teachers, who are busy trying to finish up lessons while learners are distracted by food.
- Hygiene is an issue as the “kitchen” (a shack structure) is not up to standards. The kitchen that the school does have was built by the school governing body and the school itself, not by the Department of Education.
- There were some concerns regarding the quality of the sour milk that is served.
- One interviewee considered that the quality of the food procured is not always good, for example, the school receives old chicken meat or spoiled fruit and vegetables.
• A problem relating to food availability was also highlighted, as sometimes the food they require for their menu is simply not available; for example, certain kinds of prescribed vegetables.
• The menu is restrictive and does not allow for room to change the food served on a particular day.

Food Handlers
• The shoes worn by the food handlers are old and inadequate, but they cannot afford to buy new ones themselves.
• When it rains they are exposed to the elements as they cook outside.
• They have not received new uniforms.

Learners
• Sometimes learners miss out on food as they are in class writing and when they go to get food, it is already gone. Without the school meal, they cannot concentrate in class as, for many, it is their only meal.
• It is difficult for those learners without food at home to do homework, especially if they do not receive a school meal on a given day.
• Sometimes learners are still hungry even after the school meal. One learner estimated that they would need three times the amount of food received to feel full.
• Sometimes there is not enough water at school. The tanks run out when it does not rain and so there is no water to drink. They rely on rain water.
Decentralised Procurement Model

Concern was expressed by the NSNP Coordinator about the administrative burden imposed on teachers and staff of the Bensile School under the decentralised procurement model. The Coordinator expressed a preference for the government sending the school the food (a centralised model) as it takes a lot of energy to coordinate and buy the food. Some teachers are not interested in doing this work and it can take away from teaching time.

In relation to local procurement, it was observed that a problem they had encountered was that local service providers tend to inflate the food prices, especially for delivery. For that reason, Bensile sources its food directly from the shops themselves.

Suggested improvements to the NSNP

The only suggested improvement discussed at Bensile was new uniforms for the food handlers.
Schools further than 20 km from Mthatha

Ludeke SPS, Tungweni JSS and Mahahane SPS are all very far away from Mthatha and difficult to access. While not technically listed in the 2016/17 NSNP Business Plan as “far-flung or rural,” each school is around 1.5–2 hours’ drive away from Mthatha on terrible, ungraded roads. These schools were interviewed for the purposes of understanding how the NSNP functions in such remote schools, which are very difficult to get to.

Ludeke Senior Primary School

Ludeke SPS is located 95 km from Mthatha, which is the nearest large town. Ludeke does not get cell phone service, which makes communication challenging. Ludeke is ranked a Quintile 1 school and records a total of 159 learners. There were 10 learners, as of December 2016, who did not have identification documents and so were not counted in official school enrolment tallies for funding purposes. Ludeke has two food handlers to cater for the learners. The school sources its food for the NSNP from Libode Spar. The vegetables are supplemented by their food garden and local farmers.
Problems with the NSNP

- The money the school receives for the NSNP is not sufficient. By the time the school pays the food handlers, buying their uniforms, and buying ancillary expenses for cooking such as firewood and gas (with a combined cost of R850/month), they are not left with enough money. This is compounded by late payment of NSNP funding. At the time of the research, the school had not yet received money for the third term, so they had dipped into money allocated for other expenses.

- It is common for the money from the Department of Education not to arrive on time. For example, two weeks pass after school opens and the money has still not been paid into the school’s bank account.

- Sometimes, when it rains, food is not delivered because the roads are so bad.

- In relation to the school food garden, one challenge was that the soil, where the garden used to be, had a lot of rocks, which damaged the vegetables. They moved the garden recently but will have to see how hot the sun gets, as the heat of the sun may damage the vegetables in the new site.

Suggested improvements to the NSNP

- Food portion sizes should be increased.

- Improve local infrastructure, such as roads.
Tungweni Junior Secondary School

Tungweni JSS is located in Emnyameni, Nyandeni Rural, about 65 km from Mthatha. Tungweni is ranked as a Quintile 1 school. There are approximately 25 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. Tungweni has three food handlers to cater for the learners. The school sources its NSNP food from Jimmy’s Spar and Sparq’s Wholesale in Mthatha, as well as local Spaza shops, in particular, for vegetables and omegbi, which they deliver, as well as gas.

