

**LEGISLATIVE COMPLIANCE: EXPLORING THE RELATIONSHIP
BETWEEN SCHOOL GOVERNING BODIES AND SCHOOL
MANAGEMENT TEAMS**

by

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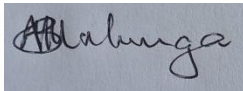
July 2023

DECLARATION

I, Aaron Beresford Frobisher Malunga, declare that the dissertation, *Legislative compliance: Exploring the relationship between school governing bodies and school management teams*, submitted for the qualification of Master of Education in Education Leadership and Management at the University of the Free State, is my own independent work.

All the references that I have used have been indicated and acknowledged by means of complete references.

I further declare that this work has not previously been submitted by me at another university or faculty for the purpose of obtaining a qualification.



19 July 2023

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ABSTRACT

This study explores the views of School Governing Bodies (SGBs) and School Management Teams (SMTs) on legislative compliance and how does it contribute towards a relationship between the two. It is stipulated in the South African Schools Act (No. 84 of 1996) (DOE, 2011) that all public schools in South Africa must have democratically elected SGBs. The act was intended to enhance collective decision-making in schools, while the Personnel Administrative Measures (RSA DOE 2022) regulates the responsibilities of SMT members. One of the principles of the National Policy on Whole School Evaluation (RSA DOE 2001) is that all evaluation activities must be characterised by openness and collaboration. In addition to a literature review on the relationship between the SGB and SMT, a research study based on the qualitative research paradigm was performed to collect data on SGB and SMT members and their roles in legislative compliance, and how this regulates the relationship between the two. This study used the interpretivist paradigm to understand the meaning that the SGB and SMT members give to their behaviour relating to this research title. The researcher used a multiple case study and the data was generated through semi structured and focus group interviews, and analysed through thematic analysis.

The findings revealed the acknowledgement of these two major school role players (SGB and SMT members), and highlighted the important participatory and deliberative role of the SGB and SMT regarding legislative compliance in schools. There are some limitations on the establishment and enhancement of a relationship between the two role players. This study is concluded by the suggestion that it is important for the SGB and SMT to create the space and opportunity for all members to participate and deliberate on their roles and important pieces of legislation that are linked to the SA Schools Act (No. 84 of 1996) (DOE, 2011). This should ensure compliance and the basic functionality of the school, which is in the best interest of the school and its children, while strengthening the relationship between the SGB and SMT.

Keywords: relationship; legislative compliance; leadership; management; governance; school management team; school governing body

DEDICATION

This dissertation is dedicated to:

My late paternal great grandparents: John Dumakude and Masimanga Sannie Malunga,

My late paternal grandparents: Reuben Zililo Ebenezer and Maggie Kenosi Malunga,

My late maternal grandparents: Jacob and Martha Kenosi Landela,

My late father Reynald Edgar Wandile Malunga, and uncles: Vuso, Zolile, Fezile, Makhwenkhwe, Ndiphiwe and Mthuthuzeli, and aunts: Khuziwe and Nondumase.

My beloved wife: Leinaeng Irene for her constant support and encouragement to complete this dissertation.

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LIST OF ACRONYMS

LTSM: Learning and Teaching Support Material

PAM: Personnel Administrative Measures

SASA: South African Schools Act

SGB: School Governing Body

SMT: School Management Team

WSE: Whole School Evaluation

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CHAPTER 1: ORIENTATION

1.1 Introduction

During the apartheid era, schools in South Africa (SA) were heavily influenced by racial segregation laws, which created significant imbalances in the education systems (Ramoketsi 2008:171). However, with the end of the apartheid regime, it was the new government's task to find ways of redressing the imbalances created by the apartheid government to be on par with its global counterparts. Considering this, great strides have been made by the SA government to transform education in South African schools. One of the newly implemented measures was the introduction of School Governing Bodies (SGBs) and School Management Teams (SMTs), which provided a way to devolve the governing powers and introduce public participation in schools. The SA Schools Act (No. 84 of 1996) (DOE 2011:31) recommends that SGBs must consist of the school principal in his official capacity, elected parents, educators, non-educator staff members, learners in the eighth grade or higher, and co-opted members. The School Management Team consists of the principal, deputy principal/s and departmental heads (RSA DOE 2022:306; Bush and Glover 2021:119). They follow legislation and policies such as the SA Schools Act (No. 84 of 1996) (DOE 2011), Personnel Administrative Measures (RSA DOE 2022) and the National Policy on Whole School Evaluation (RSA DOE 2001) that dictate how schools must be governed and managed.

The preamble of the SA Schools Act (No. 84 of 1996) (DOE, 2011:1) states that the aim of the act is to sustain the rights of learners at school, parents, and educators, by promoting their acceptance of responsibility for the organisation, and the governance and funding of schools in partnership with the state. According to Xaba and Nhlapo (2014:424-425), the SA Schools Act (No. 84 of 1996) (DOE, 2011), follows a legislative approach that is utilised in countries worldwide, which aims to democratise education through the participation of all stakeholders by way of decentralising the process of decision-making to schools. On the one hand, the implementation of the SA Schools Act (No. 84 of 1996) (DOE, 2011) has benefited schools in South Africa. For instance, Adams & Waghid (2005:25) state that before the promulgation of the SA Schools Act (No. 84 of 1996) (DOE, 2011), community participation in previously disadvantaged schools was considerably less democratic. However, on the other hand, research

suggests that there are certain problems that need to be addressed. These relate to the literacy levels of parent governors which can create frustration. If parents are not well-informed and literate, they might not be able to suggest decision options, which is a requirement of participatory and democratic school governance (Xaba & Nhlapo 2014:437), parent governors shifting their governor responsibilities to the school principal and misunderstanding and non-compliance to the SA Schools Act (No. 84 of 1996) (DOE, 2011) (Mohapi & Netshitangani 2018:4).

There is legislation that creates the space and opportunity for SGBs and SMTs to partner in terms of compliance to legislation, and to develop a relationship. For example, Section 8 of the SA Schools Act (No. 84 of 1996) (DOE, 2011) recommends that a school governing body must adopt a learner code of conduct after consultation with the educators, parents, and learners of the school. Section 18 (b), which covers the constitution of a governing body, stipulates that a governing body must hold meetings with parents, learners, educators, and other members of staff at least once a year. Additionally, Section 20 recommends that all SGBs must support the principal, educators and other non-teaching staff at the school in the performance of their professional duties. The SGB is also expected to report on its activities to parents, learners, educators and other staff members at least once a year. Section 20 (i) states that the SGB must recommend to the Head of Department the appointment of educators at the school. The establishment of committees is covered in Section 30 of the SA Schools Act (No. 84 of 1996) (DOE, 2011) which recommends that an SGB may establish committees and appoint people that are not part of the SGB to serve on these committees.

The Personnel Administrative Measures (RSA DOE 2022:41) directs that the deputy principal must assist the principal in his/her duties. As part of the communication, the deputy principal is expected to meet with parents concerning learners' progress and conduct, and to assist the principal in liaison work with all organisations' structures, committees, groups, etc., important to the school. When a school does not qualify for a deputy principal, or in the absence of both the principal and deputy principal, the departmental head is expected to take over this task (RSA DOE 2022:38).

These three pieces of legislation indicate a connection between SGBs and SMTs. They are dependent on each other, especially regarding the skills of educators, and SGB

resources. In addition, they are expected to ensure that legislative compliance is practiced through the implementation of all relevant legislation, and to ensure that there is a functional relationship between them that translate into participation, deliberations, collective decision-making and ownership. While these seem like clear guidelines provided in the SA Schools Act (No. 84 of 1996) (DOE, 2011), for a public school to develop and maintain a healthy relationship between the SGB and the SMT, the roles of the two components are inseparable when providing leadership, management and governance at school level (Mazibuko 2004:51). Large schools cannot be run by the school principal and SGB only, based on the magnitude of the work involved in managing resources effectively and efficiently. To ensure maximum participation through legislated roles and responsibilities, delegation and teamwork will facilitate compliance to legislation and the establishment of a relationship between the SGB and the SMT.

The day-to-day operations of a school are policy-driven, and the governance and management of the SGB and SMT must act strategically so that these operations align with national and provincial legislation. Practical legislative compliance requires that systems must be put in place for the annual planning, budgeting, oversight of the compliance and implementation of legislation, meeting schedules of the SGB, SMT, staff, parents, learners and other annual activities as required by the SA Schools Act (No. 84 of 1996) (DOE, 2011) and other related policy frameworks.

In this study, the researcher explores the relationship between the school governing body and school management team members, and aspire to highlight legislative compliance and how it contributes towards the functional relationship between the SGB and SMT. The researcher also seeks to explore what roles the deputy principal/s, departmental head/s and school governing bodies play and contribute towards legislative compliance and a better working relationship between the SGB and SMT. The researcher will focus on any existing gaps that impede operations, and legislation affecting these different stakeholders that can contribute to closing these gaps. In doing this, this study will highlight how the SA Schools Act (No. 84 of 1996) (DOE, 2011), Policy on Whole School Evaluation (RSA DOE 2001) and the Personnel Administrative Measures (RSA DOE 2022) are linked and could contribute towards participation and deliberation. This may, in turn, contribute towards a common

understanding in relation to legislative compliance, oversight and collective decision-making that is in the best interest of the school.

The study is ultimately concerned with issues of democratising educational processes and moving to school-based management/development of school management and governance in primary and secondary public schools. According to the National Policy on Whole School Evaluation (RSA DOE 2001), school self-evaluation is a process that must be undertaken by all public schools. It involves an annual systematic and transparent reflection on progress, with the aim of improving learner performance and school functioning. This policy further recommends that all evaluation activities must be centred on openness and collaboration (RSA DOE 2001:11).

1.2 Statement of the Problem

There is a need to investigate the importance of the relationship between SGBs and SMTs on legislative compliance, as well as strategies to enhance the existing relationship through the implementation of school-related legislation. Previous research has found that the relationship between the SGB and SMT is influenced by parent governors who try to dominate school's principals, internal power struggles, and the inability of governors to perform their functions (Davids 2020:5). The relationship between SGBs and SMTs must allow the school community, through leadership, management and governance, to actively participate in the activities of the school and its decision-making processes, contribute towards better relationships, and be treated with respect and dignity (Policy on the South African Standards for Principalship) (RSA DOE 2016:9).

The preamble of the SA Schools Act (No. 84 of 1996) (DOE 2011) emphasises the value of the protection and advancement of different cultures and languages, sustaining the rights of all learners, parents and educators, and promoting acceptance of responsibility for the organisation, governance and funding of schools in partnership with the State.

When the SGB and SMT do not partner to ensure recognition, implementation and legislative compliance as per the SA Schools Act (No. 84 of 1996) (DOE 2011), the Policy on Whole School Evaluation (RSA DOE 2001) and the Personnel Administrative Measures (RSA DOE 2022), this will result in the absence of a functional relationship

between the SGB and SMT. Chances are that there will be no effective communication or participation in collective decision-making and accountability. In many cases, after visiting schools, oversight bodies report that there is no partnership, collective decision-making and ownership in schools, and non-compliance in terms of legislation, especially when it comes to leadership, management and governance.

1.3 Theoretical Framework for the Study

To gain a better understanding on how these two groups can work together, the researcher used the theoretical framework of participatory and deliberative democracy. The origins of participatory democracy reach back to the United States during the 1960s and 1970s, when the idea of participatory democracy originated through the influence of the *Students for a Democratic Society* (SDS), which was an influential youth movement of that time. The concept formed part of their founding *Port Huron Statement* (Florida 2013:3; Elstub 2018:217). Initially, the term was not very clear and was generally used in cases where organisations brought people together for a decision-making process (Florida, 2013:3).

The theory of participatory democracy is set out in Pateman (1970:41) as being "built around the central assertion that individuals and their institutions cannot be considered in isolation from one another." Participatory democrats believe that citizens have a say in decision-making, and that it enables them to contribute and influence the decision-making process (Michels 2011:278). The core of the participatory idea is that citizens in a democracy must engage with the substance of law and policy, and not simply delegate the responsibility for such substantive engagement to representatives (Cohen 2009:248). Based on a review of empirical evidence, there is a suggestion that many citizens would like more opportunities to participate in meaningful and consequential deliberation (Elstub 2018:217). In addition, Glas (2015:5) states that participatory democrats see it as a process of providing self-government to citizens in all non-political domains of society.

Participatory democracy has three justifications (Vitale 2006:750; Elstub 2018:219). Firstly, it is suggested that it represents a more authentic and normatively strident interpretation of democracy than liberal representative democracy. When citizens make collective decisions on issues that affect them, whether in the political, social, or

economic sphere, the elements of political equality and personal autonomy are strengthened. It gives the true meaning of democracy as "rule by the people." In turn, democracy is deepened and improved, as more citizen participation can increase trust in political institutions, which then gain greater public support (Elstub 2018:219). Secondly, and relatedly, it is suggested that increased participation can reduce socio-economic inequalities, thus promoting political equality and resulting in a more functional democracy. There is a vicious circle of cause and effect that perpetuates socio-economic inequalities in political participation. The less specific socio-economic groups participate in politics, the less they will be able to organise themselves and express their demands. This allows for the continued domination of decision-making by privileged socio-economic groups, who may not see the need to protect the interests and needs of non-participants, and may even restrict the opportunities for these groups to participate.

The only solution is increased democratic participation. Such an increase in equality would be reciprocated by an increase in participation, and vice versa. There is a need to break the vicious circle so that increases in either inequality or in democratic participation can be achieved (Elstub 2018:219). The third justification is the educative effect that participatory democracy has on citizens. This depends on the discussions that must take place before a decision is taken.

From a practical and organisational point of view, Vitale (2006:750) explains that participatory democracy emphasises the need to construct forms of direct democracy. In the case of this study, SGBs and SMTs are examples of such a representative system. The idea is not to replace the indirect system with a direct one. It is to create new levels of discussion and political deliberation that can reduce the serious problems of legitimacy raised by representative institutions, such as the distance between representatives and the represented, and the lack of transparency, publicity, and accountability at higher levels. Furthermore, Karlsson (2002:329) writes that by orientating South Africa towards a democracy, the SGB should be practising democracy by making decisions participatory. Since this is the nature of participatory democracy, members of SGBs are assumed to be active participants that are making decisions individually and collectively. Participatory democracy is viewed as including the SGB and SMT in a teamwork exercise that will expose them to the annual planning

process of a public school. This would include school self-evaluation and a school improvement plan as required by the National Policy on Whole School Evaluation (RSA DOE 2001:11-12). This policy emphasises that all evaluation process must be conducted through openness and collaboration as one of its principles. In addition, Adams & Waghid (2005) state that for democracy to succeed, it is imperative that its basic principles (conflict solving, agreement or disagreement) not only be kept intact, but also nurtured. Any violation or negation of its constitutive meanings would be equal to undermining the concept of democracy, which could possibly lead to undemocratic practices (Adams & Waghid 2005:26).

Deliberative democracy, according to Bächtiger, Dryzek, Mansbridge and Warren (2018:2), can be seen as a means of "mutual communication that involves weighing and reflecting on preferences, values, and interests regarding matters of mutual concern". They briefly define deliberative democracy as "any practice of democracy that gives deliberation a central place". Conversely, it is seen as a step forward during a process for decision-making (Florida 2013:6). It is further assumed that democracy embeds constitutive principles such as participation, community engagement, rationality, consensus, equality and freedom (Adams & Waghid 2005:25). Therefore, deliberate democracy is grounded in the idea that people of equal status and mutual respect come together to discuss political issues.

Based on their discussion of these political issues, they agree on the policies that will be used to make decisions on the matters they face (Bächtiger *et al.* 2018:20). According to Young (2002), deliberative democracy is a process of practical reasoning in which participants offer proposals of how best to solve problems or meet legitimate needs. In presenting their arguments, they aim to persuade others to accept their proposals. Through discussion, others can test and challenge these proposals and arguments. Eventually they arrive at an agreement about the proposals best supported by concrete and best reasons. It involves inclusion, equality, reasonableness, and publicity (Young 2002:19 – 23). In Benhabib's view, "deliberative democracy is important in achieving legitimacy and rationality as part of collective decision making as a process within a group of free and equal people with common interests in an institution" (Benhabib 1996:68).

Section 16 (a) of the SA Schools Act (No. 84 of 1996) (DOE, 2011) which for example recommends that the school principal tables the academic performance improvement plan at a governing body meeting. He should also inform them about policy and legislation, and present the governing body with a report on the professional management relating to the public school. For this to become practical, the SGB and the school principal will depend on the SMT and educators for the relevant data. Participation and discussions that will enable the school to produce an academic performance improvement plan in the case of underperformance, should also be included.

A public sphere of deliberation about matters of mutual concern is essential to the legitimacy of democratic institutions, which is best understood as a model for organising the collective and public exercise of power in the major institutions of a society. Collective decision-making on aspects that affect everyone is the outcome of a process through which all partners with a common interest are at liberty to discuss and agree (Benhabib 1996:69). Subjecting the exercise of power to reason's discipline, Habermas famously described this as "the force of the better argument." This is important in deliberative democracy, and to the advancement of the better positioned groups. The intention is not to do away with power, which is an idea that makes no sense. It is also not about subjecting power to the discipline. It is rather just talking and reasoning without influencing the exercise of power (Cohen 2009:249).

The way in which the SA Schools Act (No. 84 of 1996) (DOE, 2011) is implemented in some schools seems to be creating certain challenges that hamper compliance to legislation. This often results in non-compliance, especially when it comes to Section 18, which recommends that the SGB should have meetings with educators, learners, and other staff members to report on the activities of the SGB, at least once a year. Through a multiple case study involving two schools, it is discussed how legislative compliance can contribute towards a relationship between the School Governing Body and the School Management team as well as strengthening participatory and deliberative democracy. Although SGBs and SMTs are currently experiencing a number of challenges, there are ways in which schools can improve this. For instance, Ntsimango (2016:68) states that SGB members believe that ignorance is a major

problem that influences the relationship between school managers and school governors negatively and causing tension.

According to Mohapi and Netshitangani (2018:4), parent governors should stop shifting their roles and responsibilities to principals. If they fail at this, the misinterpretation and non-compliance of the SA Schools Act (No. 84 of 1996) (DOE, 2011) will remain in some South African schools. They further emphasise that illiterate parents can be assisted to effectively participate in school governance if their roles are explained to them at their level and in a language that they understand (Mohapi & Netshitangani 2018:11). To enhance and realise this, SMTs can contribute to guiding schools on policy-related matters, and also contribute to their successful implementation (Van Wyk & Marumoloa 2012:103-104). Governance in schools cannot be the responsibility of a single person, where the principal leads the SMT and the SGB. The two stakeholders are important structures in the school. They depend on each other and must join forces to execute both professional and governance functions. According to Dick (2016:19), if the principal does not improve the relationship between the SGB and the SMT, a school will not achieve its planned activities and objectives. With the challenges experienced by principals, SGB and SMT members in historically disadvantaged schools, Davids (2020:7) suggests that representation of all relevant stakeholders has not yet been realised. He states that apartheid inequalities persist in school governance, stemming from issues such as social class, gender and race. He also raises the issue of SGBs not being able to promote tolerance, rational discussion and collective decision-making. The main aim of SA Schools Act (No. 84 of 1996) (DOE, 2011: 1) is to sustain the rights of learners, parents and educators, and to promote a sense of ownership regarding the organisation, governance and funding of schools in partnership with the state.

1.4 Purpose of the Study

In this study, I aim to explore the relationship between the School Governing Body and School Management Team members, and to highlight legislative compliance and how it contributes towards the relationship between the SGB and SMT. Internationally, scholars have written on the challenges faced by school governors regarding the decision-making processes of principals (Marphatia, Edge, Legault & Archer 2010; Franzoni & Gennari 2013; Salvioni & Cassano 2017). It was found that nowadays

principals must acquire new skills to legally comply with legislation in a new setting. Similar legal compliance, related to the decentralisation of policies, are the reality for school principals across the Asia Pacific Region, including countries such as Thailand, Mainland China, Republic of Korea, Malaysia, Hong Kong and Taiwan (Walker 2003:975). In regional studies covering countries such as Burundi, Malawi, Senegal, and Uganda (Marphatia *et al.* 2010:26) state that principals have the most power in schools, and at times they may decide when it is best to involve other relevant stakeholders.

Locally, research has been done on the relationship and partnership between SGB and SMT members, predominantly school principals, and their experiences in South African schools (Smit & Oosthuizen 2011; Tsuari 2012; Xaba & Nhlapo 2014; Basson & Mestry 2019; Davids 2020). Initially, the intention of post-apartheid legislation was that school governing bodies should take the lead in school policy matters, but SMTs have since become a very important role player in policy development and implementation (Van Wyk & Marumoloa 2012:108).

1.5 Research Questions

1.5.1 Main research question

The main research question is the following: How does legislative compliance contribute towards a relationship between the SGB and SMT of two schools in the Northern Cape?

1.5.2 Sub questions

Sub questions asked are the following:

1. What are the roles of the SGB and SMT regarding legislative compliance in two schools in the Northern Cape?
2. How do the SGB and SMT use legislative compliance to transform schools through participatory and deliberative democracy, resulting in collective decision making?

3. How do these roles of the SGB and SMT contribute towards the relationship between the SGB and SMT in the selected two schools in the Northern Cape?
4. What can be done to enhance the existing relationship between the SGB and SMT in the two schools in the Northern Cape?

1.5.3 Research aim and objectives

To explore how legislative compliance contribute towards a relationship between the SGB and SMT of two schools in the Northern Cape.

1. To explore the roles and relationship of the SGBs and SMTs on legislative compliance in two schools in the Northern Cape.
2. To determine how SGBs and SMTs use legislative compliance to transform schools through participatory and deliberative democracy, resulting in collective decision making.
3. To understand how the roles of the SGB and SMT contribute towards a relationship between the SGB and SMT in two schools in the Northern Cape.
4. To highlight what can be done to enhance the existing relationship between the SGB and SMT of two schools in the Northern Cape.

1.6 Definition of Terms

1.6.1 Legislative compliance

The Cambridge English Dictionary (Cambridge 2021:online) formally defines compliance as the act of obeying an order, rule, or request. In terms of the law, it refers to obeying a particular law or rule, or acting according to an agreement. In the context of this study, legislative compliance ensures that an institution conforms to policy standards, rules and legislation. Schools need to create an environment that will be conducive for the SGB and the SMT to interact, establish a relationship or partnership that is based on trust and respect for each other, discuss policies and their related activities, and agree, disagree and reason before deciding on what is in the best interest of the school (Adams & Waghid 2005; Smit & Oosthuizen 2011; Basson & Mestry 2019).

1.6.2 Relationship

The Merriam-Webster dictionary (Merriam-Webster 2022:online) defines a relationship as the way in which two or more people, groups, countries, etc. talk to, behave toward and deal with each other, or the way in which they are connected. In this study, the SGB and the SMT in the school are legally coming together to operate on approved policies, rules and legislation.

1.6.3 Partnership

Ngongoma (2006:5) explains that participatory action seeks to actively involve people in generating knowledge about their own situation. It embraces both direct involvement and participation through representation, since it involves the discretion of representatives, discussion with representatives and receiving information on a decision as a form of participation. The partnership between the principal, SGB, SMT, representative council of learners (RCL) and the role players in the community needs to be established and sustained. It will allow them to support and ensure that the resources of the school are managed to serve the best interest of the school, and to improve learner performance (RSA DOE 2016:3).

1.6.4 Leadership

After decades of discord, leadership scholars now agree that there cannot be a common definition for leadership because of global influences and generational differences. As a result, leadership will have different meanings to different people. Leadership is a complex concept that that will continuously change. The following components are however central to the concept.

Leadership is a process which involves influence. It takes place in groups and includes common goals. Leadership is explained as a process through which an individual influences a group of individual people to achieve a common goal (Northouse 2021:22; Yukl & Gardner 2020:41). Most leadership definitions focus on influencing a group of individuals to attain a common goal and to develop a vision (Algahtani 2014:75). Leithwood (2021:2) defines leadership as an exercise of influence on organisational members and diverse stakeholders toward the identification and achievement of the organisation's vision and goals. In the school environment, the sources of influence may be administrators, parents, teachers or trustees. Leadership is mutual instead of

unidirectional, and is practiced through relationships between and among individuals, groups, and their environment. Leadership, defined in this manner, is 'successful', and it makes significant, positive, and ethically defensible contributions to progress in achieving the organisation's vision and goals.

1.6.5 The principal

According to Farah (2013:2), the term principal does not have a common definition, but the role of the principal in a school includes activities and operations of educational management. Walker (2003: 978-979) explains the five critical roles that a manager must play in the school to ensure that transformation takes place in the day-to-day operations of executing leadership tasks. Firstly, principals are required to be more proactive and take action to influence meaningful change. They should not just sit back and observe things happen. Secondly, they are expected to be consultative, practice open and democratic principles, promote collective ownership and create a school culture which develops shared leadership. Thirdly, principals should allow for the promotion of a more integrative, coherent school. Fourthly, there should be a move to school-based management that does not have a one size fits all to remedy school level needs and problems. In their own communities, leaders should help develop the capacity to identify and fashion solutions to local concerns. Fifthly, there is an expectation of more involvement in the environment beyond the school. School leaders are held accountable for the success of their organisations, and the success of local initiatives depends on the principals' abilities to adapt their roles to new realities.

1.6.6 The deputy principal

The responsibilities of the deputy principal include management functions and assisting the principal with duties. The deputy principal should take on a leadership role when the principal is absent from school. As part of the communicative functions, the deputy should meet with parents concerning learners' progress and conduct, and should assist the principal in liaison work with the organisations, structures, committees and groups crucial to the school (RSA DOE 2022: 41 – 43).

1.6.7 School management team

In the South African context, the provincial education department decides on the SMT composition of a particular school with no influence from the principal (Bush & Glover 2013:22). According to the Personnel Administrative Measures, the school management team normally consists of the school principal, deputy principal and departmental heads or senior educators (RSA DOE 2022: 32-46; Bush & Glover 2021:119).

1.6.8 Governance

School governance refers to the functions that determine the policies and rules by which the school is organised and controlled, and should ensure that such rules and policies are carried out in terms of the law and the budget of the school (Maile 2002:326; Khuzwayo 2007:5; Nong 2007:26). Additionally, in its definition the Federation of Governing Bodies of South African Schools (FEDSAS 2015:3) states that governance is essentially about effective leadership. It is a mechanism used to create applicable processes, systems and controls, including the correct behaviour, to ensure sustainability in an organisation such as a school. In addition, it helps to ensure that decisions are taken that are in the best interests of the organisation and its stakeholders. Graaff (2016:10) defines it as the involvement of private citizens in public policy at local and regional levels, and it entails some combination of policymaking, implementation, and oversight in a formalised collective setting.

1.6.9 School governing body

A school governing body refers to a body composed of the principal in his official capacity, parents, educators, non-educators learners (in cases where the school has grade 8 and above) elected by the school community to govern the school, and co-opted members of the community (SA Schools Act (No. 84 of 1996) (DOE, 2011:31); Khuzwayo 2007:5; Xaba & Nhlapo 2014:425). In addition, Section 16 of the SA Schools Act (No. 84 of 1996) (DOE, 2011) explains it to be a body that governs every public school. It should perform its functions and obligations, and exercise these, as prescribed by the act (Tsuari 2011:20).

