

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 124

17 FEBRUARY 2017

USE OF OFFICIAL LANGUAGES ACT, 2012 (ACT NO. 12 OF 2012)**LANGUAGE POLICY OF THE DEPARTMENT OF HIGHER EDUCATION AND TRAINING**

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training (DHET), in terms of Section 4 (2) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), hereby publish the DHET Language Policy for public knowledge.



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date:

25/11/2016



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

LANGUAGE POLICY OF THE DEPARTMENT OF HIGHER EDUCATION AND TRAINING

TABLE OF CONTENTS

SUBJECT	PAGE
1. INTRODUCTION	3
2. ACRONYMS	3
3. GLOSSARY OF TERMS	4
4. PURPOSE	4
5. POLICY STATEMENT	4
6. LEGISLATIVE FRAMEWORK	5
7. OBJECTIVES	5
8. PRINCIPLES	6
9. SCOPE OF APPLICATION	6
10. IDENTIFICATION OF INDIVIDUAL'S LANGUAGE PREFERENCE	8
11. ROLES AND RESPONSIBILITIES	9
12. LANGUAGE SERVICES	9
13. OPERATING PROCEDURE	10
14. REVIEW	10
15. PUBLICATION AND ACCESS	10

1. INTRODUCTION

The Department of Higher Education and Training Language Policy, fulfills the prescripts of the Constitution of the Republic of South Africa (1996), amplified in the Use of Official Languages Act (2012). The Constitution provides for recognition and use of eleven (11) official languages. Further, it recognises the diminished use and inferior status of indigenous languages, therefore requiring government departments to take practical and positive measures to elevate the status and use of indigenous languages. In addition, the Constitution requires all official languages to be afforded parity of esteem and equitable treatment.

The Use of Official Languages Act (2012) provides for, amongst other requirements, the regulation and monitoring of the use of official languages by national government for government purposes; requires the adoption of a language policy and provides for the establishment of a national language unit by the department.

The Act came into operation on 2 May 2013 by Proclamation No. 10 published in Government Gazette No. 36392 of 26 April 2013. The Regulations to the Act came into effect on 5 February 2014 through Government Notice No. 10140 promulgated in Government Gazette No. 37398 of 28 February 2014.

The Department of Higher Education and Training (DHET) in its capacity as a national government department developed and adopted this Language Policy in fulfilment of the prescripts of the Constitution and the Act.

2. ACRONYMS

ACRONYMS	DEFINITION
DHET	Department of Higher Education and Training
DG	Director-General
DLPS	Directorate: Language Practice Services
CIO	Chief Information Officer
IRC	Information Resources Centre

3. GLOSSARY OF TERMS

TERM	DEFINITION
Constitution	The Constitution of the Republic of South Africa, 1996
Act	Use of Official Languages Act, 2012 (ACT NO. 12 OF 2012).
Policy	DHET Language Policy

4. PURPOSE

The purpose of the policy is to outline how the DHET complies with the prescripts of the Act and how it uses official languages to meet the communication and information needs of the citizens; articulate policy, services, benefits for and empower communities.

This policy document outlines the reasonable steps that the DHET takes to ensure meaningful access to its services and activities by all citizens of the Republic and persons with limited English proficiency, in compliance with the Constitution, the Use of Official Languages Act, 2012, the Promotion of Access to Information Act, 2000, the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000.

5. POLICY STATEMENT

Recognizing and subscribing to the founding provisions espoused in Chapter 1 of the Constitution, the Department of Higher Education and Training is committed to providing quality, efficient, responsive and professional post-school education services to all the citizens of the Republic and the global community regardless of their language and status.

The DHET is also committed to the requirements of the Constitution, the Act and to recognition of all official languages by ensuring that these enjoy parity of esteem and equitable treatment through and in all its communication and interaction with communities and individuals.

The DHET is dedicated to linguistically accurate and appropriate deciphering of information that conveys the thought, intent, meaning and spirit of the message. Equal access to education including the rights to receive education in the official language or languages of choice and to establish and maintain

independent educational institutions is legally mandated by section 29 of the Constitution. The rights to equality and access to information are guaranteed in sections 9 and 32 respectively of the Constitution.