Problems with the NSNP

- The Department of Basic Education does not include Grade R is on the budget.
- Sometimes the learners do not return the utensils.
- The school has requested a kitchen. The Department sent some people to do a survey for a kitchen but there has been no follow up.
- A grandmother, and primary carer of a learner, who was interviewed explained that she frequently runs out of money before month end and the family goes hungry for the remaining days of the month.
- Water is also a big issue for learners’ families. This same grandmother is forced to rely on rainwater to fill her water tank, but that is an unreliable water source. When it does not rain, she must take a long walk to the river to collect water.
Innovations by the school

One learner explained that the food handlers know that umngqusho (samp and beans) hurts his stomach so they make rice especially for him when umngqusho is served.

Decentralised Procurement Model

According to the Principal, the centralised NSNP model was a disaster. Food often arrived late and was stale. While the decentralised model is a heavy burden on schools, they have managed it and attendance has increased, as students know they will receive food.

Suggested improvements to the NSNP

- Grade R should be included as part of the NSNP for budgeting purposes.
- The school needs a new kitchen.

Mahahane Senior Primary School

Mahahane SPS is located in Malalane, Nyandeni Rural, about 92 km from Mthatha. Mahahane is ranked as a Quintile 1 school. Mahahane records a total of 200 learners. There are approximately 20 learners, as of December 2016, who do not have identification documents and so are not counted in official school enrolment tallies for funding purposes. The school sources its NSNP food from Libode Spar.
Problems with the NSNP

- The children eat the main meal at 9:00am. One teacher wishes they could eat porridge in the morning as they arrive before 07:30am.
- The portion sizes are too small.
- One parent described frequently running out of money and, consequently, the family regularly goes hungry.
- A parent described that the fence around the home food garden is incomplete and pigs break in and eat the vegetables in the garden.
- This family also relies on rainwater for filling the water tank. When the rain does not come, she must walk for two hours to collect water from the river. The water from the river is sometimes dirty.

Decentralised Procurement Model

One teacher expressed the view that the decentralised model is good because it is cheaper and ensures freshness.

Suggested improvements to the NSNP

- Learners should receive porridge in the morning.
- Increase portion sizes.
Supplier Interviews

A handful of NSNP suppliers and stores in the Mthatha area were interviewed to gauge how the decentralised model benefits them and to ascertain where the food they supply is sourced. The interviewees included:

- Sparg’s Wholesale, Mthatha
- Jimmy’s Spar, Mthatha
- Kei Fresh Produce
- An individual supplier
- Northend Butchery (small, only four employees)

The information from these various stores and suppliers has been amalgamated in this section. Each answer does not necessarily reflect the views of all suppliers interviewed, but rather, is the view of a single supplier, unless qualified.

Procurement of food supplies

The following sources were listed for the stores and suppliers:

<table>
<thead>
<tr>
<th>Store / Supplier</th>
<th>Food Item</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sparg’s Wholesale</td>
<td>Fresh produce</td>
<td>Local small-scale farmers and market</td>
</tr>
<tr>
<td></td>
<td>Grains</td>
<td>Flour and mealie from SASCO &amp; Tiger Brands, local Mthatha bakery for bread</td>
</tr>
<tr>
<td></td>
<td>Meat</td>
<td>Konga farmers and Elliot area for beef and mutton</td>
</tr>
<tr>
<td></td>
<td>Dairy</td>
<td>East London</td>
</tr>
<tr>
<td>Jimmy’s Spar</td>
<td>Grains and flour</td>
<td>The head office in Durban, which has its own suppliers</td>
</tr>
<tr>
<td></td>
<td>Fruit and vegetables</td>
<td>Local farmers and the produce market</td>
</tr>
<tr>
<td></td>
<td>Meat</td>
<td>Strictly from slaughterhouses in East London because the meat has to be certified</td>
</tr>
<tr>
<td></td>
<td>Dairy</td>
<td>Straight from dairy providers like Cover and Honey Dew</td>
</tr>
<tr>
<td></td>
<td>Bakery</td>
<td>Flour is from mills in East London, and they use their own in-house products</td>
</tr>
<tr>
<td>Kei’s Fresh Produce</td>
<td>Fruit and vegetables</td>
<td>80% from outside Eastern Cape, for example, fruit from Kwazulu-Natal and the Western Cape; citrus from Port Elizabeth</td>
</tr>
<tr>
<td>Individual supplier</td>
<td>Vegetables</td>
<td>Farm outside his home and another farm further away from his home</td>
</tr>
<tr>
<td></td>
<td>Dairy</td>
<td>Own cows</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buys amasi</td>
</tr>
<tr>
<td>Northend Butchery</td>
<td>Chicken</td>
<td>Cold Storage – a distributor in Mthatha</td>
</tr>
<tr>
<td></td>
<td>Amasi</td>
<td>Roma – a distributor in Mthatha</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sometimes, when school runs out of money for other produce, they ask butcher to supply it. In those instances, they buy from local places like Metro and Siyanda.</td>
</tr>
</tbody>
</table>
Problems experienced by suppliers

