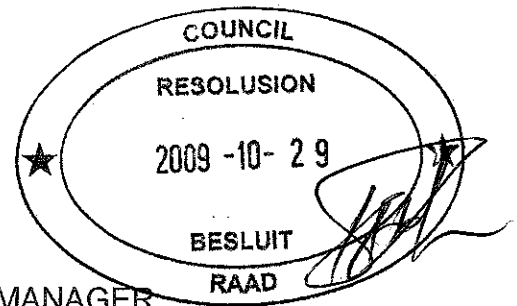


22/07/09

Mpho Lekgoro (012 358 4980)

COUNCIL: 29 October 2009



9. OFFICE OF THE EXECUTIVE MAYOR AND CITY MANAGER
(STRATEGY AND OPERATIONS SPECIALIST OFFICE (ICMIS UNIT))
AMENDMENTS TO THE LANGUAGE POLICY OF THE CITY OF TSHWANE
(From the Mayoral Committee: 5 August 2009, Council: 27 August 2009 and the
Portfolio Committee: Corporate and Shared Services: 10 September 2009 and
Mayoral Committee: 7 October 2009)

1. PURPOSE

The purpose of this report is to obtain approval for the adoption of amendments to the Language Policy of the City of Tshwane.

2. STRATEGIC OBJECTIVE

This report seeks to address Strategic Objective 4: To foster participatory democracy and the Batho Pele principles through a caring, accessible and accountable service.

3. BACKGROUND

The current Language Policy of the City of Tshwane makes reference to African languages as follows: Pedi (Northern Sotho), Tswana, Tsonga, Zulu, Ndebele, Sotho, Xhosa, Swati and Venda. This reference is not in line with the Constitution's reference to them in section 6(1).

Taking into account that the Constitution is the supreme law of the country and the fact that legislation is guided by it, it is imperative that reference to these languages should be aligned accordingly.

It was also necessary to make some editorial amendments, which contribute to the quality of the document

4. LEGISLATIVE CONTEXT

Section 6(1) of the Constitution refers to the nine African languages as follows: isiNdebele, isiXhosa, isiZulu, Sepedi, Sesotho, Setswana, siSwati, Tshivenda and Xitsonga.

5. DISCUSSION

African languages acquired official status with the Interim Constitution of 1993 and the Constitution of 1996. Before the adoption of these constitutions, extensive consultations were undertaken across the country on various issues, including the language question. The speakers of the so-called indigenous languages were consulted on (a) which of the many dialects were considered official; and (b) how the official languages were to be referred to. Their response was captured in the Constitution. Because all our legislation ought to be aligned to their foundation, the Constitution, the Language Policy of the City of Tshwane has been provisionally amended regarding its reference to the African languages.

Provisional editorial changes made to the Language Policy are the following:

- (a) Introduction and background: Information that was deemed repetitive was taken out.
- (b) Legislative context: The "Implementation Plan" of the Language Policy Framework was replaced by "National Language Policy Framework". This change is premised on the fact that the Implementation Plan was only approved at the level of the Technical Committee (Director-General of Arts and Culture and his provincial counterparts), whereas the National Language Policy Framework was approved by Cabinet.

6. COMMENTS OF THE STAKEHOLDER DEPARTMENTS

6.1 COMMENTS OF THE STRATEGIC EXECUTIVE DIRECTOR: CORPORATE AND SHARED SERVICES

6.1.1 LEGAL SERVICES

(Unaltered)

Your request for comments to the above refers.

The purpose of the report is to obtain approval for the adoption of amendments to the Language Policy of the CoT.

In terms of section 11(3)(a) of the Local Government: Municipal Systems Act, Act 32 of 2000, a municipality exercises its legislative or executive authority by developing and adopting policies, plan, strategies and programmes. The said Language Policy complies with the CoT legislative obligations and authority in this regard.

Furthermore, section 6(1) of the Constitution of the Republic of South Africa, Act 108 of 1996 provides that the official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.

To this end the amendments to the aforementioned Language Policy are well informed and within the context of the above statutory prescripts, hence the report and its recommendation are supported.

6.2 COMMENTS OF THE CHIEF FINANCIAL OFFICER

(Unaltered)

An amount of R50 000,00 is available (on 14 April 2009) on the 2008/09 Medium-Term Revenue and Expenditure Framework against Cost Centre 4319, Cost Element 411702 (Printing) that can be utilised for this purpose.

7. IMPLICATIONS

7.1 HUMAN RESOURCES

None.

7.2 FINANCES

The financial implications that can be expected will be for printing the policy documents. This has been budgeted for under GL Account Number 411702 (Cost Centre Number 4319).

7.3 CONSTITUTIONAL AND LEGAL FACTORS

The report seeks a revision of a policy that was approved by Council on 2 August 2007.

7.4 COMMUNICATION

The existence of a Language Policy has to be communicated across the City of Tshwane.

7.5 PREVIOUS COUNCIL AND MAYORAL COMMITTEE RESOLUTIONS

The Language Policy was approved by Council on 2 August 2007.

8. CONCLUSION

While the proposed amendments might seem minor, they are in fact not as this is a policy document and ought to be in line with existing legislation as well as the Constitution.

IT WAS RECOMMENDED (TO THE COUNCIL: 27 AUGUST 2009):

That the amendments as captured in the revised Language Policy be adopted.

The Speaker, at the Council meeting of 27 August 2009, put it to the Council that, this item be referred to the relevant Portfolio Committee as earlier agreed upon during the discussion of Item 6 of the agenda.

The Council acceded thereto and resolved as set out below.

IT WAS RESOLVED (BY THE COUNCIL: 27 AUGUST 2009):

That this matter be referred to the relevant Portfolio Committee for consideration.

