

**NON-GOVERNMENTAL ORGANIZATION
NOTICE 735 OF 2018**



NATIONAL EMPOWERMENT FUND

DRAFT LANGUAGE POLICY

DRAFT

1. INTRODUCTION

- 1.1 The Use of Official Languages Act 12 of 2012 (Act) was introduced by national government, under the auspices of the Department of Arts & Culture, to regulate and monitor the use of official languages within national departments, national departments, national public entities and national public enterprises. These entities will do this through adopting a language policy and establishing Language Units which will monitor and report on the use of official languages within those entities.
- 1.2 The National Empowerment Fund (NEF) operates across all 9 provinces in South Africa and as such, it is important that the language needs of the public within which it operates are catered for. The NEF promotes and encourages the use of official languages and has put in place this Language Policy in accordance with the requirements of the Act.
- 1.3 The purpose of the Language Policy is to give effect to the Act as well as section 6 of the Constitution of the Republic of South Africa, 1996. The Language Policy stipulates how official languages will be used, amongst other things, in effectively communicating with the public, in official notices and government publications.

2. PURPOSE

- 2.1 This Policy is intended to regulate the languages used by the NEF in communicating with its various internal and external stakeholders. This ranges from day to day communication to targeted communication for various purposes.
- 2.2 While the NEF encourages and supports the promotion of official languages, it has to be noted that due to the nature of the business and the financial implications of using all 11 official languages, the NEF will strive to achieve balance whilst encouraging the use of indigenous languages and pragmatic application of the Language Policy across its communication platforms.

- 2.3 In the spirit of the Constitution, the NEF recognises the historically diminished use and status of the indigenous languages and through this policy adopts positive measures to elevate the status and advance the use of these languages.

3. POLICY OBJECTIVES

3.1 The policy aims to achieve the following objectives:

- To outline the manner in which the NEF will make use of official languages;
- To document the NEF's official languages;
- To establish a Language Unit;
- To outline the roles and responsibilities related to the use of official languages by the NEF; and
- To provide guidelines on the complaints management mechanism regarding the use of official languages by the NEF.

4. SCOPE OF APPLICATION

4.1 In Scope

- 4.1.1 This policy applies to all employees of the NEF, including temporary and permanent employees, contractors and subcontractors as well as agencies appointed by the NEF for purposes relating to marketing, communication, media and public relations activities.
- 4.1.2 This policy will apply to applicable communication with the public, official NEF notices and government communications.
- 4.1.3 Where reasonably practicable, any information requested in terms of the Promotion of Access to Information Act 2 of 2000 (PAIA) Manual is included in the scope. The NEF PAIA Manual can be accessed on the NEF's website.

4.2 Out of Scope

- 4.2.1 The NEF supports the promotion of official languages and will do everything, within reason, to encourage the equal use of languages in its business operations. Due to the financial implications associated with translation, the following documents are outside the scope of this policy:
- 4.2.1.1 Annual Reports;
 - 4.2.1.2 Financial statements;
 - 4.2.1.3 Economic reports;
 - 4.2.1.4 All research documents;
 - 4.2.1.5 NEF presentations;
 - 4.2.1.6 Strategic Plans and Annual Performance Plans; and
 - 4.2.1.7 Any information where access to that information/record is prohibited in terms of NEF's PAIA Manual.

5. OFFICIAL LANGUAGES OF THE NEF

- 5.1 The NEF was established by the National Empowerment Fund Act 105 of 1998. The NEF is a driver and thought leader in promoting and facilitating black economic participation by providing financial and non-financial support to black empowered businesses, and promoting a culture of savings and investment among black people.
- 5.2 The NEF operates across all 9 provinces in South Africa. Due to the reach and nature of its business, English, as one of the official languages, is the official business language of the NEF and will be used in the day to day communication, both verbally and in the written form.

