

ANNUAL REPORT 2017



OMBUD'S OFFICE
UNIVERSITY OF CAPE TOWN

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Umyalezo ovela kwiOmbud

Imeko kwinkalo yemfundo ephakamileyo iyaguquka; imiqondiso yoko ibonakala ndawo zonke. Amava ale minyaka mithathu idlulileyo abonakalisa ukuba kubantu abaninzi amaziko emfundo ephakamileyo kulo lonke eli lizwe, akazondawo zihlaleka kamnandi. Ngenxa yeminyaka emithathu elandelelanayo ebithwaxwa luphazamiseko olukhulu ebelubangwa luqhankqalazo, ekupheleni kuka-2017, i-UCT namanye amaziko emfundo ephakamileyo, okokuqala kwimbali yemfundo yamva-nje, aye akhupha abafundi abagqibe izidanga zeminyaka emithathu, bengazange bawugqibe unyaka wezifundo owakhe waya kuphela “ngokwesiqhelo”. Ezi meko ke zaye zazala ilahleko ezibonakalayo, kodwa ke ngenx’ enye kwaye kwabakho nezifundo ezazifundisayo.

Ndinethemba lokuba abafundi, ngakumbi abo basashiyekileyo eyunivesiti, bayalwamkela uxanduva lokuvakalisa izimvo neembono zabo ngendlela enengqiqo, enengqinisekiso nengenazoyikiso. Ngakwicala leeyunivesiti ke, ndiyathemba ukuba ngokumamela nangokuzibhenca, ngokuzisabela iinkxalabo ezinesihlahla nangokukulungela ukwenza inguqu, zingakwazi ukuzisusa ezinye zeemeko ezingunobangela wokuvuka kweminyele kubafundi.

Uqhankqalazo lwayishiya i-UCT inezivubeko ngezivubeko. Esinye sezo zivubeko ibe kukunyuka kokrokrelwano, ugxe kwano nokujongana ngezikhondo zamehlo okusekeleke kubuhlanga. Zonke ke ezi meko zibanga utshabhiseko lweyona njongo kujoliswe kuyo ekukwamkelwa kolwahlukano kumasango eyunivesiti, zibe nesiphumo esikukwetha konyamezelwano lwezimvo ezahlukeneyo, nesiyiyantlukwano ethukuzayo nesikukunyuka kwamanani ezikhalazo eziziswa kwi Ombud.

Enye ke indlela yokukhawulelana neengxaki kukuzama “ukuzilungisa” nokwenza ibuyambo kwimeko “yesiqhelo”. Le nto ke yenza ukuba imiba icukucezwe ibe yimicwana



engadibenanga, endaweni yokuba ibonwe njengomqondiso wothanda olukhoyo entlalweni ngokubanzi.

Amanye ke amacandelo eyunivesiti, ngokubona ukuba kunzima kubasebenzi ukuba bathathe isiqalo esitsha babheke phambili, aye aququzelela iindibano zokulungisa iingqondo nokuncokola. Abathathi-nxaxheba babesoloko bezifumana ezi ndibano ziziindawo ezinokhuseleko ezazisenza ukuba inyaniso ivakaliseke, kwaye, ngokokutsho komnye umthathi-nxaxheba, “zavula indlela eya ekuphileni kwenene, ngohlobo oluzala inguqu enkulu”. Ndaye ndakonwabela ukuququzelela ezinye zezi ndibano.

Impumelelo yalo naliphi na iziko ixhomekeke isikakhulu, ekubeni likhawulelana kangakanani na neemfuno zawo onke amacandelo alo, ukuze bonke abantu abakwelo ziko bakwazi ukutsala ngaxhatha linye. Impefumlelwano ngomoya wobuhlali ingundoqo wemfezeko yocikizeko lomsebenzi, kananjalo nakoko kunokufundwa liziko elo nakuphuhliseko. Ingekho le mpefumelwano ngomoya wobuhlali, akukwazeki ukuba kungasekwa iziko elisebenza ngobambiswano kwiinzame zokufezekisa iinjongo ezibonwa ngasonye.

Xa ndisitsho ke, andithethi ukuba iyunivesiti kufuneka ukuba izamele ukuba mayibe nentlalo engagingxiziyo, apho kukho uvumelwano kuzo zonke iinkalo. Andikaze ndahlangana nenzwana engenasiphako, nokuba yeyosapho okanye yeyeziko. Ukungabikho kweziphako kungaba yingxaki nako, njengoko abantu benokuyeka ukufunda okanye ukuzamela uphuculeko lwentlalo yabo. Oko kungaba yingxaki emandla ngakumbi eyunivesiti, apho imeko iyedalelwe ukuba ivuselele, ikhuthaze imibuzo neengxoxo-mpikiswano.

Ngokolwam uluvo, ukusuka kule meko inzima ukubheka phambili, iyunivesiti inokuthi isekele koko sele kukhona ngendlela enokuthi ikwenze ngayo oko. UMichael Ray¹ usebenzisa umzekelo wesicengcelezo esingumlalo wabantwana, abanokusikhumbula abaninzi, xa ecacisa izigaba zentlalo, esihamba ngolu hlobo:

1 Michael L. Ray “A metaphor for a worldwide paradigm shift”
Stanford University

“One for the money; Two for the show; Three to get ready; Four to go”

Xa ndinokusebenzisa lo mzekelo ndingathi iyunivesiti ikwisigaba 3, “esisesokulunga/ to get ready”. URay usichaza esi sigaba njengesigaba sokwakhiwa kwentlalo apho “sibeka bucala lonke uhanahaniso nodwekesho, singene nzulu nangonyaniseko kwinkalo apho akhoyo undogo wodlelano loluntu.”

Ngokokubona kwam, ukuza kuthi ga ngoku, omnye wemiqobo ephambili ibilulwamkelo lweemeko eziphuthileyo njengezifanelekileyo, kuthenjelwe kwizinto ezibhaliweyo nakwiimbono zabathile ngokwemeko ekuyiyo. Umbono wona awuthethi, into ethethayo koko kwenziwayo yiyunivesiti. Intlalo eyiyo e-UCT ayizi kuba sisipho esinikwa abantu ngesisa yiyunivesiti, koko iya kuba sisipho ezinika sona iyunivesiti.

Njengoko kwaye kwatshiwo kwiingxelo ezidlulileyo, iNgxelo yoNyaka yimbalo ebalulekileyo yeofisi yam. Indinika ithuba lokuba ndinike inkcazo ngomsebenzi wale ofisi, kananjalo ngaxesha nye ndifundise iyunivesiti ngobukho benkonzo yale ofisi. Ndiyathemba ukuba le ngxelo iyalenza igalelo ngezindululo zayo malunga nophuculo oluhleli lusenziwa kubulali bezigqibo ezithathwayo nakwinkcubeko yoqhagamshelwano phakathi kwabantu bale yunivesiti. Elokugqibela ke, ndiyathemba ukuba ukufunda olu xwebhu kuba lulutho, futhi kuyazichukumisa iingcinga.

Ingeniswa ngembekokazi,



Zetu Makamandela-Mguqulwa

Intshayelelo

Iofisi yeOmbud kwiYunivesiti yaseKapa yiofisi encinane, enogunyaziso olukhulu. Nakubeni kusoloko kuyimfuneko ukuba ichazwe inxaxheba yayo, futhi icaciswe nemfuneko yayo ngamanye amaxesha, sekulithuba yacaciswa ngempumelelo imfuneko yeli linge kumaziko. UNjing. Stephen Owen, usolwazi welaseCanada nowayesakuba yiombud, waye wavakalisa ukuba ingcinga yeombud “sele ibethelelekile njengesixhobo soxanduva lokuphendula phakathi kwabantu kunye neziko elo isebenza kulo.” Iofisi yeOmbud ngumth’ uzimele, futhi onokuba kuphela kweofisi apho uxanduva lokunika ingxelo luzihambela ngomzila othe geqe kwimizila yezinye izigqeba zeyunivesiti.

Eyona njongo iphambili yeofisi yeOmbud kukuncedisa ekufunyanelweni komntu ubulali nolwaneliseko xa esengxingweni yentswela-bulali yeenkqubo zolawulo, nokuqinisekisa ukuba iziphathamandla zeyunivesiti nabo bonke abasebenzi bayalufezekisa uxanduva lwabo. Owona mongo walo msebenzi lufikeleleko, nendlebe engenaxanasi ekumameleni nasekukhawulelaneni nezikhalazo ezivela kubantu ngabantu beyunivesiti. Kule nxaxheba ke, ndikholisa ukungenelela ngenjongo yokufumana ingcaciso eyanelisayo ngamanyathelo athathiweyo, okanye isisombululo esikhawulezileyo, novandlakanyo. Kule yokugqibela imeko ke, ndisenokuthi ndenze isindululo malunga namanyathelo anokuthathwa okuthintela ukwenzeka kwakhona kwengxaki leyo.

Umsebenzi wam ufezekiswa phantsi kweenqobo zobuhlebo, ukuzimela nokusebenza ngaphandle kwizigqeba ezisesikweni. Xa ndiqhuba uphando olungabophelekanga kwiinkqubo ezisesikweni lokufumana iinkcukacha ngomba othile, ndiye ndibuze imibuzo emininzi ngelixa amacala omabini ndiwanika imbeko yawo. Le mbalelwano yeimeyili ingezantsi apha ivela kumsebenzisi wale nkonzo ibonakalisa ulwamkeleko nokuthandwa kwale nxaxheba:

“Enkosi ngokusindisa ingqondo yam ephithizelayo kulo nyaka, nangokundimamela. Akukho namnye (ongomnye) owakhe wathi kum “, yintoni oyifunayo?” xa bendisemsindweni, aze andimamele ngenyameko. Aphinde ke, ngendlela engummangaliso, enze yonke into imke”.

Nangona iombud zingayijongi imicimbi ngokungathi iyashiyana ngokubaluleka, imicimbi ekuziwa nayo kum iyashiyana, kubekho ezizikhalazo ezimandla kakhulu, kubekho ke nezo ndingathi zezomhla nezolo. Zisukela kwimicimbi eyenzeka ngaphakathi eziklasini, ukuchwethelwa bucala, inkxaso-mali, ubuqhetseba, ukubanjwa, ukuphathwa, ikholwane elivuyelelayo namatikiti ezohlwayo zokumiswa kwezithuthi. Ubuninzi beombud buyayivuyela imiba efana namatikiti ezohlwayo zokumiswa kwezithuthi ngokungekho mthethweni, njengoko akhe azise umahluko oluphumzo kwiimini zethu eofisini.

Owona msebenzi weOmbud ungundoqo kukuseka ubudlelane obaneleyo namaqela ngamaqela abachaphazelekayo, ukuze ubonwe unobulali, futhi usebenza ngendlela enobulali, nokubonwa usebenza ngendlela enofikeleleko nekhoholiso. Ukuze ke kufezekiseke oku, kubaluleke kakhulu ukuba ekusebenzeni kugcinwe umgama ofanelekileyo phakathi kwakho nabo usebenza nabo. Kungeso sizathu ke le nto ugunyaziso lweeombud lungajika-jiki, khona ukuze abo benza lo msebenzi bangaziva bethe zava kakhulu, bangaxhathisi ngobudlelane ababusekileyo, baze baphethe “sebebambeke ngobhongwana”, okanye sebebomakala njengabo “babambeke ngobhongwane”.

Mna njengeOmbud yase-UCT, ndikwindawo entle yokuba “nendlebe” kwiinkalo zonke zeziko eli, nangaphaya kwemida. Iindwendwe zindixelela ukuba, ekuzeni kuthetha nam ngemiba ezidlalayo, zitsalwa kakhulu ngumgangatho wobuhlebo nowokuzimela. Njengeofisi engenasigqeba yayamene naso, inxaxheba yam ibandakanya ukugcina iyunivesithi iphantsi koxanduva lokuphendula, futhi iziqonda ngokupheleleyo iinqobo zayo ezilixabiso kuyo. Le ngxaxheba ifuna ukuzimela kangangoko, nokukwazi ukulungelana neemeko zonke, nobuchule bokuyila obuninzi, ubukhalipha kunye nobulumko.