1.6.10 South African Schools Act No. 84 of 1996 (SASA)

In a definition provided by Nong (2007:19) she states that the SA Schools Act (No. 84 of 1996) (DOE, 2011) covers the funding, organisation and governance of schools. It outlines the powers and duties of governing bodies, the nature of their composition and the procedures and activities they need to follow to secure quality education and governance. It also indicates that all stakeholders should be involved in the main decisions of the school. An attempt should be made to obtain their views through participation in collective and democratic decision-making processes.

1.6.11 Personnel administrative measures

The Personnel Administrative Measures regulate the responsibilities of SMT members (RSA DOE 2022), and they direct that the deputy principal must assist the principal in his/her duties. As part of the communication, the deputy principal is expected to meet with parents concerning learners' progress and conduct, and to assist the principal in liaison work with all organisations' structures, committees, groups, etc., important to the school (RSA DOE 2022:41). When a school does not qualify for a deputy principal, or in the absence of both the principal and deputy principal, the departmental head is expected to take over this task (RSA DOE 2022:39).

1.6.12 National policy on whole school evaluation

It is an open and joint process of taking decisions on the whole performance of the schools through agreed-upon national standards. It deals with the preparedness of all school staff and governors to perform conscientiously and effectively any responsibility given to them. It gives an opportunity for acknowledging school achievement and the identification of all areas that require attention and improvement (RSA DOE 2001). The latter includes the process of school self-evaluation and a school improvement plan that must involve the SMT and SGB.

1.7 Research Design

According to Tracy (2020:51), an interpretive point of view, also known as social construction, constructivist or constructionist, reality is not something readily available that a researcher can clearly explain, describe, or translate into a research report. Alternatively, reality and knowledge are constructed and reproduced through

communication, interaction, and practice. Interpretivism gains knowledge through engaging and asking different opinions in order to respond to a particular question. Additionally, interpretivism focuses on in-depth variables and reasons linked to a situation. It views humans as different from physical phenomena as they can create further depth in meaning, with the assumption that human beings cannot be explored in the same way that physical phenomena can (Alharahsheh & Pius 2020:41). Similarly, the interest is in understanding the meaning of a phenomenon from the participant's point of view (Merriam & Tisdell 2015:24).

Qualitative research studies focus on explaining complex social practices (Kahwati & Kane 2021:5). According to Chai, Gao, Chen, Duangthip, Lo and Chu (2021:2), these complex social practices are explained by studying people in reality, with an attempt to make sense of and interpret them according to meanings people ascribe to real-life situations. The interpretation process includes the standardised collection, arrangement, explanation and clarification of textual, verbal or visual data. Researchers suggest using a limited number of cases when collecting data (Kahwati & Kane 2021:5). During the data collection process, the qualitative research study answers questions about experience, meaning and perspective, from the perspective of the participant (Hammarberg, Kirkman & De Lacey 2016:499).

Conversely, it is further explained that research on people and their real-life situations must be designed to generate questions that will allow participants to respond to, and explain "how" things are done and "why" they are done in a certain way. This will assist to add meaning and understanding to the researched environment (Merriam 2014:13; Leavy 2017:72; Creswell & Poth 2018:42). Ultimately, the goal of qualitative research is to understand the social reality of individuals, groups and cultures within their natural situation (McLeod 2019:2).

Qualitative case studies like other forms of qualitative research usually search for meaning and understanding. The researcher is the key mechanism of data collection and analysis, and usually applies an inductive investigative strategy to produce a final report that is richly descriptive (Merriam & Tisdell 2015:37). A multiple case study (two cases/schools) forms part of this research project, and Yin (2018) provides a two-part definition of a case study.

Part 1

A case study is an empirical study that investigates a contemporary case in its real-life context, especially when the difference between the phenomenon and the context may not be evident (Yin 2018:45).

Part 2

A case study deals with a technically different situation where there are more variables of interest that are compared to data points as one result; benefits from the previous development of theoretical suggestions to guide the design, data collection, and analysis, and as the other result depend on a various sources of evidence, with data needing to come together through triangulation (Yin 2018:46).

Part of the interest of my study design was to explore and discover more about the interactions and relationship between the School Governing Body and the School Management Team members of two public schools. This was to answer the question of how legislative compliance contributes towards a relationship between School Governing Bodies and School Management Teams. The study's primary focus is about understanding the actions and reactions of participants in different social and cultural settings. For this reason, a qualitative and interpretive approach was suitable for this study.

1.8 Significance of the Study

The SA Schools Act (No. 84 of 1996) (DOE, 2011:9) highlights that the SGB (a statutory body of elected people) is responsible for school governance, and should be elected at each South African school. According to the Department of Education (2004), school governance requires the SGB to organise, control and manage policies and rules which the school community need to follow. The Department of Education (2004) states that the SGB is a body that guides the structures authority, collaboration, coordination and allocation of resources and other activities linked to school management. The SMT is responsible for the professional management of the school and issues around teaching and learning. As professional managers, SMT members serve as teachers on the SGB, providing guidance on matters relating to the curriculum only (Basson & Mestry, 2019:1). The SGB is therefore responsible for school

governance, while the SMT is only responsible for the professional development in schools. The principal plays a dual role to link the two committees. However, while these clear functions should create a balance in relation to legislative compliance and the functional roles between these two committees, research in the area suggests that many conflicts still exist.

Heystek (2006) found that parents and other SGB members do not have the financial knowledge to assist in financial matters, which ultimately leads to the SMT having to deal with financial issues. Xaba & Nhlapo (2014:430) observe that parents serving on the SGB are normally not well educated, and therefore lack the skills to provide support to the school. Additionally, Van Wyk & Marumola (2012:107) posit that SGB members are not familiar with policies and legislation, and rely on the SMT to explain these aspects. These conflicts can create serious problems within a school, such as poor infrastructure, lack of resources, financial problems and so forth. This study seeks to highlight the functional relationship of the SGB and SMT members and their roles in the specific district under study in order to determine how the functional roles are used to contribute towards a productive relationship. It will also highlight how the relationship between these two committees may be enhanced.

1.9 Limitations of the Study

Although there is an expectation that a research study will progress smoothly, we often face challenges along the way. Selected participants may for example withdraw from a study. Another issue might be the availability of participants, as the contact time of learning and teaching cannot be compromised. Some of the school governors might be employed, and in such cases the consultations will be at a time convenient to them.

1.10 Organisation of the Study

Chapter 1 provides an introduction and acquaints the reader with the background to the study, and the main research question. Chapter 2 explores the theoretical framework as well as provides a review of international and South African literature to demonstrate the need for a study on the relationship between the SGBs and SMTs of two schools in the Northern Cape. It also highlights the body of knowledge that this study will add to. Chapter 3 discusses the methodology of the study. In this chapter the researcher provides the theoretical underpinnings of the study, the location of the

study, the methods and techniques used in this study, reflexivity and the ethical considerations of this study.

Chapter 4 presents the data analysis, focusing on the factors that contribute towards a relationship between the SGBs and SMTs of two schools in the Northern Cape. The researcher will highlight all the data collected in the study using thematic analysis. Chapter 5 provides the reader with critical comments and recommendations on how to strengthen the relationship between the SGB and the SMT, the chapter ends with a conclusion, summarising the research study.

CHAPTER 2: REVIEW OF THE LITERATURE

2.1 Introduction

In the previous chapter, I introduced the study to the reader by providing the background to the study, the research questions and objectives, as well as the research problem, among other aspects. In this section, I will discuss the theoretical framework used in this study, which is deliberative and participatory democracy. Participatory democracy refers to a form of direct democracy that allows members of a society to take part in decision-making processes at their institutions and organisations (Smit & Oosthuizen 2011:61). Deliberative democracy is when people come together, on the basis of equal status and mutual respect, to discuss the political issues they are faced with. Based on those discussions, they deliberate and decide on the policies that will affect their lives.

2.2 Theoretical Framework

In the following sections, I will discuss participatory and deliberative democracy as theoretical frameworks used in this study. I will then expand on the principals' and school governors' responsibilities to the functioning of the school from international, regional and local perspectives.

2.2.1 Background of participatory and deliberative democracy

The main scholars of participatory and deliberative democracy, Carol Pateman and Crawford Brough Macpherson, indicate that the term participatory democracy originates from as far back as 1960 and 1970, whereas deliberative democracy was introduced around 1980 by Joseph M. Bessette and Cass Robert Sunstein (Florida 2013:1). Since then, models of participatory and deliberative democracy have been researched by scholars such as Habermas, Rawls and Florida, amongst others.

2.2.2 Democracy

In the early 1970s the size and complexity of industrialised societies, as well as the emergence of bureaucratic forms of organisation, cast doubts on the realistic attainment of democracy (Pateman 1970:40). By the middle of the 1970s democracy was still the ideal, but the emphasis was on participation and the classical formulation

of a democratic theory. Vitale (2006:745) explains that the concept of democracy is grounded in discourse theory and political deliberation. Democratic legitimacy requires that the process of political decision-making occur in a framework of broad public discussion, in which all participants can debate the various issues in a careful and reasonable fashion. Decisions can be made only after this process of discussion has taken place (Vitale 2006:745). According to an analysis by Della Porta (as stated in Elstub 2018:220), the two theories of participatory and deliberative democracy can conceptually exist discretely and separately from each other. In the view of participatory and deliberative democrats, citizens' involvement is fundamental to a more mature and better democratic future (Held 2012:211). Democracy and its legitimacy depend on a real link between the public will and public policies and selected office-holders. Some critics view this as not making sense, while it is a widespread normative expectation of the link between the public will, policies, and elected office holders (Fishkin & Mansbridge 2017:7). Practically, participatory and deliberative democracy benefit from each other (Elstub 2018:221–224). In the next section, I expand on democratic values and elaborate on participatory democracy as part of the framework for this study.

2.2.3 Democratic values

A range of democratic values are emphasised by Christiano and Christman (2009:219). Firstly, democracy embodies mutual respect and equality, which are required as a matter of right. Secondly, democracy helps to avoid some of the evils of undemocratic ways of life. It helps to protect individuals against abuse, neglect, subordination, and a position of exclusion. The term democracy also protects against the corruption of character of those who occupy privileged positions in society. Thirdly, democracy offers ways of realising the shared goods of sympathy and autonomy. Fourthly, democracy is a mode of collective learning. All these democratic values are significant to the relationship between members of the SMT and SGB.

2.2.4 Participatory democracy

The availability of representative institutions at national level is not adequate for democracy. For maximum participation by all the people, democracy must happen in all spheres so that the necessary individual attitudes and psychological qualities can

be developed (Pateman 1970:41). This development takes place through participation. The core function of participation in the theory of participatory democracy is educational in the broadest sense. This includes both the psychological aspect and the gaining of practice in democratic skills and procedures. The term was later related with concepts such as equality, consensus and face-to-face assembly (Florida 2013:3). A democratic government cannot exist without a participatory society where all political systems are democratised and socialised through participation at all spheres (Pateman 1970:42). Researchers relate it to forms of participation that directly include ordinary citizens into institutionalised representative procedures, in which decisions are the outcome of a consensual deliberative process (Smit & Oosthuizen 2011:59; Trettel 2015:88).

Glas (2016:5) states that participatory democrats see this as a process of providing self-government to citizens in all non-political domains of society. The school is a public institution that is regulated by the SA Schools Act (No. 84 of 1996) (DOE, 2011) and all other relevant pieces of legislation that complements it, such as the Personnel Administrative Measures (RSA DOE 2022) and the Policy on Whole School Evaluation (RSA DOE 2001). These pieces of legislation ensure that the SGB and the SMT comply and implement these policy imperatives through participation to indicate the functionality of both the SGB and the SMT. Participatory democrats believe citizens have a say in decision-making, and it enables them to contribute and influence the decision-making process (Michels 2011:278). The core of the participatory idea is that citizens in a democracy must engage with the substance of law and policy, and not simply delegate responsibility for such substantive engagement to representatives (Cohen 2009: 248). Based on a review of empirical evidence, there is a suggestion that more citizens would welcome additional opportunities to participate in meaningful and consequential deliberation (Elstub 2018:217).

Participatory democracy has three justifications (Vitale 2006:750; Elstub 2018:219). Firstly, it is suggested that it represents a more authentic and normatively strident interpretation of democracy than liberal representative democracy. When citizens make collective decisions on issues that affect them, whether in the political, social, or economic sphere, the element of political equality and personal autonomy are strengthened. It gives the true meaning of democracy as "rule by the people." In turn,

democracy is deepened and improved, as expanded citizen participation can increase trust in political institutions, which then gain greater public support (Elstun 2018:219). Secondly, and relatedly, it is suggested that increased participation can reduce socio-economic inequalities, thus promoting political equality and resulting in a more functional democracy. There is a vicious circle of cause and effect that continues socio-economic inequalities in political participation. The less certain socio-economic groups participate in politics, the less they will be able to organise themselves and express their demands. This allows for the continued domination of decision-making by privileged socio-economic groups who may not see the reason to protect the interests and needs of non-participants, and may even restrict the opportunities for these groups to participate. The only solution is increased democratic participation. An increase in equality would be reciprocated by an increase in participation and vice versa. There is a need to break the vicious circle so that increases in either equality or in democratic participation can be achieved (Elstun 2018:219). The third justification is the educative effect that participatory democracy has on citizens. This depends on the discussions that must take place before a decision is taken.

From a practical and organisational point of view, Vitale (2006:750) explains that participatory democracy emphasises the need to construct forms of direct democracy. In the case of this study, it is the SGB and SMT that can function alongside the representative system. The idea is not to replace the indirect system with a direct one, but to create new levels of discussion and political deliberation that can at least reduce the serious problems of legitimacy raised by representative institutions, such as the distance between representatives and represented and the lack of transparency, publicity and accountability at higher levels.

Furthermore, Karlsson (2002:329) writes that by orientating South Africa towards a democracy, the SGB should be practicing democracy by making decisions participatory. The nature of participatory democracy assumes that members of SGBs are active participants who are making decisions individually and collectively. Participatory democracy is viewed as including the SGB and SMT in a team work exercise that will expose them to the annual planning process of a public school, in for example giving them the opportunity to participate in the school self-evaluation and school improvement plan, as required by the National Policy on Whole School

Evaluation (RSA DOE 2001). In addition, Adams and Waghid (2005) state that in order for democracy to succeed, it is imperative that its basic qualities or principles of conflict-solving, agreement or disagreement, not only be kept intact, but also nurtured. Any violation or negation of its constitutive meanings would be equal to undermining the concept of democracy, which could possibly lead to undemocratic practices (Adams & Waghid 2005:26).

2.2.5 Deliberative democracy

According to researchers, deliberative democracy originates from participatory democracy (Elstub 2018:216). Despite this, it is quite difficult to clearly define deliberative democracy (Trettel 2015:89). According to Bächtiger *et al.* (2018:2), the concept deliberation can be seen as a means of "mutual communication that involves weighing and reflecting on preferences, values, and interests regarding matters of mutual concern". They briefly define deliberative democracy as "any practice of democracy that gives deliberation a central place". It is seen as a step forward during a process for decision-making (Florida 2013:6). It is assumed that democracy embeds constitutive principles such as participation, community engagement, rationality, consensus, equality and freedom (Adams & Waghid 2005:25). Therefore, deliberate democracy is grounded in the idea that people of equal status and mutual respect come together to discuss the issues they face. Based on their discussion of these issues, they agree on the policies that will be used to take decisions on these matters (Bächtiger *et al.* 2018:20).

For example, Section 16 (a) of the SA Schools Act (No. 84 of 1996) (DOE, 2011) dictates that the school principal must table the academic performance improvement plan a governing body meeting. He should also inform the SGB about policy and legislation, or present a report on the professional management of the school. For this to be practical, the SGB and the school principal will depend on the SMT and educators for the relevant data. It will also necessitate participation and discussions, to enable the school to produce such an academic performance improvement plan.

Young (2002:19-23) explains deliberative democracy as a process of practical reasoning, where participants offer proposals of how best to solve problems or meet legitimate needs. In presenting their arguments, they aim to persuade others to accept

their proposals. Through discussion, others test and challenge these proposals. Eventually participants arrive at an agreement by determining which proposals are supported by the best reasons. It involves inclusion, equality, reasonableness, and publicity. In Benhabib's view, "deliberative democracy is important in achieving legitimacy and rationality as part of collective decision making as a process within a group of free and equal people with common interests in an institution" (Benhabib 1996:68).

A public sphere of deliberation about matters of mutual concern is essential to the legitimacy on democratic institutions, which is best understood as a model for organising the collective and public exercise of power in the major institutions of a society. Collective decision-making on aspects that affects all can be seen as the outcome of a process where all partners with a common interest were at liberty to discuss and agree (Benhabib 1996:69). Habermas describes this subjection of the exercise of power to reason's discipline as "the force of the better argument". The intention is not to do away with power, but the focus is on talking and reasoning without influencing the exercise of power (Cohen 2009:249).

Curato, Dryzek, Selen, Ercan, Hendriks and Niemeyer (2017:29-34) state that empirical studies over the years have cleared some controversies of deliberative democracy. They mention the following 12 characteristics of deliberative democracy: it is realistic, deliberation is essential to democracy, deliberation is more than a discussion, deliberative democracy involves multiple types of communication, deliberation is for all, deliberative democracy has a nuanced view of power, productive deliberation is plural not consensual, participation and deliberation go together, deliberative transformation takes time, deliberation is the solution to group polarisation, deliberative democracy applies to deeply divided societies, and deliberative research productively deploys diverse methods. To the contrary, Bächtiger *et al.* (2018:5) argue that the controversies are not yet settled.

From the above review and for the purpose of this study, I will focus on three of the twelve aspects mentioned by Curato *et al.* (2017:30–32). These aspects emphasise legislative compliance and the need for a relationship between the SGB and SMT members. The aspects that will be discussed at length are deliberative democracy

involving multiple types of communication, deliberation for all, and the fact that participation and deliberation go together.

2.2.5.1 *Deliberative democracy involves multiple types of communication*

Curato *et al.* (2017:30) suggest that some democrats regard deliberative democracy as too rationalistic and procedural. The process of deliberation involves ordinary communities and the poor, and they can express themselves without being rationalistic (Sanders 1997:349). Rationalism is a standard human ability to reason as a collective. It is influenced by culture; therefore its character will differ from place to place. It also influences the establishment of political institutions and their deliberations (Sass & Dryzek 2014:4).

In the South African context, because decision-making power has been devolved to schools, it might not always be easy for governors to express themselves in English. They also might not have the required experience in governance and meeting procedures. For SGB and SMT members to communicate and express themselves in the most convenient language will enhance and facilitate deliberations, and allow for meaningful discussions and mutual respect during the process. Compliance to the relevant legislation will be deliberated upon and eventually explained. The most common argument will be adhered to by the participants, even if not sponsored by them, and consensus will be reached (Moolakkattu, 2018:16).

2.2.5.2 *Deliberation is for all*

Instead of considering deliberative democracy as meant for the elite, eloquent and well-educated only, recent research found that it is inclusive rather than elite. Globally deliberative democracy can develop the ability of small communities that are not usually considered to be important (Curato *et al.* 2017:30-31). When developing these abilities for the purpose of collective decision-making, equity and equality need to be taken into consideration (Moscrop & Warren 2016:2).

In Section 23 of the SA Schools Act (No. 84 of 1996) (DOE, 2011:31), an SGB consists of parents, educators, non-educators, principal learners, and co-opted members, while an SMT consists of a principal, deputy principal/s and departmental head/s where applicable (RSA DOE 2022:38-47; Bush & Glover 2021:119). For a public school to

implement policy and legislation that will lead to compliance, there needs to be meetings between these stakeholders to allow participation and deliberation on decisions about the school.

2.2.5.3 Participation and deliberation go together

Participatory and deliberative democracies are often used interchangeably. Their main focus is the direct involvement of citizens in political decision-making processes (Carson & Elstub 2019:1). Some scholars argue that although deliberative democracy is studied at a small scale or "mini public", this is done with the intention to better understand how mini deliberative forums can be improved to enhance public participation (Curato *et al.* 2017:32). According to Schmidt (as quoted by Kuyper 2012:7), mini publics are recommended in conjunction with all levels of the state so that the ideals of deliberative democracy are sustained. They can either be done through consultation, so that information is shared with participants, or they can develop a particular set of policy recommendations. In the end, deliberative democracy allows reasonable parties to come together and engage in evidence-based discussions that will influence others to accept a decision. The unrestricted mini public discussions expose participants to knowledge, skills, interests, and encourages relationships.

The above-mentioned characteristics relate to this study and serve as reminders that in an institution like a school, there cannot be limited means of communication because different stakeholders are involved. Through effective leadership, relevant legislation that must be implemented to oversee the establishment of relationships or partnerships as part of influencing people and change in a school must be circulated, communicated, interpreted and deliberated upon. The SGB and SMT must work towards establishing a relationship that will encourage participation and deliberation on school-related matters. This will ensure that decisions are taken in the best interest of the school. Once these have been achieved, oversight and implementation will be managed to ensure compliance.

The common understanding of the legislation will enable all leaders, managers and governors to ensure that the school becomes an environment that is conducive to learning, teaching and stakeholder engagement. Pateman (2012:18) comments that the central claim of deliberative democratic theorists is that "individuals should always

be prepared to defend their moral and political arguments and claims with reasons, and be prepared to deliberate with others about the reasons they provide". The two forms democracy are briefly described by Chambers (2003:308) as the "voting–centric (participatory) and talk–centric (deliberative) theories", and are classified by Smit and Oosthuizen (2011:59) as organisational or grass roots democracy. Before the promulgation of the SA Schools Act (No. 84 of 1996) (DOE, 2011), community participation in previously disadvantaged schools was considerably less democratic (Adams & Waghid 2005:25). With its implementation, South Africa introduced a school governance approach with the aim of democratising education through the participation of all stakeholders, and devolving decision-making to schools (Xaba & Nhlapo 2014:424).

The SA Schools Act (No. 84 of 1996) states that the cycle for school governing body elections is three years. It also recommends that its electoral procedures should be determined by the Member of Executive Council. During these elections, all stakeholders (parents, educators, and non-teaching staff) directly participate, nominate and vote for representatives who will serve on the SGB. For schools with Grade 8 and above, learner representatives serving on the SGB are elected annually from the democratically elected Representative Council of Learners. In practical terms, most of the engagements and deliberations will be between the elected volunteer SGB members (representors) and the principal in his official capacity. The SA Schools Act (No. 84 of 1996) (DOE, 2011:26) states that all decisions must be taken in the best interest of the school.

During the three-year term of office, school governors and managers must oversee the implementation of legislation, and this will require of them to forge a relationship. In the view of Christie, Sullivan, Duku and Gallie (2010:20; Dabell 2019:4) this process is not easy. In the South African schooling system democracy, education and the law cannot be separated (Smit & Oosthuizen 2011:55). In implementing and complying with legislation such as the SA Schools Act (No. 84 of 1996) (DOE, 2011); the National Policy on Whole School Evaluation (RSA DOE 2001); and the Personnel Administrative Measures (RSA DOE 2022), the expectation is that the SGB and SMT must engage and communicate when planning and reporting on progress.

Adams and Waghid (2005:31) discourage the notion by school managers that they know everything. There is a need to ensure that an institution like a public school is transformed to empower governors on an equal basis, and to embrace deliberative democracy through legislative compliance and partnering with other stakeholders. According to Benhabib (in Adams & Waghid (2005:31), the following features are used as a test to see if deliberative democracy is instituted at the school:

Participation in such type of deliberation is governed by norms of equality and symmetry (all have the same chance to initiate speech acts, to question, and to open debate), all have the right to question topics of discussion, and all have the right to initiate reflexive arguments on the rules of the discourse process and the way in which they are applied or executed.

This research project will provide the researcher with the opportunity to explore whether the SGB and SMT create the opportunity for participation and deliberation before decisions are taken in the two participating schools.

2.2.5.4 Advantages of participatory and deliberative democracies

The main advantage of participatory democracy is that it develops and fosters the qualities that support it. The more role players participate, the better they become in implementing it. Minor assumptions about participation are that it has an integrative effect and that it aids the acceptance of collective decisions. A participatory authority structure can also assist in reducing non-democratic attitudes in the individual (Pateman 1970:43). According to Tocqueville (in Hardin 2009:234), the benefit of participating in organisations such as the SGB and SMT is that the more people participate, the more they develop a capacity to pursue common aims together. By implication, both the human and the social context is developed. With training acquired through membership in associations, it might become clear how people are treated by government agencies such as schools. Hardin (2009:233) states that for deliberative democracy to be practical and possible, it will be on a small scale. He cites Athens as a classic example of a large and diverse society that uses the Austrian economics theory to focus on a map that distributes knowledge. It emphasizes on the distributed knowledge of a productive and varied society with many functions to be filled (agricultural and market production, political and military leadership, etc.).

In essence, no one person or even significant institution could oversee or master all of this knowledge, even in the small society of Athens. It is argued that deliberative democracy assists to discover the truth, it leads us to a better understanding of means to achieve a goal by discovering important facts and can help us to discover the seriousness of our disagreements (Hardin 2009:235-236). In a research study conducted by Michels (2011), it was found that deliberative democracy has a number of positive effects, including an increase in knowledge, civic skills, and public engagement. It also contributes to the support for decisions among participants (Michels 2011:275).

2.2.5.5 *Overlapping of participatory and deliberative democracies*

In this dissertation, it is accepted that each of the theories has some aspects that overlap with the other (Florida 2013:6-7). This happens especially when people are brought together by common interests that result in dialogue, reason, and collective decision-making that will be in the best interest of the collective or institution based on general rules and policies. Despite the latter, it cannot be concluded that they are equal (Florida 2013:6), or that participatory democracy is being replaced by deliberative democracy and that deliberative democrats tend to be participatory democrats. In fact, Pateman (2012:8) argues strongly against these views.

The participatory and deliberative democratic theories were selected as theoretical frameworks for this study. This will assist in understanding the nature of the relationship or partnership that the SGB and SMT members experience to ensure legislative compliance in the context of this study. The next section will focus on the literature review, and engagement with international literature on relationships or partnerships between the SGB and SMT members in government schools generally. A review of the national literature on relationships and partnerships in public schools will also be covered. The literature review section is divided into three themes. These include a review of the international, regional, and national literature, with a discussion on how legislative compliance is used to negotiate and enhance the relationship between the SGB and SMT in schools, and how governors and managers experience their relationship. I will discuss how this affects management and governance in schools.

2.2.6 Overview of the research study

In the international literature review, it was found that principals in the Asia Pacific region need to acquire new skills to legally comply with legislation (Walker 2003:975).

In Greece, the principal plays an important role, with a huge responsibility but not enough power. There is limited involvement of other role players when it comes to decision-making processes in Greek schools (Franzoni & Gennari 2013:776).

In Italy, it was found that the school principal is a major role player in all decision-making processes within the scope of his/her authority. It was found that teachers, learners, and parents complain of formal and limited engagements in schools. Further findings indicate that in Romania, participation in the decision-making process is not enough, whilst, in the Netherlands, all stakeholders play an active role. Sweden seems to be limiting learner involvement when it comes to decision-making processes (Franzoni & Gennari 2013:777).