- 5.3 English will be the transactional language used in other forms of communications as required by the NEF's operations. This will include, but not be limited to the items listed in 4.2.1.
- 5.4 South Africa's 3 broad categories of language groupings as well as the frequency of use of languages have been taken into account in selecting the NEF's official languages. These are:
- 5.4.1 English (as the official business language);
 - 5.4.2 IsiZulu (to cover the Nguni based languages); and
 - 5.4.3 Setswana (to cover the Sotho based languages).
- 5.5 Due to the diverse nature of the South African language landscape and the NEF's nationwide operations, provision has been made to accommodate language preferences on a limited and prevalence driven basis in provinces where the official languages outlined in 5.4 do not suffice. The NEF will ensure that when embarking on campaigns, the language prevalence of the specific areas and audience will be taken into account and accommodated in as far as verbal communication is concerned. Having taken statistics on provincial use of languages into consideration, the following will apply to print communication:
- 5.5.1 Western Cape: IsiXhosa and Afrikaans;
 - 5.5.2 Eastern Cape: IsiXhosa;
 - 5.5.3 Northern Cape: Setswana and Afrikaans;
 - 5.5.4 Limpopo: Tshivenda, Sepedi and Xitsonga;
 - 5.5.5 Mpumalanga: SiSwati and Ndebele;
 - 5.5.6 Free State: Afrikaans and Sesotho;
 - 5.5.7 North West: Setswana;
 - 5.5.8 KwaZulu-Natal: IsiZulu
 - 5.5.9 Gauteng: English, Setswana and IsiZulu.

5.6 The use of provincial languages as outlined in paragraph 5.5 above will apply to the following documents:

- 5.6.1 "Helpful Hints" on the NEF Business Planner Tool;
- 5.6.2 NEF Investor Education Booklet;
- 5.6.3 Individual correspondence to clients upon request; and
- 5.6.4 Funding criteria and corporate brochure upon request.

5.7 English will be the official transactional language of the operations of the NEF internally, in both the spoken and written form, including all, including all internal communication efforts. All meetings and day-to-day operations will be conducted in English and the above recommended languages may be used where the situation demands or warrants it.

6. TRANSLATION AND INTERPRETING

6.1 All translations will be made through the Language Unit, where the services of professional translation service providers will be sought to translate documents where required.

6.2 In instances where sign language interpretation is required, provision will be made only in the following instances:

6.2.1 Large scale events or addresses made by the NEF, including but not limited to:

- 6.2.1.1 Conferences;
- 6.2.1.2 Annual results announcements; and
- 6.2.1.3 Any other major public event organized by the NEF.

6.3 Sign language interpretation, as mentioned in paragraph 6.2 above, will be taken into consideration depending on the demand, as well as timeous request of such required interpretation. Due to the cost associated with

interpreting, requests will be taken into consideration for a minimum of 10 people attending large scale events or addressed outlined in 6.2.1.3 above.

6.4 In instances where Braille translations are required, these will be taken into consideration provided such requests are made in writing, 15 days prior to such documents being required.

6.5 All requests for translation in the written form, in languages stipulated in 5.5 above will be done within 30 business days of such request being received.

6.6 All requests for translation will be subject to the following process:

- Request to be submitted in writing to the relevant Executive, BU head or Regional Manager.
- The relevant Executive, BU head or Regional Manager will forward, within two business days, such request to the Language Unit.
- The Language Unit will assess the request based on stipulations outlined in 6.2 and 6.3 above and advise those who have requested translation on whether or not the request will be met by the NEF.
- In circumstances where the request will be met by the NEF, the Language Unit will provide translated material, electronically or in hard copy, within 30 business days, to those who have requested translation of documents.
- In instances where hard copies have been requested, this will be done on ordinary white office paper and the NEF will incur postage or courier costs associated with sending the material to those who have requested the translation.

- 6.7 Requests for sign language interpretation, based on paragraph 6.2 above, should be submitted in writing, 30 days prior to such services being required.