Isikhulu undwendwe olundizisele isikhalazo lukholisa ukuba ngumntu onobudlelane obungenalngano nalowo lumkhalazelayo. Kwezi ndidi zeengxelo zingezantsi apha, ubuninzi bobudlelane bungachazwa njengobabo “banobudlelane bonxulumano” (Evaluative relationships). Inxaxheba yam ke njengeOmbud kukuba ndibe ngumlungelelanisi kubudlelane ngamagunya, ndisebenzisa iinqobo zeyunivesithi ezilixabiso, nobulungisa bendalo. Kuyafuneka ke kambe, ukuba mandikhokelwe nazizimiselo ezibekiweyo kugunyaziso lwale Ofisi, oko kukuthi, ukuzimela, ubuhlebo, ukusebenza ngaphandle kwiinkqubo zezigqeba ezisesikweni nokungathathi cala. *[Ugunyaziso olupheleleyo lungajongwa kwiSihlomelelo A]*

Ukusebenza ngaphandle kwizigqeba ezisesikweni

Le ofisi ibambe nkqi kulo mgangatho wenkqubo, ngenjongo yokuqinisekisa ukuba iindwendwe ziziva zikhuselekile ukuba zingathetha, zisazi ukuba iinkcukacha zazo ziya kuhlala ziziindaba zakwamkhozi, futhi azinakuchaswa kwiinkqubo ezisesikweni. Ngamanye amaxesha abasebenzi abakwizikhundla zolawulo baye bangaxoli xa besiva ukuba akukho zinkcukacha ziya kudizwa kule ofisi, iinkcukacha ezo ezizezemiba abafuna ukuyiqonda, khona ukuze zifakwe kumarekhodi, zize ke zibenze babenakho ukukhawulelana nengxaki leyo, nasemva komcimbi lowo bezivele kuwo. Ndiyathemba ke ukuba ngeenzame zam zokuya kufikelela ebantwini, amaqela ngamaqela abachaphazelekayo aya kuziqonda izizathu zokuba ndingabinakho ukuzikhupha iinkcukacha ngemicimbi eqwalaselwa yile ofisi.

Indlela abathi bakwazi ngayo abantu ukuza kufika kule ofisi

Emva kwayo yonke le minyaka, naphezu kwazo zonke ezi nzame zokuya kufikelela ebantwini, kusekho abafundi nabasebenzi abangenalwazi ngeofisi yeOmbud, de kube lelo xesha bazifumana besengxakini ethile. Ayimangalisi noko ke loo nto ngakwicala labafundi nabasebenzi abafikayo, kodwa ikwanjalo nakwabanye asebe neminyaka bese-UCT. Kwiimeko

ezinje ke, umhlobo okanye amakholwane bangathi bacebise ngale ofisi njengesixhobo esiluncedo.

Asizozikhalazo zonke eziye zisonjululwe ngendlela emanelisayo lowo ubefake isikhalazo, kodwa ke, nokuba sithini na isiphumo, le ofisi izama ukuqinisekisa ukuba abantu abeza kuyo baye bafumanise ukuba bayamanyelwa, futhi baye baqonde nokuba izikhalazo zabo noko ziye zafumana uqwalaselo lozimeleyo. Loo ndlebe imamelayo ibaluleke ngakumbi kwiimeko zamaxesha anzima. Kananjalo ndizamela ukuba ndiqinisekise ukuba amacandelo namasebe ezifundo ayabuthemba ubulali nokuzimela komsebenzi wale ofisi. Xa ubudlelane phakathi kwezi yuniithi neombud busebenza kakuhle, isiphumo asanelisi kuphela nje lowo ungumfakisikhalazo, koko sanelisa nalowo ebekhalazelwa, onokuthi ke asebenzise izindululo zam nengxelo yam ekuphuculeni inkonzo abayinikayo.

Ukulungisa iimeko nguyena ndoqo womsebenzi wale ofisi yam. Okokuqala, oku kumalunga nabantu abathe bakhalaza ngeenkonzole zeyunivesithi le, baza abafumana luqwalaselo lubakholisayo. Ndiye ndizijonge izikhalazo, kuze kuthi ke ukuba ndifumanisa ukuba ngenene ukhona undonakele, ndijolise ekubabuyiseleni kuloo meko ngebekuyo ukuba ubengakhangabekho loo ndonakele. Ukuba ngaba ndifumanisa ukuba akukho kusilela kuye kwabakho

“Zetu othandekayo

Aba bafundi balandelayo baza kubuyiselwa iintlawulo zabo zika-2016 XXXX. IOfisi yeCandelo yethu iwuqwalasela ngongxamiseko kangangoko lo mcimbi, futhi aba bafundi iza kubathumela izaziso ezineenkukacha ezipheleleyo. Ndiqhagamshelene naba bafundi balandelayo, ndibazisa ngesi sigqibo:

A, B and C

Ndiyacinga babini abafundi abaye beza kubhenela kuwe, kodwa ke bobathathu banombulelo kuwe ngokuthi usazise ngalo mba. Ndiyabulela ke ngokuthi oko ukwenze ngendlela yobukholwane nejolise kwisisombululo. Ekuqaleni phaya bekungabonakali ngathi sikhona isihlahla kwesi sibongozo saba bafundi, kodwa ke uphando oluthe lwenziwa neengxoxo ekuye kwangenwa kuzo emva koko, ziye zabonisa ukuba ngenene sikhona isihlahla”.

Ngemibuliso,
XXX

ngakwicala leyunivesiti, ndiye ndizame ukumnika inkcazelo ebhetele umfaki-sikhalazo lowo ngezi zehlo ziye zakhokelela ekubeni abe nokunganeliseki. Iimeko ezilolu hlobo ziyeminye imizekelo eye indicacisele kakuhle nje ukuba isikakhulu amazinga okuthembana asezantsi, futhi nobulali besiphumo kwimeko ethile asinto buqinisekileyo ubukho bayo, njengoko kufanele ukuba njalo kakade.

Xa ndiqwalasela izikhalazo ezikuvelisayo ukusilela, ndiye ndizame nokufumanisa ukuba ngaba kutheni izinto zingahambi ngendlela nje. Ukuba ngaba lusilelo nje olungelulo olomhla nezolo, kusenokungabikho nto iyenye inokwenziwa, ngaphandle nje kokuphakamisa indlela yokukhawulelana nomfaki-sikhalazo lowo. Kambe ke, kumaxesha amaninzi kuye kufumaniseke ukuba oko bekuye kwenzeka kumntu othile kungenzeka lula nakwabanye.

Kwezinye iimeko, kusenokuthi kanti akho amadlala akhoyo kwimisebenzi neenkqubo afuna ukususwa, apho ke ndiya kuthi ndibambisane neso sigqeba sichaphazelekayo ekuqinisekiseni ukuba ziyenziwa ezo nguqu zifanele kwenziwa. Okokugqibela, kwezinye iimeko kuya kuthi kucaze ukuba kuye kubekho intswela-bulungisa engeyoyangabom, ngenxa yomthetho othile okanye yokungabikho kwawo, apho ke ndiye ndiyazise iNtloko yeCandelo, uMlawuli oPhetheyo, (Executive Director) okanye uMbhalisi (Registrar) njl, ngokwalowo uchaphazelekayo.

Le micimbi ichazwe ngezantsi apha ikwagxininisa nenye inkalo yomsebenzi wethu, inkalo leyo ekukuzama ukufumana izisombululo kwimicimbi, endaweni yokuba kusungulwe uphando olusesikweni. Iyunivesiti yona yenza uphando ngokusesikweni; olwam ugunyaziso kukuba ndiqhube uphando olungayamisekanga kwiinkqubo ezisesikweni, ukuze ndikwazi ukuba nomqondo osekeleke kulwazi ngeso sikhalazo sithe saziswa eofisini yam. Kukho amaxesha apho imibuzo yam iye ingaginyeki kamnandi, inyuse neminyele yokuzikhusela, ede ibandakanye nokucetyiswa kwabanye ukuba bangezi xa ndibabizela ukuza kuphendula. Le nto ke ndiyikhaba ngawo omane, njengoko iofisi yam inenxaxheba ecacileyo efanele kuyithatha, futhi ingenakuthityaziswa zizimvo zabo bajonge nje iziqu zabo kuphela, naziimbono ezigwenxa ngeenjongo zeofisi yam. Oku kuphandela ngasemva kusenokuba nobungozi kwiofisi yam, kubange nolibaziseko ekulungisweni kweemeko. Akukho ke kugunyaziso lwam okuthi mandiphululane nabo bacinga ngeziqo zabo okanye mandibacingele abo bakrwada, sekwagqitywa kudala ngabanye abantu ukuba mababanyamezele. Asinto ilungileyo ukuba umntu abeke amakholwane akhe phantsi kwezimo ezilolu hlobo, futhi ingekho nemfuneko yokuba amakholwane makanyamezelane nabavuyeleli, baze babephantsi kongcungcutheko emisebenzini yabo, babuye bagxeke iyunivesiti ngokungabakhuseli.

Kukho iqhalo lesiXhosa elithi, “*usana olungakhaliyo lufela embelekweni*”. (Lit. A baby who does not cry, dies on its mother’s back). Masithi ke abantu bayakhawuleza ukukhala, ngaba iinkokeli zeyunivesiti ziyakhawuleza ukumamela nokungenelela – nokuba zezamacandelo okanye ezamasebe ezifundo okanye kwelinye nje inqanaba? Ngaba iinkokeli zeyunivesiti

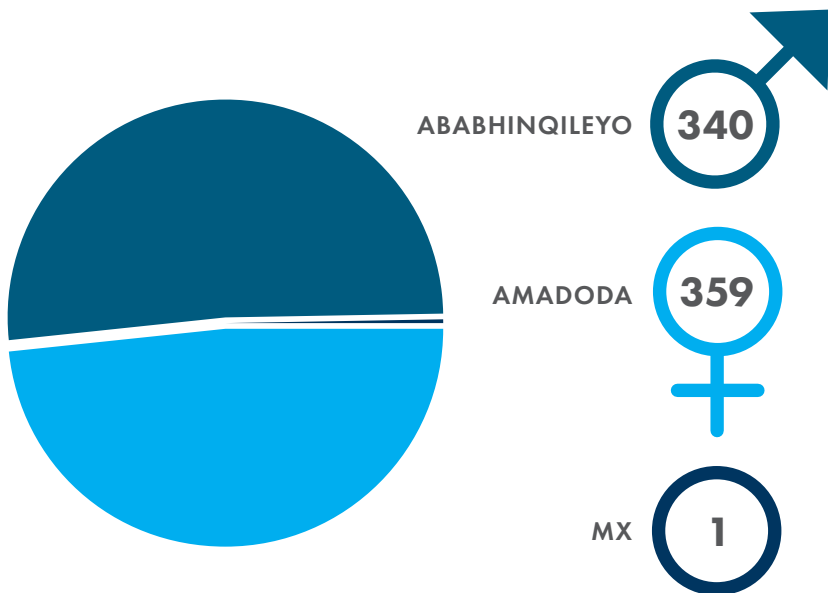
ziyafumaneka, zinike abaphathi bazo inkxaso ekulungiseni iimeko, ngezixhobo ezifana nemigaqo-nkqubo neenkqubo? Ngelishwa ke, andisoloko ndiqiniseka ngenkxaso yeyunivesiti kule meko. Umzekelo, sele kuyiminyaka emine ephelileyo ukusukela oko ndathi ndenza isindululo sokuba iyunivesiti mayiqulunqe umgaqo-nkqubo malunga novuyelelo. Kambe ke ukuza kuthi ga ngoku, lo mba usekwisigaba sothethwano namacandelo. Kungekho luxwebhu lugunyazisa ngokusesikweni olufana nomgaqo-nkqubo, abavuyeleli bayadabalala, bawanyuse amanani amakhoba abo, ngelixa bengcungcutheka abanye, bakhuphele imisindo yabo kwabanye abantu, into leyo ezala ungquzulwano olungancothulekiyo.

Mandongeze ke nendawo yokuba iofisi yam ifumana intsebenziswano enkulu kakhulu kubuninzi babasebenzi bale yunivesiti nakwiinkokeli zayo, nokuba abo basebenza neofisi yam bayinike inkaso bayalazi ixabiso layo. Akukho nkunzi ingagqumiyo kobayo ubuhlanti, kodwa ke uthi uze uvakale kamnandi lo mgqumo wayo bubonakale nobo buhlanti igquma kubo. Ngeso sizathu ke, ngezantsi apha ndandlala amanani-nkcukacha azoba umthamo womsebenzi owenziweyo ngo-2017.