- A significant issue relates to payments—there should be a better way of making payments. Currently schools pay with cheques which have a number of issues attached to them. The cheques often bounce; some teachers do not know how to write a cheque and make alterations to it or do not match the number written with the number represented by numerals.

- One supplier is only paid at month end. Sometimes that payment is late. When he is paid, he gets paid with cheques, which take 14 days to clear, leaving him without money to resupply. Payment on the day of delivery would be much better.

Innovations by suppliers and schools

- Relationships of trust with schools who can receive food on credit if there is delay in receiving funding transfers from government

- Free delivery

- The vegetables supplied straight from farms are very fresh

The Decentralised Procurement Model according to suppliers

Positives

Sparq’s Wholesale was very positive about the decentralised model. They explained that the centralised model poses problems because of protracted process that lead to delays in getting food to schools. For example, sometimes the government steps in for schools who are struggling to handle the administration. In those cases, it is common for late orders and payment.

An individual supplier noted that it does not make sense to get food from big companies. School feeding should help support small-scale producers.

Negatives

Jimmy’s Spar has experienced problems with payments under the decentralised model. Many schools (about 65 at one point in time) failed to make payments to Spar under their contracts and often pay with cheques that later bounce.

One supplier, who prefers to remain anonymous, has had to stop working for some schools because certain school officials sought a bribe from him to continue the tender. The supplier thinks an open, proper tender system is better in this respect. If it were recentralised, only small and medium enterprises should be registered in the Central Supply Database, and only small enterprises like his own would be eligible for tenders.

Suggested improvements by suppliers

- Do away with cheques as a method of payment. The schools should come with a bank card so, when payment is made, you know it was successful or not.

- One food provider suggested taking children on excursions to the farm, to see how farming works.

- Government should award tenders to small businesses, but accompany the award with some upstart capital because most people are unable to obtain loans necessary to start their business.

One food provider suggested taking children on excursions to the farm, to see how farming works: “We can teach them that farming is the Eastern Cape’s gold. In Gauteng, the gold is under ground. In the Eastern Cape, the gold is farming.”

Individual supplier
Departmental Information

Correspondence with relevant national and provincial departments was limited to:

- Emails to the National Department of Basic Education regarding the 2015/2016 Eastern Cape Annual Report, which had not yet been received or published online at the time of writing this report.37
- Applications for information – and associated correspondence – pursuant to the Promotion of Access to Information Act, 2000 (PAIA applications).

PAIA Requests: Requests for information that is held by government or private sector can be made through The Promotion of Access to Information Act, 2000. These are known as PAIA applications and, if the information is held by a public (government) department, they have to provide you with the information, as long as you followed the correct PAIA procedure. This does not mean that every PAIA request is successful.

PAIA Applications

In late September 2016, the Daily Dispatch published an article that insinuated a possible move by the Eastern Cape Office of the Premier to re-centralise the Eastern Cape’s NSNP model. This insinuation has since been dismissed as false. However, it is relevant to the purpose of this study to set out the course of activities that followed.

The Daily Dispatch article read as follows:38

30 Sep 2016
Daily Dispatch
By ZWANGA MUKHUTHU
Senior Reporter — zwangam@dispatch.co.za

New school feeding plan
Bhisho to involve small-scale farmers

PREMIER Phumulo Masualle’s government is racing against time to replace the provincial school nutrition model.

The programme is estimated to be worth more than R1-billion a year.

Instead of purchasing perishable goods such as vegetables, milk and meat from large retailers, Masualle’s government wants to share the contract among local farmers.

His spokesman Sizwe Kupelo said school nutrition and hospital food were procured from multiple traders at high prices.

