

Dear students and parents/guardians

NEW SECTION 26 ARTISAN QUALIFICATION REPLACES PREVIOUS SECTION 13 QUALIFICATION

Sol-Tech recently sent a letter it had received from the Department of Higher Education and Training (DHET) to students and parents. In the DHET's letter the department announces that the previous artisan qualification (section 13(12) and section 28(1)) regulated by the previous Manpower Training Act (No. 56 of 1981) (<http://www.labour.gov.za/DOL/downloads/legislation/acts/skills-development-act/>) has finally and officially been replaced by section 26(D) of the Skills Development Act (no 97 of 1998, as amended) (<http://www.labour.gov.za/DOL/legislation/acts/skills-development/skills-development-act-and-amendments>) as from 1 October 2013.

In principle, the new SDA legislation regulates skills training (artisan training is to be taken as forming part of artisan training) to the same extent as the previous Manpower Training Act had done so in the past. Sol-Tech assumed that the information it had communicated to students and parents on the new developments at open days and by means of previous correspondence would have sufficed to clarify the DHET documents. Apparently, this was an underestimation of the scope of the need for information and some uncertainty regarding the possible implications of this change still remained. The current letter sets out to explain and discuss those.

The DHET letter sent to you should be read and interpreted primarily against the background of the SDA (Skills Development Act, as amended). The SDA was enacted in 1998 and has essentially replaced the previous Manpower Training Act. However, it is not possible within the scope of this letter to compare the nature and extent of the SDA in full detail to that of previous Act, nor is it possible to discuss all future developments which are bound to emanate from the SDA, and for this reason you are encouraged to use the abovementioned links to familiarise yourself with this important matter. Among others, the activities and roles of the SETAs; the Quality Council for Trades and Occupations (QCTO); and the National Artisan Moderating Body (NAMB) are discussed and explained at length in the SDA document.



It is, however, important for students and parents to understand the status of the new section 26 qualification in relation to the previous section 13 qualification (section 13(12) of Act 56 of 1981), and the extent to which it affects the training of students at Sol-Tech. This will now be done in question and answer style.

What is the difference between section 13 and section 28 of the previous Act?

In short, Section 28 made provision for persons, who had received institutional training and had completed an apprenticeship within the set timeframe and had passed a final trade test, to receive Section 13 Red Seal certification. Section 28 of the Manpower Training Act made provision for persons who had never started or finished an apprenticeship but who, as a result of years of experience had obtained the necessary knowledge and skill in practice (but without any formal training) to undergo the trade test.

What is the difference between section 13 of the previous Act and section 26 of the new Act?

“Section 13” refers to section 13 of the Manpower Training Act and “section 26” refers to the section 26 of the SDA. Therefore, the numbers 13, 26 and 28 are not in any way representing scores on a scale where 13 would be good, 28 poor and 26 somewhere in between. The numbers 13, 28 and 26 merely refer to the number of the specific section or clause in the respective pieces of legislation which stipulate and prescribe trade training and qualifications. The curriculum and content of the trades have not changed in any manner under the new legislation although the critical performance areas of the various trades are now more clearly defined so that both the training institution and the employer will have clarity about what the trainees’ skills involve. In terms of the new section 26 students must still complete a registered apprenticeship and, as in the past, must successfully undergo the final trade test within the determined timeframe. Not only does section 26 carry the same weight as the previous section 13 qualification, it also offers a greater measure of credibility that comes with a uniform national standard. The new section 26 qualification is far more aligned to international trends as far as regulated quality training in scarce and critical skills is concerned. Nothing will change at Sol-Tech and students will still receive unfailing value for money in terms of the training they receive.



Who will ensure that the section 26 qualification is not a substandard qualification?

Since the establishment of SETAs each SETA has accredited its own employers and training and has been issuing the Red Seal qualification under the relevant SETA's logo. Moreover, each SETA has determined additional regulations and requirements students have to comply with in order to qualify as artisans. This process has now been amended to the effect that all final approvals for the issuing of the Red Seal Qualification are now regulated by QCTO and are administered by NAMB. In reality means that, in future, only one official representative body will exercise quality control over training and certification, and will issue a uniform certificate. NAMB will be the body that will henceforth be making recommendations and will re-accredit all existing training centres and trade test centres. This body will also consider all new accreditation applications with a view to their approval. This is again a major improvement on the previous system in terms of which each SETA had managed its own accreditations in the past. All training institutions in South Africa will thus be obliged to comply with all the specific requirements of NAMB before accreditation would be granted. Trade tests will still be conducted as usual at all accredited centres.

Is there a veiled attempt to lower training standards?