Ushwankathelo Lwamanani-nkcukacha

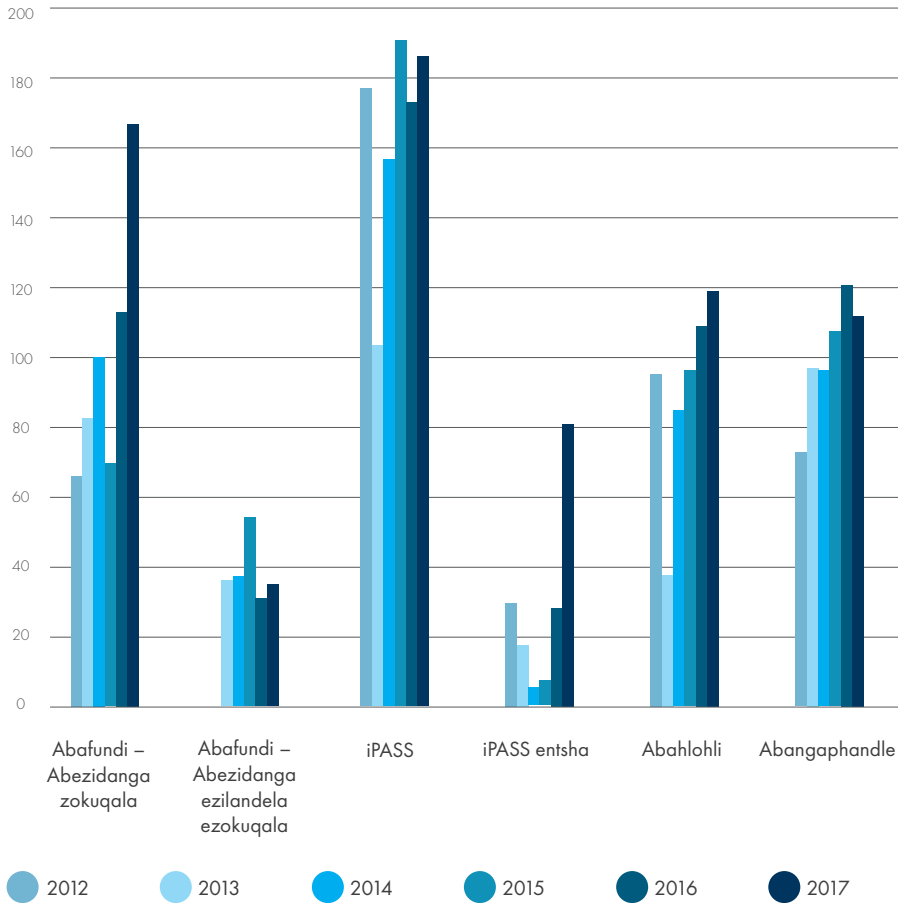
Kwingxelo yango-2016, ndaye ndachaza izizathu ezithathu zokuba kwenziwe iNgxelo yoNyaka. Esesibini sasisithi (ingxelo) ibonelela ngovandlakanyo olusemthethweni lokuqhubeka eyunivesiti, kananjalo inika iinkcukacha ezenza ukuba abaphathi nabalawuli babe nokunikwa uxanduva lokuphendula ngezinto ezithe zenziwa okanye azenziwa apha ekuhambeni konyaka lowo.

Nangona ikukuzithembisa ngelize ukuthemba ukuba zingasombululeka zonke iingxaki ezithi zibekho kumasango eyunivesiti, kuyakwazeka kona ukuzimisela ekuyiveliseni imiba nokuzama ukuzibeka esweni nokuzinika ingqwalasela iimeko zongquzulwano xa zithe zavela. Enye yeendlela ekwenza ngazo oku iofisi yam kukusolo iwulandela umkhondo ezihamba ngawo izinto nowokumila kwemiba eziswa kwiofisi yeOmbud. Ngo-2017, lilonke inani leendwendwe liye kufika kuma-700, xa kuthalekiswa nama-583 ango-2016.



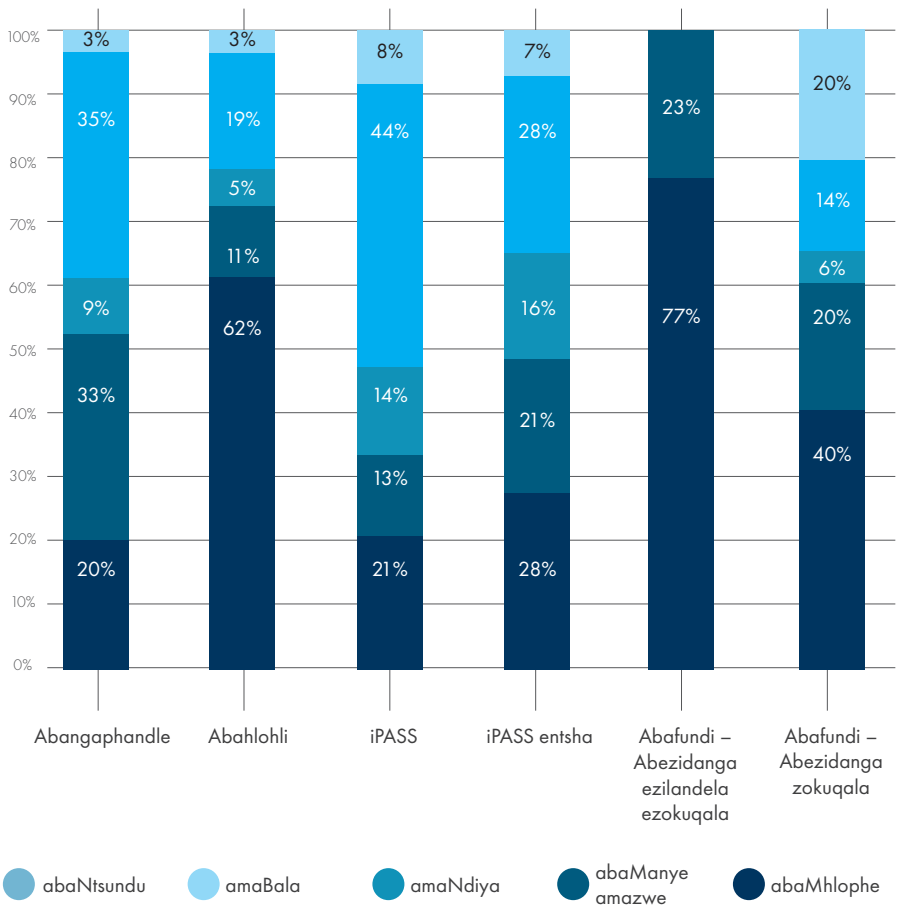
IGRAFU 1: Ulwahlulo lweendwendwe ngokwesini

Njengakwiminyaka engaphambili, ulwahlulo ngokwesini, yi-50% kumadoda, ngokunjalo nakumabhinqa, kuze kubekho undwendwe olunye olwathi lona alwazahlula ngokolu lwahlulo lwesini lunkalo-mbini.



IGRAFU 2: lindwendwe ngokwamaqela ezivela kuwo, 2012 ukuya ku-2017

IGrafu 2 ibonakalisa ukuba ulwahlulo lweendwendwe ngokwawo onke amaqela ezivela kuwo luyafana noluka-2016, lwahluke nje phaya naphaya. Ngakwicala lokufana, iqela iPASS lelona lelona liye laba nawona manani eendwendwe aphezulu kule minyaka yomibini, ngelixa abafundi bezidanga zobugqirhalwazi nabezasemva kwezobugqirhalwazi babe nawona manani aphantsi (manani lawo adityanise ku “Bafundi bezidanga ezilandela ezokuqala”). Kule minyaka yomibini abasebenzi bePASS, abafundi bezidanga zokuqala kunye nabahlohli (abafundisayo noninzi lwabenza uphando, xa bedibene, baye benza izahlulo zesithathu ezibini zamanani eendwendwe zizonke.



IGRAFU 3: Amaqela eendwendwe ngokobuhlanga, ku-2017

Ngokuphathelile kumahluko phakathi kwale minyaka mibini, kukho ukunyuka kwamanani okungayelelananga kubafundi bezidanga zokuqala nabasebenzi “abatsha” bePASS (abathathwe apha ngaphakathi) ngo-2017, kodwa kubekho ukhula kwamanani okungayelelananga kwiqela labathathwe ngaphandle. Uninzi lweendwendwe kweli qela likhankanywe mva ngabazali babafundi.

IGrafu 3 ubonakaliso ulwahlulo ngokobuhlanga kwiqela ngalinye leendwendwe eziphambili ngo-2017. (Abafundi bezifundo ezilandela ezobugqirhalwazi babotshwe ngebhanti enye nabezidanga ezilandela ezokuqala, njengoko amanani abo esezantsi kakhulu ukuba angahlulwa ngokwahlukeneyo kolu hlalutyo.) Le grafu ibonisa ulwahlulo ngokobuhlanga kumaqela ngamaqela. Kubasebenzi bePASS entsha, ngaphaya kwezihlulo zesine ezithathu zeendwendwe ibingabaNtsundu, njengokuba bekuphantse ukuba njalo nakwizahlulo

zesithathu zeendwendwe ezingabafundi bezidanga zokuqala nakwi-40% yabafundi bezidanga ezilandela ezokuqala. Kanti ke ngenx’ enye, iindwendwe zabaNtsundu zibe malunga nesahlulo sesihlanu kubasebenzi bePASS nakubahlohi. Iindwendwe ezingabeBala zixhaphake kakhulu kubasebenzi bePASS. Iindwendwe ezingabaMhlophe zixhaphake kakhulu kubahlohi nabasebenzi bePASS, zilandelwe ziindwendwe ezivela ngaphandle. Iindwendwe ezingamaNdiya ziye zangaphaya kwe-10% kumaqela abavela ngaphandle nakubahlohi. Ubuninzi kolu hlobo lokuhamba kwezinto isikakhulu bubonakalisa usasazeko ngokwamaqela ahlukeneyo ezivele kuwo iindwendwe.

IiNkalo Zokunikwa kweNgxelo Ezivunyiweyo ze-International Ombudsman Association ngeMiba / ngeNkxalabo

IiNkalo neeNkalwana (ezilungiselelwe i-UCT)

1. IMbuyekezo, iintlawulo, aMawonga neMibulelo: Imibuzo, iinkxalabo, imiba okanye imibuzo malunga nobulali, ufaneleko noLwamkeleko lwembuyekezo yabasebenzi, iintlawulo nezinye iinkqubo zeentlawulo.	
a. Imbuyekezo – Izinga lomvuzo, isixa somvuzo, ulwahlulo lwemivuzo yomsebenzi/inqanaba, okunye.	78
b. Intlawulo – Ulawulo lwentlawulo, uqhagamshelwano olunxulumene nentlawulo..	11
c. Amalungelo – Izigqibo ezimalunga nonyango, amazinyo, ubomi, ikhefu/ ikhefu lokugula/lwezosapho/lokufunda, ikhefu lokuphucula izifundo, imfundo, iiyure zomsebenzi, inqanaba lewonga longaphandle, njl	87
d. Umhlalaphantsi, ipenshoni – Ukufaneleka, ukubalwa kwesixa, amalungelo omhlalaphantsi, imiqathango yokuhlululwa..	4
e. Amalungelo anxulumene nokwenziwa komsebenzi	71
f. Inshorensi – Impilo, IOD, nokunye.	3