According to the regional research, Marphatia *et al.* (2010:26) state that school principals have the most power in schools, and they can decide to involve other stakeholders. They also feel that parents are not aware of their legislated roles and responsibilities, and the policies that formally prescribe to them school-level engagement and governance (Marphatia *et al.* 2010:26). A small group of parents actively participate in school, but this is mostly limited to attending meetings called by the school staff. The impression given to parents is that school governance is a complicated matter that is best left to those who understand it.

While in local research, a study by Xaba and Nhlapo (2014), found that principals do not involve other stakeholders in decision-making (Xaba & Nhlapo 2014:426). Principals are often intimidated by parent and educator governors, and as a result, processes are manipulated to suit the interests of the school and learners (Xaba & Nhlapo 2014:437). Most research conducted on SGBs focus extensively on either the illiteracy or inability of parents to fulfil their mandate, or parental involvement that controls and often challenges the principal's authority (Davids 2020:7). In the following sections, I will discuss the literature review. I will then expand on the principals' and school governors' responsibilities to the functioning of the school from international, regional and local perspectives.

2.3 Literature Review

In this section, I provide a review of literature exploring the relationship between the SGB and SMT with regard to legislative compliance on research conducted internationally, regionally and locally. I will attempt to highlight the gaps that exist within the literature on legislative compliance, specifically with reference to the relationships or partnerships as experienced by the SGB and SMT in South African public schools. As noted in Chapter 1, research has been done internationally, regionally and locally on the relationship and partnership between SGB and SMT members, focusing on the following themes: principals' responsibility relating the functioning of the school, and school governors and their experiences with schools.

Internationally, scholars have written on the challenges faced by school governors on the decision-making processes of principals (Marphatia et al. 2010; Franzoni & Gennari, 2013; Salvioni & Cassano 2017). It was found that principals must acquire new skills to legally comply with legislation in a new setting. Similar legal compliances related to the decentralisation of policies are the realities for school principals across the Asia Pacific Region, including countries such as Thailand, Mainland China, Republic of Korea, Malaysia, Hong Kong and Taiwan (Walker 2003:975).

In regional studies including countries such as Burundi, Malawi, Senegal and Uganda, Archer *et al.* (2010:26) state that principals have the most power in schools, and sometimes they can decide when it is best to involve relevant stakeholders. Locally, there is research done on the relationship and partnership between SGB and SMT members (predominantly school principals) and their experiences in South African schools. Such research has not yet been done in the Northern Cape, (Smit & Oosthuizen 2011; Tsuari 2012; Xaba & Nhlapo 2014; Basson & Mestry 2019; Davids 2020).

Xaba and Nhlapo (2014:426) report on the challenges of school governance roles, and found that principals do not involve other stakeholders in decision-making. On the other Davids (2020:4) describes how the dominance of parent representatives sometimes undermines the authority of the school principal. A further challenge is the strained relationship between the SGB and SMT members, who do not build relationships with school governors through improved communication and collective decision-making

processes (Marphatia *et al.* 2010; Franzoni & Gennari 2013; Salvioni & Cassano 2017).

This section will provide an expansion of the literature review in relation to the above aspects found in research on the relationships and partnerships between SGBs and SMTs (predominantly the school principal). Literature that focuses on the deputy principal and departmental heads (SMTs) is very limited in South Africa (Bush & Glover 2013:22). I will firstly give a historical trajectory of parental and community involvement in South African schools. Secondly, I will discuss the SA Schools Act (No. 84 of 1996) (DOE, 2011), the Personnel Administrative Measures (RSA DOE 2022), and the National Policy on Whole School Evaluation (RSA DOE 2001) within the context of this study. Thirdly, I will synthesis existing literature in relation to research done internationally on the phenomenon under exploration. Lastly, I will present a discussion on the research which has been done nationally. Essentially, this chapter demonstrates the need for this study, especially given the lack of research that exists in relation to the relationship between SGB and SMT members in the Northern Cape.

2.3.1 Historical trajectory of parental involvement in South African schools

During the apartheid era, schools in South Africa were heavily influenced by the laws of racial segregation which created major imbalances in the education system. As part of its legislation was, amongst others, the Bantu Education Act of 1953, which led to resistance from black South Africans, resulting in school community engagements to oppose the apartheid system (Naidoo 2004:13; Adams & Waghid 2005:25; Ngongoma 2006:15). Research shows that in the 1950s and, after a break, in the 1960s, this was followed by the industrial workers' strike of 1973, which sparked the process that led to the revival of organised mass political opposition of the apartheid system. The objectives of the struggle were soon extended, resulting in demands for 'People's Education' that triggered the eruption of the 1976 learner uprising in Soweto, which spread to the rest of the country (Ramoketsi 2008:171; Cameron, Hoadley, Levy & Naidoo 2018:29-31). In the 1980s this vision gained momentum when the National Education Coordinating Committee (NECC) supported the establishment of Parent-Teacher-Student Associations (PTSAs) in schools as alternatives to school committees. During this period mass participation was called for locally and nationally, with demands to reject the apartheid system through campaigns. Black education was

turned into a political battlefield during this time. Alternative study material was provided by student councils, parent committees and support organisations. This led to the banning of the NECC and the detention of its leaders. Eventually, according to Karlsson (2002:328), the South African ideal of democratic governing bodies, which would involve representatives of various constituencies in a school community, was born.

2.3.2 South African Schools Act No. 84 of 1996

With the advent of democracy post 1994, through the Constitution (RSA 1996), education was democratised through legislation (Naidoo 2004:13; Ngongoma 2006:15). All other legislation must comply with the South African Constitution. The Bill of Rights (RSA 1996:4-10) guarantees the right to equality, human dignity, freedom of religion, belief, opinion, expression and association, the right to education, language and culture and access to information that is held by another person and that is required for the exercise or protection of any rights. Additionally, Smit and Oosthuizen (2011:58) emphasise that there is an inseparable link between democracy, education and the law.

In following global trends, South Africa promulgated the SA Schools Act (No. 84 of 1996), which introduced a school governance approach with the intention of democratising education through the participation of all stakeholders by decentralizing decision-making to schools (Botha 2004:239; Prinsloo 2006:356; Xaba & Nhlapo 2014:424). Part of the aim of the SA Schools Act (No. 84 of 1996) is to fight racism and sexism and all other forms of unfair discrimination and intolerance, protect and advance our different cultures and languages, sustain the rights of learners, parents and educators, and promote their acceptance of responsibility for the organisation, governance and funding of schools in partnership with the State. The latter is a clear indication that governance in public schools must be based on transformation, inclusivity, democracy, observation of basic human rights and building partnerships with all relevant stakeholders. According to the SA Schools Act (No. 84 of 1996), the governance of a public school is vested in its governing body, and this must be in compliance with the act.

The Act further outlines the functions and responsibilities of governing bodies. In this study the researcher identifies some of the sections of the Act that support a relationship between the SGB and SMT. Section 8 of the SA Schools Act (No. 84 of 1996) (DOE, 2011) recommends that a governing body of a public school must consult and adopt a learner code of conduct after consultation with the educators, parents, and learners. The school principal should also prepare an annual academic performance report, which must be signed by the SGB chairperson before submission to the provincial Head of Department. Section 18 (b) covers the constitution of a governing body and stipulates that a governing body must hold meetings with parents, learners, educators and other members of staff at least once a year. The SGB is also expected to report on its activities to parents, learners, educators and other staff members at least once a year. Section 20 (i) stipulates that the SGB must recommend the appointment of educators at the school to the Head of Department.

Over the years, the latter has not taken place without state interference when it comes to some of the SGB functions (Prinsloo 2006:326). Some examples regarding this interference includes the appointment of school principals, language policy, closure of schools, expulsion of learners, erection or not of school buildings, and code of conduct (Serfontein 2010:101-102). The courts ruled in favour of the SGBs in the cited examples. In general, it is clear that compliance to legislation within the public school system must be operationalised by all relevant stakeholders without deviation and interference. The SA Schools Act (No. 84 of 1996) (DOE, 2011:31:32) recommends that the number of parent governors must be one more than the combined total of other members who have voting rights. The majority of parents on the school governing body means that parents have an advantage on matters such as religion, language and admission policies, the learner code of conduct, recommendations to the Head of Department on educator appointments, and the financial affairs of the school (Prinsloo 2006:357).

Similarly, Beckmann and Prinsloo (2009:181) emphasise that parents are important in the process of advertising educator posts, interviewing and appointing the most suitable candidates, because the participation of parent representatives on the governing body, inclusive of the principal and the school management team, are better positioned to identify and decide on the specific employment needs of the school.

Section 20 of the SA Schools Act (No. 84 of 1996) (DOE, 2011: 27-28) recommends that the SGB must also support the principal, educators and other staff of the school in the performance of their professional functions. It must also manage and control the school's property, as well as the buildings and grounds occupied by the school. It should further encourage parents, learners, educators and other staff at the school to render voluntary services to the school, and discharge other functions consistent with the SA Schools Act (No. 84 of 1996) (DOE, 2011), as determined by the Minister through a notice in the Government Gazette, or by the Member of the Executive Council through notice in the Provincial Gazette.

Section 30 of the SA Schools Act (No. 84 of 1996) (DOE, 2011:34) allows for school governing bodies to establish committees and appoint people that are not on the SGB to serve on these committees. Despite the fact that a governing body member must chair these committees, it is through these committees that the SGB gets an opportunity to be assisted and guided so that there is compliance to the relevant legislation. For practical reasons, the best-suited appointees would be educators and SMT members at the school. The procedure for preparing the annual school budget is prescribed in Section 38, with an emphasis on consultation before adoption of the final school budget. In terms of the SA Schools Act (No. 84 of 1996) (DOE, 2011), these functions of the SGB can initiate, encourage and contribute towards a relationship between the SGB and SMT members.

2.3.3 Personnel administrative measures

It is further legislated in Section 16A of the SA Schools Act (No. 84 of 1996) (DOE, 2011:23) and the Personnel Administrative Measures (RSA DOE 2022:43) that the functions and responsibilities of a public school principal is to implement policy and legislation, attend and participate in all meetings of the governing body, provide the governing body with a report about the professional management relating to the public school, and inform the governing body about policy and legislation.

In the absence of the principal, the Personnel Administrative Measures (RSA DOE 2022:41) indicates that the deputy principal must assist the principal in his/her duties. As part of communication, the deputy principal is expected to meet with parents concerning learners' progress and conduct, and to assist the principal in liaison work

with all organisations, structures, committees, groups, etc. crucial to the school. If the school does not qualify for a deputy principal, or in the event that both the principal and the deputy are absent, the departmental head is expected to do same (RSA DOE 2022:39).

As part of developing other SMT members (deputy principal/s and departmental head/s, depending on the number of SMT posts at the school), the principal must establish a culture of active participation in the daily running of the school through legislative compliance. This must find expression in deliberations and collective-decision making at school.

2.3.4 National Policy on Whole School Evaluation

According to the National Policy on Whole School Evaluation (RSA DOE 2001), school self-evaluation is a process that must be undertaken by all public schools. It involves an annual reflection on progress, made systematic and transparent with the aim of improving learner performance and school functioning. This annual school self-evaluation process requires public schools to focus on nine key areas of evaluation, and include, amongst others, leadership, management, and communication, and governance and relationships. All evaluation activities must be centred on openness and collaboration (RSA DOE 2001:13).

A school improvement plan, budgeting and annual progress reports are produced after this process. Van der Voort and Wood (2014) found that the SMT members who participated in their study were not usually included in the school improvement planning process. They further raised a concern that the policy does not take the operational environment of historically disadvantaged schools into consideration, and that the same outcomes are expected from all schools (Van der Voort & Wood 2014:2-4). Until the National Policy on Whole School Evaluation (RSA DOE 2001) is reviewed and amended, the expectations will remain the same. In the same study, the scholars acknowledge the need for the inclusion of other stakeholders in future interventions (Van der Voort & Wood 2014:6). As part of legislative compliance, this study explores how the SGB and the SMT relate to assist each other to conduct the annual school self-evaluation, and to produce a school improvement plan.

Basson and Mestry (2019:1) state that current policy and legislation is silent regarding the role of the SMT on financial management. It is important to note that the Personnel Administrative Measures indicates that the deputy principal must assist the principal, or if instructed to, with school finance, the control of expenditure and the allocation of funds (RSA DOE 2022:41). The departmental head must also assist with the collection of fees and other monies (RSA DOE 2022:39). The Policy on the South African Standard for Principalship (RSA DOE 2016:10) emphasises that "organizational leadership requires the principal together with the SMT and SGB, to ensure that the school's operational budget is managed carefully and responsibly so that the school has enough money for all its programmes and activities". In the next section I discuss the international, regional and local literature on the phenomenon.

2.3.5 Literature review on the relationship between the SGB and SMT

2.3.5.1 International research on the principals' and school governors' responsibilities to the functioning of the school

In reviewing international literature, it was found that principals need to acquire new skills to legally comply with legislation in a new setting. Internationally, similar legal compliances related to the decentralisation of policies are the realities for school principals across the Asia Pacific Region, including countries such as Thailand, mainland China, Republic of Korea, Malaysia, Hong Kong and Taiwan (Walker 2003:975).

Conversely Walker identifies five critical roles that a manager must play in a school and beyond to oversee that transformation takes place in the day-to-day operations of doing things, especially in the Asia Pacific region. Firstly, principals are requested to be more proactive and take action to influence meaningful change and not just sit back and watch things happen. Secondly, they are expected to be consultative and practice open and democratic principles, to promote collective ownership and to create a school culture which develops shared leadership. Thirdly, they should allow for the promotion of a more integrative, coherent school. Fourthly, there needs to be a move to school-based management that does not have a one size fits all remedy to school-level needs and problems. In their own communities, leaders must help develop a capacity to identify and fashion solutions to local concerns. Fifthly, there is an expectation of more involvement in the environment beyond the school. School leaders are mostly held

accountable for the success or otherwise of their institutions, and the success of local initiatives depends on the principals' abilities to adapt their roles to new realities (Walker, 2003:978-979).

It was found that in Greece, the principal plays an important role, with a huge responsibility but not enough power. There is limited involvement from other role players when it comes to decision-making processes in schools (Franzoni & Gennari 2013:776).

In Italy it was found that the school principal is a major role player in all decision-making processes within the scope of his/her authority (Franzoni & Gennari, 2013: 777).

School governors

In a research study conducted by Franzoni and Gennari (2013) in Greece, Italy, Romania, Sweden, and the Netherlands, it was found that teachers, learners and parents complain of formal and limited engagements in Italian schools. Further findings indicate that in Romania, participation in decision-making processes is not enough, while in the Netherlands all stakeholders play an active role (Franzoni & Gennari 2013:777). It is clear from the latter that principals dominate the decision-making processes in schools, and that educators, parents do not fully participate based on the tenets of equality, inclusion and reasonableness.

As a result, a platform for deliberations, collective decision-making and ownership was also limited in these countries.

In another study done in Greece by Salvioni and Cassano (2017:177), it was found that there were issues regarding the implementation of the Education Transformation Act of 1988, because of the obvious lack of basic management skills. These authors conclude by emphasising that "managing stakeholder relationships is an intrinsic component and strategic driver for school governance".

In the United Kingdom there were uncertainties in dividing the responsibilities of school governors and school management team members, because the fine distinction between governance and management could not address some of the issues that schools faced, resulting in governing bodies doing things their own way (Bush & Gamage 2001:40).

In Australia there were challenges with the recruitment of parents to serve as school council members. One of the participating school principals stated: "It has been a struggle to get people on the board" (Bush & Gamage 2001:40). As part of parental involvement policies, states in the United States of America such as Alaska, California, Indiana, Minnesota, Nevada, South Carolina, and Texas obligated schools or districts to develop policies linking parent-community partnerships to school improvement plans.

In Delaware, schools applying for school improvement grants must include parental involvement strategies in grant applications (Van Roekel 2008:1). Dabell (2019:4) comments that the problem that complicates the matter is the failure or refusal of the staff and principal to appreciate how difficult it is to be a school governor, which is why it is vital that there is a shared, common language about roles and responsibilities.

2.3.5.2 Regional research on the Principals' and school governors' responsibilities to the functioning of the school

In other African countries such as such as Burundi, Malawi, Senegal, and Uganda, research has been conducted on school governance. Marphatia *et al.* (2010:26) state that school principals have the most power in schools, and they can decide when it is best to involve other relevant stakeholders.

School governors

Parents are not always aware of their legislated roles and responsibilities and the policies that formally prescribe their school-level engagement and governance. A small group of parents actively participate in schools, but this is mostly limited to attending meetings called by the school staff. Parents are made to understand that school governance is a complicated matter and is best left to those who understand it. There is a willingness from teachers to engage with parents, but parents are not allowed to monitor teaching and learning because it will give the parents too much power (Marphatia *et al.* 2010:7). Some parents are active in school governance matters, recognising the challenges faced by teachers (Marphatia *et al.* 2010:7).

It is clear from the four countries (Burundi, Malawi, Senegal and Uganda) that parents are not in charge and have little information and no access to decision-making bodies in schools and in terms of education policy. Their contribution to schools are mainly financial.

The emphasis of parental involvement and engagement in school governance is more likely to be recognised and accepted through advocacy that will make stakeholders aware of their mandated roles and responsibilities, and they are actively encouraged to participate in the representation of their peers (Marphatia *et al.* 2010:19).

2.3.5.3 Local research on the Principals' and school governors' responsibilities to the functioning of the school

Xaba and Nhlapo (2014:426) reported on challenges of school governance roles and found that principals do not involve other stakeholders in decision-making. The combined number of parent and educator governors can intimidate the school principal, and as a result processes are manipulated to suite the interests of the school and the learners (Xaba & Nhlapo, 2014:437).

School governors in local context

With the advent of democracy after 1994, the Constitution of the Republic of South Africa (Act 108 of 199), which is the supreme law of the country, democratised education through legislation (Naidoo 2004:13; Ngongoma 2006:15). All other legislation must be consistent with the South African Constitution. Every citizen and all who live in the country are obliged to comply with its requirements. According to Karlsson (2002: 328), "the South African ideal of democratic governing bodies, which would involve representatives of various constituencies in a school community, was born in the aftermath of the 1976 Soweto school uprising". Smit and Oosthuizen (2011:58) highlight the inseparable link between democracy, education and the law.

In the Bill of Rights (7-9), the Constitution of the Republic of South Africa, Act no. 108 of 1996, guarantees the right to equality, human dignity, freedom of religion, belief, opinion, expression and association, the right to education, language and culture and access to any form of information that is held by another person and that is required for the exercise or protection of any rights. Part of the preamble of the SA Schools Act (No. 84 of 1996) (DOE, 2011) is to advance the democratic transformation of society,

fight racism and sexism, and all other forms of unfair discrimination and intolerance, contribute to the eradication of poverty and the economic wellbeing of society, protect and advance our diverse cultures and languages, uphold the rights of all learners, parents and educators, and promote their acceptance of responsibility for the organisation, governance and funding of schools in partnership with the State. The latter is a clear indication that governance in public schools must be based on transformation, inclusivity, democracy, the observation of basic human rights and building partnerships will all relevant stakeholders. In terms of Section 16 of the SA Schools Act (No. 84 of 1996), the governance of every public school is vested in its governing body and must comply with the act. Section 20 (e) states that all SGBs must support the principal, educators and other members of staff of the school in the performance of their professional functions.

It is further legislated in Section 16A of the SA Schools Act (No. 84 of 1996) (DOE, 2011:23); and the PAM (Personnel Administrative Measures) (RSA DOE 2022:43 – 46) that the functions and responsibilities of a public school principal is to implement policies and legislation, attend and participate in all meetings of the governing body, provide the governing body with a report about the professional management of the public school, and inform the governing body about policies and legislation. In the absence of the principal, the (RSA DOE 2022:41) dictates that the deputy principal must assist the principal in his/her duties. The deputy is expected to meet with parents concerning learners' progress and conduct, and to assist the principal in liaison work with all organisations, structures, committees, groups, etc. crucial to the school.

If the school does not qualify for a deputy principal, or when both the principal and deputy are absent, the departmental head is expected to attend to these tasks (RSA DOE 2022:39). In his role of developing other SMT members (deputy principal/s and departmental heads), the principal must instil a culture of active participation in the day-to-day running of the school through legislative compliance that must find expression in deliberations and collective decision-making. To ensure regular communication, Section 18, subsection 2 of the SA Schools Act (No. 84 of 1996) (DOE, 2011) section 18 in subsection 2 recommends the following for the SGB: a governing body meeting once every school term, meetings of the governing body with parents, learners, educators and other members of staff at the school at least once a year, and

a report on the school's governance activities to parents, learners, educators and other members staff of the school at least once a year.

The capacitation of SGBs is legislated in Section 19, subsection 2 of the SA Schools Act (No. 84 of 1996). This ensures that governance functions are carried out with confidence. Section 30 of the SA Schools Act (No. 84 of 1996) allows for school governing bodies to establish committees and appoint people that are not on the SGB to serve on these committees. Notwithstanding the fact that a governing body member must chair these committees. Through these committees the SGB has the opportunity to be assisted and guided so that there is compliance to the relevant legislation. For practical reasons, the immediate and best-suited appointees would be educators and SMT members at the school. Section 8 of the SA Schools Act (No. 84 of 1996) (DOE, 2011), legislates that a governing body may adopt a learner code of conduct after consultation with learners, parents and educators of the school. This consultation can only become a success through the joint efforts of the SGB and the SMT because of their central role in governance and management that will allow for communication between the parents, learners and educators.

Chapter 3 of the Employment of Educators Act (No. 66 of 1998) (DOE, 2011) deals with the appointment, promotion and transfer of educators, which requires the participation and recommendation of the SGB in consultation with the Head of Department. Beckmann and Prinsloo (2009:181) emphasise that parents are important in the process of advertising educator posts, conducting interviews and appointing the most suitable candidates for posts. The participation of parent representatives on the governing body, including the principal and the school management team, allows for the identification of the specific employment needs of the school. School self-evaluation is a process that must be undertaken by all public schools, according to the National Policy on Whole School Evaluation (RSA DOE 2001). It involves an annual reflection on progress, and it is systematic and transparent, with the aim of improving learner performance and school functioning. This annual school self-evaluation process requires public schools to focus on nine key areas of evaluation, including, amongst others, leadership, management and communication, governance and relationships. All evaluation activities must be centred on openness and collaboration (RSA DOE 2001:13). A school improvement plan, budgeting and annual progress

reports are produced after this process. Van der Voort and Wood (2014) highlight the concern that the National Policy on Whole School Evaluation (RSA DOE 2001) does not take the operational environment of historically disadvantaged schools into consideration, and that the same outcomes are rather expected from all schools (Van der Voort & Wood 2014:2).

Until this policy is reviewed and amended, the expectations will remain the same. Van der Voort and Wood (2014:6) acknowledge the need for the inclusion of other stakeholders in future interventions. As part of legislative compliance, this study explores how the SGB and the SMT relate to assist each other to conduct the annual school self-evaluation to produce a school improvement plan. Basson and Mestry (2019:1) state that existing policies and legislation are silent regarding the role of the SMT on financial management. It is important to note that the policy, under general or administrative duties, indicates that the deputy principal must assist the principal with school finance, controlling expenditure, and allocating funds. One of the non-teaching or administrative duties of the departmental head is to assist with the collection of fees and other monies.

The Policy on the South African Standard for Principals (RSA DOE 2016:10) emphasises that "organisational leadership requires the principal together with the SMT and SGB, to ensure that the school's operational budget is managed carefully and responsibly so that the school has enough money for all its programmes and activities".

All the referenced legislation warrants active participation and a relationship between the SGB and SMT that will enhance legislative compliance. It is important to sustain parental participation and decentralised school governance, as these enhance school effectiveness (Smit & Oosthuizen 2011:68)

According to Heystek (2004:311; Fataar 2007:611; Mafora & Mncube 2013:1), compliance to policies can best be understood according to the complex ways in which they are interpreted and implemented in their environments. SGBs and SMTs are expected to ensure that legislative compliance is practiced through the implementation of all relevant pieces of legislation. This forms part of their planning, and includes aspects such as school self-evaluation, and drawing up the school improvement plan

and annual budget. Some parent governors are not sure of their roles and responsibilities (Govindasamy 2009:100; Tsuari 2012:74; Ntsimango 2016:6), and in some cases the ignorance of governors affects the relationship between the SGB and SMT (Ntsimango 2016:68). Research has shown that the main concern regarding prescribed functions is that most functions are specialised, and require specialist knowledge and skills (Xaba & Ngubane 2010:155). Some have argued that this concern is related to the education level of parent governors who are elected to serve on SGBs (Mncube 2009:95; Mafora & Mncube 2013:19; Dick 2016:58).

On the other hand, Mohapi and Netshitangani (2018:11) argue that even if parents are illiterate, their responsibilities can be explained to them in a language, and at a level that they will understand. This study focuses on historically disadvantaged schools that are supposed to implement the SA Schools Act (No. 84 of 1996) (DOE, 2011) which advocates for transformation and a partnership between the state and all relevant stakeholders. Christie (2020:204) also highlights how this issue of a uniform outcome expectation ignores the inequalities and injustices of the past, experienced by these schools, and continue to negatively affect their performance. The empirical evidence on the inability of parent governors to perform their functions needs to be supported with resources that are readily available at these schools, in other words SMT members that are knowledgeable on relevant school legislation in the context of the school community.

Good communication, a steady relationship and informal education between the SGB and SMT are important. This will encourage willingness to learn from each other by both parties (Mohapi & Netshitangani 2018:11; Ntsimango 2016:69). There is a need for school staff, educators and principals to enhance relationships with parents (Dick 2016:19). The impact of this will be evident when they play an oversight role to monitor and ensure legislative compliance through effective leadership, management and governance relationships (Xaba 2004:314). The SGB and SMT depend on each other, especially when it comes to educator skills and resources from the governing body. They must therefore work together to foster a positive relationship that will facilitate effective professional and governance functions in public schools (Ngongoma 2006:3; Xaba & Ngubane 2010:1; Mohapi & Netshitangani 2018:6; Basson & Mestry 2019:9). It is important for school managers and governors to be knowledgeable of the SA

Schools Act (No. 84 of 1996) (DOE, 2011), and have mutual respect for their roles in order to enhance their relationship (Mazibuko 2004:52; Ntsimango 2016:65). In the absence of this clarity and understanding of roles, strained relationships and unnecessary conflicts between the SGB and SMT are inevitable (Heystek 2004: 311; Mazibuko 2004:45; Mncube 2009:91; Botha 2012:268).

In addition, the role of parent governors is viewed as interference, and as a result it affects close working relationships (Xaba 2004:315; Lewis & Naidoo 2004:106). In a qualitative study by Heystek (2004:309) in the Tshwane area, 12 principals were selected to participate in a focus group interview. It was clear from their responses that they experienced problems in their relationships with parent governors. This gap between educators and parents needs to be narrowed (Mokoena 2011:129). National and international literature confirm that power relations negatively affect school governance, irrespective of the cultural context (Deem, Brehony & Heath as quoted by Mncube 2009:94; Botha 2012:268; Mncube & Mafora 2013:16).

