



# GAUTENG PROVINCE

EDUCATION  
REPUBLIC OF SOUTH AFRICA

## MEDIA STATEMENT

**To: All Media  
Att: News Editors  
For immediate release**

**16 November 2023**

### **MEC CHILOANE RELEASES FINDINGS OF KHEHLEKILE PRIMARY INVESTIGATIVE REPORT**

Gauteng Education MEC Matome Chiloane wishes to share the findings and recommendations of the investigative report regarding circumstances surrounding the death of Sibusiso Mbatha, a Grade 6 boy learner from KhehleKile Primary School in Tokoza, who took his own life on 23 October 2023.

Accordingly, it is alleged that Mbatha's death was subsequent to the bullying he experienced at school. It is further alleged that he was involved in a physical altercation with a fellow learner and that there were instances of comments made and negligence by educators during the aftermath of this altercation. One of these was an alleged comment made by an educator.

The investigation revealed substantial evidence supporting allegations of emotional and homophobic abuse by the deputy principal towards Mbatha, contributing to his distress. The investigation also noted that the school's Head of Department and Mbatha's class teacher might have mishandled the matter by disregarding proper reporting procedures that could have prevented the incident.

Additionally, both teachers and the principal were found to have failed in protocol adherence, with the deputy principal's lack of communication, neglect of reporting procedures, and insensitivity towards the issue. The confirmed allegations suggested that the learner's public reprimand due to their sexual orientation significantly contributed to their distress, highlighting a lack of due process and insensitivity across multiple parties at the school.

It was determined that the principal might have failed in fulfilling his responsibilities by mishandling the issue, attempting to shield the deputy and relying solely on written statements from teachers and the Head of Department. Moreover, allegedly neglected to inform the School Governing Body (SGB) about the situation and prioritised other community stakeholders over them. The SGB was deemed to have no role in this matter. The severe trauma experienced by Mbatha's family, friends, and classmates was acknowledged.

Considering the South African Schools Act's provisions, specifically sections 60 (1) and (2), the Gauteng Department of Education (GDE), including the teachers, principal, and deputy principal, were found to may have been liable for gross misconduct through acts of omission.

The recommendations emphasise disciplinary actions against specific individuals involved in mishandling the situation. It is recommended that the Head of Department and class teacher, due to their alleged flawed handling

and failure to follow reporting processes, be charged and undergo disciplinary hearings.

The deputy principal is recommended for precautionary suspension and subsequent disciplinary proceedings for alleged ill-treatment, blasphemy, homophobic abuse of the deceased. It is also recommended that the principal must face charges for allegedly neglecting duties, possibly protecting the deputy, and prioritising other stakeholders over the School Governing Body (SGB), along with the reliance solely on written statements.

Moreover, the recommendations also stress the need for proactive measures. It suggests informing the SGB and School Management Team (SMT) about such matters to ensure all stakeholders are aware of incidents and their impact on affected learners. Training sessions specifically aimed at enhancing governance and scholar management skills for SGB and SMT members are also proposed.

Additionally, trauma counselling for Sibusiso Mbatha's family, friends, and classmates is strongly recommended to help them cope with the severe trauma they have experienced. The Department must work with schools, SGBs to implement Anti-bullying and homophobia policies, ensuring strict adherence to such policies on a daily basis.

“We appreciate the findings and recommendations by Rangata Attorneys and are committed to implement them accordingly. Indeed, this should serve as a deterrent for all officials and stakeholders in our school communities. No one must feel that their rights are undermined, compromised or disrespected at our schools,” said MEC Chiloane.

**For more information, contact the Gauteng Department of Education’s Spokesperson, Steve Mabona on 072 574 3860 or Spokesperson for Gauteng Education MEC Matome Chiloane, Xolani Mkhwemte on 084 513 9285**

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