

## DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 1564

15 DECEMBER 2016

**CALL FOR COMMENTS ON THE DEPARTMENT OF SOCIAL DEVELOPMENT LANGUAGE POLICY**

I, Bathabile Olive Dlamini, Minister of Social Development, hereby publish the Department of Social Development Language Policy for public comment in terms of section 4(1) of the Use of Official Languages Act 12 of 2012, which provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official language. The draft of the new Department of Social Development Language Policy has been published on the on the Department of Social Development's website [www.dsd.gov.za](http://www.dsd.gov.za)

All stakeholders and members of the public with an interest in the use of official language by national department are invited to provide their comments and inputs on the draft Department of Social Development Language Policy. Written comments should reach Department of Social Development by 31 January 2017.

Written comments about the Department of Social Development Language Policy can be emailed to [michaelm@dsd.gov.za](mailto:michaelm@dsd.gov.za) or mailed to:

The Director-General  
Department of Social Development  
Private Bag X901  
**PRETORIA**  
0001

For attention: Mr Michael Machubeng

Hard copies of the draft Department of Social Development Language Policy will be available upon request from the address provided above.



**MS BO DLAMINI, MP**  
**MINISTER OF SOCIAL DEVELOPMENT**  
**DATE: 5 DECEMBER 2016**



**social development**

Department:  
Social Development  
**REPUBLIC OF SOUTH AFRICA**

# **DSD LANGUAGE POLICY**

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## 1. Definitions

<b>Terms</b>	<b>Definitions</b>
Constitution	The Constitution of the Republic of South Africa, 1996
Minister	The Minister of the Department of Arts and Culture
Policy	The Language Policy of the Department of Social Development
Regulations	The Regulations in terms of the Act
Republic	The Republic of South Africa

## 2. List of abbreviations

<b>Abbreviations</b>	<b>Definition</b>
CDA	Central Drug Authority
DG	Director-General of the Department of Social Development
DRF	Disaster Relief Fund
DSD	Department of Social Development
NDA	National Development Agency
NLPF	National Language Policy Framework, 2003
NPO	Non-Profit Organization
PAIA	Promotion of Access to Information Act, no 02 of 2000
PanSALB	The Pan South African Language Board, established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995)
SASSA	South African Social Security Agency

### 3. Legislative Mandate

#### 3.1 The Constitution of the Republic of South Africa, 1996

The following are the sections of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) that have been taken into consideration in the drafting of the DSD Language Policy:

- 3.1.1 Section 6(1) declares that the official languages of South Africa are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
- 3.1.2 Section 6(2) recognises the historically diminished use and status of the indigenous languages of South Africa, and compels the state to take practical steps and design mechanisms to elevate the status and advance the use of these languages.
- 3.1.3 Section 6(3)(a) specifies that national and provincial governments must use at least two of the official languages for the purposes of government subject to considerations of practicality, expense, regional usage and circumstances, and the needs and preferences of the public as a whole, or in the province concerned.
- 3.1.4 Section 6(3)(b) stipulates that local governments must take into account the language usage and preferences of their residents.
- 3.1.5 Section 6(4) obliges national and provincial governments to regulate and monitor their use of official languages to ensure parity of esteem and equitable treatment.
- 3.1.6 Section 9(3) protects citizens against unfair discrimination on the grounds of language.
- 3.1.7 Section 29(2) states that everyone has the right to receive the education in the official language or languages of their choice in public institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of, this right, all reasonable educational alternatives must be considered, taking into account equity, practicability and redress.

3.1.8 Sections (30) and 31(1) uphold the rights of citizens to use the language of their choice.

### 3.2 The Use of Official Languages Act, no 12 of 2012

The objects of The Use of Official Languages Act, no 12 of 2012 are the following:

- 3.2.1 To provide for the regulation and monitoring of the use of official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise;
- 3.2.2 To provide for the establishment and functions of a National Language Unit;
- 3.2.3 To provide for the establishment and functions of language units by a national department, national public entity and national public enterprise;
- 3.2.4 To provide for monitoring of and reporting on use of official languages by national government;
- 3.2.5 To facilitate intergovernmental coordination of language units; and to provide for matters connected therewith.

