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***Grounds and buildings policy***

**1. Introduction**

This document constitutes the grounds and buildings policy of Buren High School. The policy recognises the fundamental values in the Constitution of the Republic of South Africa 108 of 1996, as well as the applicable provisions of the South African Schools Act 84 of 1996 (hereinafter ‘SASA’).

In terms of section 13 and 55 of SASA, the state, and not the school, is the owner of the grounds and buildings occupied by the school.[[1]](#footnote-2) However, the school has the right to occupy and use the property.

Section 13(2) of SASA provides as follows:

*“****13. Public schools on State property***

*(2) Subject to section 20(1)(k), a public school which occupies immovable property owned by the State has the right, for the duration of the school's existence, to occupy and use the immovable property for the benefit of the school for educational purposes at or in connection with the school.”*

In terms of section 20(1)(g) of SASA, the school governing body must administer and control the school’s property, including the grounds and buildings occupied by the school, but this must in no way interfere with the implementation of a decision made by the Member of the Executive Council (MEC) or Head of Department (HOD) in terms of any law or policy.

This policy regulates the maintenance, development and lease of the buildings, grounds and facilities of the school.

1. **Maintenance**

Section 20 of SASA defines several functions and competencies that apply to all governing bodies. Section 21 in turn deals with governing body functions that may be allocated to a governing body, either by the HOD upon application or the MEC by way of publication in the Provincial Gazette. The maintenance and improvement of the school’s property, as well as the buildings and grounds occupied by the school, including is a section 21(1)(a) (or allocated) function, which a school may only perform if it has the competency to do so.

* 1. The grounds and buildings committee of the governing body is responsible for the maintenance of the property. The maintenance of the buildings, grounds and facilities is aimed at countering the structural deterioration of the school complex, keeping the buildings, grounds and facilities in a satisfactory condition, and ensuring that the school complex is aesthetically pleasing.
  2. The annual budget includes an amount earmarked for maintenance, which must be utilised to rehabilitate those parts of the school complex that show signs of decay. Parents are expected to approve this amount at the annual budget meeting.
  3. Sound financial management shall be applied throughout, and no overspending on this budget item shall be permitted without the prior approval of the full governing body.
  4. The maintenance amount must be optimally utilised to ensure that the school complex is in the best possible condition.
  5. Regular inspections of the school complex, facilities, machines, vehicles and gardening equipment must occur in order to identify spots of decay/deterioration and to compile a repair schedule. The grounds and buildings committee must compile a roster according to which these inspections should be carried out.
  6. The maintenance needs of the school complex must be prioritised annually for the most urgent matters to be dealt with first.
  7. Periodic surveys of the maintenance needs pertaining to the buildings, grounds, machines, vehicles and gardening equipment must be conducted.
  8. The safety of all electrical installations must be checked and ensured.
  9. A resolution on securing the buildings and grounds must be adopted and implemented.
  10. A resolution on the corporate image (colour scheme) of the school complex must be adopted with the governing body’s concurrence.
  11. The insurance needs of the school must be determined, and all facilities must be insured at replacement value, as far as possible.
  12. The maintenance of the school complex includes the following:
* Maintenance of all buildings
* Regular cleaning of gutters
* Maintenance of the grounds and gardens
* Maintenance of all sports equipment, fields and facilities
* Pruning and trimming of trees
* Clearing garden refuse
* Removing all dead plant material, garden refuse and waste from the grounds
* Immediate attention to broken items
* Swift repair of hazardous items, such as broken windows
* Keeping the area round the outside of the school clean
* Maintenance of the school fence
* Insuring the buildings and facilities
* Securing the buildings and facilities
* Maintenance of fire extinguishers and hydrants

**3. Lease, burdening, conversion or altering of immovable property**

Section 36(1) of SASA compels the school governing body to take all reasonable measures within its means to supplement the school’s resources. The lease, burdening, conversion or altering of the school’s property may be utilised for this purpose.

In terms of section 36(4) of SASA, the governing body may only let out, burden, convert or alter the immovable property of the school with the MEC’s approval, even if the school has section 21 status. Such lease, burdening, conversion or altering must occur in order to provide for school activities or to supplement the school fund.

It sometimes happens that the governing body receives a request to let out school property, such as the school hall at short notice, which leaves insufficient time to apply for approval from the MEC. A way around this problem would be for the governing body to submit a one-off application to the MEC, with a list of activities for which the school’s facilities are usually let out.

Should the grounds and buildings committee believe that school property must be converted or altered, or in case of a request to burden or let out the property, the committee must submit such request to the full governing body for approval.

This approval must be minuted, following which the chairperson of the grounds and buildings committee, or a person delegated by the chair for this purpose, must obtain the necessary approval from the MEC. In applying for approval, the following must be considered:

* *The aim of the additions/improvements*

Sound motivation is essential. The envisaged work must be for the benefit of the school and school activities.

* *Building plans*

The application must be accompanied by approved building plans.

* *Budget*

A copy of the minutes of the meetings where the amount for additions/improvements was approved must also be included.

* *Loan*

If the additions are to be funded through a loan, the application for approval of the loan must, in terms of section 36(2) of SASA, be made together with the application for approval of the additions.

* *Income generated through additions, improvements, lease and burdening*

If it is envisaged that the additions, improvements, lease or burdening will generate income, this must also be mentioned in the application.

* *Approval*

Approval must be obtained prior to the commencement of any construction. A lack of response from the Department must not be regarded as approval.

* *Refusal of application*

If the Department refuses the application, the governing body must request written reasons for this decision from the MEC.

**4. Conducting business on school property**

Section 36(4)(a)(ii) of SASA provides for the conducting of businesses on school property. Any persons or ventures who wish to conduct a business on the school’s property must submit a business plan to the grounds and buildings committee. The committee must consider the plan and, should they believe that such business can be conducted on the school’s property, submit it to the full governing body for approval. A business may be permitted only if it will supplement the school fund, and if its activities will not be hazardous or disruptive to the learners.

After the governing body has approved the conducting of the business on the school property, the chairperson of the grounds and buildings committee, or a person delegated by the chair for this purpose, must apply for approval from the MEC. See paragraph 3 above for the information that must be furnished in the application.

SIGNED AT ON THIS DAY OF

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Governing Body Chair

1. [↑](#footnote-ref-2)