“Now the province, working with the department of rural development and agrarian reform, will explore utilisation of land for food production.

“Here, small-scale farmers and cooperatives in the province will be encouraged to supply schools, community and daycare centres and hospitals with agricultural products such as vegetables, milk and meat.”

Kupelo said the state would also look at the “optimal” use of existing abattoirs.

He said this formed part of the local economic development procurement framework that Masualle announced during his 2016 state of the province address.

The provincial government spends more than R1-billion annually on school nutrition.

The province is also looking to centralise and localise the purchase of school stationery, office furniture, bottled water, protective clothing, cleaning material, fertiliser and media advertising.

Kupelo said it had been decided at a meeting on Wednesday that November 30 should be the deadline for the implementation of the plan.

Treasury was entrusted with the mammoth task, he added.

37 Being December 2016.
The school nutrition model has been a topic of discussion in internal ANC structures for 15 years.

Provincial ANC secretary Oscar Mabuyane last year told the Daily Dispatch a local group calling itself the Eastern Cape Small, Medium and Micro Enterprises (SMMES) Suppliers Forum had approached the party on how school nutrition could be managed while creating permanent jobs in the province.

“The ANC as a governing party is responsible for policy development and policy formulation. Our manifesto for any election is informed by what we are going to do if people vote us into power,” said Mabuyane. “The group [suppliers forum] held a view that the current school nutrition model does not help the governing party to achieve some of its goals set out in the manifesto.

“One of those is the issue of job creation.

“They put it nicely that in the current model, we don’t create a single job out of the billion rand that is pumped into the market or the economy of the province, while if we can look at different models that can still give the same kind of service to the people we can create up to 22 000 jobs.”

The secretary admitted the current model was not working, adding that teachers and school principals were kept busy managing the programme instead of managing schools.

“Instead of being in class teaching, teachers and principals spent most of their time queuing at retail shops buying food for feeding schemes.

“If you go and buy in these retail shops, they are not going to create extra jobs or increase salaries of its staff simply because there is a school that comes once a month and spends R20 000 on food.

“Our interest is that every cent and rand that government spends from the public fiscus must add value to that community by creating jobs,” Mabuyane said.

In response to this article, the Legal Resources Centre issued a number of PAIA applications to relevant departments. The following PAIA applications were issued to the national and Eastern Cape provincial departments:

Table: Departmental PAIA Requests

<table>
<thead>
<tr>
<th>Department</th>
<th>Documents Requested</th>
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</table>
| Eastern Cape Department of Education | Copy of decision to replace the Eastern Cape provincial National School Nutrition Programme (NSNP) model and details of who took the decision.  
Details of the new Eastern Cape NSNP model.  
Information on the implementation plan of the new Eastern Cape provincial NSNP model, including on how funding is to reach schools in 2017.  
Details of when the new Eastern Cape provisional NSNP model will be introduced.  
Copies of the request for proposals to tender for the provision of food for the new Eastern Cape provincial NSNP model.  
Minutes of meetings leading to decision to replace the Eastern Cape provincial NSNP model.  
All documents pertaining to the decision to change the Eastern Cape NSNP model, the new procurement model, and the implementation plan.  
Copies of reports generated in the scope of monitoring and providing support to districts and schools in the implementation of the National School Nutrition Programme. |
| National Department of Basic Education | Copy of decision to replace the Eastern Cape provincial National School Nutrition Programme (NSNP) model and details of who took the decision.  
Details of the new Eastern Cape NSNP model.  
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<tr>
<td></td>
<td>National Business Plans submitted to National Treasury pursuant to the Conditional Grant Framework.</td>
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<tr>
<td></td>
<td>Eastern Cape Provincial Business plans for 2014, 2015, 2016 and 2017 which have been approved and submitted to National Treasury.</td>
</tr>
<tr>
<td></td>
<td>Details of management, monitoring and support of the implementation of the Eastern Cape NSNP.</td>
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<td>Quarterly reports submitted to National Treasury.</td>
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<tr>
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<td>Details of when the new Eastern Cape provisional NSNP model will be introduced.</td>
</tr>
<tr>
<td></td>
<td>Copies of the request for proposals to tender for the provision of food for the new Eastern Cape provincial NSNP model.</td>
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<tr>
<td></td>
<td>Minutes of meetings leading to decision to replace the Eastern Cape provincial NSNP model.</td>
</tr>
<tr>
<td></td>
<td>All documents pertaining to the decision to change the Eastern Cape NSNP model, the new procurement model, and the implementation plan.</td>
</tr>
</tbody>
</table>
The following documents were received in response to the PAIA applications:

**Table: Departmental PAIA Responses**

<table>
<thead>
<tr>
<th>Department</th>
<th>Response / Documents Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Cape Department of Education</td>
<td>Email of Mr Edward Scheun on 25 October 2016 (set out below).</td>
</tr>
<tr>
<td>National Department of Basic Education</td>
<td>Letter explaining reliance on email of Mr Edward Scheun on 25 October 2016 (set out below).</td>
</tr>
<tr>
<td>Eastern Cape Office of the Premier</td>
<td>No direct response received to request – only indirect response to contact by Eastern Cape Department of Education per email of Mr Edward Scheun on 25 October 2016 (set out below).</td>
</tr>
<tr>
<td>Eastern Cape Provincial Treasury</td>
<td>No response received to request.</td>
</tr>
</tbody>
</table>

The following text was contained in the email of Mr Edward Scheun on 25 October 2016, referred to in the table above.

I received a response from Sizwe Kupelo, the Premiers spokesperson, who advised that the report that was issued differed slightly from what the Dispatch reported.

This is the media statement that he issued:

**Media statement**

The Eastern Cape Provincial Government has now finalized the “Local Economic Development Procurement Framework” which was announced by Premier Phumulo Masualle during the State of the province address earlier this year.

Government committed to provide off-take agreements to local manufactures or producers (including the emerging farmers) that would provide permanent job opportunities for the province.

This will ensure maximum retention of provincial fiscal spend in the province and protect productive capacity of existing industries and retain current jobs in light of the economic crisis and de-industrialization.

Provincial transversal contracts and off-take agreements have identified as some of the intervention strategies to achieve the set objectives. In implementing the strategies, the approach will be a mix “bag” of short, medium and long term focus.

The areas that are looked at being localized are printing paper and treasury negotiated with Government printing works to supply all provincial government departments with printing paper.

Bottled water is in the final stages of tender process.

Protective clothing is also in the final tender stages and this includes the guarding services clothing.

Procurement process of media advertising, cleaning materials and water will commence in the start of the new year.

This “off-take” agreement is contractually binding arrangement between a producer/service provider or buyer for the supply of a specific requirement wherein the producer becomes to be the sole supplier of the goods to the buyer for a specific period at agreed to rates, terms and conditions.

Other possible opportunities have been identified as

- Learner Teacher Support Material which constitutes textbooks, paper stationery and non - paper stationery
School nutrition and patient food - currently patient food and school nutrition is procured from multiple traders at higher prices. Now the province working with the department of rural development agrarian reform will explore utilization of the stable land for food production.

Here, small scale farmers and cooperatives in the province will be encouraged to supply, community and day care centres, hospitals and schools with agricultural products such as milk, meat and vegetables.

**Government will also look at optimal utilization of the existing abattoirs.**

The possibility of food hubs at various strategic points in the province could contribute significantly towards the new approach and these the regional economic development hubs and agri-parks.

Other areas are school and office furniture, mohair innovation Centre, infrastructure input materials and fertilizer.

The EXCO has approved this implementation programme and a steering committee led by provincial treasury will now be established. All departments will be represented according to each of the commodities identified in order to drive their mandates.

The task teams will amongst other things, develop a bankable business case which will include demand forecasts and detailed implementation plan.

The deadline to achieve this is end November 2016.

The media statement emanated from a submission by Provincial Treasury to EXCO on “off take” agreements, in terms of which a producer/service provider or buyer may supply specific goods to the buyer for a specific period at agreed to rates, terms and conditions.

However, there is no clear intention at this stage to commence with this project. A business case must be developed and consultations will be held with relevant stakeholders regarding the concept.

Eddie, I suggest that you prepare a response for the DIO, indicating that no decision was taken, and that before a decision is taken in future, all relevant stakeholders will be consulted.