IT WAS RECOMMENDED (TO THE COUNCIL: 29 OCTOBER 2009):

That the amendments as captured in the revised Language Policy be adopted.

During consideration of this item by Council on 29 October 2009, Cllr A Malope seconded by Cllr KJ Baloi proposed the following amendment:

(Unaltered)

That policy be approved for public participation process

Council acceded to Cllr Malope's proposal

Subsequently the following Councillors participated in a debate on the content of the report:

PJ Fourie
PD Uys

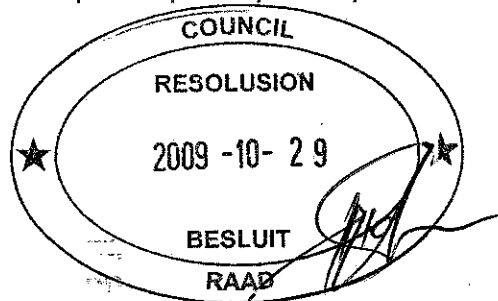
Hereafter it was resolved as set out below:

ANNEXURES:

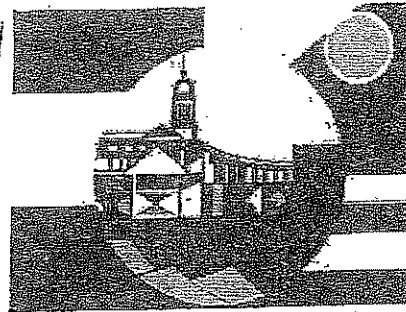
- A. Language Policy of the City of Tshwane.
- B. Revised Language Policy of the City of Tshwane (for approval).

RESOLVED:

That this policy be approved for public participation process.



ANNEXURE A

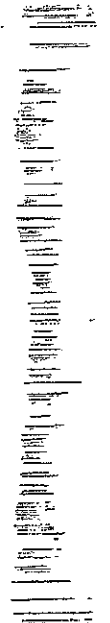


CITY OF TSHWANE

"We are the same"

**LANGUAGE POLICY
OF THE
CITY OF TSHWANE**

2 August 2007



QUOTES THAT INSPIRED THE DEVELOPMENT OF THIS LANGUAGE POLICY

All people shall have equal right to use their own languages, and to develop their own folk culture and customs.

The Freedom Charter, 1955

A multilingual policy is an integral part of the transformation of South Africa to full participatory democracy. People cannot be expected to comply with laws if they cannot understand them.

Kristina Cunningham

This book has been translated into practically all the languages of the world. I can go to any place on earth and my story can be found in that language. Here I exist only in English. I want to be part of all the languages of my country. One's language should never be a dead end. That is why I believe in translation: for us to be able to live together.

Former President Nelson Mandela when asked why he wanted *The Long Walk to Freedom* translated into all eleven official languages of South Africa, as quoted in Antjie Krog's *A change of tongue*



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1. INTRODUCTION AND BACKGROUND

Before 1994, English and Afrikaans were the only official languages in local government in the areas that now form part of the City of Tshwane Metropolitan Municipality. The new dispensation that was established in 1994 brought about the Municipal Systems Act, 2000 (Act 32 of 2000), which emphasises community participation in local government. It is obvious that in order for the Municipality to achieve optimal community participation, it will have to serve its residents in the language they understand best.

The Language Services Unit of the Municipality has responded to the call for linguistic diversity by developing the Tshwane Language Policy, which is aimed at redressing the linguistic inequalities of the past. The policy has taken its cue from the National Language Policy Framework developed by the National Language Service of the Department of Arts and Culture. This framework stipulates, among other things, that provincial and local linguistic circumstances must be taken into account when language policies are developed by provincial and local governments.

The Tshwane Language Policy is therefore aimed at providing guidelines on how the Municipality should implement multilingualism in its communication processes to ensure that all residents have access to information and municipal services in the language that they understand best.

2. DEFINITIONS

In this policy, unless the context indicates otherwise

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"Council" means the Council of the Municipality;

"equitable use" means the use of language which is fair, impartial and even-handed;

"functional multilingualism" means a choice of a particular language(s) in a particular situation, determined by the context in which language is used, ie the function, the audience and the message for which it is employed;

"interpreter" means a person who transposes or interprets an utterance from one language into another;

"interpreting", in relation to oral utterances, means the transposing of utterances of one language into utterances of another language and, in relation to signed utterances, means the transposing of sign language signs into a spoken language and the other way round, with "interpret" having a corresponding meaning;

"language of record" means an official language chosen for keeping record or archiving proceedings and procedures of the Municipality;

"language rights" means laws determining the situations in which citizens can make language choices;

"liaison interpreting" means the process whereby an interpreter interprets from one language into another and back, most often in a short consecutive interpreting mode, in situations where

- (a) an employee of the Municipality does not understand the language of another employee or other employees of the Municipality (up to ten employees may be involved), eg in labour disputes or at disciplinary hearings; or
- (b) an employee of the Municipality does not understand the language of a client of the Municipality or resident of Tshwane (up to ten clients or residents may be involved), eg in discussions between clinic staff and patients, between cashiers and clients at pay points, or between officials and the community at community information forums;

"multilingualism" means the use of three or more languages by an individual or a group of people;

"Municipality" means the City of Tshwane Metropolitan Municipality established by Gauteng Provincial Notice 5770 of 1 October 2000;

"official language" means a language used in government, education, business and the media;

"PanSALB" means the Pan South African Language Board, established by the Pan South African Language Board Act, 1995 (Act 59 of 1995);

"terminology" means standardised terms established for a specific subject field;

"TISSA" means the Telephone Interpreting Service for South Africa;

"translation" means the transposing of a text from one language into another, with

"translate" having a corresponding meaning; and

"working language" means an official language chosen by the Municipality as the language most practicable to use in a particular communication event.