The existence of an elected SGB in a school does not mean that there is active participation by governors (Dick 2016:57). The impact of this is a lack of involvement or insufficient participation by parents in previously disadvantaged schools (Singh, Mbokodi & Msila, 2004: 268; Dick 2016:48; Balarin, Brammer, James & McCormack 2008:61). Based on this, the SA Schools Act (No. 84 of 1996) (DOE, 2011) is criticised (Duku & Mavuso 2014:428) for being biased towards the middle class, and for phrasing parental participation in middle class terms, without much regard for underprivileged societies. Christie (2020:202) reiterates this. This leaves SMT members with no option but to assist parents with the governance of public schools (Dick 2016:55; Van Wyk & Marumoloa 2012:108). It is clear that the functions of the SGB and the SMT cannot be separated completely (Mazibuko 2004:51).

The element of mistrust between educators and parent governors is one of the factors that affect the relationship between the two role players (Mokoena 2011:127). In a study by Ntsimango (2016) in Eastern Cape schools, it was evident that open communication and positive attitudes towards the SGB and SMT were lacking, clearly indicating that it might affect possible future relationships. Importantly, in his study, Mahlangu (2005:131-132) highlights and identifies important factors that contribute towards effective relationships, namely trust, decision-making, accountability,

collaboration and empowerment. Although these are important, they can also be a source of conflict.

In a study on principals' views on the challenges they face regarding school governance roles, Xaba and Nhlapo (2014) state that principals insist on taking charge because they are the accountable officers. They are responsible for everything that happens in the school (Xaba & Nhlapo 2014:430). This challenge is an international trend, and this type of view definitely poses challenges for the affected governors and departmental officials as and it defeats the purpose of building a relationship between the SGB and SMT (Mokoena 2011:1). This attitude from some principals is certainly not in the best interest of democracy or the school. It is also not conducive for the development of SGB and SMT members, who must be given the opportunity to participate, contribute to and take ownership of all management and governance decisions taken based on legislative compliance.

The enactment of governance and the partnership between principals, SMTs and SGBs of public schools in South Africa differ, based on school functionality and context. Research conducted on SGBs focus extensively on either the inability of parents to fulfil their mandate or their illiteracy, or parental involvement that controls and often challenges the principal's authority (Davids 2020:7). Conversely, Bush and Glover (2021:120) states that there are few studies on the role of deputy principals and departmental heads in South Africa. In their study, Van Wyk and Marumoloa (2012) conducted a study focusing on *"The role and functioning of School Management Teams in Policy Formulation and Implementation at School Level"* with schools in the Delareyville area. They targeted three SMT members per school, namely the principal, deputy principal and a departmental head. Their findings were that the SMT members were involved in and crucial to policy-making at their schools. They found that most of the SGB members were illiterate, and had to be guided by the SMT to perform their duties (Van Wyk & Marumoloa 2012:106-108).

As part of building relationships with governors by the principal and staff, it is important for them to embrace the fact that it is not easy to be a school governor. The emphasis should be on having a shared and common understanding of these roles and responsibilities. Topolnytsky (2011:69) states that there is a need for the consistent application of the democratic principle of the rule of law to address non-optimal

conditions in schools. Governors and managers must model positive attitudes of responsibility and obedience to elected leaders in authority, as well as compliance with the law, tolerance of individual autonomy and private freedoms, courage and loyalty in times of difficulty, and interest and participation in the community and state affairs by frequently debating and voting on issues.

Additionally, scholars categorise the level of organisational commitment into three tiers, namely affective commitment (emotional connection), which relates to, identification with and participation in the organisation, continuance commitment, which relates to the apparent costs linked with leaving the organisation, and normative commitment, which represents a perceived commitment to remain in the organisation (Allen & Meyer 1990:2; Meyer et al. 1996:21).

Mokoena (2011:129) recommends that schools need to change from a practice of exclusivity to inclusivity. According to Govindsamy (2009:94), an effective structure for collaboration guarantees the smooth and efficient running of a school, encourages collaborative communication, and leads to the acceptance of responsibility and accountability of roles. To achieve this, she proposes the following guidelines to improve a collaborative relationship: (1) there must be training for SGB members on the SASA, its context and their roles and responsibilities. (2) In taking actions and decisions, school principals must not infringe on the rights and powers of SGB members. When policy matters are discussed, it is important that the responsibilities of the role players are explained and emphasised. (3) Communication channels that enhance collaborative relationships must be monitored regularly and revised from time to time to ensure that SGB members are updated, as this will assist to avoid conflict. (4) The current legislation expects schools to be transformed and embrace the principles of democracy. In light of this, the role of the principal has changed, and he is expected to acquire the skill of relationships with all relevant stakeholders. (5) Through the leadership of the principal, schools must develop and nurture a culture of developing relationships based on trust, mutual understanding, teamwork and collective decision-making. (6) Schools must enhance organisational structures that promote coordinated planning, and all role players should take shared responsibility for the efficient and effective management of resources. (7) Where it is not possible for relationships to be fostered between the SGB and SMT, the Department of Basic

Education must take contextual factors into consideration, including a budget to compensate SGB members (Govindasamy 2009:102-104).

The daily operations of a public school are dependent on the school principal, management team and educators. These activities are guided by legislation, policies and an operational framework that requires interpretation, compliance, implementation and oversight. This study seeks to explore how the SGB and the SMT work together to ensure that a school complies with the SA Schools Act (No. 84 of 1996) (DOE, 2011) and other relevant pieces of legislation. Such legislation is (RSA DOE 2022 and RSA DOE 2001) that are linked to sections of the SA Schools Act (No. 84 of 1996) (DOE, 2011) that requires the SGB and the SMT to play an oversight role to realise compliance with legislation.

2.4 Conclusion

The above discussion illustrates that legislative compliance and the relationship between the SGB and SMT remains a challenge in many schools, both internationally and in South Africa. The above review indicated the experiences of school governors and managers. While all this work has been commendable, to my knowledge there is no study that exists on legislative compliance which explores the relationship between the SGB and SMT (principal; deputy principal/s and departmental heads) in South African schools, with a focus on its contribution towards this relationship. The above review clearly demonstrates the need for this study, as it will contribute to this body of knowledge. In the next chapter I present a discussion on methodology.

CHAPTER 3: RESEARCH METHODOLOGY AND DESIGN

3.1 Introduction

In Chapter 2, the researcher provided an overview of local and international literature on legislative compliance, the relationship between SGB and SMT members, and their school experiences. In this chapter, I present the data generation process followed in the study in three parts. The *first* part explores the philosophical underpinnings of the study. It provides a brief history of qualitative research, the interpretivist paradigm, and focuses on the ontological and epistemological underpinnings of the study. It also provides details on the context of this study. The *second* part focuses on the data generation process and the methodology adopted in this research, which is a multiple case study research. In addition, a discussion on the selection of participants, including details of how data was generated, is presented. *Thirdly*, it focuses on the data analysis process with a discussion on the analytical framework used in the study, trustworthiness and fairness, and the value of the research. It also includes the ethical considerations, reliability and reflexivity of the researcher in the study, and the advantages and disadvantages of qualitative research, followed by a conclusion. In the following section, I discuss the philosophical underpinnings and context.

3.2 Interpretive Research Paradigm

The researcher needs to consider *ontology*, which is concerned with the nature and existence of a phenomenon, and *epistemology*, which relates to how the researcher intends to discover knowledge regarding a particular reality (Alharahsheh & Pius 2020:40). The latter determines the type of questions that will be asked and the methodology that a researcher will use, including what needs to be done and discovered (López-Alvarado 2016:3). In this study the researcher has chosen an interpretive research paradigm. Tracy (2020:51) states that from an interpretive point of view, reality is not something readily available that a researcher can clearly explain, describe, or translate into a research report.

Reality and knowledge are constructed and reproduced through communication, interaction, and practice. Interpretivists gain knowledge through engaging and asking different opinions from participants to answer a particular question. Additionally, interpretivism focuses on in-depth variables and reasons linked to a situation. It

regards research on humans as different from research on physical phenomena, as human beings cannot be explored in a similar way to the purely physical world (Alharahsheh & Pius 2020:41). Similarly, the interest is in understanding the meaning of a phenomenon from the participants' experience (Merriam & Tisdell 2015:24). The goal during this phase is to gather as much detailed information as possible about people and their lives. This study on legislative compliance and the relationship between the SGB and SMT in a sample of two schools in the Northern Cape will therefore benefit from the use of an interpretivist paradigm.

Qualitative researchers using an interpretive paradigm focus on people and how they construct their world, interpret their experiences, and add meaning to those experiences (Merriam & Tisdell 2015:24). It allowed the researcher to engage in one on one and focus group interviews with the participants of school A and B so that they can narrate and explain their lived experiences as SGB and SMT members and how they work together to ensure legislative compliance. The exploration was specifically on the SA Schools Act (No. 84 of 1996) (DOE, 2011), the Personnel Administrative Measures (RSA DOE 2022), the National Policy on Whole School Evaluation (RSA DOE 2001), and the possible relationships that emanated from them working together was also.

Interpretivists believe that different voices and views in a social world can produce a holistic truth about a particular reality. Unlike realists they argue that there cannot be one ultimate truth or reality (López-Alvarado 2016:3). Interpretivists do not opt for methods that provide objective or precise information, but rather prefer methods that are more subjective than objective. They focus on the viewpoints and realities of different individuals and groups (Thanh & Thanh 2015:25). According to Creswell and Poth (2018:68), reality is constructed and shaped through lived individual experiences, and this can be discovered through an engagement between the researcher and the researched.

For subjectivity to be realised, the researcher must explore individual experiences by engaging and interacting with them in order to understand the meaning people attach to a particular social context (Tombs & Pugsley 2020:2). Conversely, the generation of knowledge, understanding, and analysis in interpretivism, is viewed as inseparable from the researcher and the participants' lived experience (McBride, Misnikov &

Draheim 2021:4). As the study will assume a subjective form of research, there is a possibility of researcher bias (Walshman 2006:321). Similarly, it is vital for the researcher to be rational and not emotional about participants' responses. This will allow for empirical confirmation of what the researcher is observing, and provides rigour and authenticity to the research process (Tombs & Pugsley 2020:1). Interpretivists use the natural environment to understand the phenomenon under study. According to Ormston, Spencer, Barnard and Snape (2013:12), a social reality cannot be captured or portrayed as accurate, or as a single truth, because of its different perceptions and understandings. Notably, the general aim of the interpretivist approach is to understand the subjective meaning of persons in their environments (Goldkuhl 2011:4; Frechette, Bitzas, Aubrey, Kilpatrick, & Lavoie-Tremblay 2020:2).

Additionally, the social process is not done in an objective, rigid and deductive manner. It is conducted through active interactions, where the meaning of activities, situations, and events of the social world are constructed and reconstructed (Leavy 2017:13). Interpretivists spend time with the people they research. Through different interactive and humanistic methods, they try to understand their world (Rossman & Rallis 2017:98).

Philosophically, the foundation of interpretive research is hermeneutics, a process of questioning the conditions that shape the interpretation of human acts or products, and phenomenology, which questions the structure and essence of lived experiences (Rossman & Rallis 2017:41; Frechette *et al.* 2020:3). The fundamentals of interpretivism include openness, curiosity, and respect. An interpretivist approach therefore entails symbolic interaction, phenomenology, realism, hermeneutics, and a naturalistic inquiry (Gray 2013:23; Bukve 2019:60). Researchers who use an interpretivist paradigm often look to the experiences, understandings, and perceptions of individuals for their data to uncover reality, rather than to depend on numbers or statistics (Thanh & Thanh 2015:25).

A characteristic of such analysis is that data is reported on in a narrative form. With interpretivism, data collection instruments are not a matter of preference, but a deliberate process. Important to this process is the idea of relevance, and for researchers to get an opportunity to select the most appropriate instruments. These instruments that are used by researchers to construct their interpretations include

questionnaires, interviews, observations, tests, personal constructs, role-playing, and secondary data (Cohen *et al.* 2018:469). The assumption is that there is no subjective reality that can be discovered by researchers and replicated by others, which is the opposite of objectivism (Rossman & Rallis 2017:136). Interpretivism allows researchers to view the world through researched perceptions and the experiences of participants. (Thanh & Thanh 2015:24). For this research inquiry, the interpretivist paradigm was appropriate. It allowed for a deep, subjective analysis of the researched experiences through semi-structured interviews and focus groups in two historically disadvantaged schools. Qualitative research is discussed in the next section.

3.3 What is Qualitative Research?

Qualitative research focuses on explaining complex social practices (Kahwati & Kane 2021:5). According to Chai *et al.* (2021:2), these complex social practices are explained by studying people in reality, with an attempt to make sense of and interpret them according to the meaning that people ascribe these real-life situations. The interpretation process includes the collection, arrangement, explanation and clarification of textual, verbal or visual data. Researchers suggest a small number of cases from which to collect data (Kahwati & Kane 2021:5). During the data collection process, the qualitative research study answers questions about experience, meaning and perspective, from the viewpoint of the participant (Hammarberg *et al.* 2016:499).

Conversely, it is further stated that a research study on people and their real-life situations must be designed to generate questions that will allow participants to respond and explain how things are done and why they are done in a certain way. This will assist to add meaning and comprehension to the researched environment (Merriam 2014:13; Leavy 2017:72; Creswell 2018:42). Ultimately, the goal of qualitative research is to understand the social reality of individuals, groups and cultures as close to where the participants live and within their natural situation (McLeod 2019:2). Part of the interest of my study design was to explore and discover more about the interaction and relationship between the school governing body and the school management team members of two public schools. The aim was to answer the question of how legislative compliance contributes towards a relationship between school governing bodies and management teams.

Before this research study was conducted, it was important to select and craft a topic that originated from a specific interest of the researcher in the real world. These could include interests in practice, observations, and growing scholarly interests (Leavy 2017:54). Additionally, Chai *et al.* (2021:4) emphasise the researcher's interests within their specific field of work. My research topic originated from an identified gap in the available literature regarding the members of the school management team as an understudied sample in terms of legislative compliance, specifically focusing on management and governance in public schools, and not on the school principal and the school governing body only.

Most previous research studies on the SGB and the school principal focus on the capacity of parent governors to perform their mandate, as excessive parental involvement often leads to the undermining of the principal's authority (Davids 2020:4–5). This evoked my interest in the relationship and collaboration between school management teams and school governing bodies, their interpretation of legislation, legislation compliance, and its implementation. My area of work as an office-based educator focuses on school management, governance and learner leadership in public schools. I have noticed some challenges regarding direct communication between the SGB and SMT to ensure that there is oversight on the implementation of legislation and compliance. Creswell (2018:53) suggests that if a phenomenon needs to be explored and understood, due to a deficit in prior research or because it involves an understudied sample, then a qualitative approach must be used. This helped me to identify the topic of this research study, namely "Legislative compliance: exploring the relationship between school governing bodies and school management teams". This topic will, according to the suggested objectives of López-Alvarado (2016:1), firstly explore issues and seek answers to questions, secondly share policy, and thirdly aim to improve practice. Qualitative work can be investigated through participant perspectives, the researcher as the data collecting instrument, extended firsthand engagement, centrality of meaning, wholeness and complexity, subjectivity, inductive data analysis, and reflexivity (Hatch 2002:6; Creswell 2014:234-235; Creswell & Poth 2018:74-76).

In this study it was important for the researcher as the main data collecting instrument to explore the relationship between the SGB and SMT through legislative compliance,

and to investigate how they (SGB and SMT) contribute towards a relationship. The two participating schools (primary and secondary) were the natural settings where the research was conducted, and it was equally important to engage with the participants who shared their experiences and perspectives on the phenomenon. In so doing the researcher had access to firsthand information in its entirety and complexity that resulted in data analysis. To achieve this, some of the legislation that was relevant to the public school system, and contributing towards a relationship between the SGB and SMT, was identified. The main piece of legislation in this regard is the SA Schools Act (No. 84 of 1996) (DOE, 2011). Its preamble emphasises upholding the rights of all learners, parents and educators. It also encourages stakeholders to accept responsibility for the organisation and its governance and funding, in partnership with the state.

The Personnel Administrative Measures (RSA DOE 2022) outlines the job descriptions for SMT members, specifically regarding the deputy principal and departmental head who should act as deputies if the principal is not available. The National Policy on Whole School Evaluation (RSA DOE 2001) emphasises openness and collaboration, with a focus on school self-evaluation. This is focused specifically on key area 2 Leadership, Management, and Communication, and key area 3 Governance and Relationships. All of the mentioned legislation speaks directly to the daily management of a public school and must be implemented to ensure compliance. As a result, the SGB and the SMT are responsible for this compliance. Researchers making use of a qualitative approach believe that different and subjective versions of the truth. These are influenced by behaviour, perspectives, and context (McMillan 2016:304). The natural setting of the "real world" also facilitates capturing and studying the complexity of researched phenomena (Leedy & Ormrod 2020:258). In comparison to quantitative research that involves experiments and the categorization and scoring of study subjects (York 2021:4; Creswell 2018:38), qualitative researchers do not usually attempt to simplify or quantify their observations. They rather recognise that the issue under study has different aspects and layers, and they will try to present it in its complex form. To answer some research questions, the researcher must dig deep to obtain a complete understanding of the phenomenon under study (Leedy & Ormrod 2019:258; Franco & Esteves 2018:43). The questions usually asked in qualitative research are responded to in an organised story, with the permission of the study

population (Silverman 2017:788). As the main concept, Merriam (1998:5) mentions that qualitative research is often used interchangeably with terms such as naturalistic inquiry, interpretive research, field study, participant observation, inductive research, case study, and ethnography.

She also emphasises that it can clarify how all the parts work together to form a whole. The research study included exploring the physical reactions, interactions, and social and cultural backgrounds of the participants and their experiences on legislative compliance and the relationship between SGB and SMT members of two historically disadvantaged schools. According to Stake (2006:1; Yin 2018:45; McMillan 2016:314; Harrison, Birks, Franklin & Mills 2017:8), case study methodology can be used to achieve this, as it includes a full and in-depth description of what takes place regarding a particular social phenomenon in a specific context. It is important for researchers doing case studies to rely on their subjective judgement during interviews to bring these to light (Hatch 2002:9). A case study allows for a personal and detailed interaction with the case (Hyett, Kenny & Dickson-Swift 2014:2). A case can be used as a host to bring together many functions and relationships that are needed for the study (Stake 2006:2). Conversely, Yin (2016:9) highlights five characteristics that differentiates qualitative research from other social science research. These characteristics include studying the meaning of people's lives, in their real-world roles; representing the views and perspectives of the people in a study; clearly attending to and accounting for real-world contextual conditions; providing knowledge from existing or new ideas that may help to explain social behaviour and thinking; and recognising the possible relevance of different sources of evidence instead of relying on one source. For the purpose of this study, all five characteristics were relevant, as the researcher depended on both SGB and SMT members to share their lived experiences on the research study, within the setting of the daily management operations of a school. A multiple case study was used as the research involved two schools. This is discussed in the second part of this chapter. The aim is to make sense of how others view and give meaning to the world (Creswell & Poth 2018:55). There are many ways that qualitative researchers can collect data, and this is usually done by spending a lot of time in the natural setting of the phenomenon under study as part of the information gathering process. Their focus is on broad rather than brief meanings of ideas (Goldkuhl 2011:6; Creswell 2013:239). The data generation process helps researchers understand the participant

experiences and occurrences that they cannot observe directly. For this reason, one can understand beyond what you have actually experienced. This type of data collection method is relatively economical, both in time and resources (McMillan 2016:344).

Qualitative data is usually verified subjectively. For this to be achieved, it requires time and intense analysis (sequencing, categorisation, recording, etc.). Interviews should be conducted by skilled interviewers (Creswell 2013). Researchers have argued that qualitative research studies are carried out where participants are in their real-life and natural environments. Because of the engagement with participants, the researcher produces a subjective interpretation of participants' perceptions (Flick 2014:46; MacMillan 2016:190; Creswell & Poth 2018:65). Qualitative research does have a number of weak points, and to eliminate and overcome these, standard procedures and systems have been developed on how it should be conducted. There are also standards on, amongst others, thematic data analysis. Alternative measures relating to this study's methodology will be discussed in the next part of this chapter.

The above demonstrates some of the characteristics ascribed to qualitative research. The study's primary focus is on understanding the actions and reactions of participants in different social and cultural settings. For this reason, a qualitative approach was deemed suitable. In the next section, the study's philosophical underpinnings will be discussed, to indicate the bond between my chosen approach and the underpinnings and assumptions that inform this study. The location of the two participating schools is discussed in the next section.

3.4 Research Design: Case Study

Qualitative case studies, like other forms of qualitative research, usually search for meaning and understanding. The researcher is the main data collector and data analyst, who through an inductive investigative strategy, compiles a final research report that is richly descriptive (Merriam & Tisdell 2015:37). A case study, conducted by the researcher, forms part of this research study was conducted by the researcher. Yin (2018) provides a two-part definition of case studies.

Firstly, a case study is an empirical research study that investigates an existing phenomenon within its real-life context, especially when the difference between

phenomenon and context is not clearly evident and distinctive (Yin 2018:45). Secondly, a case study deals with a theoretically distinctive situation. It usually incorporates many variables of interest as data points. It also benefits from previous developments of theoretical propositions to guide the design, data collection, and analysis, and relies on multiple sources of evidence (Yin 2018:46).

In view of this definition (Yin 2018), this study includes a case study as part of the research process, which is highlighted in part one and part two of this chapter. Schwandt and Gates (2018:600) state that a case study is a case in point, instance, or part of something, and can be anything such as a person, an institute, an occurrence, a decision, an action, a location like a neighbourhood, or a nation-state. Similarly, Thomas (2021:4) refers to the latter as "things". These are of interest to the researcher due to their uniqueness and comprehensiveness. Cohen *et al.* (2018:376) support this by suggesting that for every case study the context is unique and dynamic. This is exactly why they are able to investigate and report on real-life, complex, dynamic and unfolding interactions of events, human relationships and other factors in a unique instance. In addition to these definitions, Yin (2016:68) states that the importance of the case study approach is that it deals with individual cases in context. Case studies can get very close to the subject of interest, by means of direct observation in natural settings, and by their access to subjective factors (thoughts, feelings, and desires). Equally Cohen, Manion and Morrison (2007:254) emphasise that case study events and situations must be allowed to speak for themselves, instead of being overly interpreted, evaluated or judged by the researcher. As part of the research process and getting close to the subject, the participants in this study were all SGB members (parents, educators and non-teaching staff) and SMT members (deputy principals and departmental heads) who formed part of the day-to-day management and governance of the school. The participants were from two schools, so the study makes use of multiple case studies, in actual fact. Bukve (2019) explains that multiple case studies use a number of cases representing the same type of phenomena, which gives us a number of observations of the same phenomenon and provides an opportunity to come to reliable conclusions. A standard manner of using multiple case studies is to develop new notions and theoretical ideas. Alternatively, multiple case studies can be conducted with the intention of understanding a case, or explaining a case from an existing theory, instead of testing or establishing a new theory. In this study the latter

is applicable (Bukve 2019:88–89). Conversely, the main reason to conduct a multiple case study is to compare how the phenomenon is addressed in different situations. The minimum number for a multiple case study is two, and the maximum is more than 15 (Stake 2006:22-23). In the case of this research study, two schools were selected to be part of the multiple case study. One primary and one secondary school were included, to explore the topic "Legislative compliance: exploring the relationship between the school governing bodies and the school management teams". Furthermore, one of the advantages of case studies, specifically in this study as stated by (Cohen, *et al.* 2007:256; 2018:379), is to be part of a world of action and subsequently contribute to this world. The understanding of participants may be directly interpreted and put to use in a number of ways such as staff or individual self-development, as part of institutional feedback, for formative evaluation, and in educational policy making.

Given the interpretivist position that has been adopted in this study, and the type of research questions, a multiple case study methodology is appropriate because it provides a systematic way of data collection, information analysis and the reporting of results. It also assists in understanding a particular situation in greater depth. Both schools in this study are situated in the Kimberley in the Northern Cape, in the Frances Baard District. As part of planning a case study, it is important for the researcher to decide on all the relevant primary and secondary sources of evidence, data collection methods, and methods of data analysis (Cohen *et al.* 2018:382-383). Researchers do this through detailed data collection methods such as interviews and direct observations, which allow for a deep exploration and description of a lived experience by the participant (Bezuidenhout & Strydom 2014:179). The case study is one of the many specialised types of qualitative research, and its methodologically is characterised by the common qualities of qualitative research which is to give meaning to lives of participants, their real world and context. It provides insight into concepts, and explains and recognises that there are different types of evidence (Yin 2016:68). Some researchers have argued that case studies lack systematic data handling. However, Cohen *et al.* (2018:377) suggests that in a case study, data are gathered methodically and thoroughly. It is criticised for not having a basis for scientific generalization. This is however not accurate, inasmuch as the generalisability of single experiments can be extended by replication. In the same way case studies can be part

of a developing pool of data, with numerous case studies contributing to greater generalisability (Cohen *et al.* 2018:380). As a result of the interpretive approach adopted in this research study, and the type of research questions, the multiple case study approach was the ideal research methodology for this study. Its advantage lies in revealing the detailed and unique perceptions and concerns of individual participants in a real-world situation in a particular context, which would have been lost in another research design.

According to Merriam and Tisdell (2015:37-38), it is not easy to separate the variables of a phenomenon from its real-life context, and it is therefore the most appropriate for this study. This study is methodologically therefore a multiple research case study, with two cases from Kimberley in the Northern Cape, in the Frances Baard District. In the next paragraph I discuss the sampling.

3.5 Sampling

3.5.1 Location of the study

The research study was conducted in two previously disadvantaged public ordinary schools from a total of 12 in the Frances Baard District. The focus was on one no-fee (quintile 1) and one fee paying school (quintile 4), with predominantly Black and Coloured learners from the same communities. Most of the learners were from disadvantaged backgrounds, from townships in and around Kimberley. Kimberley was founded in 1871, and the town was established in 1878 (Encyclopedia Britannica: Online). The schools are situated within a 10-kilometre radius from each other. Both are located in Black and Coloured communities.

School A

School A is a secondary school in an extension area of Kimberley. From the StatsSA 2011 Census, the population of Kimberley is 248 041. The particular extension area, and the plot on which the school stands, were surveyed between June 1954 and January 1955, and the survey was approved in 1956 (Sol Plaatje Municipality Home n.d.). It is estimated that the construction of the school was done between 1956 and 1957. The school was opened in January 1958 starting with 186 learners in the then Standards 6 – 7, with both academic and technical streams. At the time when this study

was conducted, the 2021 Northern Cape Department of Education's snap survey indicated that the school had a total of 1 116 learners. It qualified for one principal, two deputy principals, six departmental heads and 30 level 1 educators. The researcher received signed consent forms from 4 Departmental Heads, 1 Deputy Acting Principal, 1 non-teaching staff member 1 educator and 2 parents. In the end the researcher conducted the research with 4 Departmental Heads, 1 Deputy Acting Principal, 1 non-teaching staff member 1 educator and no parents. The 2 parents withdrew from taking part in the research.