g. Imfundo yabaselula, Ulondolozo lwabantwana	0
h. Amawonga, Ukuvunywa	7
2. Ubudlelane babanoxulumano – Imibuzo, iinkxalabo, imiba okanye imibuzo phakathi kwabantu abanobudlelane (oko kukuthi, umphathi -umsebenzi, umhlohli-umfundi, ikholwane-ikholwane, umfundi-umfundi).	
a. Eziphambili ngokubaluleka, linqobo, linkolelo – Iiyantlukwano malunga noko kufanele kubonwa njengokubalulekileyo – okanye kubaluleke kakhulu – okusoloko kusekeleke kwiinkolelo ngentsulungeko	256
b. Imbeko, Impatho – Ukubonakalisa ukuziphatha okungafanelekanga, ukungabakhathaleli abanye abantu, ubukrwada, ukungaqhuqheki, njl.	255
c. Imbeko, Impatho – Ukubonakalisa ukuziphatha okungafanelekanga, ukungabakhathaleli abanye abantu, ubukrwada, ukungaqhuqheki, njl.	259
d. Intembeko, Ubulumko – Ukukrokrela ukuba abanye abantu abanyanisekanga, nokuba kungokwezinga lokunyaniseka anqwenela ukuba babekulo umntu, njl	219
e. Uqhagamshelwano – Umgangatho okanye kunye nobungakanani boqhagamshelwano.	259
f. Uvuyelelo, Ubugwili – Ungcungcuthekiso, izoyikiso okanye kunye nonyanzeliso.	104
g. Okuphathel el kulwahlukano – Izimvo okanye ukuziphatha okubonwa ikokokungabacingeli abanye abantu, ezigwenxa okanye ezokunganyamezeli ngenxa yolwahlukano ngobubani, ezifana nolwahlukano ngobuhlanga, ngesini, ngobuzwe, ngokwesini esikhethwayo, ngokhubazeko, ngenkolo, PASS vs abahlohli, inqanaba, icandelo kwezemfundo	244
h. Impindezelo –Izenzo zempindezelo esuka kwizinto ezidlulileyo ezenziwayo okanye ezathethwayo, ekudizweni.	62
i. Ubudlova – Obenzekayo okanye izoyikiso zokwenzakalisa.	51
j. Imisebenzi, lishedyuli – Ukufaneleka okanye ukuba nobulali kwemisebenzi, umthamo womsebenzi olindelweyo.	227
k. Ingxelo – Ingxelo okanye ulwamkeleko olubonakaliswayo, okanye iimpendulo ngenxelo enikiweyo.	239
l. Uvandlakanyo lokwenziwa komsebenzi/Uhlelo ngenqanaba – Ukwenziwa komsebenzi kuvandlakanyo olusesikweni okanye olungabophelelekanga kwimigaqo-nkqubo.	122
m. Uhlelo ngokwamanqanaba – Ukwenziwa komsebenzi wokuhlohla kuvandlakanyo olusesikweni okanye olungabophelelekanga kwimigaqo-nkqubo.	78
n. Imeko yesebe – Izimo, izithethe okanye iingqondo ezibokaliswayo kwisebe elo liluxanduva lwabaphathi okanye lwabahlohli.	205

o. Imfezeko yokuphatha – Ulawulo lwesebe okanye lwegumbi lokufundela, ukusilela ekuqwalaselweni kwemiba.	162
p. Ukungathobeli – Ukwala ukwenza oko kuyalelweyo.	112
q. Imfezeko yokuziphatha – Ukufaneleka, ukugcina ixesha, iimfuneko, ezinye iindlela zokwenziwa kwezinto, okanye okunokukhethwaor options for responding.	122
3. Ubudlelane boontangadini nobamakholwane – Imibuzo, iinkxalabo, imiba okanye imibuzo phakathi kwabantu abanobudlelane (umzkl umanejala-umsebenzi, umphathi-umfundi, icandelo lezifundo-umfundi, icandelo lezifundo-PASS, icandelo lezifundo/ PASS-konikwe abangaphandle, ikholwane-ikholwane, umfundi-umfundi).	
a. Eziphambili ngokubaluleka, linqobo, linkolelo – Iiyantlukwano malunga noko kufanele kubonwa njengokubalulekileyo – okanye kubaluleke kakhulu – okusoloko kusekelek kwiinkolelo ngentsulungeko.	100
b. Imbeko, Impatho – Ukubonakalisa ukuziphatha okungafanelekanga, ukungabakhathaleli abanye abantu, ubukwada, ukungaqhuqheki, njl.	100
c. Intembeko, Ubulumko – Ukukrokrela ukuba abanye abantu abanyanisekanga, nokuba kungokwezininga lokunyaniseka anqwenela ukuba babekulo umntu, njl.	101
d. Igama – Ifuthe elinokudalwa ngamarhe okanye nentle bendwane ngemiba yomsebenzi okanye ngomntu.	98
e. Uqhagamshelwano – Umgangatho okanye kunye nobungakanani boqhagamshelwano.	101
f. Uvuyelelo, Ubugwili – Ungcungcuthekiso, izoyikiso okanye kunye nonyanzeliso.	89
g. Okuphathelele kulwahlukano – Izimvo okanye ukuziphatha okubonwa ikokokungabacingeli abanye abantu ezigwenxa okanye zokunganyamezeli ngenxa yolwahlukano ngobubani, ezifana nolwahlukano ngobuhlanga, ngesini, ngobuzwe, ngokwesini esikhethwayo, ngokhubazeko, ngenkolo, PASS vs abahloli, inqanaba, icandelo kwezifundo, njl.	104
h. Impindezelo –Izenzo zempindezelo esuka kwizinto ezidlulileyo ezenziwayo okanye ezathethwayo, ekudizweni.	25
i. Ubudlova – Obenzekayo okanye izoyikiso zokwenzakalisa.	22
j. Imeko yesebe – Izimo, izithethe okanye iingqondo ezibokaliswayo kwisebe elo liluxanduva lwabaphathi okanye lwabahloli.	96

4. Ukuqhuba nophuhliso lwemisebenzi efundelweyo – Imibuzo, iinkxalabo, imiba okanye imibuzo malunga neenkqubo zolawulo nezigqibo ngokuqala kunye nokuyeka emsebenzini nokuba ubandakanya ntoni na umsebenzi lowo (oko kukuthi ugayo lwabasebenzi, uhlobo nendawo yomsebenzi, ukhuseleko lomsebenzi nokuyeka).	
a. Iinkqubo zezicelo zomsebenzi, ezokukhetha nezokugaya abasebenzi – Iinkqubo zokugaya nokukhetha abasebenzi, uququzelelo lwezicelo zomsebenzi, iingxelo ngezicelo zomsebenzi, ukuchonga abokubizelwa udliwano-ndlebo nemiqathango yokukhetha, ubulali basemsebenzini, izigqibo ezinembambano ezinxulumene nogayo nokukhethwa kwabasebenzi.	81
b. Uhlelo nenkcazo yemisebenzi – Iinguqu nokungevani malunga neemfuno zomsebenzi, imisebenzi efanelekileyo.	89
c. Ukusiwa komnye umsebenzi ungazifunelanga, Ukutshintshwa komsebenzi – Isaziso, ukukhethwa, amalungelo/iintlawulo zokususwa okukodwa, ukususwa kumsebenzi wangaphambili, ukutshintshwa kwemisebenzi okungacelwanga.	84
d. Ukhuseleko lwesikhundla-lwelungelo lokuhlala, Ukungacaci – Ukhuseleko lwesikhundla okanye lwekhontrakthi, ubonelelo ngemiqathango yeekhontrakthi enokhuseleko, ukuqhuba komsebenzi, oko kukuthi, ukunyuselwa, ukuqeshwa kwakhona, okanye ukuhlala.	32
e. Ukuqhuba komsebenzi – Unyuselo oluceliweyo (ad hominem) , ukunyuselwa, ulandelelwano, ukuqeshwa kwakhona, okanye ukuhlala.	18
f. Ukubolekiswa nobungakanani bexesha lomsebenzi – Ukungagqitywa okanye ukwandiselwa ixesha kakhulu kwemisebenzi kwiimeko ezithile/kumazwe athile, unqongophalo lokusiwa kweminye imisebenzi okanye ukusiwa ungazifunelanga, isicelo sokusiwa kwenye indawo/kweminye imisebenzi/kwenye inxaxheba	79
g. Ukuziyekela emsebenzini – Inkxalabo malunga nokuziyekela neendlela zokuziyekela emsebenzini okanye malunga nokuba isigqibo esinjalo singavakaliswa njani na ngokufanelekileyo.	25
h. Ukuyekiswa/Ukungaqeshwa kwakhona – Ukuphela kwekhontrakthi, ukungavuselelwa kwekhontrakthi, ukuyekiswa okusisigxina kwiziko okunembambano.	13
i. Ukuqeshwa kwakhona kwabasebenzi abayekayo okanye kwabathatha umhlalaphantsi – Ukulahlekelwa ngamalungelo anelisayo okuhamba nokuqeshwa kwakhona kwabathatha umhlalaphantsi, ukukhetha iintandane	7
j. Ukutshitshiswa kwesithuba – Ukutshitshiswa kwesithuba somntu othile.	69
k. Uphuhliso lomsebenzi/Ukuqeqesha/Uthantamiso – Imisebenzi ngemisebenzi yaseklasini, yasemsebenzini njengamathuba oqeqesho nophuhliso.	16
l. Umsebenzi wabucala	2

m.	Ukusiwa komnye umsebenzi/ukungafuneki (kwesithuba somsebenzi)	4
n.	Ingqesho yabafundi	7
5. Ezomthetho, Ezemigaqo, Ezemali noThotyelo: Imibuzo, iinkxalabo, imiba okanye imibuzo enokuthi ibeke iziko eli nabantu balo kumngcipheko ngokwasemthethweni (kwezemali, isohlwayo, njl) ukuba ayithanga yaqwalaselwa, kubandakanya nemiba enxulumene nenkcitho, ubuqhetseba nongcungcuthekiso.		
a.	Izenzo zolwaphulo-mthetho – Izoyikiso okanye izenzo zolwaphulo-mthetho ezicetywayo, eziqatshelwayo okanye ezihlela abantu, ubuqhetseba, ukunyiba iimbalo zabanye abantu	93
b.	Izinto zoshishino nezemali ezenzekayo – Izenzo ezingafanelekanga zokusetyenziswa kakubi okanye zokudlakazeliswa kweemali zeziko, izibonelelo, izinto zokusebenza nezilungiselelo zalo.	108
c.	Ubandezelo – Ukuziphatha okungamkelekanga ngezenzo, ngokuthetha, ngokubhala, ngeimeyili, ngezinto ezikwizishicileli-mazwi, ngeevidiyo, ngokwasemoyeni okanye ngokwesini, okunokuthi kudale imeko yokujongana ngezikhondo zamehlo nebanga uloyiko.	116
d.	Ucalu-calulo – Ukuphathwa ngendlela engafaniyo neyokuphathwa kwabanye okanye ukuchwethelwa bucala kwamanye amalungelo, umzekelo, isini, ubuhlanga, ubudala, ilizwe ovela kulo, inkolo, njl. (okuyinxenye yoMthetho iEmployment Equity Act – EEA – sebenza eMzantsi Afrika).	177
e.	Ukhubazeko, olwexeshana nolusisigxina, indawo yokuhlala efanelekileyo – Ukongezelwa ixesha ezimviweni, ukubonelelwa ngetheknoloji encedisayo, iitoliki, okanye izincedisi zeBraille ezibandakanya nemibuzo ngemigaqo-nkqubo, njl. Uvandlakanyo ngokutsha lwenxaxheba.	39
f.	Ufikeleleko, Ufikelelo – Ukususwa kwezithinteli, ezetheknoloji nezasemoyeni, ukubonelela ngamathambekana aziindledlana ezithatha indawo yezitephu, izinyusi, ufikelelo kwiinkcukacha, njl.	106
g.	Amalungelo oyilo – Umzkl. Ilungelo lembalo nelungelo lento eyaqalwa ngothile ukwenziwa.	14
h.	Ukungadizwa nokukhuselwa kweenkcukacha – Ukukhupha okanye ukufikelela kwiinkcukacha zomntu okanye zeziko ezilihlebo nezingafanelanga kufikelelwa nguwonke-wonke.	75
i.	Ukonakaliswa kweempahla – Ukonakaliswa kwezinto zomntu, amatyala.	25
j.	Intlawulo, ityala, nekhontrakthi	21
k.	iVisa	0
l.	Ubudlelane obubodwa, ubuhlakani obungafanelekanga, ukuba ngukhethabakhe	77