3. LEGISLATIVE CONTEXT

The following constitute the legal framework for this policy:

3.1 Sections 6 and 9 of the Constitution of the Republic of South Africa, 1996

3.2 Section 1.2.4 of the Implementation Plan: National Language Policy Framework, 2003, which states that local government will determine the language use and preferences of their communities within an enabling provincial language policy framework. Upon determination of the language use and preference of communities, local governments must, in broad consultation with their communities, develop, publicise and implement a multilingual policy.

- 3.3 Section 3 of the Language Policy Framework of the Gauteng Provincial Government (August 2005), which sets out the objectives of the policy framework, among them the following:
- "c) To facilitate equitable access to provincial government services and information and participation in government processes"
 - "d) To support, develop and sustain multilingualism within provincial and local government departments and in their communication and interaction with the public"
 - "f) To protect language diversity and promote respect for multilingualism and unity"
- 3.4 The Promotion of Access to Information Act, 2000 (Act 2 of 2000)
- 3.5 The White Paper on Transforming Public Service Delivery (Batho Pele White Paper), 1997

4. OBJECTIVES

This policy is in line with the constitutional provisions on multilingualism, and the key performance indicators of the Municipality. The policy is aimed at ensuring

- 4.1 the translation of the language rights enshrined in the Constitution into a coherent and effective approach to multilingualism in the Municipality;
- 4.2 the promotion of the equitable use of the official languages of the Municipality;
- 4.3 the facilitation of equitable access to municipal services and information;
- 4.4 the redress of the linguistic inequalities of the past which resulted in the underdevelopment of the African languages;
- 4.5 the protection of language diversity and the promotion of respect for multilingualism and unity in diversity; and

- 4.6 the use of multilingualism for effective administrative and communication processes within the Municipality.

5. GUIDING PRINCIPLES

The policy is based on the following principles:

- 5.1 *Language rights*
To promote respect for the language rights of residents as enshrined in the Constitution.
- 5.2 *Language equity*
To ensure the equal treatment of the official languages of the Municipality.
- 5.3 *Redress*
To enhance the status and roles of previously marginalised languages.
- 5.4 *Non-discrimination*
To prevent the use of language for the purposes of exploitation, domination and discrimination.
- 5.5 *People-centredness*
To address the needs, aspirations and interests of language communities in the spirit of Batho Pele.
- 5.6 *Partnerships*
To collaborate with public and private language institutions and agencies to promote multilingualism.
- 5.7 *Good governance*
To use all the official languages of the Municipality to ensure transparent, accountable local government which is responsive to the linguistic needs of its constituency.
- 5.8 *Participation*
To enable municipal employees, as well as Tswana residents, to participate in the decision-making processes.

6. SCOPE OF APPLICATION

This policy is applicable to employees of the Municipality and residents of Tshwane and to any request to the Municipality about language use and language practices.

7. LINGUISTIC PROFILE OF TSHWANE

To determine the official languages of the Municipality, the 2001 Census figures and reports on external and internal surveys were used.

7.1 Census figures

The following table, taken from Census 2001, gives an indication of the spread of home languages in Tshwane.

Language	Number of speakers as a percentage
Pedi	22,14
Afrikaans	21,29
Tswana	17,11
Tsonga	9,99
Zulu	7,61
English	6,54
Ndebele	4,94
Sotho	3,95
Xhosa	1,91
Swati	1,91
Venda	1,77
Other	0,83
	100,00

Census 2001 by municipality: Report of the Census Sub-Committee to the South African Statistics Council on Census 2001 (reproduced at <http://www.statssa.gov.za>)

The home language profile of Tshwane indicates that the most widely used home language is Pedi (Northern Sotho), followed by Afrikaans, Tswana, Tsonga, Zulu and English. It is clear that there is no single dominant home language in Tshwane, but a multilingual situation in which these six languages account for 84,68% of the population.

7.2 Internal and external language surveys and audits

In drafting the language policy of the Municipality, the language usage, needs and preferences of the public of Gauteng were also considered. The Gauteng information was obtained from the results of a 2004 provincial language and communication audit captured in *Towards a Functional and Cost-effective Language Policy for Gauteng*. The audit was conducted by Sarah Slabbert Associates for the Gauteng Department of Sport, Arts, Culture and Recreation. The audit showed that most officials at service delivery points are able to communicate with the public in more languages than just English and Afrikaans. The audit also showed that the majority of the public or clients prefer to use indigenous languages to access government services. According to the audit, the language preference in one of the provincial hospitals was as follows:

- African languages: 58,5%
- English: 36,8%
- Afrikaans: 7,9%

The audit findings highlight a significant need for translation and interpreting services to ensure that clients are served in their home languages.

8. POLICY RECOMMENDATIONS

The following recommendations are made with regard to language usage in the Municipality:

8.1 Official languages of Tshwane

Taking into account the Census 2001 figures on home language usage and the preferences of the residents of Tshwane and the provincial options proposed in the draft Language Policy of the Gauteng Provincial Government (30 April 2004), it is recommended that the Municipality adopts the following six languages as official languages:

- Afrikaans
- English
- Northern Sotho
- Tsonga
- Tswana
- Zulu

The Municipality must also make every effort to use the other official languages of the Republic of South Africa, including South African Sign Language, on request. The Municipality must furthermore provide Braille documents for specific communication events where practicable.

It should, however, be noted that the Municipality's official languages will be reviewed based on the results of Tshwane-wide language and communication audits or surveys which will be conducted in future.

