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GENERAL NOTICE

NOTICE 1189 OF 2012

DEPARTMENT OF EDUCATION

GAUTENG SCHOOLS EDUCATION ACT, 1995 (ACT NO. 6 OF 1995)

THE REGULATIONS ON DOMESTIC AND INTERNATIONAL TOURS FOR LEARNERS AT PUBLIC SCHOOLS, 2012

I, Barbara Creecy, Member of the Executive Council responsible for education in Gauteng has, in terms of Section 106 of the Gauteng School Education Act, 1995 (Act No. 6 of 1995), made the Regulations in the Schedule.

SCHEDULE

Definitions

1. In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Gauteng School Education Act, 1995 (Act No. Act 6 of 1995), has the same meaning and—

“auspices” means with the help, support, protection and sponsorship of a particular person or organization;

“budget” means a financial document which shows the estimated income and expenditure of the school for the following financial year;

“district Office” means the District Office of the Department in the educational district in which the public school concerned is located;

“district Director” means the most senior official of the Department in an educational district;

“domestic tours” means tours undertaken within the borders of the province or country;

“international tours” means tours undertaken outside the borders of the country;

“MEC” means the Member of the Executive Council responsible for education in Gauteng;

“one-day tour” means any excursion by learners organised or approved by or made under the auspices of any public school or public schools in the Province that does not exceed one day in duration; and

“tour” means any organised educational/sporting trip by learners organised or approved by or made under the auspices of any public school or public schools in the Province.

Application of Regulations

2. (1) These Regulations apply to every domestic and international tour by learners at public schools, excluding any one-day tour or excursion.

(2) Despite the exclusion contemplated in sub-regulation (1), regulations 4 and 10(1) to 10(2)(d) and 10(2)(g) also apply to one-day tours and excursions.

Purpose of Regulations

3. The purpose of these Regulations are-

- (a) to ensure that no learner is unfairly discriminated against in any public school tour selection policy, practice or procedure;
- (b) to ensure that no learner is excluded from a tour because the learner’s school fees have not been paid;

- (c) to ensure that public schools develop policies and procedures for the planning and organisation of school tours;
- (d) to specify procedures for the planning, approval and management of school tours;
- (e) to provide procedures for the selection of learners and educators for school tours;
- (f) to provide for the safety of learners on school tours;
- (g) to specify the duties of educators accompanying school tours;
- (h) to require tour reports from public schools; and
- (i) to provide for the keeping and maintenance of tour registers by the Department.

Selection of learners for public school tours

4. (1) Every learner admitted to a public school is admitted to the total school programme of the school, which includes-

- (a) all curricular;
- (b) co-curricular; and
- (c) extra-mural programmes or activities offered by the school, including tours organised or approved by or made under the auspices of the school.

(2) Every public school must select learners for school tours based on the principles of merit, redress, equity and representivity.

(3) No learner at a public school may be unfairly discriminated against, directly or indirectly, in any school tour selection policy or practice

including the grounds that the learner's parent is unable to pay or has not paid any school fee.

(4) The parent of a learner that intends to allow his/her child to participate in a tour may be expected to pay for the tour in terms of the Provisions of these regulations. However, this sub-regulation shall not apply to parents who are eligible to automatic and total school fee exemption in terms of applicable law, including child-headed households.

(5) A public school may exclude learners from the tour on the basis of non-participation in the activity for which the tour is intended.

Public schools to develop school tour policy

5. (1) Every governing body of a public school must develop a policy for the planning and organisation of school tours which will include-

- (a) the responsibility of the school governing body to approve all school tours;
- (b) the basis for selection of learners for a tour and how the school will ensure that no learner is unfairly discriminated against in any selection process for a tour;
- (c) the basis for selection of learners on the principles of merit, redress, equity and representivity;
- (d) the steps to be taken by the school to ensure that tours are adequately funded; and
- (e) the fund-raising activities or sponsorships that are permissible in order to assist in the funding of tours and how these activities or sponsorships will be administered and managed.

(2) Tours must be planned in a way that will contribute to learners' overall educational, psycho-social and personal development and their ability to participate in community life.