The LRC then requested and received a copy of the Eastern Cape Provincial Government’s report “Local Economic Development Procurement Framework” from the Department of Education: Eastern Cape Province. The policy is directed broadly at goods and services which are manufactured and supplied by small, medium and micro enterprises and cooperatives from within the Eastern Cape. The only section that relates specifically to food is paragraph 6.5 - Use of Cooperatives. That section states:

### 6.5 Use of Cooperatives

Given the rural nature of the Province, Cooperatives are deemed to be the most viable vehicle to promote community participation in economic activities. This is particularly relevant within the Agricultural sector to sustain food security. Establishment of food hubs at various strategic points in the Province could contribute significantly towards local economic development, especially considering the potential developments of linking the food hubs to programmes such as school nutrition and patient food. The World Food Programme has successfully implemented the Food for Schools programme in other Sub-Saharan countries on the basis of this principle. Partnering with the World Food Programme will assist in making this initiative a success.

In order to ensure that the Cooperatives initiative is a success, it is incumbent upon DEDEAT to develop a robust cooperatives programme and driving such vigorously with the active participation of sector departments such as Rural Development and Agrarian Reform, Education and Health.

Procurement from Cooperatives will be depended on the Programme attaining maturity.
Recommendations

The Legal Resources Centre supports the following suggestions made by schools:

- The Department of Basic Education must ensure that the right amount of budget is available for learners at a school – irrespective of whether the learners have an identification document or not.
- The Department of Basic Education must transfer funds to schools on time.
- Funding for a daily breakfast should be added to the NSNP.
- Annual funding for equipment, gas and firewood, water and all other necessities for cooking should be added to the NSNP.
- Meal servers' pay should be increased from R1 000 to a higher amount. If breakfast is reintroduced or the meals extended beyond school days, the food handlers would need to be paid more to reflect the extra work.
- The Department of Basic Education should provide personal visits and assistance with auditing the NSNP budget to all schools.
- The Department of Basic Education should provide school-specific support for schools struggling with their food gardens.
- The Department of Basic Education should ensure adequate funding for fruit.
- Schools require more training for staff on administering the NSNP.
- New, safe kitchens with adequate storage and security for all schools that require them should be provided.
- Indoor, safe dining areas for each school should be provided.
- Funding should be provided for security to prevent theft of food and school property damage.
- Adequate uniforms, including foot attire, should be provided for food handlers.
- The Department of Basic Education should consider serving meals after school and during weekends or school holidays for identified underprivileged learners, especially child-headed households.
- The Department of Basic Education should encourage the inclusion of learner assistance in food gardens in school curriculums.
- Actual food prices should be reflected in an increase per-learner funding.
- The Department of Basic Education should allow for school-specific menu adaptations, such as a reduction in samp and beans from two days to one.
- Schools would like to increase portion size allocations, especially for older learners.
- The Department of Basic Education should consider knowledge retention by increasing food handler contracts to two years and overlapping start dates to allow for 50% retention the next year.
- The Department of Basic Education should compensate school staff for the extra work involved in coordinating the NSNP.
- Interdepartmental cooperation should improve local infrastructure, such as roads, so that all schools are accessible for food deliveries and other supplies.
- The Department of Basic Education should ensure Grade R is included as part of the NSNP funding.

The Legal Resources Centre adds the following suggestions for policy makers and official involved in the implementation of the NSNP in the Eastern Cape:

- Maintain the decentralised procurement model in Eastern Cape, but fine tune its implementation by way of the specific suggestions set out above.
- Include all learners, irrespective of whether they possess identification documents, in budget allocations – including, but not limited to, the NSNP.

The Legal Resources Centre also recommends:

- Further research in the Eastern Cape.
- Extend study beyond Eastern Cape to other provinces.
Literature Review


Katharine Hall and Sonja Giese (2009) “Addressing quality through school fees and school funding.”


Dr. Kirstie Rendall-Mkosi, Dr. Friede Wenhold and Nomathemba Brenda Sibanda (2013) “Case Study of the National School Nutrition Programme in South Africa”.


Meshack Thulane Zwane (2014) School feeding programmes as a mechanism to improve market access for smallholder farmers in rural areas of South Africa.


Government Materials


Department of Basic Education (2014) “National School Nutrition Programme (NSNP) 2013/14 Annual Report”


Eastern Cape Education Department Acting Superintendent-General (2016) School Letter – Verification of Learner Identity Documents Numbers

Department of Basic Education (2015) “School Realities 2015”

Gauteng Department of Education (2004) “Transfer of the National School Nutrition Programme (NSNP) from Department of Health to Department of Education”