8.2 Internal spoken communication

8.2.1 Any of the official languages of the Municipality may be used in spoken intradepartmental and interdepartmental communication, provided that all involved in the communication event understand the language(s) being spoken.

8.2.2 English is recommended as the working language in spoken intradepartmental and interdepartmental communication. Another official language of the Municipality may be used, provided it is understood by all parties involved in the communication event.

8.2.3 Any of the official languages of the Municipality may be used in any debates or proceedings of the Council. The Municipality must therefore provide for simultaneous interpreting from and into the official languages of the Municipality.

8.2.4 In general, disciplinary hearings, job interviews and performance assessments in the Municipality will be conducted in English, provided that translation and interpreting services are made available for those who cannot speak or understand English.

8.3 External spoken communication

- 8.3.1 The Municipality must, in its spoken communication, strive to serve all its clients in the language of their choice.
- 8.3.2 If staff members are not available at a customer care centre, pay point, clinic or other public venue of the Municipality to assist clients orally in their language of choice, liaison interpreters must be used to assist them. Where necessary, every effort must be made to utilise interpreting services (consecutive, simultaneous, telephone and whispered) where practicable.
- 8.3.3 The Municipality must provide liaison interpreters if important or strategic information is to be conveyed orally to groups of multilingual residents at public events organised by the Municipality, eg indabas or health imbizos of the Social Development Department.

8.4 Internal written communication

- 8.4.1 To promote operational efficiency, English should be the working language of the Municipality, and translations in the other official languages of the Municipality will be made available on request.
- 8.4.2 The Municipality must provide translation services on request for intradepartmental and interdepartmental written communication.
- 8.4.3 Translation services must be made available on request to translate motions presented at Council meetings into any of the official languages of the Municipality.
- 8.4.4 The Municipality's policies, procedures, conditions of service, strategic circulars, important human resource information, health and safety information and other strategic documents must be made available in all the official languages of the Municipality.

8.4.5 The Municipality must provide multilingual liaison interpreters from among its own staff to assist illiterate staff in gaining access to municipal information. Liaison interpreting should be seen as a mechanism to support written communication.

8.4.6 Although no employee of the Municipality may be prevented from using an official language of his or her choice at any given time, all municipal documents that need to be archived must, for practical administrative reasons, be available in the original language and English as the language of record.

8.4.7 The use of plain language in internal municipal documents must be encouraged to facilitate understanding and improve communication.

8.5 External written communication

8.5.1 All official notices, statements, tariffs, by-laws, regulations, policies, advertisements, etc, issued or published by the Municipality for public consumption must be made available in all the official languages of the Municipality, where practicable and financially viable.

8.5.2 The Municipality must provide multilingual liaison interpreters from among its own staff as a mechanism to supplement written communication and assist illiterate clients in gaining access to municipal services and information. The liaison interpreters must be used for liaison interpreting at customer care centres, pay points, clinics or other public venues of the Municipality if multilingual staff members are not available for this purpose.

8.5.3 The Municipality must make every effort to promote multilingualism on its website and in its external publications by using all the official languages of the Municipality.

8.5.4 All external correspondence of the Municipality must be translated into the official language in which the original communication was received, provided that an English translation of the document is archived for municipal record purposes and possible legal proceedings. The Municipality must inform the client that the English text will be used in the legal proceedings.

8.5.5 All external documents of the Municipality (and especially letters) must carry a sentence at the foot of the page stating that the document can be made available in any of the official languages of South Africa, and the corporate identity manual of the Municipality must stipulate this as a requirement.

8.5.6 All municipal documents that need to be archived must, for practical administrative reasons, be available in English as the language of record.

8.5.7 English must be used by the Municipality for international communication, but the Municipality must make translation services available for ad hoc communication in the preferred language of the country concerned.

8.5.8 The use of plain language in external municipal documents must be encouraged to facilitate understanding and improve communication.

8.6 Municipal signage

The Municipality must give due consideration to the language preferences of local communities when erecting local road signs and direction signs. All identification signage, direction signs and road signs relating to municipal buildings, services, facilities, infrastructure and vehicles must be in all the official languages of the Municipality where practicable. Where this is not practicable owing to financial constraints, a bilingual policy (English and another official language of the Municipality) may be adopted, provided that English is the one language and the other is the dominant language of the area concerned.

8.7 People with language disabilities

The Municipality must, on request and where practicable, provide for the needs of people with language disabilities.

8.8 Training at the Municipality

8.8.1 The medium of instruction for municipal training will be English, provided that the principle of functional multilingualism is applied where practicable. A presenter may, for instance, use any of the Municipality's other official languages, depending on the language usage and preferences of the students. In all circumstances, consideration must be given to the desired outcome, ie effective training.

8.8.2 The oral component of any municipal programme or campaign directed at improving the well-being of employees must be conducted in all the official languages of the Municipality, eg videos for the internal information channel.

8.8.3 To serve the public effectively, employees of the Municipality must be encouraged to learn, in an organised manner, the official languages of the Municipality that they do not know, as well as South African Sign Language.

8.8.4 The Municipality must organise training programmes and refresher courses for its employees to assist in the development of their skills in using the official languages of the Municipality, so that they can render an effective and efficient service to communities.

8.8.5 Translation services must be made available to translate internal training and course material into any official language of the Municipality at the request of trainees.

8.8.6 To improve access to training and to improve communication between trainees and trainers, trainers and course designers must be encouraged to use plain language in their training manuals.

9. IMPLEMENTATION STRATEGY

A phased-in approach will be adopted to successfully implement this policy, taking into account the financial and human resource implications. This approach will ensure that there is enough time to build capacity to implement the process on a full scale. Another reason for the phased-in approach is to make room for evaluating and monitoring the policy. This will help to ensure that the implementation of the policy is regularly reviewed and that corrective measures are taken at set intervals.