School B

School B is a primary school located in the Vergenoeg area, which is an extension of Galeshewe Township, adjacent to Kimberley. It was also founded in 1878. From the 2011 StatsSA Census, the total population of Galeshewe was 107 920. The area of Vergenoeg Extension 8 and the plot of the school were surveyed between November 1981 and July 1982. Survey approval was granted in 1983 (Sol Plaatje Municipality Home n.d.). It is estimated that the construction work and building of the school was done between 1989 and 1990. The school was opened in January 1991. When this study was conducted, 2021 Northern Cape Department of Education's snap survey indicated that the school had a total of 1 085 learners. It qualified for one principal, two deputy principals, five departmental heads and 23 Level 1 educators. Consent forms were received from 2 deputy principals, 2 HODs, 2 educators, 2 parents. Both schools interacted with the South African Schools Act, the Personnel Administrative Measures and the National Policy on Whole School Evaluation as part of their day-to-day operational framework. In the next section I discuss the selection of participants.

3.5.2 Selection of participants

Participants are usually selected and recruited based on the purpose and questions of the research study (Leavy 2017:109). Similarly, in any research study, data collection is conducted with the aim of gathering information that will assist the researcher to respond to the questions of the study (Bell & Waters 2018:29). In qualitative research there are two main categories of sampling schemes, known as the random or probability sampling scheme, and the non-random or purposive sampling scheme (Onwuegbuzie & Leech 2007:110-112). The study population is defined as the totality

of people from which cases may legitimately be sampled in an interview study (Robinson 2014:2).

The study population was SGB and SMT members from two identified schools in and around Kimberley. Random sampling in qualitative research can also be aligned with the case study methodology. According to Cohen *et al.* (2007:110), it is a technique which uses a randomly selected sample from the larger group under study. It is conducted in such a way that every person in the population has the same probability of being selected for the study, and the selection of an individual does not influence the selection of the next participant. For this study, the procedures used to select the participants were both simple random sampling and purposive sampling, as these enable an authentic approach to data collection. Purposive sampling is a non-random approach of ensuring that a certain section of the cases that form part of the study population are represented in the final sample of the study. Tracy (2020:82) states that, in this process, the researcher purposefully selects data that is appropriate for the considerations of the project questions, goals and purposes. It was important for the researcher to ensure that deputy principals and departmental heads form part of the identified sample, as they have been identified as an under researched group in terms of the research topic. There is less risk of bias associated with a probability sample, but this does not mean that it is bias-free. There is a likelihood of sampling errors rated at $\pm 3\%$ according to opinion polls. It is also characterised by some degree of generalizability. The method is conducted by randomly choosing the required number of subjects for the sample from a list of the population (Cohen *et al.* 2018:215). When selecting participants, Leavy (2017) suggests that a researcher must consider a number of steps. Firstly, the population of interest should be identified. In this study the population of interest was in Kimberley.

The second step is the identification of the study population, which in this case were SGB and SMT members. Thirdly is the group of elements from which the sample(s) will actually be drawn, and this was two schools in and around Kimberley. The last issue is sample size, which in this case consisted of a random sample of seven SGB and nine SMT members from the selected schools. The participants were selected after separate rapport building sessions that were held by the researcher for available SGB and SMT members of both schools to explain what the research was all about

and confidentiality issues. In general, a qualitative study relies on smaller samples (Leavy 2017:180). This included SGB or SMT members who were willing and able to express their experiences and feelings on the relationship between the SGB and SMT of their schools. They also needed to be available for at least one semi-structured interview and a focus group interview at a time and venue of their choice. All participants in the study were adults above the age of 18 years, and they all were SGB and SMT members who lived in the townships in and around Kimberley. Below are tables for the two schools, profiling each of the participants, followed by a paragraph discussing the research instruments.

Table 3.1: School A profile of participants

<i>Pseudonym</i>	<i>Gender</i>	<i>Age</i>	<i>Number of years as SGB/SMT member</i>		<i>Position on SGB/SMT</i>
			<i>SGB</i>	<i>SMT</i>	
SMT member 1	Female	52		4	Departmental Head
SMT member 2	Male	59		15	Deputy/Acting Principal
SMT member 3	Female	56		4	Departmental Head
SMT member 4	Female	53		4	Departmental Head
SMT member 5	Male	53		3	Departmental Head
SGB member 1	Male	50	15 (5 terms of office)		Member (Non-Educator)
SGB member 2	Male	40	6 (2 terms of office)		Treasurer (Educator)
SGB member 3	Female	45	1		Chairperson (withdrew)
SGB member 4	Male	34	1		Parent Member (withdrew)

Table 3.2: School B profile of participants

<i>Pseudonym</i>	<i>Gender</i>	<i>Age</i>	<i>Number of years as SGB and SMT members</i>		<i>Position on SGB/SMT</i>
			<i>SGB</i>	<i>SMT</i>	
SMT member 1	Male	50		16	Deputy Principal
SMT member 2	Male	48		4	Departmental Head
SMT member 3	Male	47		4	Departmental Head
SMT member 4	Female	52		4	Deputy Principal
SGB member 1	Female	58	6 (2 terms of office)		Educator (Secretary)
SGB member 2	Female	41	3		Educator (Secretary)
SGB member 3	Female	31	6 (2 terms of office)		Member (Parent)
SGB member 4	Female	55	9 (3 terms of office)		Chairperson (Parent)

3.5.3 Research instruments

Merriam and Tisdell (2015:105) state that data consists of ordinary bits and pieces of information found in the field of research. These can be concrete and measurable, or invisible, which poses a challenge to measure, for example emotions. Whether or not a piece of information becomes data in a research study depends solely on the interests and perspectives of the researcher. Most forms of qualitative research involve data that are collected through interviews.

The latter assists when we cannot observe emotions, or how people interpret their world (Merriam & Tisdell 2015:108). Interview provides opportunities for mutual discovery, understanding, reflection, and explanation in a natural, adaptive, and many are times energising environment. Interviews clearly offer information that is influenced by the lived experiences and viewpoints of the respondents. They allow participants to air aspects that they deem interesting and important on the research topic (Tracy 2020:156-158). The interviewer serves as an encouraging data collector and should

ensure that the participants are as comfortable as possible so that they are able to adequately respond to the questions (Taylor, Bogdan & De Vault 2015:102). In the absence of direct observation, the researcher can use interviews (Neuman 2014:51). The interest of the researcher is in rich and detailed information with examples, experiences and narrative storytelling from the participants (Rubin & Rubin 2012:29). During qualitative interviews, the researcher conducts face-to-face (interviews with participants, or engages in focus group interviews with four to eight interviewees per group).

These interviews generally involve a few unstructured and open-ended questions, with the intention of obtaining views and opinions from the participants (Creswell 2014:240). Most focus groups have between five and six questions that usually allow the space and time for discussions in the group (Dilshad & Latif 2013:194). In this study a maximum of six questions were prepared for the focus groups. For a simple research question, which is the case in this study, the number of focus groups can range between three and four (Rabiee 2004:656). This study made use of three that included two SMT focus groups from school A and B and one for SGB members of school B.

Participants in a qualitative interview are made to feel at ease, as if they are taking part in a simple and friendly conversation with the researcher, with whom they are familiar. They should also trust the researcher, as this is important for the data collecting process (Leedy & Ormrod 2019:274; Taylor *et al.* 2015:115). Interview conversations are held between the participant and the researcher with the intention of seeking information that will respond to the research question or topic under investigation (Gary 2013:186; Bell & Waters 2018:241). Semi-structured interview allows the researcher to plan and compile together a list of issues that needs to be covered. It also allows the researcher to ask follow-up questions for clarity when the need arises. Semi-structured interviews are best suited for small-scale research (Gary 2013:188-189).

Semi-structured interviews are characterised by the usage of semi-structured (open ended) questions during the conversation (Roulston 2010:5-6). They are similar to ordinary conversations, but the difference is that interviews are more one-sided, as the interviewer selects knowledgeable participants and does the questioning, while the participants provide the responses (Rubin & Rubin 2012:31). The study encouraged participants to share their personal experiences on legislative compliance and the

relationship between the SGB and SMT during their term of office. They were also asked to share their experiences on how they approached and implemented legislative compliance, and what could be done to establish or enhance a relationship between the two. In order to unearth these stories, methods that allowed for an engaged and empathetic approach were used. Conversations during the study provided a good way of allowing participants to express their thoughts, feelings, opinions, perceptions and emotions. The aim of this study was not to generalise the findings, but rather to understand the phenomenon under study. The interviews were conducted after school, and at the most convenient time for the participants, without compromising their commitments, employment or learning and teaching time. The first sessions, to facilitate rapport, were done apart from the actual one on one interview. They ranged between 31 and 54 minutes in duration. Their aim was to familiarise the participants with the researcher, and to share with them the purpose and topic of the research project. The next part of the presentation was an explanation on ethical issues. Participants were informed of their rights and responsibilities as participants, and it was emphasised that participants could quit the study at any time, with no repercussions.

The participants were requested to be honest during the interviews. They were assured of the confidentiality of their responses. The first interviews lasted between 25 minutes and 1 hour. The second interviews were focused group interviews consisting of SGB and SMT members, averaging four participants per group. The interviews took between 50 and 60 minutes to complete. The third interviews were conducted to obtain more feedback and to allow the participants to read and verify whether the transcriptions were a correct interpretation of their experiences. As one of the agreed-upon methods, this was done via email after completion of the transcriptions. Most participants were happy with the transcriptions. In total the interviews lasted approximately 16 hours, and more details can be found on the interview schedule tables below.

Table 3.3: Interview schedule of School A

<i>Participant Pseudonym and structure/ component</i>	<i>Venue</i>	<i>Interview 1 One on One Duration</i>	<i>Date/Time Interview</i>	<i>Interview 2 Focus group Duration</i>	<i>Date/Time Interview</i>
SMT member 1	School	00:40:03	21 Jan. 2021 12:30 – 13:10	01:13:44	10 Feb. 2021 13:50
SMT member 2	School	00:37:05	21 Jan. 2021 14:00	01:13:44	10 Feb. 2021 13:50
SMT member 3	School	00:42:04	26 Jan. 2021 11:20	01:13:44	10 Feb. 2021 13:50
SMT member 4	School	00:44:31	26 Jan. 2021 13:55	01:13:44	10 Feb. 2021 13:50
SMT member 5	School	00:46:35	27 Jan. 2021 10:40	01:13:44	10 Feb. 2021 13:50
SGB member 1	School	00:32:55	26 Jan. 2021 12:02 13:55	N/A	N/A
SGB member 2	School	00:47:37	29 Jan. 2021 12:15	N/A	N/A
SGB member 3	School	Withdrew	Withdrew	Withdrew	Withdrew
SGB member 4	School	Withdrew	Withdrew	Withdrew	Withdrew
Total 5hrs/1min/44		4:48:00		1:13.44	

Table 3.4: Interview schedule of School B

Participant Pseudonym and structure/ component	Venue	Interview 1 One on One Duration	Date/Time of Interview	Interview 2 Focus group Duration	Date/Time of Interview
SMT member 1	School	00:48:03.	01 Feb. 2021 12:45	00:56:07	16 Mar. 2021 14:30
SMT member 2	School	00:53:12	02 Feb. 2021 12: 15	00:56:07	16 March 2021 14:30
SMT member 3	School	00:57:49	03 Feb. 2021 12:25	00:56:07	16 Mar. 2021 14:30
SMT member 4	School	01:01:06	04 Feb. 2021 11:55	00:56:07	16 Mar. 2021 14:30
SGB member 1	School	00:57:08	09 Feb. 2021 10:10	00:52:19	24 Feb. 2021 14:30
SGB member 2	School	00:25:46	09 Feb. 2021 11:30	00:52:19	24 Feb. 2021 14:30
SGB member 3	School	00:38:55	10 Feb. 2021. 10:15	00:52:19 SGB member 5	24 Feb. 2021 14:30
SGB member 4	School	00:47:02	16 Feb. 2021 11:45	00:52:19	24 Feb. 2021 14:30
Total 11hrs/19min/26 sec		09:31:00			1:48:26

3.6 Data Analysis

According to Nowell, Norris, White and Moules (2017:2), "if readers are not clear about how researchers analysed their data or what assumptions informed their analysis, evaluating the trustworthiness of the research process is difficult". Data analysis is important in reliable qualitative research (Maguire & Delahunt 2017:1), and thematic analysis is generally used (Nowell *et al.* 2017:1; Javadi & Zarea, 2016:1). It is

sometimes regarded as a very poorly 'branded' method, as it does not appear to exist as a 'named' analysis like other methods, for example narrative analysis and grounded theory (Braun & Clark 2006:79-80). Reporting the techniques employed by researchers can serve to enhance the value of their interpretations and assist other researchers aiming to conduct similar projects (Attride-Stirling 2001:389). Thematic analysis is a process of finding patterns and themes within the data (Braun & Clarke 2013:8). To further substantiate this definition, Kiger and Varpio (2020:2) explain that, as a method, it is used to define data. It also includes interpretation as part of the process of choosing codes and constructing themes. Although researchers recommend thematic analysis for novice researchers (Nowell *et al.* 2017:2), Braun and Clarke (2012:65) also argue that like any other research or analytic method, the choice to use thematic analysis must be based on the goals of the research instead of it being an easy method of analysis.

The goals of this study are to:

- (1) explore the roles and relationships of school governing bodies and school management teams in two schools in the Northern Cape;
- (2) understand how the roles of the school governing bodies and school management teams of two schools contribute towards a relationship between the SGB and SMT in two schools in the Northern Cape; and
- (3) highlight what can be done to enhance the existing relationship between SGBs and SMTs in two schools in the Northern Cape.

According to Braun and Clarke (2006:4), thematic analysis often allows the researcher to acquire core skills in respect of analysis. Similarly, Lester, Cho and Lochmiller (2020:79) argue that it is important to acquire the knowledge of how to conduct thematic analysis, because it serves as a basis to ultimately make sense of other more specialised forms of analysis. In this study, thematic analysis was used to identify themes in the collected data. According to Holloway and Todres (2003:351), it is not a separate method; instead, it is something to be used to assist researchers in analysing data. The advantage of thematic analysis is its unique flexibility, which allows it to be used in a variety of theoretical and epistemological frameworks, study question designs and sample sizes (Kiger & Varpio 2020:2). Based on its theoretical freedom,

thematic analysis provides a flexible and useful research instrument, which can provide a rich, detailed and complex account of data (Braun & Clarke 2006:5). According to Rubin and Rubin (2012:189), analysis is an exciting process that allows for the discovery of themes and concepts embedded throughout the research interviews. Social constructionism concerns itself with the construction of knowledge, and therefore meaning, through the social involvement of agents within a social context. It accepts that multiple constructions of meaning are possible, based on the social interaction between the researcher and the participants (Tuckett 2005:76). Thematic analysis can reflect reality, and also unravel the surface of reality. It is important that the theoretical position of a thematic analysis is clearly explained. The process of thematic analyses seeks to uncover the themes embedded in a text at different levels (Attride-Sterling 2001:387).

The first step is data collection. Audiotapes should be used to collect data from the session or interview (Spradley 1979). From the transcripts, patterns of experiences can be listed which can come from direct quotes or from paraphrasing common ideas. The second step in the process of thematic analysis is identifying all data, including patterns that have already classified. These identified patterns are then explained. Content from the interviews that fit under a specific pattern is identified and placed within the corresponding pattern. The third step of thematic analysis is to combine and categorise connected patterns into sub-themes. Themes are defined as units identified from patterns that include "conversation topics, vocabulary, recurring activities, meanings, feelings, or folk sayings and proverbs" (Aronson 1995:4). Themes are identified by combining components or fragments of ideas or experiences that would have no meaning on their own (Leininger 1985:60). Themes that emerge from interaction with participants are collated to form a comprehensive picture of their collective experience. The logic of ideas depends on the researcher as the data analyst who has studied how the various ideas or components fit together in a meaningful way when linked (Leininger 1985:60). Conversely, Conostas (1992), emphasises that the interpretative approach should be considered as a separate point of origin (Conostas 1992:258).

When combining sub-themes to obtain a complete view of the data, it becomes easier to identify an emerging pattern. When patterns emerge, it is best to obtain feedback from the participants (Aronson 1995:4). The feedback can be done during the interview

or by asking the participants to give feedback on the transcribed conversations. The interviewer uses the participants' responses to formulate the next questions in the interview, and after that the interviewer transcribes the interview or the session and asks the informants to provide feedback which is then incorporated in the theme analysis. Separate the highlighted below into a new paragraph.

In this study the data analyses process was conducted in the ways identified above. This involved collecting the data through separate interviews by using a tape recorder and transcribing each interview separately. I also translated from Setswana/Sesotho where applicable and ensured that I captured the words and expressions of each participant clearly. This included non-verbal sounds (eh, uhuh, uh, mm), pauses and phrases used by the participants, even when these were not in English. From these transcriptions, I then read each interview, making short notes of which phrases and comments brought out the experiences of compliance to legislation that informed, encouraged, and discouraged the relationship between the SGB and the SMT. The transcriptions were repeatedly re-read to detect patterns. This was followed by highlighting the patterns I found in a specific colour. I also highlighted the linking ideas, experiences and paraphrases in the same colour. A Word document table was used to combine these ideas under different sub-themes. I used the tables to identify my final broad themes from the semi-structured and focus group interviews, focusing on experiences within the context of the study. The next section will discuss the trustworthiness for this qualitative research study.

3.7 Quality criteria of the study

Trustworthiness is commonly used in qualitative research, trustworthiness is based on credibility, transferability, dependability, confirmability and authenticity, in order to evaluate qualitative research (Kyngäs *et al.* 2020:41 – 48). Strategies in credibility involve prolonged engagement and persistent observation, triangulation, peer debriefing, and member checking. Credibility is an indication and emphasis of whether the research findings are a representation of the actual interpreted data (Kyngäs *et al.* 2020:41; Dyar 2022:198). In this study the researcher included the reviewed literature, themes, and responses of the participants that came from the interpreted data to generate the findings of the study.

Transferability refers to the concept that the data may be transferred from one context to another and is dependent on a clear description of the data collection methods (Leavy 2017:156). The researcher achieves this by providing enough information about the researcher as instrument and the research context, processes, participants, and the relationship between the researcher and the participant (Morrow 2005:252). The study may be used in understanding legislative compliance and the relationship between SGBs and SMTs in previously disadvantaged schools.

Dependability refers to the consistency of the research study from the beginning, collection of data and its analysis (Kyngäs *et al.* 2020:44). It is one of the methods that assists in ensuring the trustworthiness of a qualitative study and if the findings will be similar if replicated with the same participants within the same situation (Dyar 2022:198). The researcher used interviews to collect the data of the research study with questions that were formulated to respond to the topic of the study. Through the wording, utterances, and responses of the participants which were repeatedly gone through, the researcher managed to analyse the data and produce themes and findings from the responses of the participants.

Confirmability is the connection between the collected data of a particular study and its results (Kyngäs *et al.* 2020:46). It was therefore important for the researcher to allow the participants the opportunity to member check and confirm the transcribed interviews as well as using the wording and utterances of participants during the data analysis and findings.

Authenticity entails researchers indicating a range of different realities, which allude to fairness regarding the participants' concerns, issues and underlying values (Tobin & Begley 2004:392). In this study, I identified different SGB and SMT members using purposive sampling. In so doing, I was able to select SGB and SMT members who had different experiences, and my research was able to address the lived experiences of these members regarding the relationship between management and governance structures at school level.

3.8 Limitations of the Study

To avoid some of the contributory factors that might have limited the study, the researcher first built rapport with the participants before I conducted the research to allow participants to become comfortable with the process and to share their rich experiences. Another issue was the outbreak of the COVID-19 pandemic and the availability of participants and willingness of schools to partake in the study. The contact time of learning and teaching cannot be compromised, thus most of the interviews were held after hours or at the most convenient time arranged with the participants. The withdrawal of participant volunteers also contributed to the limitations.

3.9 Ethical Considerations

There are critical ethical issues that need to be considered before any research can be undertaken (Cohen *et al.* 2007:51). As part of building rapport, participants were given a consent form to sign, containing details of the study, and clearly stating that they could withdraw at any time (Brinkman & Kvale 2017:261). They were also provided with a copy of the consent form. Participants were also guaranteed of confidentiality during and after the study. The environment in which the interviews were conducted was safe and comfortable, allowing the participants to freely discuss their real-life experiences (Cropley 2021:79-82). The identity of the participants and schools were protected through the use of pseudonyms (Kamberelis & Dimitriadis 2014:332). The participants were informed of the purpose of the study and how the data would be used, and how issues of confidentiality and anonymity could be prioritised and managed (Flick 2014:97).

During the interviews I gained a great deal of information from the members of the SGBs and SMTs who volunteered to participate in the research study. Their views and experiences regarding legislative compliance and the relationship between the two stakeholders were illuminating. Two schools agreed to participate, and from these schools I had 28 participants who were willing to be part of the research study. Full ethical clearance was also applied for and granted at the University of the Free State. Approval was also granted from the provincial Department of Basic Education.

Ethical clearance (number **UFS-HSD2020/0260/2406**) was granted on 26 June 2020 to conduct the study. Due to the COVID-19 pandemic, the interviews could not be

conducted immediately, but took place between December 2020 and March 2021. During the data generation process I was faced by challenges of schools not volunteering to participate, citing the COVID-19 pandemic and the unviability of school governors. Quite a few volunteers changed their minds and withdrew from the study.

3.10 Conclusion

This chapter consists of three parts. Firstly, I explained and theorised about my paradigm and underpinning ontology and epistemology, followed by a detailed exposition of the methodology and methods I used to obtain the data. I also explained the data analysis and ethics in the study, while the advantages and disadvantages of qualitative research were also highlighted. In the next chapter, I will present the findings of the study.

CHAPTER 4: DATA ANALYSIS

4.1 Introduction

In the previous chapter I discussed the methodologies adopted in this study. A qualitative research method was used, which was explained in detail. The data analysis will be presented in this chapter. Data collection was done through one on one semi-structured and focus group interviews. The data was generated through thematic analysis. This was done by repeatedly going through the transcripts and extracting the main and common experiences of the participants by highlighting and commenting on these experiences. For ethical reasons, the researcher used acronyms (A and B) and numbers 1 to 5 to identify the two schools, and the SGB and SMT members from the two schools who participated in the study. The two sets of data are the responses of the participants to the main question of the research study, which is:

How does legislative compliance contribute towards a relationship between the school governing body and the school management team in two schools in the Northern Cape?

The data was analysed from two sets of data, namely the semi-structured interviews and the focus group interviews.

4.2 First Data Set Analysis (Semi-Structured Interviews)

4.2.1 Themes during data analysis

From the data analysis, the researcher focused on the following six themes:

1. Introducing and acknowledging the existence of the SGB and SMT at school
2. Building the relationship through communication and meetings
3. Commitment to work in school environment, contribution towards transforming the school **to ensure legislative** compliance
4. Collective decision-making through participatory and deliberative democracy and working together to develop policies and established committees

5. Views on leadership, management and governance
6. Forging future relationships between the SGB and SMT

4.2.1.1 Theme 1: Introducing and acknowledging the existence of the SGB and SMT at school

The questions under this theme were posed to allow the participants to communicate their first experiences of being part of the SGB and the SMT. Most of the participants responded by saying that the SGB and SMT are introduced informally after SGB elections, so that they can get to know each other and the positions that they hold.

SMT member 2 of school (A) responded by saying:

“Normally what happens when the SGB is elected, they normally choose a date with the staff where they can socialise and get to know each other.”

A response from another SMT member 1 from school (B) stated:

“Usually we take it from the elections, as soon as the SGB is elected the principal creates an opportunity for the SGB to meet with the educators as well as the SMT. Usually is an informal meeting where we just meet one another, get familiar with their positions as well.”

A parent governor, SGB member 2 of school (B) noted that:

“We were called to a meeting and then we were introduced to the management of the school by the principal that is how we knew the management and how they come to know the SGB.”

During the interviews and data analysis it also became clear that the parent meetings were used to introduce the SMT and the governing bodies to the parents.

SGB member 2 from school (A) responded by saying:

“What we normally do, we have meetings so that we could be introduced to the teachers.”

From school (B) SGB member 1 said the following:

“We will have a meeting with the SMT whereby the SGB, especially the parent component, will be introduced to the SMT and then after being introduced to the SMT, they will be introduced to the staff in the first eh, eh parents meeting that we will be having, and then they will be introduced to the staff that we are having parent A, B, C, D, E, F to serve in the SGB.”

School (A) followed up with an arranged informal get-together with the intention of socialising and getting to know each other. This invitation was extended to the educators, SGB and SMT members. Another purpose of these functions was to thank the educators for the work they did at the school, and at some point, they were given name tags/badges as small gifts. Although it was appreciated by those in attendance as a way of bringing people together, some of the participants had the following to say:

SMT member 3 of school (A)

“...was it in last year, ja, we had an informal try at least once a year and we had an informal function where the SGB and the staff meets on a social level, very nice as I say with the SGB too, I mean as the parents of our learners.”

SMT member 5 of school (A)

“Ehh, during this past three years I, the only time that I met with the eh the SGB was at a year-end function that we had in Eight Mile, and what we did there was to actually say ok this is the chairperson, this is the secretary, this is the treasurer that was the only time that I actually met them. Uh that was at the end of the year when, when we just had a year-end function. Eh it was a meeting that we had, actually I think that we had to give, they actually proposed to principal that they want to give us eh what do you call these things? Name tags, as who is the HoD of Afrikaans, who is the HoD of all the other subjects that we have at our school and we had a very informal it was just introducing who they called us up as HoD or teacher of the school, and then they gave that things to us eh the name tags, eh then afterwards we sat and we talked with one another and we actually enjoyed the evening with a dinner and all that.”

Although the invitation was for all educators and governors, not all of them attended. One participant (SGB member 2 of school (A)) offered the following reason:

“... most of the teachers don’t pitch up and most of the SGB members also don’t pitch up due to transport problems.”

Although the gesture was appreciated by educators and governors, SGB member 2 of school (A) had this to say on the effectiveness of the interaction:

“You see because it’s informal some SGB members will interact with some of the teachers, but I don’t think it is school related their conversations that’s why I say it’s ineffective. More with the staff members, the feedback I got from them is, it was a good thing, they feel much appreciated because we were handing out gifts, small gifts obviously, and the SGB members, their response was that we should do it every year.”

The interpretation of these responses assisted the researcher to understand that if these two stakeholders acknowledged the existence of each other, a working relation could be established between the SGB and SMT at the school.

4.2.1.2 Theme 2: Building the relationship through communication and meetings

The questions under this theme allowed for the participants (SGB and SMT) to give their views on how legislation was used to enhance their relationship, communication, and create the opportunity to meet and discuss school-related matters.

Legislation that legitimizes the daily management of a public school focuses on the implementation of democracy, inclusivity, stakeholder participation, deliberation and collective decision-making.

To realise this, SGBs are expected to engage all relevant stakeholders at school level, which includes SMT members. From the data, it was clear that most of the participants in schools (A and B) responded that the SGB and SMT never had formal meetings together as management and governors, or with the entire educator team, to discuss school-related matters. This made it difficult for them to interact and contribute towards a relationship between the two. They mentioned the school principal as the main SMT member that keep the relations between the SGB and SMT, and the participants also referred to the relationship between SGB and the principal and other staff.