(3) Tours should not interfere with or interrupt the learners' school programme or the public schools' normal educational programmes. In this regard, where reasonably practicable, all tours must be undertaken during school vacation periods.

(4) Where educational programmes are compromised, the public school must ensure that it makes up the lost time.

Planning and budgeting for school tours

6. (1) The full costs of every tour planned by a public school in any financial year must be provided for in the annual budget of the school for the year concerned. The costs of the tours must not be included in the school fees.

(2) The budget for every school tour must be assessed and calculated on the basis of funds budgeted for and other funds to be raised by the school for purposes of the tour and must not include any anticipated voluntary contributions from parents towards tour costs.

(3) Public schools may require additional tour payment from parents of learners who have been selected to tour in order to fund the tour.

(4) Public schools may encourage parents to make voluntary contributions for learners who cannot afford to pay the tour costs.

(5) A public school may not begin implementing the plan for a tour until the tour and its budget have been approved by an annual general meeting of parents of the school and the District Director.

(6) A public school may finalise tour plans only after the school has obtained written approval for the tour as contemplated in Regulations 7 and 8.

Approval of school tours

7. (1) Every public school must obtain prior written approval from the Department for any tour.

(2) Any public school that wishes to obtain Departmental approval for a tour must submit an application on a form similar to Form 1 in Schedule 1, to the District Director of the relevant District Office of the Department at least 3 months prior to the departure date of the tour or in special circumstances, within such shorter period as the District Director may allow.

(3) The approval of tours will take place as follows:

- (a) The District Director only approves tours within the Province and will recommend tours outside the province, for approval by the Head of Department.
- (b) The Head of Department approves tours that will be undertaken outside the Province and will recommend international tours for approval by the MEC.
- (c) The MEC approves international tours.
- (d) The MEC may with sufficient reasons rescind or suspend and uphold his or her decision in terms of sub regulation (2) (c).

(4) The District Director/Head of Department/MEC must, within 30 days of receiving the application, consider it and thereafter notify the public school of his or her decision.

(5) In cases where the District Director/Head of Department/MEC refuses to grant permission to the school he/she will provide written reasons to the school.

(6) Where the school is not satisfied with the reason(s) provided by the District Director and/ or the Head of Department, the school must, within 7 days of receiving a written refusal with reason(s), lodge an appeal with the MEC, setting out clearly reason(s) for the appeal.

(7) On receipt of the appeal the MEC or a person delegated by him or her:

(a) Will inform the District Director and/ or the Head of Department of the appeal within 7 days of receipt of the appeal.

(b) Notify the school of his/her decision to uphold or set aside the appeal, within 14 days of receipt of the appeal.

(8) After a tour has been approved, the public school must submit to the District Director/Head of Department/MEC a final written list of all learners, educators and other participants selected for the tour.

(9) Where applicable, a letter of invitation to tour must accompany the application to tour.

Safety of learners on tour

8. (1) Public schools must take reasonable measures to ensure the safety of learners on tours, including-

(a) ensuring against accidents, injuries, general medical expenses, hospitalisation and theft that may occur on tour; and

- (b) ensuring if reasonably practicable, that learners are under the supervision of an accompanying educator at all times on tour.

(2) If a learner is on medication and will require that medication while on tour, the parent of that learner has the following obligations:

- (a) The learner's parent must ensure that the learner has sufficient quantities of medication for the duration of the tour.
- (b) Parents must complete the medical questionnaire on a form similar to Form 1 in Schedule 2.
- (c) It is the responsibility of the parent to ensure that the school has updated information on any changes to the medication requirements of the learner.

(3) If it is necessary for a learner to carry a doctor's prescription for medication, it is the responsibility of the learner's parent to ensure that the learner and the tour manager are in possession of the original prescription.

(4) If a learner is injured or falls ill during a tour and requires medical treatment, the tour manager must-

- (a) make reasonable attempts to contact the parent of the learner in order to obtain consent for such medical treatment; and
- (b) if the tour manager is unable to contact the parent of the learner, determine whether or not to consent to the medical treatment.