6. Ukhuseleko, Impilo neNdalo Esingqongileyo: Imibuzo, iinkxalabo, imiba okanye imibuzo malunga nokhuseleko, impilo nemiba enxulumene nezibonelelo.	
a. Ukhuseleko – Ukhuseleko ngokwasemzimbeni, ingozi, ubalekiso kwiimeko zengulo, ukufezekiswa kweemfuno zeyunivesiti nezesizwe ngokuphathelele kuqeqesho ngokhuseleko nezixhobo zokhuseleko.	134
b. Iimeko kwiindawo zomsebenzi/zokuhlala – Amaqondo obushushu, amavumba, ingxolo, indawo ekhoyo, izibane, njl.	87
c. Ufaneleko lweendawo zokusebenzela – Ukumiseka kakuhle nangokufanelekileyo kweendawo ekusetyenzelwa kuzo.	69
d. Ucoceko – Iimeko nezibonelelo zokuzithuma ezijoliswe kuthintelo lwezifo.	66
e. Ukhuselo – Izibane ezifanelekileyo kwiindawo zokumisa izithuthi, izixhobo zokubhaqa izinto zentsimbi/zenkcenkce, amadindala okhuselo, ukungafikeleleki lula kwezakhiwo kwabangaphandle.	24
f. Ukusebenzela ekhaya, Amaxesha Anokuguqu-guqulwa – Ukukwazi ukusebenzela ekhaya okanye kwenye indawo ngenxa yokunyanzelwa ngumsebenzi okanye yimeko okuyo, umzkl. Kwimeko yongxamiseko edalwe ngumntu okanye yindalo.	1
g. Izixhobo zokhuseleko – Ukufikelela kwizixhobo zokhuseleko okanye ukuzisebenzisa, umzkl. Isixhobo sokucima umlilo.	69
h. Imigaqo-nkqubo yokusingqongileyo – Ukungalandelwa kwemigaqo-nkqubo, ukungabi nabulali bayo, ukungasebenzi kakuhle, ukuxaka kwayo.	70
i. Indubeko ehamba nomsebenzi nongqamaniseko lomsebenzi nobomi – Indubeko yasemva kwengozi, ukhawulelwano nezehlo ezingxamisekileyo, indubeko yangaphakathi/yangaphandle, umzkl. uqhawulo-mtshato, ukudubula, ukonga ogulayo, umenzakalo.	238
j. Ukumisa izithuthi	7
k. Ukusetyenziswa kweendawo ezingenalwakhiwo	19
7. Imiba yeenkonzo/yolawulo –Imibuzo, iinkxalabo, imiba okanye imibuzo malunga neenkonzo okanye iiofisi zolawulo, kubandakanya nevela kwabangaphandle.	
a. Umgangatho wenkonzo – Zinikwa kakuhle kangakanani na iinkonzo, ukuchaneka okanye ukunaba kweenkcukacha, ukwaziwa komsebenzi, njl.	251
b. Ukuphendula, Ukubanjwa kwexesha – Ixesha elithathwayo phambi kokuphendulwa komxeba okanye phambi kokubuyela kobefowunile okanye ixesha elithathwayo phambi kokunikwa kwempendulo epheleleyo.	231

c.	eziqiniso ezimalunga nokuziphatha , izigqibo malunga namaxesha okuphelelwa kwemigaqo-nkqubo nemida yayo, izigqibo malunga nezicelo zeenkondo zokufundisa okanye nolawulo, umzkl uphambuko kumaxesha okuphelelwa kwemigaqo-nkqubo nemida yayo, izicelo zokubuyiselwa imali, izibheni okanye amarekhodi, njl.	265
d.	Iintlawulo nenkxaso-mali – Ulawulo lweentlawulo zokufunda, abatyalayo, inkqubo yenkxaso-mali nokufaneleka ekuyinikweni.	57
e.	Ukuziphatha kwabaniki beenkondo – Indlela athethe ngayo umlawuli okanye umsebenzi nomnye umntu weyunivesityi, nomsebenzisi wenkondo okanye nabafundi, okanye indlela abaphathe ngayo, umzkl. Ubukrwada, ukungabamameli okanye ukungabanyamezeli.	136
f.	Ubukho bezifundo, Ukugqiba isidanga ngexesha laso	116
g.	Ukwamkelwa, Ukwamkelwa kwakhona , Ubhaliso, uQwalaselo lolwazi lwangaphambili (RPL), iimviwo ze-NBT, namarekhodi – abenza izidanga zokuqala	31
h.	Ukwamkelwa, Ukwamkelwa kwakhona nobhaliso, namarekhodi – abenza izidanga ezilandela ezokuqala	21
i.	Ubonelelo lwabafundi nabasebenzi nobomi kwiindawo zokuhlala zabafundi	26
j.	Ukuyekiswa kwizifundo/ukungavuselelwa – inkqubo nokuphuma kwisicwangciso semfundo	27
k.	Ikhefu lezifundo nokungabikho – i-LOA nekhefu elilodwa	17
l.	DP/DPR	4
8.	Ephathelele kwiZiko, kwiZicwangciso Eziliqili nakuMnqophiso: Imibuzo, iinkxalabo, imiba okanye imibuzo ephathelele kwiziko lilonke okanye kwinxenye yalo.	
a.	Ephathelele kwizicwangciso eziliqili nakumnqophiso, ulawulo olucikizekileyo – Iinqobo, izigqibo nezinto ezenziwayo ezinxulumene nokuba iziko liya ngaphi na, lisiya njani na.	85
b.	Ubunkokeli nolawulo – Umgangatho/izakhono zabalawuli kunye/okanye nezigqibo zabalawuli/zeenkokeli, uqeqesho oluphakanyiswayo, unikezelo lwemisebenzi ngokutsha nohlengahlengiso lochwangciso.	138
c.	iGunya, Ukudlelwa indlela, Ukusetyenziswa kwamagunya ezikhundla nokusetyenziswa kakubi kwamagunya , – Ukungabikho kwegunya kwisikhundla okanye ukusetyenziswa kakubi kwalo ngulowo ukuso	121
d.	Uqhagamshelwano – Isiqulelo soqhagamshelwano lweziko nolweenkokeli, indlela olwenziwa ngayo, ixesha lokwenziwa kwalo, ifuthe lalo nobungakanani balo, umgangatho woqhagamshelwano malunga nemiba ebalulekileyo.	136

e.	Ukucwangcisa ngokutsha nokufuduswa – Imiba ephathelele kwimihlaba yocwangciso olucetywayo okanye olwenziweyo kunye/okanye nofuduso oluchaphazela onke amacandelo okanye loo macandelo aphambili kwiziko, umzkl. ukuncitshiswa, ukusiwa kwelinye ilizwe, ukunikezelwa kwemisebenzi kwabangaphandle.	12
f.	Umoya weziko – Imiba ephathelele kwintsulungeko yendlela elisebenza ngayo iziko kunye/okanye nocikizeko lwayo.	108
g.	Ulawulo lwenguqu – Ukwenziwa kweenguqu kwiziko, indlela ezithathwa ngayo nokuziqhelanisa nazo, umgangatho wobunkokeli ekuququzeleleni iinguqu kwiziko.	130
h.	Ucwangciso lwezinto eziphambili ngokubaluleka kunye/okanye neNkxaso-mali – Iimbambano malunga nocwangciso lweendawo eziphambili ngokubaluleka kwiziko/kwisebe kunye/okanye nobonelelo lwemisebenzi ngenkxaso-mali, ukufundisa xa kuthelekiswa nokwenza uphando	74
i.	Iinkcukacha, iNdelela Yokusebenza, uToliko lweziphumo – Iimbambano zeenzululwazi malunga nokuqhutywa kophando, ngeziphumo zalo notoliko lwazo nangeenkukacha ezithi zivele ngokuchaphazela imigaqo-nkqubo.	7
j.	Imida yemisebenzi yamasebe yeziko, umhlaba – Iimbambano ezimalunga nokuba ngaba leliph na isebe/iziko elifanele ukwenza okanye ukukhokela ukwenziwa kowuphi na umsebenzi.	76
k.	Inguqu	224
9.	IiNqobo, iNtsulungeko neMigangatho – Imibuzo, iinkxalabo, imiba okanye imibuzo malunga nobulali okanye iinqobo zeziko, intsulungeko okanye/kunye nemigangatho yalo, ukusetyenziswa kwemigaqo-nkqubo nemigangatho kunye/okanye neenkqubo ezihamba nayo, okanye nemfuneko yokuba kuqulunqwe okanye kuhlaziywe imigaqo-nkqubo, kunye/okanye nemigangatho.	
a.	Imigangatho yokuziphatha – Ubulali, ukusebenza okanye ukusilela kwezikhokelo zokuziphatha, iinkqubo zolawulo kunye/okanye nemigaqo yokuziphatha, yokunyaniseka kwezemfundo, ukunyiba iimbalo, uMgaqo Wokuziphatha, unquzulwano lochaphazeleko, abatyalayo, njl.	40
b.	Iinqobo neNkcubeko – Imibuzo, iinkxalabo okanye imiba malunga neenqobo ezixabisekileyo okanye isiqhelo sokusebenza seziko.	34
c.	Ukuziphatha kweenzululwazi, Intelekelelo – Ukungaziphathi kakuhle kweenzululwazi okanye kwezophando okanye izenzo ezigwenxa, umzkl. ububhali, ukunikwa kweziphumo ezigwenxa.	6
d.	Imigaqo-nkqubo neenkqubo ezingabandakanywanga kwiinkalo ngokubanzi ku-1 ukuya ku-8 – Ubulali okanye ukungabikho komgaqo-nkqubo okanye ukungasetyenziswa komgaqo-nkqubo, ukungalandelwa komgaqo-nkqubo okanye imfuneko yohlaziyo lwawo, umzkl. Indlela yokunxiba efanelekileyo, ukusetyenziswa kweintanethi okanye kweselifowuni.	55

iiNkalo ze-IOA	AR2016 Inani le micimbi	% AR2016	% AR2017	AR2017 Inani le micimbi
1. Imbuyekezo namalungelo	22	3	5	94
2. Ubudlelane babanoxulumano	110	16	16	271
3. Ubudlelane boontangandini nobamakholwane	54	8	6	106
4. Ukuqhuba nophuhliso lwemisebenzi efundelweyo	57	8	7	123
5. Ezomthetho, Ezemigaqo, Ezemali noThotyelo	104	15	16	272
6. Ukhuseleko, Impilo Nendalo EsiNgqongileyo	62	9	14	243
7. Imiba yeenkonzo nolawulo	170	24	16	282
8. Okuphathelele kwiZiko, kwiZicwangciso Eziliqili nakuMnqophiso	80	11	15	253
9. IiNqobo, iNtsulungeko neMigangatho	47	7	4	71
	706			1715

ITHEYIBHILE 3: Uthelekiso lweenkalo phakathi kweNgxelo ka- 2016 neka-2017

Uhlalutyo lweeNkcukacha

Amanani adityanisiweyo abonakalisiweyo kwinkalo nganye kwiTheyibhile 2 akahambelani namanani abonakalisiweyo kwinkalo nganye kwiTheyibhile 3. Isizathu soko kukuba undwendwe lungeza nemiba engaphaya komba omnye njengoko kubonisiwe kwiinkalwana eziphantsi kwenkalo eziphantsi kwayo kwiTheyibhile 2, kodwa ubalwe kanye kuphela phaya kwinkalo eziphantsi kwayo kwiTheyibhile 3. Umzekelo, uBob unothethwano neOmbud oluphathelele kwimiba efana nokuthatha umhlalaphantsi nephathelele kwimbuyekezo phantsi kwenkalo yokugala (imbuyekezo, amalungelo, amawonga nemibulelo), kanti nakumgangatho wenkonzo, nokuphendula, kunye nokuziphatha komniki wenkonzo kwinkalo yesixhenxe eneenkalwana eziphantsi kwayo (imiba yeenkonzo nolawulo). Le nto ithetha ukuba ubalwe kabini kwiinkalwana eziphantsi kwenkalo (imbuyekezo, amalungelo, amawonga nemibulelo), nakathathu kwinkalo yesixhenxe eneenkalwana eziphantsi kwayo imiba yeenkonzo nolawulo) kwiTheyibhile 2. Ngoko ke uBob ubalwa kahlanu kwiTheyibhile 2. KwiTheyibhile 3 ubeya kubonakaliswa engobalwe kanye phantsi kwenkalo yokugala (imbuyekezo, amalungelo, amawonga nemibulelo), nakanye phantsi kwenkalo yesixhenxe (imiba yeenkonzo nolawulo). Ngoko ke uBob ubalwa kabini kwiTheyibhile 3.