The following strategies will be employed to ensure the successful implementation of this policy:

- 9.1 The Municipality must establish a panel of interpreters to give effect to functional multilingualism.
- 9.2 Information documents must be translated into the official languages of the Municipality.
- 9.3 The Language Services Unit must create terminology that will help develop the official languages of the Municipality, especially the four official African languages.
- 9.4 Mayoral Committee and Council reports must be edited to ensure that appropriate language is used in these documents.
- 9.5 Training in all official languages of the Municipality must be offered to employees who require this for effective service delivery to different language communities:
- 9.6 The TISSA pilot project will be undertaken as a way of facilitating communication in clinics and some customer care centres in the Municipality.

10. CAPACITY BUILDING

- 10.1 The implementation of this policy will result in an increase in the demand for translation, editing, terminology development and interpreting services in the four official African languages of the Municipality. The increased demand will result in the need for further training in language skills.
- 10.2 In an effort to build capacity for the municipal language services, the Municipality must, in accordance with its bursary policy, offer bursaries to students to study one or more of the official languages of the Municipality at tertiary level.
- 10.3 To give effect to functional multilingualism, the Municipality must provide liaison interpreters, and must provide training opportunities for departmental liaison interpreters, eg short courses in liaison interpreting.

11. LANGUAGE STRUCTURES

This policy will be implemented collaboratively by different language stakeholders. The following are the roles that will be played by the major language stakeholders:

11.1 Language Services Unit

To ensure the successful implementation of this policy, the Language Services Unit will

- facilitate and coordinate the implementation of this policy by providing the translation, editing, interpreting, language training and terminology development services;
- conduct regular language surveys and audits to assess the appropriateness of the existing policy and practices of the Municipality and make recommendations for the improvement of the policy and practices;

- raise awareness of the policy to ensure compliance;
- report annually to the relevant language control bodies, eg the National Language Forum and PanSALB, on progress with the implementation of the policy; and
- raise awareness among municipal employees and residents of the role of PanSALB as the official watchdog and protector of their language rights, and among departmental and divisional heads of the need to avoid using one language at the expense of the other official languages and so violate the language rights of employees and residents.

11.2 Other language stakeholders

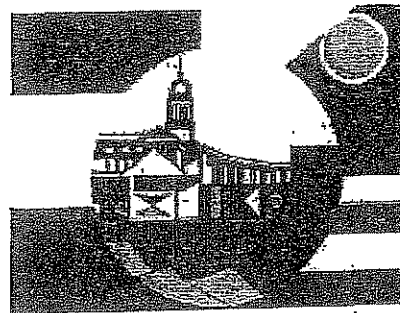
The Language Services Unit will work in collaboration with other language structures such as the National Language Service, the Gauteng Department of Sport, Arts, Culture and Recreation, PanSALB, institutions of higher learning and the National Language Forum to

- monitor the use of the official languages of the Municipality in all municipal departments;
- monitor the implementation of the policy;
- initiate and sustain a vibrant discourse on multilingualism in all communities; and
- initiate studies and research on
 - the development of the official languages of the Municipality;
 - the attitude of municipal employees and Tshwane residents towards multilingualism;
 - the acquisition and use of the official languages in the Municipality;
 - the promotion of multilingualism in Tshwane; and
 - the optimisation of the use of the language resources of the Municipality.

12. POLICY REVIEW

- 12.1 The Municipality must conduct regular internal and external language preference and proficiency audits to determine the linguistic needs and linguistic capabilities of municipal officials and of Tshwane residents.
- 12.2 The Language Services Unit must use the results of these audits to revise and update the policy.
- 12.3 The Language Services Unit must regularly assess the implementation of the policy and effect the required changes.

ANNEXURE B



CITY OF TSHWANE
"we are the same"

**LANGUAGE POLICY
OF THE
CITY OF TSHWANE**
(revised copy)

March 2009

QUOTES THAT INSPIRED THE DEVELOPMENT OF THIS LANGUAGE POLICY

All people shall have equal right to use their own languages, and to develop their own folk culture and customs.

The Freedom Charter, 1955

A multilingual policy is an integral part of the transformation of South Africa to full participatory democracy. People cannot be expected to comply with laws if they cannot understand them.

Kristina Cunningham

This book has been translated into practically all the languages of the world. I can go to any place on earth and my story can be found in that language. Here I exist only in English. I want to be part of all the languages of my country. One's language should never be a dead end. That is why I believe in translation: for us to be able to live together.

Former President Nelson Mandela when asked why he wanted *The Long Walk to Freedom* translated into all eleven official languages of South Africa, as quoted in Antjie Krog's *A change of tongue*

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INTRODUCTION AND BACKGROUND

Prior to the advent of 1994 the only official languages at local government – particularly in the areas that now form part of the City of Tshwane Metropolitan Municipality were English and Afrikaans. The new dispensation that came about in 1994 brought to the fore the nine official languages of the country (i.e. Sepedi; Sesotho; Setswana; siSwati; Tshivenda; Xitsonga; isiNdebele; isiXhosa; and isiZulu). Further to this, the Municipal Systems Act (Act 32 of 2000) was also adopted. Central to this Act is the emphasis on community participation at local government.

Given the foregoing, the City of Tshwane deemed it imperative to respond by (a) providing language facilitation services; and (b) crafting its own policy direction on how it was to accommodate multilingualism. The proposed Language Policy for the City is thus aimed at assisting the City to achieve optimal community participation by enabling the residents to communicate and access municipal services irrespective of language. It is also aimed at providing guidelines on how the Municipality should implement multilingualism in its communication processes to ensure that all residents have access to information and municipal services in the language that they understand best.