6. LEGISLATIVE FRAMEWORK

6.1 This policy is developed in accordance with requirements of the Constitution and, particularly Section 4 of the Use of Official Languages Act no 12 of 2012; sub-section 4(1) which requires that a national department and its entities must adopt a language policy on the use of all official languages.

6.2 In addition, the policy is also guided by the following legislative instruments, text and principle:

- Regulations promulgated in terms of section 13 of the Act;
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000);
- The White Paper for Post-School Education and Training: Building an expanded, effective and integrated post-school system, approved by the Cabinet on 20 November 2013; and
- The Batho Pele principle.

6.3 Further, that the DHET complies with requirements of sub-section 4(4.2 (b)) which requires that the DHET must adopt at least three official languages that the national department and its entities use for government purposes as well as with sub-section 4 (2.(d) (i) and (ii)) which requires the DHET to use, where applicable, any other language other than official languages or South African Sign Language or Braille where applicable.

7. OBJECTIVES

The objectives of this policy based on the Act, Section 2 sub-sections (a) to (d), are:

- 7.1 to adopt and implement a language policy regarding the use of official languages by the department for government purposes;
- 7.2 to monitor compliance with the Act by the DHET;
- 7.3 to promote parity of esteem and equitable treatment of official languages in the Republic;

7.4 to facilitate equitable access to DHET services and information; and

7.5 to promote good language management by DHET for efficient public service administration and to meet the needs of the public.

8. PRINCIPLES

The principles of this policy deriving from the Constitution and the Act, are:

- 8.1 Commitment to the recognition and promotion of the use of all eleven (11) official languages in the Republic to ensure constitutional language equity and rights;
- 8.2 Taking practical and positive measures to elevate the status and use of indigenous languages to instil and maintain healthy partnerships, social inclusion and cohesion;
- 8.3 Promotion of parity of esteem and equitable treatment of official languages in this democracy;
- 8.4 Promotion of good language management by the DHET to ensure efficient public service administration that meets the needs of the public and which ensures equitable access to services and information of the DHET;
- 8.5 Prevention of the use of any language for the purposes of exploitation, domination and discrimination within the DHET;
- 8.6 Enhancement of people-centeredness by addressing the interest, needs and aspirations of language communities through on-going discourse; and
- 8.7 Support of special redress programmes for previously marginalized official indigenous languages, and the learning and teaching of all the official languages of the Republic at all levels of education.

9. SCOPE OF APPLICATION

The scope and application of this policy takes into account the language needs and cultural dynamics at national level and provincial contexts as outlined in 9.1 and in Table 1.

The following factors have been taken into consideration in arriving at the choice of official languages the DHET will use in each context/situation:

- Usage;
- Practicability;

- Expense;
- Regional circumstances; and
- The balance of the needs and preferences of the public it serves.

9.1 The DHET head office has adopted the following languages for official government business:

- **English**
- **Sepedi and**
- **isiZulu**

9.2 Regional offices have adopted at **least three** or more official languages and an **additional**, reserve or alternative language (see Table 1. C)

TABLE 1.

A. PROVINCE	B. LANGUAGES USED	C. ADDITIONAL (when required)
Gauteng	English; Setswana; and isiZulu	Sign Language and Braille
Mpumalanga	English; Sepedi; Xitsonga; IsiNdebele; and siSwati	Sign Language and Braille IsiZulu
Free State	English; Sesotho; and Afrikaans	Sign Language and Braille Setswana, IsiXhosa
Northern Cape	English; Sesotho; and Afrikaans	Sign Language and Braille Setswana, IsiXhosa
Eastern Cape	English; IsiXhosa; and Afrikaans	Sign Language and Braille Sesotho, IsiZulu
Western Cape	English; Afrikaans; and IsiXhosa	Sign Language and Braille

A. PROVINCE	B. LANGUAGES USED	C. ADDITIONAL (when required)
North West	English; Setswana; and Afrikaans	Sign Language and Braille
Limpopo	English; Sepedi; Xitsonga; and Tshivenda	Sign Language and Braille IsiNdebele
KwaZulu-Natal	English; and isiZulu	Sign Language and Braille IsiXhosa

9.3 Notwithstanding the above languages, the DHET will also use other official languages as and when required.

9.4 Public higher education institutions, Technical Vocational Education and Training colleges and Community Education and Training colleges should, with necessary changes, align their respective language policies with this policy.