Njengakwiminyaka engaphambili, inkalo yoBudlelane Babanonxulumano ibonakalisa okona kunyuka kwamanani kuphezulu – ama-255 kwinkalwana “yeMbeko neMpatho” xa kuthelekiswa ne-100 kwingxelo yangaphambili, kulandele inkalwana “yoQhagamshelwano” eye kufika kuma-259 kule ingxelo, xa kuthelekiswa ne-100 kwingxelo yangaphambili. Imiba yoqhagamshelwano kwinkalo “yoBudlelane Babanonxulumano” iye yahlala izezona zinxalabo zininzi ziye zakholisa ukuveliswa, yada iminyaka yamithathu ilandelelana. Inkalwana “yeZiphambili ngokubaluleka, iiNqobo neeNkolelo” ikhankanywe kangama-256 (kali-100 ngo-2016), “iNtembeko noBulumko” kangama-259 (kangama-98 kulo nyaka uphelileyo), “Ulwahlukwano” kangama-244 (kangama-93 kwingxelo yangaphambili) ize “eyeGama” ikhankanywe kangama-219 kangama-84 kwingxelo yangaphambili).

Phantsi kwenkalo yemiba yeeNkonzo noLawulo, inkalwana “yoMgangatho weNkonzo” iye kufika kuma-251 kule ingxelo, xa kuthelekiswa ne-104 kwingxelo yangaphambili. Nakwinkalwana yemeko yesebe amanani aphezulu kakhulu; aye kufika kuma-205, xa kuthelekiswa nama-62 kwingxelo yangaphambili, ngakumbi xa kukhunjulwa ukuba oku kubhekisele kubantu abathetha ngamasebe abasebenza kuwo. Awona manani aphezulu kunawo onke ngawakwinkalwana “yeZigqibo zoLawulo notoliko, ukusetyenziswa kwemigaqo” angama-265 kule ingxelo, xa kuthelekiswa nama- 98 kwingxelo yangaphambili. La manani akukwazeki ncam ukuwathlekisa, njengoko amanani eendwendwe eziza nemiba ngemiba ayifani kuzo zozibini izithuba ezenzelwa ingxelo. Xa kusenziwa uthlekiso ukujonga iinkalo zemiba ye-IOA ezilithoba kungacaca ngokuchaneke kakhulu xa kusetyenziswa ipesenti, umzekelo, jonga kwiTheyibhile 3 ngentla apha.

Nakubeni ukhona, uqhuba, umgaqo-nkqubo malunga novuyelelo, kubalulekile ukuba ivele indawo yokuba, kwesi sithuba senzelwa le ngxelo ndixelelwe amaxesha amaninzi ngosilelo kuqhagamshelwano, ngovuyelelo nangokungxoliswa – umfundi ngumhlohli, ikholwane lelinye ikholwane, umfundi ngumsebenzi wasezifosini, nabasebenzi basezifosini abebengaphethananga ngenkathalelwano. Umsantsa phakathi kwabahlohli nabancedisi basezifosini zabo usoloko usematheni njengengxaki ekhoyo apha kumasango eyunivesiti. Amaxesha amaninzi, ngakumbi kwimisebenzi enikezelwa abalapha ngaphakathi, ayinakungasiwa so into yokuba, phezu kokanduva lokufundisa abafundi, nolokwenziwa kophando olunzulu, kukho abasebenzi abanika inkxaso kulo msebenzi wokufundisa nokwenziwa kophando, kulawulo lwezakhiwo, kumsebenzi wokucoca, owokulawulwa kohlalo-mali, ukufaka amanqaku (eemviwo), njl. Ngokwenani, aba basebenzi bangaphaya kwabahlohli, kodwa basoloko bephatheke njengabangabalulekanga, nekunokuba lula ukuzivala izithuba zabo.

lindwendwe ezininzi kakhulu ziye zabanakalisa ukuba umntu ebezinonxulumano naye lokunika ingxelo okanye lolawulo, kodwa ziphantsi kwakhe, uye wabanakalisa ukungabi namdla, nambedo nankathalo, enempatho engaxolisiyo ngakubo.

Amanani ovuyelelo, kwinkalo yobudlelane babanonxulumano, nakweyobudlelane boontangandini nobamakholwane aye anyuka kakhulu, kwaye akwi-104 kule yokuqala, aba kwi-101 kule yesibini. Uvuyelelo luchazwa njengaso nasiphi na isimo sobundlongondlongo nongcikivo. Kwiimbalo ezikhoyo ngovuyelelo, iimpawu ezithile ezifana nophinda-phindo nonkanizo zichazwa njengezimbo ekunokuthiwa zezesimo “sovuyelelo”. UNamie noNamie² baluchaza “njengezengezenge lempatho-mbi ephazamisa impilo yomntu eyenziwa ngomnye umsebenzi okanye ngabanye abasebenzi, ngeentetho zongcikivo, ngezimo ezoyikisayo, nezozongelo-phantsi”. Kule minyakana imbalwa idlulileyo ndaye ndenza isiphakamiso sokuba makuqulunqwe umgaqo-nkqubo omalunga novuyelelo. Kwingxelo ka-2016 ndaye ndabhala ndathi:

“Inani lezikhazazo ngovuyelelo ziye zaphinda-phindeka kabini kwesi sithuba senzelwa le ngxelo. Ngokusilela ekuyibekeni esweni into yabasebenzi abavuyelela abanye, iyunivesiti ilahlekelwa ngabasebenzi ebekuya kuba lulutho ukubagcina, nangokungababoneleli abasebenzi ngokhuselo abafanele ukuba bakwazi ukululindela”

Impendulo ye-UCT yathi:

“Siye senza isiqulunqo somgaqo-nkqubo wovuyelelo ekusathethwanayo ngawo yiMibutho yaBasebenzi”

2 Namie, G. & Namie, R. (2009) *The Bully at Work: What You Can Do to Stop the Hurt and Reclaim Your Dignity on the Job*. Naperville, IL: Sourcebooks.

Ndingafunanga kuwunokoza kakhulu lo mba, ndiyacinga ukuba kufanelekile kona ukuba ndiyivelise indawo yokuba, ukuwalibazisa amanyathelo okukhawulelana nemeko ekhokelela kukhobozeko nakwimiba emandla yempilo yabasebenzi bayo, kubonakalisa uqhitalo ngakwicala leyunivesiti.

Into entsha kwezi nkalo yinkalwana yenguqu phantsi kwenkalo “Yokuphathelele kwiZiko, kwiZicwangciso nakuMnqophiso”. Le nkalwana ingena kakuhle kumalinge ngamalinge eyunivesiti okuzisa inguqu, afana neKhomishoni yenguqu ye-UCT, eyi-*UCT Institutional and Transformation Commission (IRTC)*, nesicwangciso esiliqili esikhoyo kungoku nje, iqela elisebenzayo eliyi-*Curriculum Change Workgroup* nolunye uthotho lwamalinge okuzisa inguqu kwiyunivesiti le ngokubanzi.

Ukuphumela nangaphandle nokunye Okwenziwe yiOmbud

- Ekuyeni kuphela kuka-2016 ndiye ndaquzelela iimbizo ezintathu kwiCollege of Music, ngenjongo yokulamla phakathi kwabasebenzi nabafundi ngexesha loqhankqalazo malunga neentlawulo nokugutyulwa kweempawu zobukolonali kwiziqulatho zezifundo (kwikharithulam).
- NgoSeptemba 2016 ndaye ndaya kwenza intetho-nkcazelo kwinkomfa ye*Family Mediators' Association of the Cape* conference (FAMAC); bangama-85 ababekhona kuyo.
- NgoNovemba 2016 ndaye ndathatha inxaxheba kwi-Ombuds Indaba eUNISA ePitoli. Le Indaba yayichotshelwe yiUNISA Ombudsman njengenxenywe yothungelwano lwee-ombud oluyi*Ombudsing Network*.
- Kwesi sithuba senzela le ngxelo ndaye ndaya kwenza iintetho-nkcazelo malunga nohlobo nenxaxheba yomsebenzi weOfisi yeOmbud kumaqela ngamaqela abantu bale yunivesiti, kubandakanya neendawo ezithe qelele, ezifana naseMavundleni (eCrossroads) nakwa-SATVI (eVostile).
- Kwesi sithuba senzela le ngxelo ndaye ndanika iUniversity of the Free State (UFS) iingcebiso noncediso malunga nokusekwa kweOfisi yeOmbud.

- NgoJuni 2017 ndaye ndathatha inxaxheba kwinkomfa i*Global Pound Conference* eyayiseRhawutini, njengelunguKomiti yoMmandla eQuquzelelayo (*Local Organising Committee*), nanjengomnye` wabavuli-ngxoxo (panellists).
- Kwesi sithuba senzelwa le ngxelo iofisi yam yaye yasungula ubizo lweeqela leenkomfa zomnxeba ezikumila kufana nokweentlanganiso ze*Ombudsing Network*. Olu thungelwano luyi*Ombudsing Network* lilinge elasungulwa yile ofisi yethu, kwaye lubandakanya iiOmbud zezinye iiyunivesiti zaseMzantsi Afrika nezamaziko karhulumente.
- Ndiyaqhuba ngenxaxheba yam njengoSihlalo we-IOA IC (International Committee) kuMmandla weAfrika (*IOC IC Africa Regional Chairperson*), inxaxheba leyo ekukuba ngumbeki-liso kwizinto ze-IOA (*International Ombudsman Association*) ezenziwa kwilizwekazi leAfrika.

Okuqwalaselweyo neZindululo

- Iyunivesiti le iye yanyathela umhlaba obonakalayo noko ngakwicala lokukhawulelana nengulo ngokwengqondo apha kumasango ayo, kodwa ke kambe kufuneka inge iyaqiniswa imizamo yokuqeqesha abo banoxanduva oluthe ngqo lokunika abafundi nabasebenzi inkxaso bakwazi oko kukhoyo nendlela yokufikelela kuncedo; ngokunjalo nakwiindibano zocweyo ezingothintelo longcungcuthekiso ngokwesini nokudlwengulwa, noko bafanele ukukwenza xa kuthe kwavela imfuneko.
- Amanani-nkcukacha akule ngxelo abonakalisa ukuba amazinga enkathalelo nenkxaso kumasango eyunivesiti (ngakumbi kuqhagamshelwano lwabanobudlelane bonxulumano nobolawulo) ayakufuna noko ukuphuculwa. Ndiqaphele ukuba ubundlongondlongo bukhulisa ukufihlwa. Into ethethwayo ngabantu, nendlela abathetha ngayo, yiyo enokuvuselela iimeko zempilo zangaphambili, into ke leyo esenokugacaci kwangelo xesha, njengoko ingulo ngengqondo ithanda ukungabonakali. Ubulali luxanduva lomntu wonke. Kananjalo, amaxesha amaninzi uqhagamshelwano lweyunivesiti nabafundi abakhoyo nabasezayo kwakunye nabasebenzi lungaphuculwa noko ngokuthi lwenziwe ngolwazelelelo. Ndiphakamisa ukuba amagama asetyenziswa kuzo zonke iimbalelwano akhe avandlakanywe, nokuba abasebenzi mabakhuthazwe ukuba babe nentelekelelo nolwazelelelo kuqhagamshelwano lwabo, nokuba umxholo lowo uyancumisa na okanye uyahlungisa na.
- Nakubeni iyunivesiti inobuntsompothi, futhi ineenkqubo ezininzi, isikakhulu ezi zinto zifunyaniswa kusokolisa ukumelana nazo, futhi zisoyikisa ngamanye amaxesha. Kungaba

luncedo ukuyichaza ngokucacileyo imfuneko yokusetyenziswa kwezi nkqubo ngeenkqubo, khona ukuze ziqondwe kakuhle ngabasebenzi nangabafundi.