There is an expectation that it would rather improve and raise standards as ALL persons who want to undergo the final trade test (section 26) will have to provide detailed proof beforehand. It will no longer be possible for anyone to undergo a trade test simply based on years of experience as section 28 used to provide. Moreover, three pertinent performance areas have been determined, namely: sufficient theoretical training (N2 minimum); institutional practical training such as the training Sol-Tech is presently providing; and sufficient exposure to and experience in practice such Ajani provides through the placement of students at selected employers. Should just one of these areas appear to be insufficient, the necessary training and proof of training must first be formally obtained before such a person will be allowed to undergo the formal trade test.

What has now become of section 28?

Persons who have not completed any formal apprenticeship, but who want to undergo the trade test, will follow the Recognition of Prior Learning (RPL) route and will have to submit a complete portfolio presenting proof of skills acquired. This means that an independent assessor will first



assess the person's knowledge and skills both in practice and in theory, and will identify and prescribe formal gap training which the person will have to undergo at a recognised institution such as Sol-Tech for which competency certification in the relevant performance areas must be provided. In essence, it means that such person will have to provide proof of physical competence in respect of each separate component of the curriculum (as is the case with a person who has completed a formal apprenticeship) before he/she will be allowed to undergo a trade test. In reality it also means that such a person's training will stretch over a much longer period before the final section 26 trade test may be attempted. Therefore, there are no shortcuts by which to obtain the new qualification as students will only have access to a final section 26 trade test when proof can be provided of full and formal comprehensive training undergone.

Will companies recognise this new qualification?

As it has been enacted as national legislation in 1998 most of the major businesses and mines are familiar with it and as in the case of the previous section 13 qualification it will be accepted as valid and binding. Nowadays most of the employers are also accredited with the SETAs and they have been informed about the change by means of proactive correspondence from the SETA. If companies are guilty of any form of discrimination when persons holding the new qualification apply for work, it will be brought to the attention of QCTO and NAMB. Moreover, NAMB is obliged by law to have an updated database of qualified artisans which employers can consult to enquire about a person's qualification. In order to be proactive, Ajani is also corresponding with employers at the moment to remind them of the legislation that has been enacted.

Will the qualification be recognised internationally?

If employers abroad are aware of the changes in legislation in South Africa there should be no reason why the qualification would not be recognised. Even now persons have to pass a competence test in a new country before such a person's qualifications of competency will be recognised abroad. Ultimately, the criterion will be whether the person can offer the physical competencies the qualification attests to. To date, South Africa's artisan training has a high standing and is held in high esteem.



Must students still obtain their N Qualifications?

Until such time as NAMB may draft, prescribe or amend new directives on the minimum theoretical qualifications, the status quo remains and students will still have to possess the minimum of an N2 (four subjects) together with complying with all the other requirements before they will be admitted to undergo a trade test. Also, maths still remains a compulsory subject.

Will the qualification still be known as a Red Seal Certificate?

We have not yet seen the new format of the certificate but in all likelihood it will still be known as a Red Seal qualification. In essence it remains the same qualification as the qualification issued in terms of the previous legislation; it is now only issued in terms of new legislation and in a new certificate format.

Can section 13 and 28 certificates now be converted to section 26 certificates?

No, although there is speculation that persons who have a current section 28 qualification may be allowed to undergo the section 26 trade test by following the RPL route and undergoing additional formal gap training, no formal decisions whatsoever have been taken in this regard and it may not materialise at all. NAMB is investigating the matter and would probably announce guidelines and decisions in this regard at a later stage.

Is there a political agenda behind the new legislation?

To the best of our knowledge there is no political agenda; rather, the amended legislation is an endeavour to give greater credibility to the skills training landscape in accordance with the SDA and the SDSIII (Skills Development Strategy 3) and is a bid to remove the stigma that was previously attached to technical training compared to academic training. Lastly, it is an attempt to ensure that artisans contribute actively to furthering economic progress in the country and to pave the way for the career development of and lifelong learning for every individual.





Conclusion

The artisan training landscape in South Africa faces many challenges and often goes through turbulent times. We are in direct contact with senior NAMB representatives and we attend NAMB meetings to stay abreast of developments.

Kind regards

Andre Vermaak

Ajani: Executive Director



Tel: 012 755 5687 | Fax: 086 658 8482 | E-mail: info@ajani.co.za | Web: www.ajani.co.za
Address: 1662 Malie street, Kirkney, Pretoria West | Postal Address: Ajani, PO Box 11760, Centurion, 0046
Directors: P.M. van Deventer, P.C. Minnaar, A.J. Vermaak (Executive)
AJANI (PTY) LTD
Registration Number: 2006/031889/07