In connection with the latter, SGB member 2 of school (A) responded as follows:

“Like I said there is no interaction, so there can’t be a relationship, if you don’t have those interactions, I can’t answer you on that one because there is no relationship.”

SGB member 1 of school (B) had this to say relating to communication between the SMT and the SGB:

“The relationship is built because of communication, if there is no communication, then I think the, the relationship will not be built.”

SMT member 2 of school (A) responded by saying:

“In all honesty, as a deputy principal I wasn’t involved with the SGB, I didn’t have any position there, it was mostly the principal and the rest of the staff members, so I really had no contact with the SGB people but, from the report backs from the meetings they have through the reps that report back to the staff, I can see that, they do have enough meetings and uh, it will be difficult for me to give guidance there because I wasn’t involved.”

SMT member 3 of school (A) stated:

“Look, I’m not on the SGB, they have people there and also the non-teaching staff, so I don’t have regular contact with them. So, there is a relationship I’m sure, the principal, he regularly says he meets with the SGB and so on and so on. So, there is a relationship and I think they have a nice understanding and so on uh it’s just that I as an ordinary member, I do not have direct contact, I think there is a good relationship. So, uh but as far as possible or to my knowledge or understanding there is a working relationship.”

She further explained by saying:

“We try to work together and uh, I don’t have such close contact with them, the uh the principal and the deputies are more, especially when it comes to discipline things, certain meetings, or things like that. So, they are more involved there, but

us the ordinary SMT as I said besides the informal meetings that we sometimes have, functions and so on, we are not very much involved with those things.”

SMT member 1 from school (A) said:

“Mm, like I say we, we don’t uhm, interact much with the SGB. Uh, most of what we do uhm, we discuss as the SMT, sometimes I hear them say that uhm, the whatever decisions or discussions we have, they will take it to the SGB, uhm, for recommendation, or whatever. Uhm that is basically I, uh, uhm, how I’ve experienced it. Uhm, there wasn’t much of that going on in the decision-making, where, we together with SGB. Ok, to be honest, uhm, we, I haven’t really spoken, uhm, really much to the SGB, we, we, we sort of work in isolation from the SGB”.

The same response was echoed by SMT member 4 from school (B), who said:

“To be honest, for me the SMT and the SGB, even though we are in one organisation, in one school there is a bit of separation between the two, we have never had the SGB and the SMT being together to maybe agree on a collective agreement. The only thing I know is that we always uh have a meeting with the SMT, the educators, then they will have a meeting with SGB, maybe taking things from the SMT or even staff before going to the SGB with it. But for us to meet with the SGB as a collective no, I don’t remember that ja, I don’t really remember.”

Some of the contributing factors that made it impossible for the SMT and SGB (including the parent component) to meet and discuss legislation-related compliance matters, explained by SGB member 2 of school (A):

“I think it’s because some of them work, they can’t attend meetings during school times, have transport issues, the lack of commitment of SGB members.”

The sentiment of working parents was also expressed by SGB member 1 of school (B), and this is what he had to say:

“As I said ehh in terms of the meetings, now you would remember some of our parents are working, so you can only secure meetings late in the afternoon at around five.”

SMT member 4 of school (B) in her response explained the communication process between the SGB and SMT as follows:

“The principal is the one who is always coming maybe after having a meeting with the SGB, he will come back to us and say 1, 2, 3 or I told the SGB 1, or as the SGB we decided on this point or 1, 2, 3.”

SMT member 1 of school (B) shared and expressed the same view:

“The principal is actually the line between the SGB and the SMT, whatever programmes that we have within the SMT, he will in their meeting transfer that to the SGB and whatever there is that comes directly to us as SMT from the SGB he will communicate that to the SMT, so the principal is actually the link.”

SMT member 5 of school (A) was a little sceptical replied with this comment:

“I’m speaking under correction that it’s the duty of the principal to go to the governing body and say okay we as the SMT because he is the only representative, and the teacher that is not on the SMT, that’s actually, so the principal must actually do that thing and take it to the SGB and discuss it with them and say okay, this is what as we as the SMT have discussed. I don’t know if it is happening you understand, but I think he must because that’s the only member on the SMT that’s part of the SGB.”

In response to the question on follow-up meetings between the two stakeholders after the introduction sessions, SGB member 2 of school (B) replied as follows:

“I have never experienced that, nothing.”

SMT member 5 of school (A) shared the same response:

“As a component as a SMT with the SGB, no, that never happened, that never happened sir.”

In response SGB member 4 of school (B) said:

“I do not remember an opportunity like that.”

SMT member 1 of school (B) replied by saying:

“It is very rare where you find the SGB meeting with the educators, they usually only meet when they are introduced as the new SGB members but, thereafter it’s very rare that they meet, unless they meet within sub-committees.”

In this study, SGB member 1 of school (A) shared her experience by commenting that:

“I felt that our SGB was fortunate because we had an SMT member in our component. So, we usually said to our SGB (SMT component) that if you are sitting in the meetings, share this information and this information with the SMT members, that is why I say we were I don’t know, I can say we were structured like, we have the ECD member, we have the teacher post levels ones and whatever and then we have the SMT.”

Based on this theme and the responses provided by the participants, it was clear to the researcher that the educator representatives on the SGB were given mandates by the other educators to raise certain issues and were expected to provide feedback. This is what an SMT member from school (A) had to say:

“What we usually do we have sittings and then we mandate that the teacher that is representing us, okay in actual form, in actual fact we ask him or tell him, take this mandate to the SGB meeting and then you report back to us on certain issues or for all the issues that you actually put forward to the SGB.”

4.2.1.3 Theme 3: Commitment to work and school environment, contribution towards transforming the school to ensure legislative compliance

Under this theme, the researcher posed questions that allowed the participants to narrate their work environment experiences, contribution towards transformation, and oversight role of the SGB and SMT on legislative compliance. When asked whether they enjoyed being SGB or SMT members, most of the participants indicated that they did enjoy it. They enjoyed working with and guiding colleagues, as it allowed for respect, building relationships between colleagues, and solving school-related problems in the best interests of the children.

In response, SMT member 3 of school (A) said:

"I do, I love teaching, I've been teaching, nearly 35 years so I really enjoy it honestly, and uh to be part of the SMT too. I'm passionate about my subject. I love working with children, and just making that difference in somebody's life."

SMT member 5 of school (A) had this to say:

"I do because I think I contribute on managerial uh uh level from my part as a subject head on the running of the school uh because the contribution that each and every one will make a better end result."

SGB member 3 of school (B) described her experience as follows:

"I enjoy being there because I didn't have any knowledge what's happening, I just heard that SGB, SGB. It's nice to hear the view of parents and how to get the school grow..."

SGB member 4 of school (B) expressed this view:

"What made me happy is the unity of the educators towards me, meaning from all these teachers I have not experienced any negativity, we walked the journey with those that I worked with from the first, second, and third term of office being united like that."

SMT member 1 of school (B) shared his experience with this response:

"I am sometimes very happy when I can resolve issues between or misunderstandings between the departmental head and the educators."

It was important for the researcher to establish how the school environment was experienced by the participants, and how this contributed towards compliance with legislation from the two role players. The responses gave an indication that the school environment did allow them to operate well on a daily basis.

Some of the interview questions related to school policies and SGB committees. Policies are developed through consultation, and implemented and reviewed annually, while committees are established depending on the needs of a school. SGB members are usually the chairpersons of such committees, but guidance from educators and

SMT members play a central role. In these committees SGB and SMT members get an opportunity to meet, participate and deliberate on school-related matters.

Participants of school (A) responded in the following manner on adherence to legislation and policy, SMT member 1 of school (A) had this to say:

“Okay. Uhm, well the school, as the school we have to adhere to the mandate of the Department of Education, and uhm, whatever that mandate is we have to exercise, uh, or carry it out so that whatever we do, uh, remains compliant with, also like we say in the Constitution, and the Bill of Rights. I know that basically when we have to work out uhm, assignments for the teachers, we uh, would do it in such a manner that uhm, we work within their job description as maybe it is spelt out in the PAM document, and uhm, we would not normally force any teacher to, to uh, take on a subject that would be out of his or her field of expertise.”

SMT member 2 of school (A) said:

“We normally do have sort of workshops where we discuss these documents, especially the PAM also and its changes that happens now and then, with your whole school evaluation, we do have discussions where we discuss these documents to make sure that everybody is au fait with the policies.”

SMT member 4 of school (A) responded as follows on the SSE (school self-evaluation) and the SIP (school improvement plan):

“Whole school evaluation, we looked at it again last year, I mean that’s a very effective tool to actually see where you need to make changes.”

On the SIP she commented by saying:

“I think last we divided into groups and uh, each group took a section and you look at are we on track, and at some days we worked out our school improvement plan.”

SMT member 5 of school (A) gave a clear explanation of how the SSE and SIP was done at the school, and he explained as follows:

“Usually we don’t sit together. We have the SMT first and then we have the teachers after that.”

SMT member 5 of school (A) responded with some doubt when he was asked if the school principal discussed the SSE and SIP with the SGB members. This is what he had to say:

“I don’t know does he do it with the SGB I’m not sure. I can’t really say that but I think the thing will be and my wish will be actually that, he has taken it and he has discussed it with the SGB because we must take hands together and decide on things together.”

SGB member 2 of school (A) emphasised the following regarding the school self-evaluation and school improvement plan:

“Remember the SGB also have a school improvement plan that they do separately. They don’t do it with the teachers or educators, so it’s a separate meeting this, what do they want to do, improving the three year plan. The SMT don’t inform, what we do, is we have an SGB meeting, the SMT members or the teachers, they would come up with school improvement plan, and we will sit and discuss it with the SGB members but, it’s a separate meeting it’s never a combined meeting, so whatever changes, they make the changes if they approve that then we leave it as is, but like I said in most cases they leave it as is because maybe they think they are inferior, the teacher knows best.”

SMT member 2 from school (B) responded as follows on the school self-evaluation:

“The school self-evaluation, we invite the educators, including the SMT members, eh and then we do the SSE, in terms of saying, it consists of certain areas if I’m not mistaken I think is nine areas or whatsoever that you need to go through that particular areas and identify mainly how are you going to improve on the strengths and the weaknesses, because at the end of the day you must allocate uh a score, and you must comment and also you must say how are you going to rectify whenever if it happens that your score is low, how are you going to remedy the situation. So, the educators sit together and then we go through the areas together and then we score the school in general.”

SMT member 4 of school (B) provided additional information on the school self-evaluation:

“We normally sit together taking all the nine areas bit by bit, we look at the supporting evidence, we look at the comments, we look at the expectation, what do we expect, things we are going to do, we score our self or we rate our self actually, that is how we go and uh all staff members, all the SMT it is not only the SMT, all staff members we include in them because it is for all of us. We normally take two to three days to complete that because we go it slowly and we want to do things correctly, we don’t want to rush. Where maybe we realise that no man, we didn’t, the expectations that we have set, we are not correct, we again go back and set uh, uh the expectation that oh, this is what we are going to do. So, I’m not alone in this thing, we as a collective we do that as a school annually.”

The follow-up question asked if the SGB was involved, and she responded by saying:

“We do, because amongst us there are teacher components that are in our midst, yes so, it is for us easier to do that because we have three of them, so we have the confidence that when we decide on the comment, the supporting evidence and the expectations at least there are people uh, uh, representing the educators in the SGB that’s why it makes our job easier to touch on the governance, ja on governance in the SSE. It makes easy... because, if we didn’t have anyone we could have said how are we going to do things for people who are not uh, uh present.”

SMT member 1 of school (B) responded with some doubt when he was asked if the school principal discussed the SSE and SIP with the SGB members. This is what he had to say:

“I’m not sure because I have never been a member of the SGB, the principal was always there, so I was never in those meetings eh, I’m not sure have they ever went through the self-school evaluation, eh I’m not sure have they gone through the SIP, but what I know is that the chairperson should be signing off the SIP, so I take it that he does get time to go through the SIP with the SGB and then if there are funds that are needed to work on the SIP, I think he does that with the SGB.”

The question on the oversight role and support was posed so that the participants could provide their experience of how the two role players contributed toward supporting each other. Some of the views by the participants were as follows:

SMT member 2 of school (B) explained how the educators were supported by the SMT and SGB regarding on their needs:

“We call the educators, we, we inform them that they must forward their needs, eh to the Learning and Teaching Support Material (LTSM) committee, ehh and then we give them a due date in terms of forwarding their needs to the LTSM committee, and then after the committee have received the needs of educators, then the committee will then sit down and then they will go through the needs of the educators, and eh somewhere somehow the committee will have to make uh, uh, to use its own discretion in terms of prioritising because normally it’s like if we say they must forward their needs, uh the, the committee chair, he always make them aware that remember even if we are saying you must forward your needs, eh it is not of expectation that you are going to get each and everything you have brought forth to the committee, so the committee will sit down and then the committee will discuss or go through those needs and at the ultimate end the committee will decide what you get in terms of those needs.”

SMT member 4 of school (A) emphasised on how the needs analysis was defended and motivated in the presence of the principal and the SGB:

“It is in the budget meeting where you as SMT member will have to come and say why you need that part, I think it would not necessarily just be say SMT, uh if you felt that you needed to come and explain I need this, then you have the opportunity. We look at uhm the expenditure how much money came in and whatever and then we look at how much is projected for next year and that would take some time and you have to present your needs and obviously they will decide whether the budget will be able to manage to accommodate whatever I need.”

SGB member 3 of school (B) gave a practical explanation of how the school prepared for the budget process. She outlined it as follows:

“The treasure together with the chairperson, they sit and budget, it’s not budget [pause] collect all the relevant things to do a budget and discuss it among them. After that, they call the whole SGB, the treasurer and the committee, with his committee they discuss it, they give the budget to the SGB explaining on this day we doing that and that and that, the money that we... like the procedure according... After that the budget goes to the SMT to be shown. We give, we give thirty days’ notice for the parents to come to a budget meeting, and two days or one day before the meeting we remind them again about the budget meeting so that they must come, mm.”

An almost similar view and explanation was given by SGB member 1 of school (A) regarding preparations for the school budget process.

“it’s a meeting that uh uh the principal will be calling and the secretary and the treasurer, then they hold their own meeting, then they will get the notes for the budget, they drew up the budget in their meeting, then if the SGB hold their own meeting then the principal will come and give every member a copy to see how the budget, how we have done, how much did we spend and how much did we get in, that’s what the principal do first. They call a meeting for the parents, sometimes the whole parents doesn’t show up, other times the majority shows up, then Mr..., it’s like an assembly, then they read out, then they give some parents notes, not all parents get notes, they must share the notes, then Mr... gives them the budget and then ask them they must tell him if there is something they want to know about the budget and some parents ask questions.”

Educator SGB members took the lead by guiding the SGB members in these committees to ensure compliance.

SGB member 2 of school (A) shared this view with the researcher:

“You see because most of the SGB members, I won’t say they are illiterate but, they don’t have knowledge when it comes to the constitution or the legislation they don’t have, so we basically guide them. Whatever decision is made then we would just guide them and would ask them do they agree or do they not agree. If they want it the other way then we say but that is not in the Constitution, it’s an unconstitutional decision that you making so, you cannot do that. So we basically

guide them to make a decision, we don't force them to make a decision, just guidance."

SGB member 4 of school (B) explained:

"Those committees are led by teachers at the school, they are the ones who know, and then the parents are guided on what the committee is all about, they will be shown how these committees' function and what is happening."

On her role on the LTSM committee, this was her view:

"I did not have that much of a role to play because Mr... was the one who was leading us. Now, Mr... knew the quantities of the books and how they are supposed to be. So, he just informed me saying Mrs... the books have been delivered, we have signed for them, the total number of children is this, the books that we are supposed to have been this much, the department gave us this amount of money for books, there is no change we have to use all the money."

From participants, there was an indication that SGB members depended on the support of the educators and SMT members to be able to perform some of their functions.

4.2.1.4 Theme 4: Collective decision-making through participatory and deliberative democracy and working together to develop policies and establish committees

Although there was collective decision-making at the schools, the opportunities for the SMT and SGB to sit together and decide on certain issues were non-existent, and it was done separately.

SMT member 2 of school (B) explained their discussions during the school self-evaluation process as part of collective decision-making and participatory and deliberative democracy. He said:

"What we do in one area is to identify area and then it is explained to the teachers, eh the comments are given, and then the teachers must come up with a score. If there is any disagreement, then the door is open, there is openness, there is democracy there, everything is there. Eh in terms of saying if you disagree with

what your colleague is saying you are at liberty to disagree but, at the same time, you must disagree to come up with what supports your disagreement, ja, so that is how uh we deal with, with, with, the SSE.”

SMT member 2 of school (A) emphasised that:

“When we [school staff] have such discussions everybody should be present, everybody should have a say, air their views whether they agree to, any changes we bring about in the school so, everybody is approached and involved.”

SMT member 3 of school (B) explained collective decision-making as follows:

“Any point that is eh, the point is brought up maybe by the principal, and the principal will give it to the SMT to discuss, everyone in the SMT will give his point of view and then an agreement will be reached, if there is no agreement maybe we go through the process of voting and say how many people agree with it and then obviously democracy apply again, majority who agree and then we will go with what is agreed with in the majority of the people.”

SGB member 2 of school (B) explained their participation and contribution in decision-making as follows:

“We are given an opportunity, when we talk about something and we want 1, 2, 3 to happen, for an example, our school was identified as one of the schools that must do English as a first language, we were called to a meeting, the principal explained this to us and asked for our opinion as the SGB on this proposal. The SGB decided it’s a good thing. There is nothing that affects the SGB that the principal does without calling us for our inputs or our thoughts as to how we feel about it. So, as the SGB we represent the parents and we will then choose what is best for the children, that is why we ended up agreeing and then he takes that decision and works on that.”

SGB member 2 of school (B) shared this view:

“When we have meetings and we discuss whatever decision we have to take, and then there will be a proposal then someone will second, and the seconder will always come from an SGB member.”

The question was posed by the researcher to allow the participants to provide a detailed explanation on how the SGB and SMT used legislation to contribute towards collective decision-making. The researcher also posed questions on how school policies are developed, specifically the learner code of conduct, SMT member 1 of school B emphasised that:

“We make sure that all the policies they are in line with the Constitution of the country because you have mentioned the Constitution of the country, I’m sure in the Bill of Rights they cover the South African Schools Act. So, we make sure we also check the Bill of Rights so that we are in line with the rights of the learners.”

SMT member 3 of school A shared this explanation on the policy review process:

“Like I said like today we supposed to sit again with our code of conduct, we reviewed it last year but we going to sit again and each of us is given an opportunity if you want to, perhaps there’s something that you not happy with or want to change slightly you are given an opportunity.”

SMT member 4 of school B responded as follows:

“We sit together to decide and to elaborate on certain factors, the very important ones that we are going to set up or to draw up the code of conduct with, and the ones that stand up and the ones that we feel that these code of conduct are going to take the school forward. We agree on that, then we draw the code of conduct, ja, that is how I used to, before becoming the deputy, that is how we used to do it. We engage each and everyone, even sometimes I remember taking two learners asking them, what is that you want the school to do for you or to be managed. Ja, they also had an input like you know children they can just say, you can say we should not be naughty, but we will put it in a different, better way.”

SGB member 1 mentioned of some of the policies at school (B):

“Code of conduct, we have the finance policy, the HIV policy, we have, ooh they are so many we have uhh, they are so many, yes and what else. I remember the ones that we have been reviewing, because we reviewed the code of conduct and we made sure that each learner has a copy of the code of conduct, to making sure that we put uh uh the, the copy in the report so that when the parent and

collect the report, they must have the code of conduct, and we also eh eh reviewed the, the finance policy, and because of COVID, we couldn't go to the other policies, because we felt that we need to review them all yes, I've forgotten the others sir."

She also explained the consultation process when the school reviewed their policies:

"When we reviewed the, the, policies, we announced in the staff meeting that the policies are going to be reviewed then we took the old policies we made copies and then we gave the SMT's, everybody in the staff got so that you must go home and go through the policy and see what we can add, what we can remove and what we can do. So, everybody was involved even the parents, we made copies for the parent component saying that, if you meet with a parent that you know of the school then you can just share with him or with her."

Her response was emphasised by SGB member 4 of school (B), who said:

"We sit down and review and check them (school policies) so that when we go and explain to the parents, how are we going to do it, so that the parents can understand, we explain as brief as possible so that we can reach the standard of all of us cooperating and enjoying it."

On the implementation of the code of conduct, SGB member 2 of school (B) explained as follows:

"When the child needs to be disciplined, the first role, the teacher comes to the principal, and after if it's a serious offence we call the SGB, and the SGB they already know the code of conduct and what to do with this, this problematic child. So, in that, they call the SGB to inform the SGB about the child, after that the parents of the child are called to meet with the SGB to deliver the code of conduct because most of the parents don't take the code of conduct serious because they are given the code of conduct but they don't... So, the SGB is there to remind them that in the code of conduct... the child has done something wrong, this is 1, 2, 3, 4 and the child is going to be suspended for five days or three days like."

This was supported by SGB member 4 of school (B), when she said:

“We once had a situation of boys who were reported to have consumed alcohol during athletics, so they also smoked dagga at the stadium, they were reported. So, during this drunkenness there was one girl who was in the habit of misbehaving and the principal called us. The disciplinary committee met and wrote the parent a letter so that the child can appear for questioning; we ended up intervening when the parent was crying, trying to explain, the principal explained to her that we do not want to suspend the child. Before the principal reports this, we must sit and see how this can be solved. If this is a first attempt of the child or are there previous warnings things like those. So, if it is like that, the parent is called in for a talk and also explained to so that the child must be addressed too. We will discuss it with the parent and also monitor the behaviour of the child for improvements or if there is a continuation of the same behaviour. When we are done the principal will explain to the parent that, should there be no improvement, the continuation of the case will not be in our hands.”

On the existence of committees at school, the participants commented by expressing these views:

SMT member 3 of school (B) mentioned the existence of the following committees at their school:

“There are different committees at the school, let me say we have the finance committees, we have sporting committees, we have the cultural committees, we also have the organising committees, ehm, we also have the curriculum committee that deals with the curriculum, ehm that will include policies and so on, yes I think those are the committees that are prevalent here at the school. If I missed some those are the main four that I can remember.”

SGB member 1 of school (A) had this to say when he responded on SGB committees:

“We have been divided into groups, maybe if there is a hearing, we come together to discuss maybe a stabbing incidence at the school within the disciplinary committee. At times, the maintenance committee to improve the school, will sit, there are people for that. At times the procurement of LTSM material for the woodwork room, those people will also have their discussions. If we come to such things, then I tell Mr... or the deputy or the, the one that is available, listen, we

need an emergency meeting to discuss this thing or to discuss the two learners that were involved in a fight, and we need to have a meeting urgently tomorrow, we cannot wait for another meeting to come because tomorrow these learners might kill each other. This is how we deal with matters.”

In a follow-up question the participant was asked on which committees he served. He responded by saying:

“I am by the disciplinary committee and by the parents meeting when they come on a Tuesday.”

SGB member 1 of school (A) explained the composition of their committees:

“There is an SMT member, there is an SGB member at each and every committee, I am in the LTSM if I have to give an example of the LTSM, there was a parent also in the LTSM but, she fall off as the year went by, now educators, they work out their needs also in terms of text books, stationary, now all that is SGB eh functions, now after we have done all that, we give to the principal because the SGB person in the case of LTSM is no more there, we the principal and the principal takes that to the SGB for approval and everything.”

On the aspect of chairpersons of committees, SGB member 2 of school (B) said the following:

“It’s a parent from the SGB because, I didn’t just mention it, there is a parent who is for, for discipline a chairperson for discipline. It is one of the parents in the SGB, ja.”

4.2.1.5 Theme 5: Views on leadership, management and governance

In expressing their views, the participants emphasised the role of the school principal as a leader and manager to lead and guide the SMT and SGB to influence legislative compliance, and in support of a relationship between the SGB and SMT.

SMT member 5 of school (A) gave this view as he explained to the researcher:

“I think it’s transparent and I think it’s good because there’s a relationship between the principal, the HODs and the teachers between the principal, the SMT

and the teachers of the school on how, and usually as I said with management you actually must go back to your foot soldiers and again the teachers and you go and explain to them okay, what is the position of management and they must buy in and then say, there's certain issues that was discussed in terms of, make an example discipline uh this is what we as the SMT and usually have a meeting with the teachers and then they will also come up and say okay, this is what we think, or you must add this, or you must take this away not that. So, with, with management, I will say it filters down from the principal to the teachers."

SGB member 2 of school (A) expressed this view:

"Come I tell you my view as an SGB member, the governance comes mostly from the educator component [interviewer: the educator reps on the SGB?] yes, decisions are taken in the SGB meeting, but, uh governance most of the inputs from the teacher component and the parent they will just agree or they will just go with the thought or point that person made."

He commented the following regarding the leadership of parent governors:

"I must tell you to be honest they are hands on, not on academics but they are hands on when it comes to extra-curricular activities, they always they help to get sponsors they play a big role, they get to us sponsors, they always tell us they can get this, and they can get that for the school and they do it."

His view on the leadership of the SMT regarding their engagement with other educators indicated that there was no consultation on issues that affected the educators, which was in contrast with the views of SMT member 1 of school (B) under theme (4.2.3) and SMT member 5 of School (A) under theme (4.2.5). This was his view:

"My view regarding the leadership of the SMT, their discussions that they have, they make a decision then it gets forced onto the educators, it is my view, they don't bring a decision and then they discuss it with the educators, I think maybe I'm wrong but I think if we have a leadership like that we will start problems at the school because then it becomes a one man school and the educators won't feel part of the school. So, whenever it comes to fundraising opportunities, they will never participate, because the decision was not taken as that of the staff. They

don't bring that opportunity for the teachers to discuss it as well, they don't care about their inputs, I feel that is going to create problems, in my view from a management point of view you can't just make a decision and just force it onto the teachers without consulting them, so you need to have that interaction between the SMT and your post level 1 teachers."

SGB member 3 of school (B) had this view to express regarding governance:

"The one thing that I can say, the SGB is hands-on because, every time you see the parents just come to the school and check that everything, not say anything, just go around the school and see everything is in place. So, little knowledge that I received is that many times our parents get informed about what's happening in the school and what's happening in the Department, others they just think the school is running by themselves you see. So, the knowledge that I have and I'm happy is to see that parents get informed and the parents that are in the SGB can also encourage those that are outside but, most of the time others don't want to be on the SGB."

SGB member 2 of school (B) gave an impression of the governance at the school:

"Our SGB is functioning well so far because, so we keep on communicating, this is what we do and how we operate. We are working, when we are called to meetings we do come. There are no challenges that I have experienced because we were always guided through everything. So, I have not experienced anything difficult which I could not do, because we were always guided from time to time on what is needed and what is not needed. Our cooperation is there, what we do is what we have agreed upon, there has not been a situation where maybe the SMT does what it does without the knowledge of the SGB or what the SGB is not supposed to know. Thus far from the look of things everything is fine."