### 3.3 Regulations under the Use of Official Languages Act, no 12 of 2012

- 3.3.1 The Regulations are applicable to national departments, public entities, and public enterprises.
- 3.3.2 The Regulations provide for the guidelines on how to implement the Policy.
- 3.3.3 The Regulations also provide for practical and positive measures that could elevate the status and advancement of indigenous languages be considered where possible.

### 3.4 National Language Policy Framework, 2003

- 3.4.1 The NLPF stipulates that all government structures (national and local government), as well as institutions exercising public power or performing public function, are bound by it.

### 3.5 Promotion of Access to Information Act, no 02 of 2000

- 3.5.1 The objects of the PAIA are to give effect to the Constitutional right of access to any information held by the state, private bodies or persons subject to justifiable limitations.
- 3.5.2 Such access might not only refer to physically obtaining the information but must, as far as possible, be in a language of choice of the requester.

## **4 Purpose and regulatory context of this policy**

This Policy is required by section 4 of the Act, as follows:

- 4.1 Section 4(1) provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages.
- 4.2 Section 4(2) provides that a language policy adopted in terms of subsection (1) must:
- 4.2.1 Identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes,
  - 4.2.2 Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter and intra-government communication,
  - 4.2.3 Describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its chosen official language by a national department, national public entity or national public enterprise,
  - 4.2.4 Describe how members of the public can access the language policy, and
  - 4.2.5 Provide complaints mechanism to enable members of the public to lodge complaints regarding the use of official language by a national department, national public entity or national public enterprise.

## **5 Principles**

The principles underpinning this Policy are:



- 5.1 Commitment to the promotion of all languages in the Republic in order to ensure constitutional language equity and language rights as required by a democratic dispensation;
- 5.2 Recognition of multilingualism as a resource to maximise collaborative partnerships in nation building, economic development and social cohesion;
- 5.3 Promotion of good language management by the DSD to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services and information of the DSD;
- 5.4 Prevention of the use of any language(s) for the purposes of exploitation, domination and discrimination within the DSD;
- 5.5 Enhancement of people-centeredness by addressing the interests, needs and aspirations of language communities through on-going dialogue and debate;
- 5.6 Recognition of a community-based approach, i.e. a decentralised and participatory approach to language planning and policy implementation in which each government structure is given the power to identify its own working languages, as the most viable manner in which to promote multilingualism given South Africa's highly pluralistic society; and
- 5.7 Support for special redress programmes for previously marginalised official indigenous languages, and the learning and teaching of all the official languages of the Republic at all levels of schooling.

## **6 Nature of the Department**

- 6.1 The DSD's vision is to create a caring and self-reliant society. Its mission is to transform our society by building conscious and capable citizens through the provision of comprehensive, integrated and sustainable social development services.
- 6.2 The DSD is a national department that embodies the Batho-Pele Principles in its efforts so as to ensure that its service provision is done in humane ways and results in positive and sustainable outcomes for the citizens of South Africa.
- 6.3 The DSD's direct communication with members of the public and other public entities; other government departments; private sector; and NPOs is usually conducted in English. However the DSD is working towards broader engagement

with the public by using the language spoken in a particular area during engagement with communities.

## **7 The Work of the DSD**

7.1 The DSD is responsible for the management and oversight over social security, encompassing social assistance and social insurance policies that aim to prevent and alleviate poverty in the event of life-cycle risks such as loss of income due to unemployment, disability, old age or death.

7.2 The DSD provide developmental social welfare services that provide support to reduce poverty, vulnerability and the impact of HIV and AIDS through sustainable development programmes in partnership with implementing agents such as state-funded institutions, Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs) and Faith-Based Organisations (FBOs).

7.3 The DSD through Integrated Community Development facilitates the implementation of appropriate policies, strategies and programmes aimed at promoting sustainable livelihoods and human development.

7.4 To provide leadership and government-wide coordination of population development, including the national disability rights agenda.

7.5 The DSD's other functions are performed and implemented through public entities that report to the Minister of Social Development, namely, SASSA, NDA, CDA, and DRF.