Appointment of tour manager and educators to accompany learners

9. (1) The governing body of a public school must appoint an educator at the school as tour manager to take overall responsibility for any tour by learners of the school. If the tour involves learners at more than one public school, the tour manager must be appointed by agreement between the governing bodies of the schools concerned.

(2) Every governing body of a public school must ensure that -

- (a) at least one educator accompanies every 20 learners or part thereof on any tour; and
- (b) in the case of a tour in which both male and female learners are participants -
 - (i) at least one male educator accompanies every 20 male learners; and
 - (ii) at least one female educator accompanies every 20 female learners or part thereof.

Duties of tour manager and educators accompanying tour

10. (1) The tour manager and every educator accompanying a tour are-

- (a) on duty for the entire duration of the tour;
- (b) bound by all codes of conduct or dress as may be determined by the governing body of the public school; and
- (c) bound by all codes of conduct applicable to the teaching profession.

(2) The tour manager and every educator accompanying a tour must, as far as is reasonably practicable-

- (a) take all reasonably practicable steps to ensure the safety of learners at all times;
- (b) supervise the activities of learners at all times where this is reasonably practicable.
- (c) enforce the discipline and safety rules of the tour at all times, and take appropriate corrective action whenever necessary;
- (d) ensure that all reasonable measures are taken to transport learners safely during the tour;
- (e) ensure that all learners are accommodated in the lodgings specified in the tour itinerary;
- (f) make appropriate reasonable arrangements for the safekeeping of the travel documents, such as passports, visas and inoculation certificates; tour funds and learners' valuables; and
- (g) remind learners to take their prescribed medication, where applicable, at the prescribed intervals.

Consent

11. A public school must require every parent of a learner who has been selected to tour, to consent in writing prior to the date of departure of the tour, to the learner's participation in the tour and to matters ancillary on a form similar to Form 1 in Schedule 3.

Public school to provide information to parents and Department

12. (1) Every public school must in writing, notify the parents of every learner who has been selected to tour, regarding-

- (a) the purpose of the tour, if possible providing a copy of the invitation to tour;
- (b) the nature of activities that the learner will be engaged in on tour and the possible risks involved;
- (c) the full itinerary of the tour, with relevant contact details of tour participants, hosts and accommodation service providers;
- (d) the number, names and contact details of the tour manager and other educators who will accompany the learners on tour;
- (e) the transport and accommodation arrangements and arrangements for set meals on tour;
- (f) the travel documents, such as passports, visas and inoculation certificates, where applicable, that will be required and where they can be obtained;
- (g) the arrangements for the safekeeping of tour funds and learners' valuables;
- (h) the arrangements that will be made to ensure the safety of learners and educators while on tour; and
- (i) any other ancillary matters, if necessary.

(2) The notice contemplated in sub-regulation 1 must also state that-

- (a) no learner will be excluded from the tour because school fees have not been paid; and

- (b) any required travel documents must be obtained at least 7 days prior to departing on tour.

(3) Every public school must also provide learners who have been selected to tour and their parents with the discipline and safety rules of the tour and notify them of the consequences of failing to comply with the rules.

Public school to submit tour report

13. (1) Within one month of concluding a tour, the principal of the public school must submit a full report on a form similar to Form 1 in Schedule 4 on the tour to the District Director of the relevant District Office and to the governing body of the school.

(2) Every tour report must contain-

- (a) a full statement of income and expenditure, indicating the funds derived from fund-raising activities or sponsorships, the contribution of the school, a statement of how funds were spent and a statement of any surplus or deficit;
- (b) an indication of how any surplus or deficit will be dealt with;
- (c) an accident and injury report, if applicable; and
- (d) an account of any other serious incident including acts of serious misconduct committed by learners or educators.

(3) An accident and injury report must contain-

- (a) the description of any accident or injury;
- (b) the date, time and place of the accident or injury;

- (c) the procedures followed in dealing with the accident or injury;
- (d) the name of the educator or educators on duty at the time of the accident or injury; and
- (e) how and when the accident or injury was reported to the parents of the learner concerned.