7. LANGUAGE UNIT

- 7.1 As stipulated in the Act, a language unit will be established to oversee and manage issues relating to use of official languages within the NEF. In order to maximise on existing resources and circumvent the addition financial costs of establishing a new business unit within the NEF, the Language Unit will be housed within the Marketing and Communications Department, using existing resources to assume all responsibilities, as outlined in the Act, which the Language Unit needs to execute.
- 7.2 The Language Unit will be required to:
- 7.2.1 Advise the CEO on the development, adoption and implementation of the Language Policy of the NEF;
 - 7.2.2 Monitor and assess the use of official languages within the NEF;
 - 7.2.3 Compile and submit a report to the Minister of Arts & Culture and the Pan South African Language Board;
 - 7.2.4 Promote parity of esteem and equitable treatment of official languages of the Republic and facilitate equitable access to services and information of the NEF; and
 - 7.2.5 Perform any language related functions that the Minister of Arts and Culture may prescribe.

8. ACCESS TO THE POLICY

- 8.1 The NEF will ensure that all its stakeholders have access to the policy by ensuring that hard and electronic copies are easily available and accessible.
- 8.2 Electronic versions will be made available online via the NEF's website, www.nefcorp.co.za and will be emailed, upon request, to those who make such requests.
- 8.3 Hard copies, in the form of précised brochures, will be available at all NEF offices, including its regional offices.
- 8.4 The language policy of the NEF will be published in English, isiZulu and Setswana.
- 8.5 Braille copies will be made available upon request, provided that such requests are made 30 days prior to being required.

9. COMPLAINTS

- 9.1 Any person who is dissatisfied with a decision of a national department, national public entity or national public enterprise regarding its use of official languages may lodge a complaint with the National Department of Arts & Culture.
- 9.2 The NEF has a complaint mechanism which is facilitated by the Compliance function. The Compliance function will forward such complaints to the Language Unit, which will see to the full resolution of those complaints.
- 9.3 All complaints regarding non-compliance to the Language Policy of the NEF must:
- 9.3.1 be in writing in the form of an email, letter or fax;
 - 9.3.2 Emailed complaints should be sent to complaints@nefcorp.co.za;
 - 9.3.3 Written complaints should be sent to PO Box 31, Melrose Arch, Melrose North 2076;

- 9.3.4 Faxed complaints must be sent to +27 (11) 305 8001;
- 9.3.5 Be lodged within 3 months of arising;
- 9.3.6 Provide full details of the complaint, including details of the office or region it occurred; and
- 9.3.7 State the full contact details, including name, address and telephone numbers of the complainant.
- 9.4 The designated complaints manager within the Language Unit will be responsible for resolving all complaints directed to the Language Unit. This will be done by the following:
- Acknowledging receipt of the complaint;
 - Thoroughly investigating the complaint;
 - Responding to the complainant with a resolution; and
 - Providing feedback to the Marketing and Communications Manager on the resolution of the complaint.

10. ROLES AND RESPONSIBILITIES

- 10.1 The Risk & Compliance department will serve as the custodian of the policy. The department will also ensure publication of this policy in the Government Gazette 90 days after it has been adopted. Any recommendations arising from public comment will be incorporated into the policy and submitted to the board.
- 10.2 The Risk & Compliance department shall conduct reviews initially every 6 months to ensure compliance with this policy. Thereafter, reviews will be conducted on an annual basis.
- 10.3 The Language Unit will be housed within the Marketing and Communications Department and will fulfill the outputs stipulated in item 8 above.

- 10.4 The Language Unit will submit reports to the Minister of Arts and Culture, as required by the Regulations, annually, at least 3 months after the NEF's financial year end.
- 10.5 The Language Policy is owned (in terms of implementation) by the Marketing and Communications department which must ensure that it is put into effect and must manage the day to day administration of the policy.

11. POLICY MAINTENANCE

- 11.1 The Language Policy will be reviewed every two years by the Language Unit in conjunction with the Risk & Compliance department.

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