- Iyunivesiti ifanele ukuba ithulelwe umqwazi ngokungena kubuhlakani neSixeko seKapa (City of Cape Town) ekufumaneni iinkonzo zokhuselo kumasango eyunivesiti nakwizabhabha ezisingqongileyo. Ngoko kunjalo ke kambe, kufuneka kugxininiswe ngakumbi kukhuseleko nokhuselo apha ngaphakathi kumasango eyunivesiti, kwaye abafundi nabasebenzi abafikayo kufuneka bacetyiswe ngokwaneleyo, ngelixa abafundi nabasebenzi ekukudala bekhona kufuneka bekhunjuziwe ukuba mabathi qwa. Ngelishwa uyanda umngcipheko wokungakhuseleki kumasango eyunivesiti.
- Mininzi iminyaka kukho izikhalazo ngocalu-calulo oluthukuzayo, kumacandelo ezifundo afana ne-HSF nelezifundo ngentlalo yoluntu (Humanities) kwizifundo apho umfundi aba yedwa nomvi nalowo afunda phantsi kwakhe. Futhi nokucinga ngezinye iindlela ezizezinye zokukhusela la macala omabini, ngakumbi abafundi, kwezi ndawo, kungaba lulutho kakhulu.
- Ndiyaziva iinkxalabo zokuba iyunivesiti ayigxininisi kumalinge okulungisa iingqondo emva kweziganeko ezifana noqhankqalazo, ngokungathi ilindele ukuba abantu bazibonele, baphile, baxolele, futhi babheke phambili ngaphandle koncedo. Ngaphandle kokuhlalisa umntu phantsi anikwe iingcebiso, kubasebenzi nabafundi, kuyafuneka ukuba i-UCT iyiqwalasele le miba nakumaqela adityanisiweyo. Ndingqwenela ukuyithulela umqwazi iyunivesiti ngokuthi imisele iKhomishoni eyi-*Institutional Reconciliation and Transformation Commission (IRTC)* eya kuthi incede kulo mba.
- Ndiphakamisa ukuba iyunivesiti iqulunqe umgaqo-nkqubo kwiOfisi yeOmbud ocacisa inkonzo, iimfuneko zokuba le Ofisi yenze umsebenzi wayo (ingcaciso, njl.), nesigwebo esiya kulandela ukuba bayangcungcuthekiswa abasebenzisa iinkonzo zale Ofisi.
- Akuyonto inokuba nomfaneleko ukulindela ukuba wonke umntu onengxakana ajongene nayo uya kuthi afune uncedo kwiOfisi yeOmbud okanye naphi na. Iingxaki zokuza ngaphambili ngelokuza kufuna uncedo zinkulu kunohlobo ezikholise ukuthathwa ngalo. Ndikhuthaza wonke umntu onika omnye inkonzo ukuba akwenze oko ngenzondelelo, ngembeko nangolwazelelelo nangokuselubala. Kuthiwa ziinkowane zodwa ezikhula ebumnyameni, hayi abantu.
- Ndisazifumana iindwendwe ezithi, ngoku sekukudala zinexesha zise-UCT, zingabi nalwazi ngale ofisi yam, de kube lelo thuba zizifumana zisengxakini, okanye zithe zeva ngabahlobo xa zifuna uncedo. Ndiphakamisa ukuba iiwebhusayithi zaMacandelo eZifundo, zibandakanye nomsontwana onxibelelanisa nale Ofisi yeOmbud ngelokwenza izinto lula.
- Iyunivesiti kufuneka ithi rhoqo ngoqeqesho nangoqeqesho ngokutsha kumsebenzi weeKomiti zeNguqu (Transformation Committees on the EE Representative), kowooSihlalo beeKomiti zoKhethe lwabasebenzi (Selection Committee Chairs) namalunga nenkqubo yochongo lwabanokuqeshwa, nolwabantu abachophela iinkqubo zoluleko malunga noxanduva lwabo.

- Kufuneka kwenziwe uphando olulolunye malunga neemfuno zabasebenzi abasandula ukunikezelwa umsebenzi apha ngaphakathi, njengabasebenzi base-UCT. Ezi mfuno zizinto eziqalela kufikelelo kwizinto eziphambili ezifana neimeyili, uqeqesho loqhelaniso lokuba bayiqonde inkqubo yeyunivesiti, kwakunye nofikelelo kuqeqesho lwekhompuyutha kwakunye nakwiikhompuyutha zokuzisebenzisa kwiindawo abakuzo, nakuyo yonke inkxaso efunyanwayo ngabanye abasebenzi be-UCT. Kananjalo, iyunivesiti iyakhuthazwa ukuba izame ukuziphucula iindlela zayo zokwamkela (abasebenzi abatsha), futhi bonke abasebenzi abafikayo ibenze bazive beyinxenye yabasebenzi bonke, ngakumbi abasebenzi abasandula ukunikezelwa umsebenzi apha ngaphakathi.

Elokuqukumbela

Ndibamba ngazibini kwiindwendwe zam ezininzi nakumalungu amaninzi ale yunivesiti athe, kwesi sithuba senzelwa le ngxelo afaka igxalaba ngeendlela ngeendlela ezahlukeneyo, ngeenjongo zokwenza inguqu apho bekuyimfuneko. Iofisi yam ivuna lukhulu kakhulu kwinkxaso yawo. Ndithi maz' enethole kuBirgit Taylor, umncedisi wam kumsebenzi weofisi, ngocikizeko lwesimo sakhe nangenkxaso andinikileyo mna neendwendwe zam, engakhange akusingele phantsi ukuzimela kwenkqubo yobuombud nobuhlebo bayo.

iSihlomelelo A

Ugunyaziso

IOFISI YEOMBUD YEYUNIVESITI YASEKAPA

1. Intshayelelo noXanduva

IOfisi yeOmbud yeYunivesiti yaseKapa yaye yasekwa ngo-2011 ngenjongo yokubonakalisa ukuzinikela kwayo ekuphathweni kwabo bonke abantu beyunivesiti le ngobulungisa, ngobulali nangokulinganayo.

Uxanduva lwayo kukubonelela bonke abantu beyunivesiti le (bonke abasebenzi; abafundi abasekhoyo nabo sebemkayo; abatyeleli beyunivesiti nabaneekhonthakthi nayo) ngenkonzo yosombulo lweembambano ngendlela ekhululekileyo nje, engabophelelekanga kwimiqathango yemithetho ewisiweyo okanye kwimigaqo-nkqubo emiselweyo, inkonzo leyo esekelwe phezu kweenqobo zobulali. IOfisi yeOmbud ingaphandle kwizigqeba zeyunivesiti zemfundo nolawulo. Isisigqeba esingenacala, esizimeleyo, esisebenza ngokukhululekileyo nje nesingayidiziyo imicimbi yabatyeleli, esiququzelela usombululo olunobulali kwiinkxalabo neengxaki ezithe zaveliswa nguye nawuphi na umntu walapha eyunivesiti.

2. IiNjongo neMida yeeNkonzo

Eyona nxaxheba iphambili yale Ofisi kukuba ifumaneke njengesigqeba esingenacala sokuvandlakanya zonke izigqibo nezinto ezenziweyo phakathi kwemida yamagunya eyunivesiti le.

IOmbud ijolisa ekuboneleleni ngemeko apho kungakhethwa cala, engayidiziyo imicimbi ezisiweyo, nezimeleyo, apho kunokuthi kuziswe khona izikhhalazo, iinkxalabo ngezinto ekuthiwa zenziwe okanye azenziwa kunye nazo naziphi na iingxaki abathe badibana nazo abantu beyunivesiti le.

IOfisi yeOmbud yenza imisebenzi ngemisebenzi eyahlukeneyo. Le misebenzi ke ibandakanya ukumamela abantu nokubabonelela ngendawo ekhuselekileyo abanokuya kuphalaza kuyo iingxaki zabo ngokukhululekileyo, ibancede ekucaciseni iinkxalabo abanazo ibacebise nangeendlela abanokukhetha kuzo ekukhawulelaneni nezo nkxalabo, ibacacisele nemigaqo-nkqubo yeyunivesiti neenkqubo zayo, ibazise nangezinye iiofisi abanokuya kuzo, ibancedise abatyeleli nasekufundeni iindlela zokuzinceda, iqwalasele imiba ngokuthi iqokelele iinkcukacha igaye nezimvo zabanye abantu isebenzise nothethwano namacala lawo anembambano.

Kananjalo, iOfisi yeOmbud ikwasebenza njengovimba wokudimbaza iinkcukacha ibonelele iyunivesiti le nangobungcali bokusombulula iimbambano. Ikwanguye nomthunzi wokuziswa kwenguqu apha eyunivesiti.

IOfisi yeOmbud incedisa nakwimisebenzi yophando neyezibheni esesikweni eqhubekayo apha eYunivesiti kungoku nje, nangona ingayithatheli kuyo le misebenzi. Ukusetyenziswa kwale ofisi kungokuzithandela. Ofisi yeOmbud inika ingxelo ngeendlela zokuhamba kwezinto ngokubanzi nje, ize ke yenze nezindululo malunga nokutshintshwa kweenkqubo xa kukho imfuneko yoko ngaphandle kokudiza iinkcukacha ezingafanelanga kudizwa.

3. Ukwenziwa kweNngxelo

IOMBUD yenza ingxelo kwiKhansile yeYunivesiti ngosihlalo weKhansile. Ingxelo ebhaliweyo ingeniswa qho ngonyaka kwiKhansile ngoSihlalo ngaloo mhla kuthe kwavunyelwana ngawo yiKhansile. IOfisi yeOmbud isebenza ngokuzimeleyo ngokuphathelele kuqwalaselo lomcimbi nakulawulo lwemiba, kodwa ke ngokuphathelele kwinkalo yolawulo nakuhlalo-mali ingxelo iyenza kwiNqununu yeYunivesiti. Ekufezekiseni imisebenzi yayo iOfisi yeOmbud iya kuba nohlahlo-mali elwabelweyo, indawo yokusebenzela eyaneleyo nekusebenzekayo kuyo kwakunye nezilungiselelo ezikwaneleyo ukuba ikwazi ukukhawulelana neemfuno zayo zokusebenza isebenzele uphuhliso lobungcali. IOMBUD iya kuthi gqolo ukunika iNqununu yeYunivesiti namanye amalungu eqela leenkokeli ingxelo, ngelixa ibulondolozayo ubuhlebo, ngeenjongo zokuwazisa ngeentlobo zemiba nangeendlela zokuhamba kwezinto, ezithi zifikelele ezindlebeni zeOMBUD, ze ke icacise nokuba ezo nkcukacha zinafuthe lini na ibe ke seyivakalisa neziphakamiso zayo ngazo.

4. IMigangatho neNtsulungeko yaseMsebenzini

IOfisi yeOmbud iya kuthi inamathele kwiMigaqo yeNtsulungeko yaseMsebenzini neMigangatho yokuSebenza (Code of Ethics and Standards of Practice) yoMbutho oyi*International Ombudsman Association* (IOA). Lo migaqo ubeka ukuba iOMBUD iya kusebenza ngokungaxhomekekanga kwiziko layo, ayisayi kuyidiza imiba kwaye ayisayi kukhetha cala, futhi nemihlaba yayo yokusebenza kweenkonzo zayo iya kuyigcina kwimeko yokukhululeka okungalawulwa yimigaqo-nkqubo esesikweni ekusonjululweni kweembambano. IMigangatho, uMigaqo neNdlela zokuSebenza eziCikizekileyo ze-IOA ziyabubeka ubuncinane bemigangatho, kwaye iOfisi yeOmbud iya kuthi ngalo lonke ixesha isoloko izamela ukuba isebenze “ngezona ndlela zokusebenza zicikizekileyo ” nokuziqwalasela ngenzondelelo iimfuno zabo bonke abachaphazelekayo. IOMBUD iya kuthi imisele iinkqubo ezingajika-jikiyo iinkqubo ezo ezuya kuthi zifumaneke xa umntu ethe wazicela. IOMBUD iya kuthi iyibhengeze indlela ehamba ngayo inkonzo yayo engadiziyo, ezimeleyo nengakhethi cala ngokusebenzisa izinto zobhengezo, iwebhusayithi nemibhalo exhonywe emadongeni, ize kananjalo inike umtyeleli ngamnye ikopi yeMigangatho.