Tour registers to be kept by Department

14. (1) Every District Director must ensure that a register of all public school tours is established and maintained at every District Office in order to track all tours undertaken by public schools in the district and to ensure accountability within the Department. The tour register implemented by the District must be maintained in the format in Schedule 5 (Part 1 to 3).

(2) The Head of Department must ensure that a register of tours arising from international agreements, invitations by foreign governments and international agencies or initiated by the Department is established and maintained by the Department. The tour register implemented by the Provincial Office must be maintained in the format in Schedule 5 (Parts 1 to 3).

(3) Every tour register must contain in respect of each tour-

- (a) the name of the public school which undertook the tour;
- (b) the destination of the tour;
- (c) the dates of departure and return of the tour;
- (d) the purpose of the tour;
- (e) the name of the principal of the public school that undertook the tour;

- (f) the name of the tour manager ;
- (g) the names and number of male and female learners who went on the tour;
- (h) the name and persal number of every educator who accompanied learners on the tour;
- (i) the date that the principal of the public school submitted the report of the tour;
- (j) details of any claims made against the MEC, the Department or the school in connection with the tour and the outcome of such claims; and
- (k) an appraisal of the tour's compliance with these Regulations.

Short title

15. This regulation is called the Regulations on Domestic and International Tours for Learners of Public Schools, 2012 and comes into effect on the date of publication thereof in the Provincial Gazette.



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 1

FORM 1

APPLICATION TO THE GDE FOR TOUR APPROVAL

Note: This application form must be completed by the Principal and the Governing Body of the applicant public school

1) DETAILS OF SCHOOL

1.1	District	
1.2	Name of school	
1.3	School EMIS number	
1.4	Name of principal	

2) GOVERNING BODY CONTACT DETAILS

	SGB Member	Full names	ID Number	Telephone/C ell No.	Term of office expiry date
2.1	Chairperson				
2.2	Secretary				
2.3	Treasurer				

3. DETAILS OF THE TOUR

3.1	Indicate by placing a (x) in the appropriate column, the type of tour that is being undertaken		
	Within the Province (District Director Approval)	To another Province in South Africa (HOD approval)	International (MEC Approval)
3.2	Purpose of tour and details of the planned activities of the tour. (include a full itinerary)		
3.3	General details of the tour		
	Destination		
	Departure date		
	Return date		
	No. of Learners who will be undertaking tour		
	Name of Tour Manager		
	Contact details of Tour Manager on tour		
	No. of accompanying Educators		

3.4	Details of accompanying educators including contact details on tour	
4.	Details of funding arrangements for tour	Amount
	4.1 Cost of school tour per person:	
	4.2 Travel:	
	4.3 Accommodation	
	4.4 Catering	
	4.5 Attire:	
	4.6 Competition costs	
	4.7 Sundries:	
	Total:	
5.	Support strategy for the tour, including fund raising activities:	

6.	Transport details for School Tour (It is essential that 6.1. & 6.2. is completed when the tour application is made		
	6.1 Name of company and owner providing transport		
	6.2 Roadworthy Certificate / s:		
	a) Date of issue		b) Expiry date
	6.3 Details of Primary Driver:		
	a) Name of the Driver		
	b) Driving licence number and code		
	c) Expiry date of licence		
	d) Expiry date of professional Driving Permit		
	e) Company / vehicle owner's Insurance (Name & Policy number)		
	6.4 Details of substitute driver		
	a) Name of the Driver		
	b) Driving Licence number and code		
	c) Expiry date of licence		
	d) Expiry date of professional Driving Permit		
	e) Company / vehicle owner's Insurance (Name & Policy number)		

6.5	Accommodation arrangements during tour	
	6.5.1 Type of accommodation to be used	
	6.5.2 Number of persons per room:	

7.	Documents to be submitted with application (Copies of the following documents must be submitted)	
	7.1 Details of learners undertaking tour.	
	7.2 A full itinerary.	
	7.3 Confirmation that consent forms have been obtained from the parents of learners who will be undertaking the tour.	
	7.4 Confirmation of medical questionnaire obtained from the parents of learners who will be undertaking the tour	
	7.5 The approval from the National Sporting Federation, where applicable	
	7.6 A letter of invitation where applicable.	
	7.7 Other (please specify):	