9.5 The importance of the service which the DHET provides to the public is self-evident. Accordingly, the DHET takes all measures possible to provide language services sufficient to ensure that all citizens of the Republic enjoy comparable access to its services.

9.6 The chosen languages may not apply to electronic communication platforms such as the DHET website content.

9.7 Departmental publications, policies, forms, notices and adverts that are exclusively intended for public use will be translated into nominated languages as outlined in Table 1.

10. IDENTIFICATION OF AN INDIVIDUAL'S LANGUAGE PREFERENCE

10.1 At first contact with members of the public or their representative, the designated staff members of the DHET will inform the individual or his or her representative that the DHET will provide an interpreter, including sign or foreign language, if the individual needs one and will enquire in which language the individual prefers to receive his or her service.

- 10.2 All individuals who indicate the need for an interpreter will receive language assistance to ensure that language is not a barrier to their access and participation. The need for an interpreter and the language needed will be noted down by the DHET dedicated staff members.
- 10.3 Individuals or groups requiring assistance in languages other than those nominated are required to apply for assistance to the Director-General ten (10) office days in advance of engagement with the department.

11. ROLES AND RESPONSIBILITIES

- 11.1 The Director-General is the Chief Information Officer of the DHET. The DG is the overseer of the implementation of this policy by staff within the DHET, colleges and all other public institutions directly accountable to the DHET.
- 11.2 Heads of DHET institutions must ensure the adoption and use of official languages in line with this policy and when required, report to the DG on the status of the use of official languages within the institutions.
- 11.3 The DHET views the provision of language access services to the general populace as being one of providing quality, efficient, responsive and meaningful service. With respect to its language access programmes, the DHET recognizes that ongoing monitoring and evaluation are essential to meeting the challenges inherent in effectively working with the public whose language and culture stem from literally across the Republic.

12. LANGUAGE SERVICES UNIT

- 12.1 Section 7 of the Use of Official Languages Act, 2012, prescribes that, every national departments, national public entity and national public enterprises, must:
- a) establish a language unit.
 - b) ensure that the language unit is provided with human resources, administrative resources and other resources necessary for its effective functioning.
- 12.2 The Director-General must therefore make available resources for the establishment and functioning of a national Language Unit with DHET Headquarters at Directorate level to be referred henceforth as ***Directorate: Language Practice Services (DLPS)***.

- 12.3 The head of DLPS will be responsible for facilitating the adoption, use of official languages, monitoring and redress where required.
- 12.4 The DHET will strive to equip its facilities with instant around-the-clock access to telephonic interpretation services covering most of the official languages in the Republic.

13. OPERATING PROCEDURE

- 13.1 Unless required by circumstances other than provided for in this policy in table 1 (c), or unless this policy is reviewed, this policy will apply at all times for the purposes of use of official languages for government business.
- 13.2 Individuals who may wish to lodge a complaint shall do so in writing to the Director-General not more than thirty (30 days) from the date on which language assistance was denied or was not of a minimum standard.
- 13.3 Any complaint lodged must provide full names, address and contact information of the complainant.
- 13.4 Any complaint lodged must provide full and detailed description of the complaint.
- 13.5 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.

14. REVIEW

This policy will be reviewed when necessary or at least once within a period of five years.

15. PUBLICATION AND ACCESS

- 15.1 This policy will be translated into all official languages according to the grid in Table 1.
- 15.2 This policy will be made available in Braille upon written request to the CIO.
- 15.3 This policy will be published on the DHET website and on the websites of its institutions.
- 15.4 This policy will be made available in paper form for reading or reference in all institutions of the DHET, in the IRC and DLPS.
- 15.5 The DHET will post in a conspicuous place in the reception area, a clear statement translated into the languages most commonly used among the local populace, of the availability of interpreter services. A statement to this effect will also be posted on the DHET website.

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING
LANGUAGE POLICY**

APPROVAL

DEPARTMENT	DIRECTOR-GENERAL	SIGNATURE	DATE SIGNED
Higher Education and Training	Mr G F Qonde		

EFFECTIVE DATE: _____