

EVALUATING SKILLS LEGISLATION:

A lever to reduce poverty, inequality and unemployment



Levels of poverty, inequality and unemployment remain alarmingly high in South Africa. This is despite political and policy intentions, interventionist legislation and active labour market strategies. Can better skills legislation have an impact? *Dr Angelique Wildschut, Prof. Thierry Luescher and Dr Vijay Reddy* report on the HSRC's contribution to the Motlanthe High Level Parliamentary Panel, a recent assessment of key legislation.

Against the backdrop of the South African skills challenge, the HSRC examined the regulation and legislation of post-school education and training and skills development (PSET-SD) as a lever to reduce the triple challenge of poverty, inequality and unemployment in the country.

The investigation traced the legislative and policy frameworks as well as the institutional arrangements for education, training and skills development since 1994. The team conducted a systemic review of the policy goals and instruments that are recognised and provided for in the legislative and policy system. This work also included focused analyses of three core acts, the Skills Development Act, the National Qualifications Framework Act and the Continuing Education and Training Act. The aim was to identify aspects that enable or impede South Africa from addressing the triple challenge.

One overarching and critical policy recommendation is the need to shift the policy gaze away from regulation to provision and outcomes, emphasising both continuing education and training and higher

education. Another is the need to provide for a wider set of actors to participate in skills development.

The 'institutional sprawl'

A theme running across the legislative analysis has been (what we have called) the 'institutional sprawl' in the PSET-SD regulatory space, referring to the numerous authorities, councils and bodies that are not directly involved in skilling but have functions that include those related to funding, governance, planning and quality assurance. The review confirmed that much of the skills policy system and its sub-goals focus on improving the regulatory structures and institutions for skills provisioning as opposed to actual skills production. Our research finds that the over-regulation and bureaucratisation of the system may be impeding rather than facilitating skills delivery.

The sheer number of bodies that have some role in relation to quality, for example, has reached unsustainable proportions. They include the South African Qualifications Authority (SAQA), the Higher Education Quality Committee of the Council on Higher Education,

Umalusi, the Quality Council for Trades and Occupations, 21 Sector Education and Training Authorities (SETAs), 93 professional bodies, the National Artisan Moderation Body and the South African Institute of Vocation and Training (SAIVCET). The number of bodies with planning, monitoring and/or advisory responsibility is also extreme.

The key principle here is to be guided away from a complex and overcrowded legislative and regulatory field and related and overlapping authorities. There is excessive complexity in the skills development system overall, which must be simplified, consolidated, and efforts to rationalise regulatory institutions (e.g. related to planning, advising, and quality assurance) need to be considered seriously. The complexity and lack of flexibility of the policy system create severe difficulties and disincentives for key stakeholders (for example SMMEs) to participate in skills development such as workplace-based learning provision. It also obfuscates communicating the opportunities in the PSET system to the wider population, especially to specific marginalised target groups.

An overarching recommendation from the evidence is therefore that the legislative framework over the next few years needs to play a much bigger role in enhancing the quantity and quality of actual provision as opposed to regulation, as well as concentrating on consolidation and rationalisation of the system.

Pathways to high skills

There is a need for continued investments in a differentiated higher education system, which contributes to high-level skills development and knowledge production. Drawing on the new evidence base established through this project, we argue that a greater impact on poverty, inequality and unemployment, which mostly affects persons who have not yet achieved an NQF level 4 qualification (such as 'matric'), can be made. This could be achieved through a stronger focus on quality lower NQF level qualifications (NQF levels, 1 – 4, or Grade 9 and above), as goals and pathways into higher skills, technical, vocational and occupational qualifications, and academic and professional qualifications.

In the last ten years, the higher education system has expanded to a level where it is now 'massified' and provides learning opportunities for close to 20% of the 20 to 24-year age cohort. Conversely, the vast majority of the same age cohort (80%) cannot access or do not successfully participate in higher education, and the number of youth in general who are not in employment, education and training is enormous and growing. Our research shows that currently the skills policy system has a greater emphasis towards facilitating the production of higher and intermediate level skills than on employability skills and core competence skills (which include literacy, numeracy, communication, teamwork, problem solving and other relevant generic, transferable, and specific skills). These are critical building blocks for further development and overall learning ability, as well as the ability to adapt to a changing labour

market. Historically, the policy system has focused on developing higher-level skills, which we know to have limited reach and impact on reducing inequalities. To better address unemployment, inequality and poverty, the system needs to become better aligned to focus on the needs of the majority of our society, especially the vulnerable and marginalised. Therefore, we recommend a further strengthening of the policy emphasis on the continuing education and training subsystem. This includes skilling at community, and technical and vocational education and training (TVET) institutions and a focus on occupations, trades and workplace-based learning, especially at further and higher education and training levels, alongside general, academic and professional higher education.

A simultaneous process to ensure that TVET institutions and the suite of occupational qualifications and workplace-based learning provisions are attractive and have parity of esteem in society is critical for this recommendation to be successful. Critical pre-requisites are improved throughput and success rates and achieving closer links with workplaces.

Non-traditional actors

An inclusive skills policy regime must focus on employability and support skills development that result in a qualitative change in the lives of South Africans. It should foster holistic human development, capabilities for sustainable livelihoods, employment, as well as self-employment and entrepreneurship. Often, this requires the recognition and support of 'non-traditional' skills development actors, as opposed to formal avenues for skilling, such as schools, colleges, and universities.

Non-traditional actors (for example, NGOs, community-based organisation, co-operatives and SMMEs) are often better placed to address the skills needs of vulnerable and marginalised social groups that

might need support to access skilling. In addition, such actors are often needed to play a role by connecting, translating and facilitating the flow of information on the skills needs of these groups and the types of skills development provision that is needed. Where there is a lack of suitable skills development providers, the actors that may have the necessary expertise (e.g. NGOs, extension officers) may also provide skills development, to address the gap.

When we explored the extent to which such non-traditional actors are included in governance structures or receive support in providing skills development, we found that the legislation and policy documents emphasise mainly the role of communities and community-based organisations as new types of skills development actors. Conversely, there is much less emphasis on and recognition of the role that SMMEs can play in skills development; however, they are an important focus for promoting employment amongst youth especially.

Related is also a gap in terms of a more comprehensive consideration of the role that private providers can play in reaching vulnerable and marginalised target groups and serving their skills needs, be it at lower, intermediate and higher skills levels. The overall expansion of the PSET system must harness the role of private providers, ensuring their accountability and quality of provision, while enabling them to play a role complementary to that of public providers.

In sum, we find that while the skills policy system is attempting to recognise a wider range of

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