8. SIGNATURE OF PRINCIPAL AND SGB CHAIRPERSON

Name of Principal	Signature	Date
Name of SGB Chair	Signature	Date

9. DISTRICT DIRECTOR

9.1 Approval/Recommendation (Place an X in the appropriate block)

Tour approved	<input type="checkbox"/>	Tour recommended	<input type="checkbox"/>
Tour approved with amendments	<input type="checkbox"/>	Tour recommended with amendments	<input type="checkbox"/>
Tour declined	<input type="checkbox"/>	Tour not recommended	<input type="checkbox"/>

COMMENTS/AMENDMENTS/REASON FOR NON APPROVAL/NON RECOMMENDATION

9.2 SIGNATURE OF DISTRICT DIRECTOR:

Name of District Director	<input type="text"/>
Signature	<input type="text"/>
District	<input type="text"/>
Date	<input type="text"/>

10. HEAD OF DEPARTMENT

10.1 Approval/Recommendation (Place an X in the appropriate block)

Tour approved	<input type="checkbox"/>	Tour recommended	<input type="checkbox"/>
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Tour approved with amendments	<input type="checkbox"/>	Tour recommended with amendments	<input type="checkbox"/>
Tour declined	<input type="checkbox"/>	Tour not recommended	<input type="checkbox"/>

COMMENTS/AMENDMENTS/REASON FOR NON APPROVAL/NON RECOMMENDATION

10.2 SIGNATURE OF HEAD OF DEPARTMENT:

Name of District Director	<input type="text"/>
Signature	<input type="text"/>
District	<input type="text"/>
Date	<input type="text"/>

11. MEMBER OF THE EXECUTIVE COUNCIL

11.1 Approval/Recommendation (Place an X in the appropriate block)

Tour approved	<input type="checkbox"/>	Tour approved with amendments	<input type="checkbox"/>	Tour declined	<input type="checkbox"/>
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COMMENTS/AMENDMENTS/REASON FOR NON APPROVAL/NON RECOMMENDATION

11.2 SIGNATURE OF MEMBER OF THE EXECUTIVE COUNCIL :

Name of District Director	
Signature	
District	
Date	



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 2

FORM 1

MEDICAL QUESTIONNAIRE

1.	School Name				
2.	Name Of Learner				
3.	Date Of Birth				
4.	Nature Of Tour				
5.	Name of Parent / Legal Guardian				
6.	Home Address				
7.	Home Telephone				
8.	Work Telephone				
9.	Work Address				
10	Do you belong to a medical aid?(X)	Yes		No	

	Name the fund				
	Medical Aid Number				
11	Name of Family Doctor				
12	Telephone Number				
13	Is your child allergic to any food? (X)	Yes		No	
13.1	If yes, specify				
14	Is your child allergic to any medication?(X)	Yes		No	
14.1	If yes, please give details				
15	Is your child presently taking any medication?	Yes		No	
15.1	If so, please give a detailed list of medication and the dosage prescribed				

Details of Person Providing the information	
Relationship to learner	
Print name	
Signature of Parent	
Date	



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 3

FORM 1

PARENTAL TOUR CONSENT FORM

Note: This form to be completed by a parent legal guardian/person acting in parental capacity of the learner who will be undertaking a tour

1. DETAILS OF LEARNER

1.1	Name	
1.2	Grade	
1.3	School	

2. DETAILS OF THE SCHOOL

1.1	District	
1.2	Name of school	
1.3	Name of principal	

3. DETAILS OF TOUR

3.1	Destination	
3.2	Purpose of tour	

3.3	Proposed departure date	
3.4	Proposed arrival date	

4. CONSENT BY PARENT / LEGAL GUARDIAN / PERSON ACTING IN PARENTAL CAPACITY

I, _____ (parent / legal guardian / acting in parental capacity) do hereby consent to the above learner undertaking the tour, and confirm that I-