4.2.1.6 Theme 6: Forging future relationships between the SGB and SMT

The questions under this theme were posed by the researcher to the participants to obtain their views and suggestions as to how the future relationship between the SGB and SMT could be established and strengthened, based on legislative compliance. In relation to this question, this is how the participants responded.

SGB member 4 of school (B) remarked:

"I think we must make time, immediately after the meeting of the SGB maybe two days after that the SGB must call the SMT, not always sending the ex officio to send the message to them. The two components must meet, in the future we must do that. They must discuss the... the day to day of the school, the learners because we have different learners and maybe the parents, not maybe, some of the parents don't know we have different kind of learners. So, the SMT with their knowledge, they must inform the parents about those different type of learners and the other challenges as SMT they have. They must communicate with the... because is not all of the things that is discussed with the SGB."

A similar remark was made by SGB member 3 of school (B):

"A meeting must be called, that is the only way that we can meet with the SMT, once maybe once after the introduction of the SGB and the SMT and then at any given time call for a meeting between the two, this is what I would like to see. Discussions about the management of the school, because at times we as the SGB discuss school-related matters and maybe the SMT would like to contribute, so that we assist each other with the entire SMT, the management of the school, and check how it will be if we change certain things because, it is only the children and the school that brings us together."

SMT member 3 of school (B) commented:

"So, I think there must be more time whereby the two groups come together you see and uh sit together, give the direction of the school, the planning of the school. So, I mean if, ja, if we come all together as the management and the SGB then we go through the plans together then we would have a better understanding of what is expected for each and every term you see and what is expected for going forward. I think as the mother body of the school they should maybe, they should once at least, once a term see the management and hear what is the vision and what is the plans for the management for each and every term, what is expected of them this term and then you see, so at least if we say eh we see them, let me not say four times, at least three times a year. Each term up to the, term three, at least once a term or I think would be enough, despite now seeing them during

the meetings of the parents, where they only see the management alone, and they sit and listen to the expectations and plannings [sic] of the management.”

SMT member 3 of school (A) shared the following view in response:

“So, I would suggest that we have more uh, uh at least once or twice a year meet formally with the staff. The SGB can request from the staff of the things that are bothering us, problems you have, maybe they can make a difference or give their input. Perhaps just be there to listen, but that doesn’t happen.”

SMT member 5 of school (A) noted the following:

“I would suggest it be at the end of each term actually, when we must meet and discuss what we have, ok the first term we meet at the end of the term and then we discuss what’s the issues, and then at the end of the second term, how far have we come, how did you support us? What’s their reason? Once you take, once you have a vision, and everybody owns it, the SGB and the SMT. I think more will be attained as what we currently do because the meeting of minds is not there. The SGB and the SMT doesn’t meet regularly. So, we really can’t take the school forward on just one leg, you understand? So, if the other leg comes then it can, as they say two heads are better than one, you understand? I think we can do much better.”

SGB member 2 of school (A) remarked:

“I would recommend that when we have meetings, SGB meetings at some point educators must attend, not attend uh, not a SGB meeting but in a meeting, I would rather invite educators, introduce them to the new SGB members and discuss the roles, committees don’t do it separately so whenever you have your committees, the educators and the SGB must be in one meeting.”

The next section will cover the data that was analysed by the researcher for the focus group interview responses.

4.3 Second Data Set Analysis (Focus Group Interviews)

The focus group participants responded to the main question of the research study, which is:

How does legislative compliance contribute towards a relationship between the school governing body and school management team of two schools in the Northern Cape?

During the focus group interviews, the researcher posed questions to the focus groups in response to fill the gaps or explain unclear responses provided during the one-on-one interviews. The responses gave the groups an opportunity to agree on a response based on their experiences on the daily functioning of the SGB and the SMT.

4.3.1 Role of the SMT in assisting the SGB with policy development

The question was asked to give the SMT member focus group an opportunity to share their experiences and contributions on policy development and implementation in partnership with the SGB.

SMT member 1 of school (A) said this in response:

“Ja, uh the teachers would meet with the children, class teacher with their class, and they would go through the entire document, discussing it with the children and then of course, it would be given to them to take home for the parents also to sign and then bring back again. So, in that way we are trying to help to make it known to the parents.”

In agreement to SMT member 1, SMT member 3 of school (A) had this to say:

“And that us as a staff, we treat everybody the same, say with the interpretation of policies, we must interpret the document the same and apply the rules orderly. We don’t treat children differently because you know this group but you don’t know that group, perhaps you know little about it, but we are reviewing it at present.”

On a follow-up response, SMT member 2 of school (A) concluded by saying:

“If I get it summarised, it’s being discussed with the educators.”

SMT member 3 of school (B) and the group agreed when he said:

“Uhm we would also like to talk about the policies whereby the school uhm the management, part of the management, section of the teachers also come together with the SGB whereby they review the policies that are there of the school wa bona [you see]. So, this is also one part on the management whereby they help to assist the SGB in things like the policies, reviewing and so on.”

The SGB focus group agreed, through SGB member 4 of school (B), when she commented by saying:

“In the running of the school we as the SGB and the teachers who are on the SGB, we sit during meetings where we select certain policies, we discuss a certain policy that was chosen and what is meant when we speak about uniform and what learners are expected to wear. We review it to see if it is in line with what we have chosen, we sit and resolve it.”

In addition, SGB member 1 of school (B) said:

“I personally feel that our SGB is balanced, and we are following the governance legislature, and when it comes to policies of the school, each stakeholder participates in the drawing of the policies, like now we have been reviewing our policies. Let me make an example of the code of conduct, yes we started reviewing the code of conduct and all the stakeholders participated, parents and educators and the SMT. We take the principal as the resource, the principal was always with us when we reviewed the policies, and, the other thing as we are teachers’ representative, we sat around with the parents and we took copies to the different teachers now in the school. I’m in the intermediate uh, uh phase, grade fours and grade five, I will go there with the policy. We are reviewing to engage the teachers that are working near me and ... will take with those that are near him and then ... will take the foundation phase and the whatever to go and review but, not all teachers will participate, yes, not everybody will participate. We are talking democracy and whatever, we will now run with those that are participating in the reviewing of the specific policy that we are busy with. Thereafter, we will come back as the SGB to say, most of the teachers said we must now put this and whatever, the uniform must be in order, children should

not pleat their hair and so forth. So, we have been balancing everything according to the governance.”

The SGB focus group of school (B) agreed with the SMT focus groups of schools A and B, by confirming the involvement of all stakeholders (educators, SMT, parents, and SGB members).

4.3.2 Assisting the SGB to ensure that committees are functional.

The researcher posed the questions to guide the group to give their responses regarding their contribution towards the functionality of SGB committees in partnership with the SGB.

The response from SMT member 2 of school (A) was a sceptical one that said:

“I don’t think they have any other committees, in fact there is a problem with the membership that is vacant from the parent side, so basically the committees are non-existent, and that is what we spoke to the committee about, I mean we had a discussion around that, that even although we try to get parents with the necessary skills to serve on these committees to make sure they function, we think the SGB failed in doing that. We’ve asked one of our educators... because he said he would help in that regard to approach parents, to see if he can’t get parents to volunteer to serve on these committees but, in all honesty currently, there’s no committees except the financial committee.”

He was confidently supported by SMT member 5 of school (A), who said:

“I can just put my stamp on there, it’s true I only know of one committee that was established uh through the SGB in compliance of whatever is needed to comply with the SASA, the PAM document or whatever ja, but we have started also with our committees, uh school committees for instance sports and whatever we just finalising that but, as of the SM... I mean uh the SGB, I can’t really say there is any other committees, actually we don’t know what committees must be in place.”

The responses of SMT members 2 and 5 of school (A) were confirmed by the focus group.

To the contrary, SMT member 1 of school (B) and his group confirmed the existence of SGB committees when he said the following regarding committees at the school:

“Eh the SGB here at school, they deployed some of their members to be heading the sub-committees, I can give you an example, I was in the LTSM, so there was a parent who was in the LTSM as a committee member. Eh I think finance also, there was a parent that was deployed, and then I take it that as parents they can go back to the SGB to report on eh policy in terms of are we following procedures when it comes to procurement giving feedback to the SGB. Same applies to finances, it’s also my strong belief they do go back to the SGB to go and report but, I have noticed the challenge where parents eh they just disappear, I think that is the challenge. But in terms of management trying to get SGBs involved we are trying as a school to involve the parents in the subcommittees as well.”

The group, through SMT member 2 of school (B), agreed by saying:

“Yes... in addition to what the colleagues have just mentioned eh as per legislature eh as they have already mentioned in terms of the different committees which are in the school. The committees consist of different members of SGB’s, each committee has a member from the SGB, and with the same breath, we also tried by all means because within the committees in terms of the composition there is a teacher component there. So, in terms of management also, we have also tried in terms of availing the management members within the different committees, so as to share the knowledge and eh the legislature in order to achieve eh the common goal that is heading us somewhere.”

The SGB focus group of school (B) confirmed the availability of SGB committees and who serves on them, when SGB member 3 of school (B) said:

“The committees like we have the food nutrition, the LTSM, the bereavement committee, each of the committee has a member of the SGB, mostly the parents, they are in the committee. Food nutrition, if there is a selection of suppliers, the parents must be there to oversee the proceeding.”

4.3.3 Contribution of the SMT and SGB during the budget process and towards a functional finance committee

In this theme, questions were asked regarding their contribution as management and governors during the annual budget process.

The SMT member 2 of school (A) responded as follows:

“The principal managed that process, he spoke to the teachers, spoke to the different departments, to determine what are their financial needs things like that, parent component also like that, eventually bringing all together and determine the school needs, so that the process does get followed except last year being an abnormal year [due to the pandemic].”

SMT member 1 of school (A) agreed by saying:

“We don’t contribute and we don’t participate.”

From the two responses, the indication during the session was that the group was in agreement with the two SMT members.

The focus group discussion of school (B) had a different view. SMT member 1 said:

“There are members of staff, including SMT who are members of, of finance committee eh I think it is during the committee, where they would look at the programme of the finances, they you can say in terms of fundraisings that those are implemented, and as well as where we have procured things. The committee members assisted by the SMT members who are also part of the finance committee, they will also help the SGB to understand how things are done at the school. The SGB is also knowledgeable that on a yearly basis, uh they must call a meeting, finance meeting where the budget will be approved. They also know that before the end of June we must submit the audit statement. So, this is done through the meetings with the aid of the educators as well as the SMT members who are part of the finance committee.”

The group also agreed with SMT member 4 of school (B), when she said:

“Uh... the other thing that I think is uh understand is that, because one of the educators like... said they said or one of our educators are also involved in... the

one of the SMTs or educators, they are also in the, they help out the SGB the treasurer uh because the parents are also involved or the SGB. Before submitting to the auditors, they will sit together and they will together discussing or breaking down their finances, how they worked or what happened. Yes, after that they will count to see whether things add up before submitting with the help of one of the SGB members who is in the finance committee. The treasurer uh uh they will all do that before submitting to the auditors.”

The governance focus group agreed with the response of SGB member 1 of school (B) when she said:

“Remember the finance committee would also have SGB parents, we also have the treasurer from the SGB and the teacher component to form the finance committee. So, everything it’s like uh, uh transparent everybody knows what is happening with the finances of the school. Whatever and at the end the staff will also know what is happening before we go to the parents to give them what is this, the budget, which uh uh is done uh uh 30 days, we’ll be giving them 30 days’ notice then we’ll be giving them the budget of the school, how the finance were the previous year and the coming year. So everybody is involved.”

The group agreed with SGB member 4 of school (B), who said:

“Uh uhm like we have been with our principal ..., he is the one who would get the information, we were not aware that we are not using auditors, we were actual using what is it? There was a lady that visited the school and advised us that we are not supposed to use accountants but rather use auditors so, last year we used the services of... auditors, we handed over our books to them, just as ... indicated that when it is time for the budget, we send out a notice to the parents and sit with... checking and preparing the budget. When we hand it over to the committee and finally to the parents then we know that everything is in order.

The SGB group also agreed with SGB member 3 of school (B), who said the following:

“When the budget is presented to the parents, we go in detail to say this money worked, and generated this, did this and that, the income is less than the expenditure. We explain briefly but in detail, we do not just go to the parents and

give the budget, when we are done, we ask them questions, they also ask questions in return and we respond to them, that is the transparency that is here, and the same with the SMT and the staff, mm.”

On behalf of the group, SGB member 5 commented on the budget submission process to the Department:

“After we got the statement from the auditors, the finance committee go through with the statement, report to the SGB after reporting to the SGB, the SGB will be informed that now these documents are going to be sent now to the Department as a requirement, so the books, audited financial statement will then be taken and be sent to the department.”

4.3.4 Available systems in preparation for visits from oversight bodies

The question was posed to the three focus groups to share their lived experiences, and their contributions and preparations regarding visits from oversight bodies.

SMT member 1 of school (A) and the group agreed:

“We’ve also been encouraged to have curriculum management files that we try to file whatever information we get, got circulars and all those so that I know when the Circuit Manager comes around, he/she will want to peruse and see what uh we have filed in those management files. So, each department uh at least has a management file that we try to keep all those important documents, like the circulars that we receive, and so on, our subject meetings that we uh have kept uhm, all the information of our team members. Ja, those are basically the things that form part of that file.”

This was confirmed by the group through SMT member 2, who said:

“Look, definitely as far as that is concerned, policies regarding academic side we, we got everything in place.”

SMT member 5 of school (A) emphasised that:

“We as SMT was never informed that we have this pivotal role to play in the SGB, we were just told there must be a treasurer, there must be this and this and that, and the SGB functions on its own really, currently.”

The focus group of school (B) had a different experience, especially regarding their role to assist in preparing for oversight visits. The group agreed with SMT member 2 of school (B) when he said:

“Uh systems that are in place in terms of external visit that we might get eh most of the things that we do ... for the sake of having evidence and having everything in black and white, I think its proper for us to have a filing system, we do have a filing system whereby we keep each and every document that we send for example to the Department, whereby we keep every document that the Department send to us and maybe the department needs something from the institution. Before we send it back, we make it a point that we send it back and then we have a copy of what we send to the Department. The other thing is each and everything that we do in the institution has a system of keeping evidence, is very key that we keep the minutes of each and every event that we are doing. So, I think minute keeping will also be a system that we have in place in terms of eh having evidence whenever it is needed and eh there are also a lot of eh documentation that we are having, like when we are busy doing our planning for example maybe we are busy with the SIP or the SSE, the school self-evaluation. We follow that and we check eh what is that we must implement so that whenever we have visitors then we know when they inspect or when they check uh our plans, then what we are saying with our mouths, we are also having it in black and white and we have also kept it as evidence whenever it is needed.”

The school (B) focus group is also in agreement with SMT member 1 of school (B), when he commented:

“I just wanted to add what... said by giving an example when we procure our LSM for an example, eh it is a process where the committee will sit, they will have their meeting, the minutes will be taken, keep a register, attendance register and then when we procure, decisions that are taken are also captured, all those are sent to the Department of Education. They can at any time also come and check in

terms of our systems, are they in place. I think they are helping us to keep our systems in place by telling us exactly what we must submit to them. Attendance register of the meeting, minutes of the meeting and the annexures that goes with the procurement are submitted and we keep that in a file, I just wanted to add to what has been said.”

As part of their discussion, the SGB focus group of school (B) agreed when SGB member 5 commented that:

“We make copies as proof of the documents that we have sent to the Department and also those documents will be serving also as proof.”

Additionally, the SGB focus group of school (B) agreed when SGB member 1 remarked:

“Every time when we have a meeting like, giving out reports and whatever, we make sure that we got an attendance register, we make sure that the secretary is taking minutes of whatever that we are discussing and those are also kept with all the documents that are moving that we did have a meeting, here are the minutes, here is the attendance register. So, that is one of the pieces of evidence that we have.”

SGB member 5 of school (B) in the group followed up by saying:

“I think in the principal’s office we are also having files, different files where we keep all those documents in those particular files as pieces of evidence.”

4.3.5 Communication of SGB activities to the SMT

The researcher wanted to establish the pattern of communication between the SGB and the SMT, especially regarding planned SGB activities, from the SGB focus group of school (B).

In responding, SGB member 4 of school (B) reflected on the process and replied as follows:

“We will sit to discuss the monthly activities. In February we will have Valentine’s Day event, the following month we have a modelling show, the next moth we will

have another fundraising activity. At times on certain Fridays, the learners will be wearing their private clothes and pay R5 for this event. These are the fundraising activities we usually plan for and inform the school about them. The educators that are on the SGB will then take it to the other educators.”

The SGB focus group of school (B) agreed, and also supported SGB member 5 of school (B) when he clarified how the plan is communicated. This was his response:

“We make sure that this annual plan of ours is given to each stakeholder and that they are aware of the daily activities of the school.”

The SGB focus group of school (B) further agreed with SGB member 1 of school (B) when she replied:

“Fortunately, our SGB for the circle that we come from, it was very balanced and our resource which is the principal is giving feedback and in the SGB, fortunately our treasurer is a member of the SMT. Now, the communication to SMT after we have drawn up our activities of fundraising, the resource and the treasurer will meet with the SMT in the office. The feedback with the SGB is discussed. Before we plan these activities, they will also have their inputs. If they are not satisfied, they will come back to the SGB and we will meet with the SMT, and this is what is happening. The plans will be taken to the teachers yes, that is how we communicate with the SGB and the SMT.”

She was supported by SGB member 3 of school (B), who emphasised that:

“The school principal is the main person to communicate with the SMT from the SGB to the SMT because of time and parents, other parents are at work and those things. However, it is not always that the principal is reporting, if the SGB chairperson have time to come to address the SMT, she will turn up.”

4.3.6 Contribution towards producing a school academic improvement plan when the school is identified as underperforming by the Head of Department

The researcher posed this question to allow the SMT focus group of school (A) as a high school to provide their lived experiences and contributions, regarding a school

academic improvement plan in the event of underperformance. The SGB will not be able to produce such a plan without their contribution.

SMT member 1 of school (A) responded:

“And this improvement plan I can remember that because we usually at the very beginning of the year, we would come together in our various departments uh where we would discuss uh those different criteria that form part of the improvement plan like curriculum, parental involvement, uh I can’t now recall the other two aspects of concern”.

In addition, SMT Member 2 of school (A) had this to say:

“Then we have to go back to our subjects, interrogate the results and find out what the problem was, why do we have this underperformance. Once that is done then we must draw up an intervention programme so that each subject will have an intervention programme which we in turn will give to the principal. He will draw up an improvement plan that he will hand over to the Department. So, all the SMT members are involved in their specific subjects, so it’s a collective activity to draw up that improvement plan.”

Furthermore, focus group SMT member 3 of school (A) said:

“And then we normally have an intervention plan like Mr... says, where you or say for example those subjects let’s say your subject was underperforming and then you as a department must say on which particular day you intend addressing the issues or the problems in your specific subject.”

The group has gone through this exercise in the past and were in agreement with SMT member 3.

The question to the focus group of school (B) was on the annual academic performance report, which has to be submitted by all schools. The participants of school (B) agreed with SMT member (4) when she said:

“The guidance will be uh uh one of the SMT or the deputy and the HOD will help the principal by getting all uh uh uh that information so that they can sit together.

So, the uh analysis is part of that because without the results you won't be able to do the annual academic performance report."

In addition, group also agreed with SMT member 2 of school (B), who said:

"Uh I think it boils back to where we say departmental heads after, on quarterly basis with the teachers in terms of checking the results of the learners. I think the key issue there is to check performance, by checking performance we are analysing the results in simple by saying that eh what can we do in order to improve? If we are having a problem with improvement then within that particular meeting, minutes are also taken and eh I think the HoD being the head of that particular meeting also take report in terms of getting feedback from the educators. At the end in terms of assisting the principal in drafting the annual academic report, the HoDs are giving that report to the deputy principals in terms of getting feedback from what they got from the teachers. The deputy principal interpret that information with the principal which finally, because the principal drafts the report, meets with the SMT and then that report is discussed with the departmental heads, with the deputy principal, with their inputs from the teachers and with their own analysis, to help the principal draft the academic report".

4.3.7 Reporting the school academic improvement plan to the SGB

The researcher posed this question to the participants so that they could share their lived experience on how the report was presented to the SGB. There was a unanimous agreement from the participants, as explained by SMT member 2 of school (A):

"I definitely think the principal does that because I know on the school improvement plan there is a place where the SGB must sign. I'm speaking under correction but, I think he does share it with them, we are not involved with the SGB, so we don't know if it happened but he normally is a strict man, abide to the rules, so I suppose it must have."

The group agreed that the principal presented the report to the SGB.

During the focus group of school (B), the group agreed with the response of SMT member 2 who explained:

“It filters back to where per legislature the principal is expected to give the performance report on quarterly basis to the SGB, and then that compiles the report, compiles and also assist eh the principal when he must compile the annual report of the school. On a quarterly basis he is giving the report, academic report of the school or reporting it to the SGB. So, it makes it very simple for the principal when he has to compile the annual. The SGB has been receiving the quarterly one, so finally in terms of reaching the final one that will be presented in a meeting, the principal will inform the SGB that, this must be signed. This must be sent to the Department, that is why this is the final reporting that I’m doing because it must be handed to the department.”

SMT member 1 of school (B) agreed by emphasising that:

“I think he has covered it adequately.”

4.3.8 Role played by the SGB on appointment processes of educator promotional posts

Through this question, the SGB focus group of school (B) managed to provide the researcher with their lived experiences on the role they played in terms of the SA Schools Act (No. 84 of 1996) (DOE, 2011).

In their discussions as part of the SGB focus group of school (B), the participants agreed through SGB member 5 of school (B), who remarked:

“Normally what happens the department uh provide the school with, what you call this? The school establishment in terms of you qualify for how many teachers you are supposed to have, and then normally that communication comes through the principal which is the ex officio in the SGB, and then when we have the SGB meeting that will be also put on the agenda for that particular day for the SGB, in terms of informing the SGB about maybe the post that we are having, and also informing the SGB about their role in terms of being involved for the interview, that will be done by the principal and then after that the Department invites the SGBs to a training to train them in such a way on how to go about the interviews and being part of the interviews. So, that is how that process unfolds in terms of the involvement of the SGB in promotional posts.”

He was supported by SGB member 4 who shared this experience:

“We will check for the most convenient date to call an urgent SGB meeting to prepare for the interview because the Department gave a particular due date to be done with the process. So, we will sit and check, the principal will also call parents that are available to provide them with letters requesting permission from their places of work to be excused so that they can be part of us and the process, yes, so that we can sit and discuss to see how we proceed on that day.”

SGB member 5 of school (B) further explained that:

“Because of uh the Department is also having its plan in terms of the interviews in terms of the interviewing, in terms of the dates, different dates, so during that time the SGB will be sitting and also coming with their plan, drawing their own plan, in terms of when are they going to interview etc., and then that whole plan will be sent to the Department.”

The focus group agreed on the experiences as explained by SGB members 4 and 5 of school (B).

4.3.9 Influence of legislation on the relationship between the SGB and SMT and how can it be strengthened

The question was posed to give the participants an opportunity to share their views on how legislation created an opportunity for the SMT and SGB to relate, and possible future contributions could improve this relationship.

The focus group of school (A) agreed with SMT member 2 when he said:

“Currently legislation does not have an impact on the relationship between the SGB and SMT, there must be something that makes it compulsory for the SGB and SMT to relate.”

The group of school (A) agreed with SMT member 5 when he said the following about improving the relationship between the SGB and SMT:

“Uh ... I think uh as I say before there must be really intensive training uh with the, for the SMT and the SMT, uh so that, I don't think our SGB knows their

function or functions that they need to do uh that's why we have this non-compliance between the SGB and the SMT."

The focus group of school B responded as follows through SMT member 1:

"A bit difficult question uh... but then we cannot just work in a vacuum or no man is an island, the SGB cannot function on its own, the SMT also not on its own".

He further emphasised that:

"I think eh, following the law makes it easier for all of the different components be it SGB, SMT to have a common understanding and for them to work harmoniously".

On strengthening the relationship between the SGB and SMT, the group agreed through the comment of SMT member of 3 of school (B) when he said:

"I feel that there must be constant communication between the SMT and the SGB. That will help a lot to, to iron out things, the difficulties or mishaps or what you have but, if you have constant communication between the management and the SGB, it makes things much easier."

The group further agreed when SMT member 3 of school (B) commented by saying the following on training:

"When the SGB is once trained or at the start of their term, they will be trained, they will be done with them. So if there, maybe there can be training every year just to revive their responsibilities, just to remind them again of their responsibilities and uh so that they keep on knowing these things, so they don't just hear a thing once and for the three years is gone, but I think if the training and communication part can be revived uh there will be better channels between I mean uh relationship between the SGB and the management."

The latter was in agreement with the comment of SMT member (5) of school (A).

In addition, SMT member 2 of school (B) was supported by the group when he said:

“I think per legislature they are saying that the SGB can meet uh I think once quarterly or whatsoever, but in terms of strengthening the relationship between the SMT and the SGB, I don’t think it will be a problem for the principal as being the ex officio of the Department, making it a point by calling or maybe once or twice or thrice a term having or inviting the SGB to the SMT or meet with the SMT so that they can interact personally so that they strengthen that relationship they are having. Maybe by inviting the SGB to that particular meeting with the SMT, maybe is just by updating the SGB in terms of what like the allocation or just updating them in terms of the management of the school, just to strengthen that relationship with the whole SMT. I think that will also be something that will be very interesting, in terms of building the relationship.”

This comment was in agreement with what SMT member 2 of school (A) recommended during their focus group, when he said:

“No, look its clear we must meet, but the question that is asked actually makes it clear that actually we must meet more than once so the legislature allows that we meet once a year. So it depends on the SMT and the governing body then to arrange to come to some compromise that they can meet more regularly.”

The SGB focus group of school (B) expressed their views and experiences on legislation, and the role that they should play on the SGB and how they should contribute to take the school forward.

SGB member 1 on the focus group for school (B) shared this lived experience:

“When we are elected as SGB members, there is an induction that we are going to attend and then at the induction, we will be taught the role of an SGB member. What I like about the induction, is that we are educated that you are not there for your own interest as the SGB, you are in the SGB for the interest of the child, whether I’ve got an agenda with... , we need to work hand in glove so that we must see the school at plan B. So, eh eh after the induction, you become sober, then you become sober knowing that actually here we need to work hand in glove with the SMT, we need work hand in glove with the educators.”

SGB member 3 of the focus group of school (B) further commented by sharing this view, which was supported by the group:

“The other thing that the government is doing to engage, they send information, the SMT doesn’t come with the rules by themselves to come and tell the parents, we get the circulars from the Department. So, the SMT and the SGB they deal with the circular, so both of them they have knowledge of what is happening. It’s not one-sided, the SGB comes with the rules from the street, we get guidance from the Department.”

The SGB focus group of school (B) was in agreement that legislation created an atmosphere for the SGB and SMT to function according to expected operational framework.