## **8 The DSD Language Unit**

The DSD Language Unit will support this Policy. The functions of the Language Unit will be to:

8.1 Advise the DG on the development, adoption and implementation of this Policy;

8.2 Monitor and assess the use of official languages by the DSD;

8.3 Monitor and assess compliance with this policy;

- 8.4 Compile and submit a report to the Minister and to the PanSALB in terms of section 9 of the Act;
- 8.5 Promote parity of esteem and equitable treatment of the official languages of the Republic;
- 8.6 Facilitate equitable access to the services and information of the DSD;
- 8.7 Promote good language management; and
- 8.8 Perform any other functions that the Minister may prescribe.

## 9 Training and Capacity Building

- 9.1 In order to achieve the professional and efficient implementation of this Policy, the DSD Language Unit will advise on training and capacity building.

## 10 Official Languages of the DSD

- 10.1 The DSD has adopted all 11 official languages of the Republic as its official languages for purposes of this Policy.

## 11 Use of Official Language by the DSD

- 11.1 The following factors will be taken into account in arriving at the choice of official language(s) the DSD will use in each context/situation:

11.1.1 Usage

11.1.2 Practicality

11.1.3 Expense

11.1.4 Regional circumstances

11.1.5 The balance of the needs and preferences of the public it serves.

The table below indicates how the DSD will use the official languages.

DSD purpose	Languages
Inter- and intra-government	English

communication	
Communicating with members of the public (official written correspondence)	The official languages of the Republic with due respect to the criteria outlined in clause 11.1 above.
Communication with members of the public (oral communication)	The official languages of the Republic with due respect to the criteria outlines in clause 11.1 above.
Official publications intended for public distribution (notices on the DSD website, advertisements, forms and signage on buildings)	The official languages of the Republic with due respect to the criteria outlines in clause 11.1 above.
Public hearings (Imbizos) and other official proceedings.	The official languages of the Republic with due respect to the criteria outlines in clause 11.1 above.
Communication with the hearing or sight impaired	The DSD Language Unit will facilitate Sign Language interpreting and conversion of text into Braille or alternatively audio on request.
International communication	English and/or the preferred language of the country concerned.

## **12 Communication with members of the public whose language of choice is not one of the official languages of the Republic**

12.1.1 A member of the public who wishes to communicate with the DSD in a language that is not one of the official languages of the Republic must notify the DSD in writing.

12.1.2 The DSD will arrange for appropriate translation or interpreting within 30 working days of the date of the request having been received by the DSD.

### **13 Communication with members of the public whose language of choice is South African Sign Language**

- 13.1 A member of the public who wishes to communicate with the DSD in South African Sign Language must notify the DSD in writing.
- 13.2 The DSD will arrange for appropriate interpreting within 20 working days of the date of the request having been received by the DSD.

### **14 Publication and access to this Policy**

- 14.1 This Policy will be published in all the official languages of the Republic.
- 14.2 It will be available on the DSD's website (<https://www.dsd.gov.za>).
- 14.3 It will be available in Braille or alternatively in audio on the DSD's Website (<https://www.dsd.gov.za>).
- 14.4 It will be displayed at all DSD offices in such a manner and place that it can be read by the public.

### **15 Complaints mechanism**

- 15.1 Any person who is dissatisfied with a decision of the DSD regarding its use of official languages may lodge a complaint in writing to the DG.
- 15.2 Any complaint must be lodged:
- 15.2.1 In writing, and
- 15.2.2 Within three months of the complaint arising.
- 15.3 Any complaint lodged must state the name, address, and contact information of the person lodging it.
- 15.4 Any complaint lodged must provide a full and detailed description of the complaint.
- 15.4.1 The DG may request a complainant to supply any additional information necessary to consider the complaint and to attend a meeting for the purpose of making an oral enquiry into the complaint.

15.4.2 The DG will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the decision.

## **16 Review of Policy**

16.1 This Policy will be reviewed whenever necessary but at least within three years.

## **17 Effective Date**

17.1 This Policy becomes effective on the date of the signature by the Director-General.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017