4.1 have been advised and fully understand, the purpose, nature and risks associated with the tour;

4.2 have been informed by the school of all the relevant details associated with this tour, including the itinerary, arrangements for travel, accommodation, contact details of the tour manager and other associated details;

4.3 understand that in the event of accident or injury to the above learner that all reasonable steps will be taken by the tour manager to contact me and if I cannot be reached contact my relatives indicated to obtain consent for any necessary emergency medical treatment and/or any emergency medical operation;

Name of Person	Relationship to the learner	Contact details
		Home: Work: Cellphone: Email : Fax :
		Home: Work: Cellphone: Email : Fax :

4.4. have completed the medical questionnaire attached to ensure the safety of my child; and

4.5 have been provided with a copy of the school's discipline and safety rules in terms of which the learner will undertake the tour.

5. DETAILS AND SIGNATURE OF PARENT/LEGAL GUARDIAN/PERSON ACTING IN PARENTAL CAPACITY

5.1	Name	
5.2	Capacity	
5.3	Address	
5.4	a) Contact telephone number	
	b) Cell number	
5.5	Signature	
5.6	Date	



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 4

FORM 1

TOUR REPORT

A)	ACCIDENT , INJURY OR MISCONDUCT, BREACH OF CONTRACT BY SERVICE PROVIDER					
1.	Tick the box to indicate whether the report is on an accident, or misconduct breach of contract by service provider or a combination					
	1.1 Accident		1.2 Breach of contract by service provider		1.3 Misconduct	
2.	Full Name (Grade if it is a learner) of the person/s (learner/educator/parent) involved in the accident and/or injured or responsible for the misconduct, in the relevant column. Put an (E) next to the name of the educator and a (P) next to the name of a parent.					
	Incident/Accident	Injury		Misconduct		

3.	Provide the date, time and place of the incident, accident, injury or misconduct.		
	Date	Time	Place
4.	Describe what happened and the procedures followed when dealing with the incident, accident, injury or misconduct		
5.	Name of Parent/s or Educator/s on duty at the time of the accident, injury or misconduct		

	Parent/s	Educator/s
6.	<p>How and when the accident and/ or injury was reported to the parents of the learner concerned and the School Principal.</p>	

7.	<p>Briefly describe the quality of the accommodation and food during the tour.</p>
8.	<p>Did the tour achieve the outcomes that it intended to, if not, what was not achieved and why?</p>

9.	Financial Management
10.	Attach a full statement of income and expenditure, indicating the funds derived from fund-raising activities or sponsorships, the contribution of the school, a statement of how funds were spent and a statement of any surplus or deficit;
	9.1 Indicate how a deficit or surplus of funds will be dealt with.
	List any outstanding matters that need to be resolved and clearly indicate by whom

11.	Signatures		
	11.1 Tour Manager(TM), Principal (P) and SGB – Chairperson (Ch)		
	Print Name	Signature	Date
TM			



GAUTENG PROVINCE
Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 5

FORM 1

TOUR REGISTER (Part 1)

TOUR REGISTER FOR THE PERIOD	
DISTRICT	
NAME OF DISTRICT DIRECTOR	



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 5

TOUR REGISTER (Part 2)

No.	Name of School	Name of Principal	Purpose of tour	Tour Destination/s	Departure Date	Return Date	Name of tour Manager	No. of Male learners on tour	No. of Female learners on tour	Date of Submission of tour report

No. (Corresponds to part 1)	Name of School (Corresponds to part 1)	Tour complied with the regulations (Y/N)	Comments	A list of all learners going on tour as supplied by the school (Y/N)	A list of all educators (with Persal Nos.) going on tour was supplied by the school (Y/N)



GAUTENG PROVINCE

Department: Education
REPUBLIC OF SOUTH AFRICA

SCHEDULE 5

TOUR REGISTER (PART 3)

List the details of claims made against the MEC, the Department or the school in connection with the tour and the outcome of such claims

Name of School	Nature of claim and against who it was made	Outcome of the claim