The proposed language policy further takes its cue from Section 6 of the Constitution of the Republic of South Africa (1996) as well as the National Language Policy Framework (NLPF) that was adopted by Cabinet on 12 February 2003, which both state that local government shall take into account the language preferences of its residents.

2. DEFINITIONS

In this policy, unless the context indicates otherwise –

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"Council" means the Council of the Municipality;

"equitable use" means the use of language which is fair, impartial and does not discriminate;

"functional multilingualism" means a choice of a particular language(s) in a particular situation, determined by the context in which a language is used (i.e. the function, the audience and the message for which it is employed);

"Interpreter" means a person who transposes or interprets an utterance from one language into another;

"interpreting", in relation to oral utterances, means the transposing of utterances of one language into utterances of another language and, in relation to signed utterances, means the transposing of Sign Language into a spoken language and the other way round, with **"interpret"** having a corresponding meaning;

"language of record" means an official language chosen for keeping record or archiving proceedings and procedures of the Municipality;

"language rights" means laws determining the situations in which citizens can make language choices;

"liaison interpreting" means the process whereby an interpreter interprets from one language into another and back, most often in a short consecutive interpreting mode, in situations where –

- (a) an employee of the Municipality does not understand the language of another employee or other employees of the Municipality (up to ten employees may be involved), e.g. in labour disputes or at disciplinary hearings; or
- (b) an employee of the Municipality does not understand the language of a client of the Municipality or resident of Tshwane (up to ten clients or residents may be involved), e.g. in discussions between clinic staff and patients, between cashiers and clients at pay points, or between officials and the community at community information forums;

"multilingualism" means the use of three or more languages by an individual or a group of people;

"Municipality" means the City of Tshwane Metropolitan Municipality established by the Gauteng Provincial Notice 6770 of 1 October 2000;

"official language" means a language used in government, education, business and the media;

"PanSALB" means the Pan South African Language Board, established by the Pan South African Language Board Act of 1995 (Act 59 of 1995);

"terminology" means standardised terms established for a specific subject field;

"TISSA" means the Telephone Interpreting Service for South Africa;

"translation" means the transposing of a text from one language into another, with "translate" having a corresponding meaning; and

"working language" means an official language chosen by the Municipality as the language most practicable to use in a particular communication event.

3. LEGISLATIVE CONTEXT

The following constitutes the legal framework for this policy:

3.1 Sections 6 the Constitution of the Republic of South Africa, 1996;

3.2 Section 9(3) of the Constitution: the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual

orientation, age, disability, religion, conscience, belief, culture, language and birth;

- 3.3 Section 1.2.4 of the National Language Policy Framework of 2003: local government must determine the language use and preferences of their communities within an enabling provincial language policy framework. Upon determination of the language use and preference of communities, local governments must, in broad consultation with their communities, develop, publicise and implement a multilingual policy;
- 3.4 Section 3 of the Language Policy Framework of the Gauteng Provincial Government (August 2005) which sets out as one of its objectives as being: to support, develop and sustain multilingualism within provincial and local government departments and in their communication and interaction with the public;
- 3.4 The Promotion of Access to Information Act, 2000 (Act 2 of 2000); and
- 3.5 The White Paper on Transforming Public Service Delivery (Batho Pele White Paper, 1997).

4. OBJECTIVES

This policy is in line with the constitutional provisions on multilingualism, and the key performance indicators of the Municipality. The policy is aimed at ensuring –

- 4.1 the translation of the language rights enshrined in the Constitution into a coherent and effective approach to multilingualism in the Municipality;
- 4.2 the promotion of the equitable use of the official languages of the Municipality;
- 4.3 the facilitation of equitable access to municipal services and information;
- 4.4 the redress of the linguistic inequalities of the past which resulted in the underdevelopment of the African languages;
- 4.5 the protection of language diversity and the promotion of respect for multilingualism and unity in diversity; and
- 4.6 the use of multilingualism for effective administrative and communication processes within the Municipality.

5. GUIDING PRINCIPLES

The policy is based on the following principles:

- 5.1 *Language rights*
To promote respect for the language rights of residents as enshrined in the Constitution.

- 5.2 *Language equity*
To ensure the equal treatment of the official languages of the Municipality.
- 5.3 *Redress*
To enhance the status and roles of previously marginalised languages.
- 5.4 *Non-discrimination*
To prevent the use of language for the purposes of exploitation, domination and discrimination.
- 5.5 *People-centredness*
To address the needs, aspirations and interests of language communities in the spirit of Batho Pele.
- 5.6 *Partnerships*
To collaborate with public and private language institutions and agencies to promote multilingualism.
- 5.7 *Good governance*
To use all the official languages of the Municipality to ensure transparent, accountable local government which is responsive to the linguistic needs of its constituency.
- 5.8 *Participation*
To enable municipal employees and the residents of Tshwane to participate in the decision-making processes.

6. SCOPE OF APPLICATION

This policy is applicable to employees of the Municipality and residents of Tshwane and to any request to the Municipality about language use and language practices.

7. LINGUISTIC PROFILE OF TSHWANE

To determine the official languages of the Municipality, the 2001 Census figures and reports on external and internal surveys were used.

7.1 Census figures

The following table, which is taken from Census 2001, gives an indication of the spread of home languages in Tshwane.