SGB member 3 of school (B) was supported by the group when she commented on how the relationship between the SGB and SMT could be enhanced. This what she said:

“For a relationship to be realised between the SGB and the SMT, the two need to meet frequently so that they can interact. In most cases it is the chairperson that is delegated to interact. So, if the whole SGB can speak so that there can be an understanding. At times we send one person to come and speak, not all the information will be provided as a result of forgetting even if they are written. But, if it is the whole component, they can assist each other by putting heads together in saying this and that. So in future if they can meet frequently so that they can assist each other to manage the school.”

There was strong agreement to the suggestion that more SMT members could form part of the SGB. Focus group SGB member 5 of school (B) said:

“If it can happen that eh from the educators’ side in terms of their representatives, maybe if they are two or three representatives, I think if one from the representatives can be an SMT member eh I think that will be something that will build up the relationship, in terms of the SGB and the SMT. Bearing in mind that the SMT who is in the SGB will be the one who must see to it that, that relationship it’s working in terms of giving feedback to the SMT and in terms of giving whatever

if there are any eh any points to be discussed, to go to the SGB and give the SGB that in terms of the feedbacks, and also try by all means that he or she keeps that relationship working between the two.”

The focus group of school (B), through the view of SGB member 4, agreed that:

“If parents can be taught about respect you see, if there can be respect everything will go well, no one must disrespect anybody, even if a parent is not educated and knows nothing. No-one should control him/her and so on and speak to them as he/she want, when there is respect in the next SGB including cooperation everything will go well.”

4.4 Conclusion

This study adopted a qualitative research method and data collection through one-on-one and focus group interviews. The analysis of the data, as supported by the views and explanations of the participants, suggests a link between the relevant pieces of legislation, namely is the Schools Act (RSA 1996) (DOE 2011); Policy on Whole School Evaluation (RSA DOE 2001) and the Personnel Administrative Measures (RSA DOE 2022). This means that SGBs and SMTs depend on each other, especially concerning the skills of educators, and resources from the SGB. In addition, they are expected to ensure that legislative compliance is practiced through the implementation of all relevant legislation. They should also ensure that there is a functional relationship between them that translates into participation, deliberation, collective decision-making and ownership.

While these seem like clear guidelines to establish and sustain a healthy relationship between the SGB and the SMT, it is important to note that the roles of the two components are inseparable when providing leadership, management and governance at school level (Mazibuko 2004:51). It is impossible to manage large schools with only the school principal and the SGB, based on the magnitude of the work involved in managing resources effectively and efficiently. To ensure maximum participation through legislated roles and responsibilities, delegation and teamwork will enable compliance to legislation and the establishment of a relationship between the SGB and the SMT.

The daily management of a school is policy-driven, and the governance and management of the SGB and SMT must act strategically so that these operations align with national and provincial legislation. Practical legislative compliance requires that systems must be put in place for the annual planning, budgeting, oversight of the compliance and implementation of legislation, meeting schedules of the SGB, SMT, staff, parents, learners and other annual activities as required by the Schools Act (RSA 1996) and other related policy frameworks.

In the next chapter the researcher provides the findings and discussion of this study, suggestions for future research, as well as recommendations on how to strengthen the relationship between the SGB and the SMT. The chapter will end with a conclusion summarising the research study.

CHAPTER 5: FINDINGS AND DISCUSSION

5.1 Introduction

The aim of this study is to explore the relationship between School Governing Bodies and School Management Teams in two schools in the Northern Cape. The study also seeks to explore the factors that contribute towards a relationship between the SGB and SMT on legislative compliance. Furthermore, the study highlights ways and means of enhancing the relationship between SGBs and SMTs in schools. The background and rationale of this research study was covered in Chapter 1. The study also indicates challenges for the SGB and SMT to work together as a team on legislative compliance. Chapter 2 discussed the theoretical framework and literature review on research done on the topic, and how the relationship between the SGB and SMT can be enhanced. The type of research design and methodology that will respond to the aim and main question of the study is expanded on in Chapter 3. Chapter 4 offers an analysis the data collected by the researcher under six specific themes, and Chapter 5 provides the summary of the findings and possible recommendations to establish and enhance future relationships between SGBs and SMTs.

5.2 Research Questions

5.2.1 The main research question

The main research question is the following: How does legislative compliance contribute towards a relationship between the SGB and SMT in two schools in the Northern Cape?

My discussion focuses on six themes that respond to how legislative compliance contributes towards a relationship between the SGB and SMT, how the two stakeholders are contributing towards their relationship, and what can be done to improve this relationship.

In the following section the researcher discussed the themes of this research study in detail.

5.2.2 Findings of the research study

The researcher used thematic analysis as a process of finding patterns and themes within the data of this research study (*cf.* 3.6). Six themes were identified which are discussed below.

5.2.2.1 Theme 1: Introducing and acknowledging the existence of the SGB and SMT at school

The questions allowed the participants to relate their experiences regarding their first encounter with SGB and SMT members, and the acknowledgement of the existence of the two role players at the school. Most of the participants responded by saying that the SGB and SMT were introduced informally after the SGB elections, so that they could get to know each other and the positions that they held.

South Africa as a democratic country has adopted and legislated the SA Schools Act (No. 84 of 1996) (DOE, 2011) to democratise education through the participation of all stakeholders. The purpose of the SA Schools Act (No. 84 of 1996) (DOE, 2011) is to uphold the rights of learners, parents and educators, and to promote their acceptance of responsibility when it comes to the organisation, governance and funding of schools in partnership with the state (*cf.* 1.1 and 2.2.5.3).

The theoretical framework of this research study focuses on participatory and deliberative democracy. Simply put, a democratic government cannot exist without a participatory society where all political systems are democratised and socialised through participation at all spheres (*cf.* 2.2.4). Additionally, this is a process of providing self-government to citizens in all non-political domains of society (*cf.* 2.2.4). It is the direct inclusion of ordinary citizens into institutionalised representative procedures, in which decisions are the outcome of a consensual deliberative process (*cf.* 2.2.4). To ensure participation of all stakeholders at school level, an SGB constitution must include having meetings with learners, educators, parents and other staff at the school at least once a year (*cf.* 2.3.2).

Under this theme and from the analysed data (*cf.* 4.2.1), both participating schools had introductory meetings that allowed stakeholders to become familiar with the SGB, SMT, staff members and educators, based on the contextual circumstances of each school (*cf.* 2.3.5.3). It is important for school governing bodies and school management

teams to acknowledge their co-existence as stakeholders in public schools in the interest of democratic transformation. The next theme discusses the finding of the researcher on building relations through communication and meetings.

5.2.2.2 Theme 2: Building the relationship through communication and meetings

Most of the participants in both schools (A and B) responded that there was never an opportunity where the whole SGB and SMT had a formal meeting together as management and governors (*cf.* 4.2.2), or with the entire educator corps, to discuss school-related matters. In fact, after the introductory meetings, there was no other opportunity for the SGB and SMT to meet, resulting in no communication and feedback between the two role players (*cf.* 2.3.5.3).

The existence of an elected SGB in a school does not mean that there is active participation by governors. The effect of this is a lack of involvement and insufficient participation by parents in historically disadvantaged schools. Reasons for this may include illiteracy, transport challenges and insufficient time. The SA Schools Act (No. 84 of 1996) (DOE 2011) is criticised for being aligned too closely to the middle class, and for phrasing parental participation in middle class terms, without much regard for members of underprivileged groups in society (*cf.* 2.3.5.3).

Considering the comments and criticism, SMT members have no option but to assist parents with the governance of public schools. It is clear that the functions of the SGB and the SMT cannot be separated (*cf.* 2.3.5.3).

The SGB must present a report on its activities to the parents, learners, educators and other staff of the school at least once a year (*cf.* 1.1). From the responses of the participants, no such meetings took place between the SGB and SMT or with educators (*cf.* 4.2.2), resulting in the SGB and SMT working in isolation. A school-based partnership between the principal, SGB and SMT differs based on context and function of the school (*cf.* 2.3.5.3). Based on this theme and the responses provided by the participants, it became clear that the educator representatives on the SGB were given mandates by other educators and were expected to provide feedback (*cf.* 4.2.2). Responsible representation in the guise of an SGB representative is responsible to the electorate. Democratic legitimacy requires that the process of decision-making occurs

in a framework of broad discussion, in which all participants can debate the various issues in a careful and reasonable fashion. Decisions can be made only after this process of discussion has taken place (*cf.* 2.2.2). Democracy entrenches constitutive principles such as participation, community engagement, rationality, consensus, equality and freedom (*cf.* 2.2.5). This is emphasised through the findings that indicate in both schools there is a level of consultation and deliberation between the SGB and SMT that enhances legislative compliance and participation where applicable. The next theme discusses the contribution of the SGB and SMT on commitment to work and school environment, contribution to transforming the school, oversight role of the SGB and SMT in ensuring legislative compliance.

5.2.2.3 Theme 3: Commitment to work and school environment, contribution towards transforming the school to ensure legislative compliance

When asked, most of the participants indicated that they enjoyed being SGB or SMT. They also enjoyed working and guiding colleagues, as this allowed for respect, the development of colleagues and solving school-related problems in the best interest of the children (*cf.* 4.2.1.3). The responses of the participants (*cf.* 4.2.1.3) indicated an affective commitment to their work and school environment. They were fully involved in the organisation, and enjoyed what they were doing. School leaders must develop and nurture a culture of developing relationships focused on trust, mutual understanding, teamwork and collective decision-making (*cf.* 2.3.5.3).

The two participating schools ensured that everybody was consulted on legislation-related matters that contribute towards transforming the schools (*cf.* 4.2.1.3). This was the case even though consultation processes on legislative compliance was not fully functional with the entire SGB and SMT, because of the reasons cited in the previous theme. In the case of the school improvement plan, the SMT members of both schools were not sure if their principals discussed it with the SGBs, but in compliance with national and provincial legislation, these were prioritised by both schools and completed annually.

It was also found that the SMT members of both schools were aware of the school self-evaluation process that leads to planning and the school improvement plan. Compared to other SMT members, it was found that they had not been exposed to the process of the school improvement plan and its importance regarding the improvement of the

school. (*cf.* 2.3.4). The democratic values (*cf.* 2.2.3) that assist to achieve democratic ideals include relationships of mutual respect and equality, which are required as a matter of right. Democracy helps to protect individuals against abuse, neglect, subordination, and a position of exclusion. It also protects against the corruption of character of those who occupy privileged positions in society. Democracy is a mode of collective learning, and all of these democratic values are significant to the relationship between members of the SMT and SGB.

Some of the interview questions were on school policies and SGB committees. Policies are developed through consultation, and implemented and reviewed annually, while committees are established depending on the needs of the school. SGB members are chairpersons of these committees, but guidance from educators and SMT members plays a central role. These committees allow the SGB and SMT members to meet, participate in and deliberate on school-related matters. Although there are different committees, based on the needs of a school, the SMT members of school (A) confirmed that they were not part of these committees. At school (B), however, the SMT was actively taking part on the SGB committees (*cf.* 4.2.1.4).

The findings therefore indicate that school (A) has not embraced the concept of transformation to include the SMT, while in school (B) the SMT members played an important role in contributing towards the support and development of SGB members. In both schools, engagement with the SGB was left to the school principal, specifically with regard to feedback on legislative compliance (*cf.* 2.3.5.3). Despite this finding, it is important to be reminded of the preamble of SA Schools Act (No. 84 of 1996) (DOE, 2011), that emphasises transformation, inclusivity and development.

It further emphasises the democratic transformation of society, fighting racism and sexism and all other forms of unfair discrimination and intolerance, contributing to the eradication of poverty and the economic wellbeing of society, the protection and advancement our diverse cultures and languages, upholding the rights of all learners, parents and educators, and promoting their acceptance of responsibility for the organisational needs. All of these are needed to be adhered to by all stakeholders to fully realise the implementation of transformation (*cf.* 2.3.5.3).

Importantly, according to international literature specifically in Asian countries, there are five critical roles that school managers must play to ensure that transformation takes place in their daily operations. These include being proactive and influencing meaningful change, being consultative through open and democratic principles, and promoting collective ownership and shared leadership. They should also promote a more integrative school and adopt an approach of school-based management that addresses different school-level needs and problems, and be more accountable for the success of their schools (*cf.* 2.3.5.1). The next theme discusses the findings on collective decision-making through participatory and deliberative democracy.

The analysed data indicate that schools (through the SGB and SMT) do play their oversight roles, where applicable to ensure, that there is compliance to legislation. At both the participating schools, however, the engagement between the SGB and SMT were lacking. The views of the participants indicated that the support between the SGB and SMT was limited to learning and teaching support material, which was allocated from the school budget, and in the implementation of legislation (*cf.* 4.2.4)

The next theme discusses the views of the participants on collective decision-making through participatory and deliberative democracy and working together to develop policies and establish committees.

5.2.2.4 Theme 4: Collective decision-making through participatory and deliberative democracy and working together to develop policies and establish committees

The researcher found that collective decision-making at the two schools was part of a consultation process. There were no opportunities for the SMT and SGB to sit together and decide on certain issues, as this was mostly done separately. Despite this, the school principals remained central to the process. There is a need for the principal to improve the relationship between the SGB and the SMT, and if this does not happen, a school will not achieve its planned activities and objectives (*cf.* 1.3). From the views of the participants, evidence was found of the three features that test the presence of deliberative democracy in a school. These include:

Participation in deliberations was governed by the norms of equality, and all SGB and SMT members were given the same opportunities to initiate speech acts, to question,

to interrogate, and to open a debate; members of the SGB and SMT all had the right to question the assigned topics of conversation; and everyone had the right to initiate reflexive arguments about the very rules of the discourse procedure and the way in which they were applied or carried out (*cf.* 2.2.5.3).

Through deliberative democracy, the ability of small communities that are not considered to be important can be developed. When developing these abilities for the purpose of collective decision-making, the elements of equity and equality need to be taken into consideration (*cf.* 2.2.5.2). Deliberative democracy allows reasonable parties to come together to have evidence-based discussions that will influence others to come to a particular decision. Such unrestricted mini public discussions expose participants to knowledge, new skills, interests, and it also encourages relationships (*cf.* 2.2.5.3). It is important to emphasise that deliberate democracy is based on the idea that people of equal status and mutual respect come together to discuss political issues. Based on their discussions, they agree on the policies that will be used to make decisions on the matters with which they are faced with (*cf.* 1.3). Good communication, relationships and informal education are important between the SGB and SMT members, as this will encourage willingness to learn from each other by both parties (*cf.* 2.3.5.3).

On the aspect of working together to develop policies, and the establishment of committees, at both schools it was found that policies were developed and reviewed annually. The SMT as well as the educators played a critical role in contributing toward policy development and disseminating it to learners and parents as part of consultation (*cf.* 4.2.4). Participation in committees by SMT members in school (A) was not the norm, as it was in school (B), where it was confirmed that educators and SMT members were part of the SGB committees. SGB members also chaired these committees, and parent members depended on the educators to guide them on how to proceed with the committees (*cf.* 4.2.4).

Even though the SMT members of school (A) were not part of any SGB committees, they assisted with their school's policy development and implementation process. Parents and governors from historically disadvantaged schools were expected to perform well, irrespective of the inequalities of the past (*cf.* 1.2 and 2.3.5.3). When educators and SMT members guide SGB members, there is an opportunity to

communicate with them on their language level that will allow them to understand their roles and responsibilities. This also encourages the groups to learn from one another. SGB and SMT members communicating and expressing themselves in the most convenient language will enhance and facilitate deliberations and will allow for meaningful discussions and mutual respect during the process. Compliance to the relevant legislation will be explained and deliberated upon, and eventually the most common argument, through consensus, will be accepted by all participants (*cf.* 2.2.5.1).

In this study the SGB and SMT members to do discuss the relevant legislation in committees and meetings, to ensure that there is compliance even though it is not easy to sit in one meeting at the same time as a result of the non-availability of some SGB members.

The next theme discusses the findings on the views of the participants on leadership, management and governance.

5.2.2.5 Theme 5: Views on leadership, management and governance

In expressing their views, the participants emphasised the role of the school principal as a leader and manager to lead and guide the SMT and SGB to influence legislative compliance, and support towards a relationship between the SGB and SMT. The SGBs of both schools ensured that all decisions were in the best interest of the schools and their learners (*cf.* 4.2.1.5).

The following theme will discuss suggestions by the participants on strategies to improve the relationship between the two role players.

5.2.2.6 Theme 6: Forging future relationships between the SGB and SMT

The participants expressed the need for and importance of regular meetings between the SGB and SMT. This would help the groups to focus on planning activities and the progress of the school. By doing this, there will be an opportunity to enhance their relationship (*cf.* 4.2.1.6).

A suggestion in this regard will follow.

5.3 Suggestion for Future Research

The researcher suggests further research on how to improve the joint participation of all SGB and SMT members to collaborate, establish and sustain relationships that will support collective decision-making and ownership in historically disadvantaged schools.

Recommendations for the study will follow.

5.4 Recommendation

The main purpose of this research study was to explore the relationship between school governing bodies and school management teams in terms of legislative compliance. The theoretical framework of the study focuses on participatory and deliberative democracy. The core of the participatory idea is that citizens in a democracy must engage with the substance of law and policy, and not simply delegate responsibility for such substantive engagement to representatives (Cohen 2009:248). Based on a review of empirical evidence, there is a suggestion that many citizens would want more opportunities to participate in meaningful and consequential deliberation (Elstub 2018:217). In addition, Glas (2016:5) states that participatory democrats see it as a process of providing self-government to citizens in all non-political domains of society.

Deliberative democracy, according to Bächtiger *et al.* (2018:2), can be seen as a means of shared communication that involves weighing and reflecting on choices, values, and interests regarding matters of mutual concern.

The findings of the study enabled the researcher to propose the following recommendations to assist with regular interaction and the relationship between the SGB and SMT.

5.4.1 Recommendation One

Principals of public schools must encourage the full implementation of legislation that is linked to the SA Schools Act (No. 84 of 1996) (DOE, 2011) and support delegation, collaboration, participation, respect, development, collective decision-making and relationships between all stakeholders.

5.4.2 Recommendation Two

As part of educational reform, school principals must lead and manage through distributive leadership so that SMT members can be exposed to working with SGB members on tasks that involve both stakeholders, especially during planning and in providing feedback on planned activities of the school.

5.4.3 Recommendation Three

In preparing aspirant SMT members (deputy principal or departmental head) who intend to become school principals, it is important for them to make use of the legislative opportunities that allow them to acquire knowledge and experience. This will capacitate leadership, management and governors to function effectively in the school environment.

5.4.4 Recommendation Four

To mitigate the risk of non-compliance to legislation and minimise tension between SGBs and SMTs, the two role players must have common leadership, management and governance activities as standard agenda items for their separate and combined meetings. This will assist in the advocacy of activities that are of common interest.

5.4.5 Recommendation Five

The DBE must advocate for SGB and SMT intervention programmes that will capacitate school leaders, managers and governors in strengthening school-based legislative compliance to operational activities that will assist and expose SGB and SMT members to each other in order to promote the best interests of the school and the learners.

5.4.6 Recommendation Six

The amendment of the Schools Act must accommodate clear recommendations that will include SMT members and their role as stakeholders that must partner with the SGB to establish and sustain close working relations. School governance must not be seen in isolation, but rather as part of leadership and management.

5.5 Conclusion

In this chapter comments, indications, and recommendations on how to strengthen the relationship between the SGB and SMT from the analysed data were discussed. From the themes identified in this study, the researcher was able to suggest possible recommendations that could assist to improve legislative compliance, and the relationship between the SGB and SMT.

The focus of the research was on legislative compliance, and to explore how it contributed towards a relationship between the two role players in two previously disadvantaged schools.

With the enactment of the SA Schools Act (No. 84 of 1996), public schools were democratised through the introduction of SGBs and SMTs. As a result, participation in leadership, management and governance was broadened, which requires the active role of these stakeholders at school level. It is the view of the researcher that the entire SGB and SMT are best situated to collaborate in realising the expectation of all relevant legislation and facilitating its compliance. The relevant legislation includes the SA Schools Act (No. 84 of 1996) (DOE, 2011), the Personnel Administrative Measures (RSA DOE 2022), and the National Policy on Whole School Evaluation (RSA DOE 2001). Together they dictate how schools must be governed and managed and specify the roles of SGB members and SMT members.

Through the leadership and guidance of the principal, the SMT and the SGB members can achieve legislative compliance that can establish and enhance a relationship between the two with an emphasis on trust, respect, participation, capacitation, collective decision-making and ownership.

The findings of this study highlighted the need for school leaders, managers, and governors to adopt a joint participation approach when it comes to legislative compliance and implementation that will assist to establish and sustain relationships between SGB and SMT members in historically disadvantaged schools. This will enhance the core functionality and compliance stipulated in the SA Schools Act (No. 84 of 1996) (DOE, 2011), the Personnel Administrative Measures (RSA DOE 2022), and the National Policy on Whole School Evaluation (RSA DOE 2001) and related policies that dictate how schools should be governed and managed to achieve a

collaborative approach in upholding the rights of all stakeholders and promote their acceptance for the organisation, governance and funding of schools in partnership with the state.

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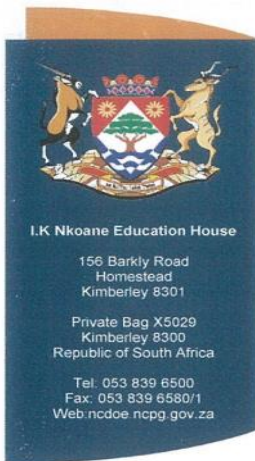
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Annexure A: Permission letter from the NCDOE



DEPARTMENT OF EDUCATION

Enquiries: Mr H.H. Esau
Reference:
Contact no.: 053 – 839 6702
Date: 27 May 2019

Mr ABF Malunga
2 Hesperus Street
Herlear
Kimberley
8301

Dear Sir

Request for permission to conduct Research – Legislative Compliance: Exploring the relationship between School Governing Bodies and School Management Teams

Permission is hereby granted for you to conduct research on Legislative Compliance: Exploring the relationship between School Governing Bodies and School Management Teams in Kimberley, Northern Cape

This approval is granted with the proviso that the normal working hours is not compromised in any way, and that the research results will be shared with the Northern Cape Department of Education after completion and publication.

Kind Regards

MR GT PHARASI
SUPERINTENDENT-GENERAL



Annexure B: Ethical Clearance Letter



GENERAL/HUMAN RESEARCH ETHICS COMMITTEE (GHREC)

25-Jun-2020

Dear Mr Aaron Malunga

Application Approved

Research Project Title:

Legislative compliance: exploring the relationship between school governing bodies and school management teams

Ethical Clearance number:

UFS-HSD2020/0260/2406

We are pleased to inform you that your application for ethical clearance has been approved. Your ethical clearance is valid for twelve (12) months from the date of issue. We request that any changes that may take place during the course of your study/research project be submitted to the ethics office to ensure ethical transparency. Furthermore, you are requested to submit the final report of your study/research project to the ethics office. Should you require more time to complete this research, please apply for an extension. Thank you for submitting your proposal for ethical clearance; we wish you the best of luck and success with your research.

Yours sincerely

Dr Adri Du Plessis

Chairperson: General/Human Research Ethics Committee

205 Nelson Mandela
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Annexure C: Letter to the School Principal and SGB

2 Hesperus Street
Herlear
Kimberley
8301
..... 2020

The School Principal and SGB
PO Box
Kimberley
8301

Dear School Principal and SGB

INVITATION AND REQUEST TO PARTICIPATE IN A RESEARCH STUDY

I am a Masters student at the University of the Free State; I am hereby requesting permission to conduct this study in your schools in the in the Frances Baard District of the Northern Cape. This form outlines the intention of the study, and provides a description of the involvement and participants rights.

Contact details

Descriptions	Name and Surname	Contact Number	Email address
Researcher	Aaron Malunga	073 864 8660	abfmalunga@gmail.com
Supervisor	Dr P Larey	051 401 3419	LareyDP@ufs.ac.za
Co-Supervisor	Miss V Jagessar	051 401 3576	JagessarV@ufs.ac.za
Humanities and Social science Ethics Committee	Dr Adri Du Plessis	(0)51 401 9337	duplessisA@ufs.ac.za

The purpose of this study is to explore the relationship between school Governing Bodies and Management Teams in three schools in the Northern Cape. The study is part of the requirements for the research portion of the Master of Education degree at the University of the Free State.

Procedures

If a teacher/ governing body member decides to participate in this study, I will ask them to spend some time with me discussing their experiences as a member of the SGB or SMT at this school. I will request two interviews lasting for approximately one hour. The first interview will be to get the SGB/SMT members comfortable by introducing the subject, my own position as a researcher and their role as a participant followed by a focus group discussion/interview. The second part will be a semi-structured interview to answer my research questions. Later, I will contact the participants to get more feedback and verify whether the transcriptions represent their utterances during the interview process. The interviews will take place in a place where they feel most comfortable, and will occur at a time determined by the participant in consultation with me. This is to ensure that the SGB/SMT member is not inconvenienced in any way. These interviews will be tape-recorded for analysis purposes. The teacher/governing body member will be asked to give consent to this recording. In order to fully protect their identity, I will use pseudonyms in my transcripts and data dissemination processes. All information given during the interview process will therefore remain anonymous and confidential.

The teacher/ governing body member is also free to withdraw at any stage of the research process if they feel uncomfortable. There will be no financial incentives for participating in the study; what is important however is that they will have an opportunity to share their experiences with a caring, supportive individual. The findings of the study will be sent to the teacher/ governing body member via email, should they wish to read them.

Your cooperation in this regard will be highly appreciated.

Yours truly

Mr. Aaron B.F. Malunga

Annexure D: Letter of Consent

-----To be returned to the researcher -----

Statement of Consent:

I am above 18 years of age. I have read the above information, and my questions about the research process have been sufficiently addressed. I consent /do not consent (please circle appropriate) for this study to be conducted. I also consent /do not consent (please circle appropriate) to the discussion being tape recorded.

Signature _____ Date _____

Name(printed) _____

Annexure E: Interview and Focus Group Schedule of School A

<i>Participant Pseudonym and structure/ component</i>	<i>Venue</i>	<i>Interview 1 One on One Duration</i>	<i>Date/Time Interview</i>	<i>Interview 2 Focus group Duration</i>	<i>Date/Time Interview</i>
SMT member 1					
SMT member 2					
SMT member 3					
SMT member 4					
SMT member 5					
SGB member 1					
SGB member 2					
SGB member 3					
SGB member 4					
Total					

Annexure F: Interview and Focus Group Schedule of School B

<i>Participant Pseudonym and structure/ component</i>	<i>Venue</i>	<i>Interview 1 One on One Duration</i>	<i>Date/Time Interview</i>	<i>Interview 2 Focus group Duration</i>	<i>Date/Time Interview</i>
SMT member 1					
SMT member 2					
SMT member 3					
SMT member 4					
SGB member 1					
SGB member 2					
SGB member 3					
SGB member 4					
Total					

Annexure G: Letter from the Language Editor

To whom it may concern

This is to state that the article titled *Legislative compliance: exploring the relationship between school governing bodies and school management teams* by Aaron Beresford Frobisher Malunga has been language edited by me, according to the tenets of academic discourse. The final responsibility for applying any proposed corrections lies with the author.



Annamarie du Preez

0837641864

B.Bibl.; B.A. Hons. (English)

17-09-2022

Annexure H: Turnitin Report