A. Ukuzimela

Ukuzimela kuyimfuneko ekusebenzeni ngempumelelo kweOfisi yeOmbud. IOfisi yeOmbud iya kukhululeka, kwaye iya kubonwa njengekhululekileyo kungenelelo oluphazamisayo ekwenzeni kwayo imisebenzi yayo. Oku kuzimela kufezekiswa kakhulu ngendlela emiswe ngayo inkqubo yokwenziwa kwengxelo, ngokungabi nacala, nangokwamkelwa liziko nangokuhlonitshwa kwexaxheba yayo ezimeleyo. Ngenjongo yokujinisekisa ukuqwalaselwa kwezinto ngobunjalo bazo, iOfisi yeOmbud iya kusebenza ngokungaxhomekekanga kwiziphathamandla zolawulo. Oku ke kubandakanya nokungadizwa kweenkcukacha zemiba eye yaxoxwa kwiOfisi yeOmbud naye nabani kwiziko eli, kubandakanya nalowo mntu yenziwa kuye ingxelo yiOfisi yeOmbud.

B. Ubuhlebo

IOfisi yeOmbud iba noqhagamshelwano nabo bafuna uncedo olungazi kudizwa, kwaye ke ithatha onke amanyathelo enokuwathatha okugcina obu buhlebo. IOmbud ayibadizi, kwaye akufuneki nokuba icelwe ukuba idize amagama abo bantu bathe baqhagamshelana nayo. Uqhagamshelwano phakathi kweOmbud nabanye (uqhagamshelwano olo oluthe lwenzeka ngexesha isenza umsebenzi wesi sikhundla) luthathwa ngokuba ngumba ongafanelanga kudizwa. Ngumba ofanele ukuba phakathi kweOmbud neOfisi yakhe, ingenguye nawuphi na omnye ochaphazelekayo kuwo. Abanye abantu abakwazi ukuba bangakhe benze unyeniso kulo mmiselo. Apho kunokwenziwa uphambuko kule mbophelelo yobuhlebo kukwimeko apho iOmbud ibona ukuba kungabakho umngcipheko wengozi kubomi bomntu. IOmbud ayinakho ukuba ingacelwa ukuba inike ubungqina kwisigqeba esichophela amatyala seYunivesiti kuwo nawuphi na umba ethe yaba nolwazi ngawo ngenxa yomsebenzi wayo. IYunivesiti iya kuzamela ukuba iyikhusele iOmbud ekubeni ikhutshelwe isamani yokunika ubungqina ngabanye abantu, apha ngaphakathi naphaya ngaphandle kweyunivesiti.

C. Ukungakhethi cala

IOfisi yeOmbud ayisayi kuthatha cala kulo naluphi na ungquzulwano, imbambano okanye umba, koko iya kuthi iOfisi yeOmbud iyiqwalasele imicimbi neenkxalabo zabo bonke abo bachaphazelekayo ngomoya wokungakhethi cala ngenjongo yokuguquzelela uqhagamshelwano neyokunceda loo maqela ekubeni afikelele kwizivumelwano ezanelisa macala nezinobulali nolingano nezihambelanayo nemigaqo-nkqubo yeYunivesiti.

D. Ukungabopheleleki kwimigaqo-nkqubo

IOmbud isebenza ngokungabophelelekanga kwimigaqo-nkqubo nemithetho neenkqubo ezimiselweyo nangendlela engafakwayo kumarekhodi, kwaye iya kuba sisisele ekuxhanyulwa kuso iinkonzo zosombululo lweembambano olungabophelelekanga kwimigaqo-nkqubo, kwimithetho nakwiinkqubo ezimiselweyo. IOfisi yeOmbud ayisayi kuphanda, ayisayi kulamla, ayisayi kugweba, okanye ayisayi kuthi, ngayo nayiphi na indlela, ithathe inxaxheba kuyo nayiphi na inkqubo esesikweni okanye inyathelo elithathwayo apha ngaphakathi okanye phaya ngaphandle. Nanini apho kunokwenzeka iOfisi yeOmbud ya kuthi izamele ukufumana indlela

yokusombulula ingxaki phaya kwelona nqanaba lisezantsi apha kwiziko eli. IOfisi yeOmbud ayiyigcineli amarekhodi imicimbi ethe yayiqwalasela iYunivesiti le. Ukusetyenziswa kweOfisi yeOmbud kuya kusoloko kungokuzithandela, kungesosinyanzelo kuyo nayiphi na imbambano okanye umgaqo-nkqubo weYunivesiti le.

5. IMihlaba engangeniyo kuyo, iGunya noNyino lweOfisi yeOmbud

A. Igunya leOfisi yeOmbud

1. Ukuqalisa uPhando Olungenabuceducedu baMigaqo

I'Ombud iya kuba negunya lokwenza uphando ngendlela ekhululekileyo kubuceducedu bemigaqo nemithetho ngawo nawuphi na umba ochaphazela abantu beYunivesiti le. Ngoko ke i'Ombud isenokuthi isungule uphando olungabophelekanga kubuceducedu bemigaqo-nkqubo ngayo nayiphi na imiba eziswa kuyo.

2. Ufikeleleko lweenkcukacha

I'Ombud isenokuthi icele ukuba ikwazi ukufikelela kwiinkcukacha ezichaphazela iinkxalabo zabatyeleli ezikwiifayili nakwiiofisi zeYunivesiti, kwaye iya kubuthathela ingqalelo ubuhlebo bezo nkcukacha. Izicelo zeOmbud zokufikelela kwiinkcukacha kufuneka ziqwalaselwe ngokukhawuleza kangangoko ngamasebe eyunivesiti.

3. Ukurhoxiswa kwenxaxheba kwimicimbi

IOfisi yeOmbud isenokuthi yale ukwenza uphando ngawo nawuphi na umba okanye isenokuthi irhoxe kumba othile xa i'Ombud inenkolo yokuba ayifanelekanga ukuba ithathe inxaxheba kuwo, ngaso nasiphi na isizathu.

4. Uphfumlelwano nabatyeleli

IOfisi yeOmbud inegunya lokuphumelelana nomtyeleli malunga neendlela anokukhetha kuzo, ezibandakanya nazo zombini iinkqubo: engenabuceducedu bamigaqo-nkqubo naleyo ihamba ngokusesikweni lemithetho nemigaqo-nkqubo. Kambe ke, iOfisi yeOmbud ayisayi kuba nalo igunya elipheleleyo lokuwisa isigwebo okanye lokunyanzelisa okanye lokutshintsha umgaqo-nkqubo, umthetho okanye inkqubo.

5. Ufikelelo kwiiNgcali zoMthetho

IOfisi yeOmbud isenokuthi ngamanye amaxesha ifune ingcebiso yomthetho okanye yobunye ubungcali, khona ukuze ikwazi ukuyifizekisa imisebenzi yayo. IOfisi yeOmbud isenokuthi inikwe ingcebiso yomthetho yegqwetha elizimeleyo nelingadibananga neYunivesiti le xa ithe yayicela, iimpepha, okanye ubungqina obuphathelele kuwo nawuphi na umcimbi othathelwe amanyathelo omthetho okanye nayiphi na inkqubo esesikweni, okanye kwimeko apho kuvela ungqzulwano lweenjongo phakathi kweOfisi yeOmbud neziphathamandla zeYunivesiti.

B. Unyino kuMagunya eOfisi yeOmbud

1. Ukufumana iSaziso seYunivesiti

Uqhagamshelwano neOfisi yeOmbud alusayi kuba sisaziso esiya kwiYunivesiti. IOfisi yeOmbud iyayibhengeza into yokuba ayinayo inxaxheba yokwamkela izaziso zeYunivesiti. Ukuba umntu osebenzisa iOfisi yeOmbud ufuna ukunika iYunivesiti isaziso malunga nemeko ethile, okanye uneenkukacha anqwenela ukuba zinikwe iYunivesiti, iOmbud iya kuthi imenzele ingcaciso loo mntu, khona ukuze ke loo mntu akwenze oko ngokwakhe. Kwiimeko ezingqabe kakhulu iOfisi yeOmbud, kunokwenzeka ukuba inyanzeleke ukuba iyazise iYunivesiti. Oku ke kuya kwenzeka kuphela xa ngaba ayikho enye indlela efanelekileyo ekunokwenziwa ngayo.

2. Izivumelwano neMibutho yaBasebenzi (Collective Bargaining Agreements)

IOfisi yeOmbud ayisayi kuqwalasela nayiphi na imicimbi esukela kwisivumelwano nemibutho yabasebenzi ("CBA"), ngaphandle kokuba oko kuyavunyelwa linqaku elikhoyo elibhaliweyo kwi-CBA leyo. Le nto ke ithetha ukuthi, nakubeni iOfisi yeOmbud inokuwanika inkonzo amalungu ombutho wabasebenzi, ezo nkonzo azinakho ukuba zingabandakanya nemiba esele inyathelwe kwi-CBA. IOfisi yeOmbud ingasebenza namalungu ombutho wabasebenzi malunga nayo yonke eminye imiba engabandakanywanga kwiikhontrakthi, imiba efana noqhagamshelwano nabanye abasebenzi.

3. Inkqubo Ezisesikweni noPhando

IOfisi yeOmbud ayinakuqhuba nalo naluphi na uphando olusesikweni. Abasebenzi beOfisi yeOmbud abasayi kuthatha nxaxheba kwiinkqubo zoqwalaselo lweembambano okanye kwizikhalazo okanye amatyala eziigqeba ngaphandle egameni leOfisi yeOmbud okanye leYunivesiti. IOfisi yeOmbud ibonelela ngenye indlela yosombululo lweembambano.

4. Ukugcinwa kwaMarekhodi

IOfisi yeOmbud ayigcini marekhodi. Amanqakwana aye abhalwa ngethuba bekuqwalaselwa umcimbi, ukuba akhona, aye atshatyalaliswe ngamaxesha athile emva kokuba usongiwe umcimbi lowo. Zonke izinto eziqulathe iinkukacha eziphathelele kumcimbi othile kufuneka zigcinwe ngokhuseleko kwindawo enokhuseleko, zize ke zitshatyalaliswe usakuba usongiwe umcimbi lowo. IOmbud isenokuthi izigcine iinkukacha zamanani-ncukacha ezingelohlebo ezinokuthi ziyincede ekwenzeni ingxelo ngendlela yokuhamba kwezinto nasekunikeni indlela.

5. Ubuthetheleli neeNgxaki zaseMoyeni

IOfisi yeOmbud ayisayi kuba ngumthetheleli walo naliphi na icala kwimbambano, futhi ayisayi kumela iziphathamandla okanye abatyeleli beofisi yayo. Kananjalo iOfisi yeOmbud ayiboneleli ngoncedo lwezomthetho okanye lweengxaki zasemoyeni.

6. Izigwebo zeMicimbi (Adjudication of Issues)

IOfisi yeOmbud ayisayi kuba nelungelo lokuba ngumgwebi okanye lokunyanzelisa ngeendlela zokulungisa, lokunyanzelisa imigaqo-nkqubo okanye lokwenza utshintsho lwemigaqo-nkqubo okanye lwemithetho.

7. Ungqzulwano lweenjongo

IOMBUD iya kukuzezela ukubandakanyeka kwimeko apho kukho ungqzulwano lweenjongo. Ungqzulwano lweenjongo luye lwenzeke xa uchaphazeleko, olukhoyo okanye olucingelwayo, lweOMBUD lungenanto yakwenza nomsebenzi wayo, lunokuba ngaphezulu okanye lunokukhuphisana nokuzinikezela kwayo ekungakhethini cala okanye nemeko yokuzimela kweOMBUD. Kwimeko yongqzulwano lweenjongo, olukhoyo okanye olucingelwayo, iOMBUD kufuneka ithathe onke amanyathelo ayimfuneko okuludiza okanye okuluzezela.

C. Ukuziphindezela kwiOMBUD okanye kuBasebenzisi beeNkonzo

1. Onke amalungu amaqela anikwa inkonzo yiOfisi yeOMBUD aya kuba nelungelo lokuba eze kuthethana neOfisi yeOMBUD engenaloyiko lwempindezelo.
2. IOfisi yeOMBUD kufuneka ikhuselwe kwimpindezelo (efana nokuvalwa kweOfisi okanye ukukhutshwa kweOMBUD, okanye ukucuthwa kohlahlo-mali lweOMBUD okanye kwezinye izilungiselelo) nguye nawuphi na umntu ekunokuthi kanti kukhalazwa ngaye okanye kwenziwa uphando ngaye.

Iimbalo Ezisetyenzisiweyo:

1. IOA Standards of Practice

2. IOA Code of Ethics

3. IOA Best Practices: A Supplement to IOA's Standards of Practice



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