Language	Number of speakers as a percentage
Sepedi	22,14
Afrikaans	21,29
Setswana	17,11
Xitsonga	9,99
isiZulu	7,61
English	6,54

isiNdebele	4,94
Sesotho	3,95
isiXhosa	1,91
siSwati	1,91
Tshivenda	1,77
Other	0,83
TOTAL	100

Census 2001 by municipality: Report of the Census Sub-Committee to the South African Statistics Council on Census 2001 (reproduced at <http://www.statssa.gov.za>)

The home language profile of Tshwane indicates that the most widely used home language is Sepedi and it is followed by Afrikaans, Setswana, Xitsonga, isiZulu and English. It is clear that there is no single dominant home language in Tshwane, but a multilingual situation in which these six languages account for 84,68% of the population.

7.2 Internal and external language surveys and audits

In drafting the language policy of the Municipality, the language usage, needs and preferences of the public of Gauteng were also considered. The Gauteng information was obtained from the results of a 2004 provincial language and communication audit captured in *Towards a Functional and Cost-effective Language Policy for Gauteng*. The audit was conducted by Sarah Slabbert Associates for the Gauteng Department of Sport, Arts, Culture and Recreation. The audit showed that most officials at service delivery points are able to communicate with the public in more languages than just English and Afrikaans. The audit also showed that the majority of the public or clients prefer to use indigenous languages to access government services. According to the audit, the language preferences in one of the provincial hospitals were as follows:

- African languages: 58,5%
- English: 36,8%
- Afrikaans: 7,9%

The audit findings highlight a significant need for translation and interpreting services to ensure that clients are served in their home languages.

8. POLICY RECOMMENDATIONS

The following recommendations are made with regard to language usage in the Municipality:

8.1 Official languages of Tshwane

Taking into account the Census 2001 figures on home language usage and the preferences of the residents of Tshwane and the provincial options proposed in the draft Language Policy of the Gauteng Provincial Government (30 April 2004), it is recommended that the Municipality adopts the following six languages as official languages:

- Afrikaans;
- English;
- Sepedi;
- Xitsonga;
- Setswana; and
- isiZulu

The Municipality must also make every effort to use the other official languages of the Republic of South Africa, including South African Sign Language (SASL), on request. The Municipality must furthermore provide Braille documents for specific communication events where practicable.

It should however, be noted that the Municipality's official languages will be reviewed based on the results of Tshwane-wide language and communication audits or surveys which will be conducted in future.

8.2 Internal spoken communication

8.2.1 Any of the official languages of the Municipality may be used in spoken intradepartmental and interdepartmental communication, provided that all involved in the communication event understand the language(s) being spoken.

8.2.2 English is recommended as the working language in spoken intradepartmental and interdepartmental communication. Another official language of the Municipality may be used, provided it is understood by all parties involved in the communication event.

8.2.3 Any of the official languages of the Municipality may be used in any debates or proceedings of the Council. The Municipality must therefore provide for simultaneous interpreting from and into the official languages of the Municipality.

8.2.4 In general, disciplinary hearings, job interviews and performance assessments in the Municipality will be conducted in English, provided that translation and interpreting services are made available for those who cannot speak or understand English.

8.3 External spoken communication

8.3.1 The Municipality must, in its spoken communication, strive to serve all its clients in the language(s) of their choice.

8.3.2 If staff members are not available at a customer care centre, pay point, clinic or other public venue of the Municipality to assist clients orally in their language of choice, liaison interpreters must be used to assist them. Where necessary, every effort must be made to utilise interpreting services (consecutive, simultaneous, telephone and whispered) where practicable.

8.3.3 The Municipality must provide liaison interpreters if important or strategic information is to be conveyed orally to groups of multilingual residents at public events organised by the Municipality (e.g. Indabas or health izimbizos of the Social Development Department).

8.4 Internal written communication

8.4.1 To promote operational efficiency, English should be the working language of the Municipality, and translations into the other official languages of the Municipality will be made available on request.

8.4.2 The Municipality must provide translation services on request for intradepartmental and interdepartmental written communication.

8.4.3 Translation services must be made available on request to translate motions presented at Council meetings into any of the official languages of the Municipality.

8.4.4 The Municipality's policies, procedures, conditions of service, strategic circulars, important human resource information, health and safety information and other strategic documents must be made available in all the official languages of the Municipality.

8.4.5 The Municipality must provide multilingual liaison interpreters from among its own staff to assist illiterate staff in gaining access to municipal information. Liaison interpreting should be seen as a mechanism to support written communication.

8.4.6 Although no employee of the Municipality may be prevented from using an official language of his or her choice at any given time, all municipal documents that need to be archived must, for practical administrative reasons, be available in the original language and English as the language of record.

8.4.7 The use of plain language in internal municipal documents must be encouraged to facilitate understanding and improve communication.

8.5 External written communication

8.5.1 All official notices, statements, tariffs, by-laws, regulations, policies, advertisements, etc. issued or published by the Municipality for public consumption must be made available in all the official languages of the Municipality, where practicable and financially viable.

8.5.2 The Municipality must provide multilingual liaison interpreters from among its own staff as a mechanism to supplement written communication and assist illiterate clients in gaining access to municipal services and information. The liaison interpreters must be used for liaison interpreting at customer care centres, pay points, clinics or other public venues of the Municipality if multilingual staff members are not available for this purpose.

- 8.5.3 The Municipality must make every effort to promote multilingualism on its website and in its external publications by using all the official languages of the Municipality.
- 8.5.4 All external correspondence of the Municipality must be translated into the official language in which the original communication was received, provided that an English translation of the document is archived for municipal record purposes and possible legal proceedings. The Municipality must inform the client that the English text will be used in the legal proceedings.
- 8.5.5 All external documents of the Municipality (and especially letters) must carry a sentence at the foot of the page stating that the document can be made available in any of the official languages of South Africa, and the corporate identity manual of the Municipality must stipulate this as a requirement.
- 8.5.6 All municipal documents that need to be archived must, for practical administrative reasons, be available in English as the language of record.
- 8.5.7 English must be used by the Municipality for international communication, but the Municipality must make translation services available for ad hoc communication in the preferred language of the country concerned.
- 8.5.8 The use of plain language in external municipal documents must be encouraged to facilitate understanding and improve communication.

8.6 Municipal signage

The Municipality must give due consideration to the language preferences of local communities when erecting local road signs and direction signs. All identification signage, direction signs and road signs relating to municipal buildings, services, facilities, infrastructure and vehicles must be in all the official languages of the Municipality where practicable. Where this is not practicable owing to financial constraints, a bilingual policy (English and another official language of the Municipality) may be adopted, provided that English is the one language and the other is the dominant language of the area concerned.

8.7 People with language disabilities

The Municipality must, on request and where practicable provide for the needs of people with language disabilities.

8.8 Training at the Municipality

- 8.8.1 The medium of instruction for municipal training will be English, provided that the principle of functional multilingualism is applied where practicable. A presenter may for instance, use any of the Municipality's other official languages, depending on the language usage and preferences of the students. In all circumstances, consideration must be given to the desired outcome (i.e. effective training).

- 8.8.2 The oral component of any municipal programme or campaign directed at improving the well-being of employees must be conducted in all the official languages of the Municipality, e.g. videos for the internal information channel.
- 8.8.3 To serve the public effectively, employees of the Municipality must be encouraged to learn, in an organised manner, the official languages of the Municipality that they do not know, as well as South African Sign Language.
- 8.8.4 The Municipality must organise training programmes and refresher courses for its employees to assist in the development of their skills in using the official languages of the Municipality, so that they can render an effective and efficient service to communities.
- 8.8.5 Translation services must be made available to translate internal training and course material into any official language of the Municipality at the request of trainees.
- 8.8.6 To improve access to training and to improve communication between trainees and trainers, trainers and course designers must be encouraged to use plain language in their training manuals.

9. IMPLEMENTATION STRATEGY

A phased-in approach will be adopted to successfully implement this policy, taking into account the financial and human resource implications. This approach will ensure that there is enough time to build capacity to implement the process on a full scale. Another reason for the phased-in approach is to make room for evaluating and monitoring the policy. This will help to ensure that the implementation of the policy is regularly reviewed and that corrective measures are taken at set intervals.

The following strategies will be employed to ensure the successful implementation of this policy:

- 9.1 The Municipality must establish a panel of interpreters to give effect to functional multilingualism;
- 9.2 Information documents must be translated into the official languages of the Municipality;
- 9.3 The Language Services Unit must create terminology that will help develop the official languages of the Municipality, especially the four official African languages;
- 9.4 Mayoral Committee and Council reports must be edited to ensure that appropriate language is used in these documents;
- 9.5 Training in all official languages of the Municipality must be offered to employees who require this for effective service delivery to different language communities; and

- 9.6 The TISSA pilot project will be undertaken as a way of facilitating communication in clinics and some customer care centres in the Municipality.

10. CAPACITY BUILDING

- 10.1 The implementation of this policy will result in an increase in the demand for translation, editing, terminology development and interpreting services in the four official African languages of the Municipality. The increased demand will result in the need for further training in language skills.
- 10.2 In an effort to build capacity for the municipal language services, the Municipality must, in accordance with its bursary policy, offer bursaries to students to study one or more of the official languages of the Municipality at tertiary level.
- 10.3 To give effect to functional multilingualism, the Municipality must provide liaison interpreters, and must provide training opportunities for departmental liaison interpreters (e.g. short courses in liaison interpreting).

11. LANGUAGE STRUCTURES

This policy will be implemented collaboratively by different language stakeholders and the following are the expected roles that will be played by the major language stakeholders:

11.1 Language Services Unit

To ensure the successful implementation of this policy, the Language Services Unit will—

- facilitate and coordinate the implementation of this policy by providing the translation, editing, interpreting, language training and terminology development services;
- conduct regular language surveys and audits to assess the appropriateness of the existing policy and practices of the Municipality and make recommendations for the improvement of the policy and practices;
- raise awareness of the policy to ensure compliance;
- report annually to the relevant language control bodies (i.e. the National Language Forum and PanSALB) on progress with the implementation of the policy; and
- raise awareness among municipal employees and residents of the role of PanSALB as the official watchdog and protector of their language rights, and among departmental and divisional heads of the need to avoid using

one language at the expense of the other official languages and so violate the language rights of employees and residents.

11.2 Other language stakeholders

The Language Services Unit will work in collaboration with other language structures such as the Department of Arts and Culture, the Gauteng Department of Sport, Arts, Culture and Recreation, PanSALB, Institutions of Higher Learning and the National Language Forum to –

- monitor the use of the official languages of the Municipality in all municipal departments;
- monitor the implementation of the policy;
- initiate and sustain a vibrant discourse on multilingualism in all communities; and
- initiate studies and research on –
 - the development of the official languages of the Municipality;
 - the attitude of municipal employees and Tshwane residents towards multilingualism;
 - the acquisition and use of the official languages in the Municipality;
 - the promotion of multilingualism in Tshwane; and
 - the optimisation of the use of the language resources of the Municipality.

12. POLICY REVIEW

- 12.1 The Municipality must conduct regular internal and external language preference and proficiency audits to determine the linguistic needs and linguistic capabilities of municipal officials and of Tshwane residents.
- 12.2 The Language Services Unit must use the results of these audits to revise and update the policy.
- 12.3 The Language Services Unit must regularly assess the implementation of the policy and effect the required changes.