# Critical Legal Analysis of Technical Vocational Education and Training Colleges (TVET) Education as a Viable Tool for Achieving the Developmental Agenda of the South African Government

**By**

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## DECLARATION

I declare that the dissertation / thesis hereby submitted to the University of Limpopo, for the degree of Doctor of Law "**Critical Legal Analysis of Technical Vocational Education and Training Colleges (TVET) Education as a Viable Tool for Achieving the Developmental Agenda of the South African Government"** has not previously been submitted by me for a degree at this or any other university; that it is my work in design and in execution, and that all material contained herein has been duly acknowledged.

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**Selane CBD**

**15 July 2024**

## ABSTRACT

This academic study delves into the pivotal role played by Technical and Vocational Education and Training (TVET) colleges within the developmental strategy of the South African government. It elucidates the government's recognition of the indispensable contributions of TVET colleges towards its developmental objectives, particularly focusing on skills development, job creation, and economic growth. Against the backdrop of addressing formidable socio-economic challenges such as inequality, unemployment, and poverty, this inquiry underscores the intrinsic value of TVET colleges in the South African context. Moreover, the study scrutinizes the legislative and policy reforms enacted within South Africa to substantiate TVET education as a pragmatic modality for endowing individuals with the requisite knowledge and competencies to confront these pressing exigencies. The primary aim of this discerning analysis is to appraise the effectiveness of these initiatives in the realisation of their stipulated objectives.

This academic study also undertakes a comparative analysis of the legislative and policy frameworks governing TVET in five distinct nations: South Africa, China, Germany, the United Kingdom, and Canada. The study juxtaposes the experiences and strategies of these diverse countries and seeks to discern innovative and effective approaches employed to promote TVET education and address societal challenges. While acknowledging the unique contexts, issues and objectives of each nation, this study underscores the potential for cross-national learning and the adoption of best practices. In particular, it provides an in-depth examination of the legislative and policy frameworks supporting TVET education, aiming to identify innovative practices that can enhance the efficiency and effectiveness of TVET in South Africa, thereby contributing to the nation's overarching development goals.



**Keywords:** TVET colleges, developmental agenda, South African government, skills development, legal framework, challenges, opportunities, inclusive development, sustainable growth.

## DEDICATION

This thesis is dedicated to my beloved wife, Lebogang Selane, whose unwavering support, encouragement, and love have been my constant source of strength throughout this journey. To my children, Lehlogonolo Selane, Makgomo Selane, and Cassel Selane, your smiles and joy have been my inspiration and motivation.

I also dedicate this work to my supervisor, Prof Odeku, for his invaluable advice and continuous support, and to all those who have contributed to the completion of this thesis in various ways, this is for you. Thank you for believing in me and for your relentless encouragement.

Lastly, I dedicate this work to my esteemed mentors, Cassel Mathale and Julius Malema, whose guidance and vision have profoundly influenced my academic and personal growth.

**Selane CBD**

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# CHAPTER ONE: INTRODUCTION AND BACKGROUND

## 1.1. INTRODUCTION

The strategic integration of Technical and Vocational Education and Training (TVET) colleges into the South African government's developmental framework emphasizes their indispensability. This exposition elucidates the government's cognizance of the invaluable contributions made by TVET colleges to realise its developmental goals, with an accentuation on skills augmentation, the concomitant creation of employment opportunities and the fortification of economic expansion.[1] In the context of mitigating pervasive socio-economic dilemmas namely, inequality, unemployment, and poverty; the cardinal role of TVET colleges is underlined. Furthermore, the analysis traverses the legislative and policy changes effectuated within the South African milieu to bolster TVET education as a pragmatic conduit for endowing individuals with the knowledge and skills requisite for the amelioration of these exigent concerns. The primary impetus behind this discerning legal and policy analysis is the assessment of the effectiveness of these endeavours in materializing their proscribed objectives.

The critical legal study extends its critical lens to international contexts, comparing the legal and policy frameworks for TVET education in countries such as China, Germany, the United Kingdom, and Canada. These comparative analyses offer valuable insights, best practices, and potential lessons that could enhance the effectiveness of TVET in South Africa's development agenda. The study will also share light on the benefits, constraints, and weaknesses of the legal and policy frameworks supporting TVET education through this critical legal analysis.

However, the concept of TVET has a historical antecedence predating the convening of the Second International Congress, held in Seoul in 1999.[2] By defining TVET, denotes educational and training initiatives that are deliberately tailored to equip

[1] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

[2] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

individuals with the specialized skills and knowledge requisite for their engagement in specific professions or trades.[3] While the United Nations has played an active role in the global promotion of technical and vocational education, it is imperative to elucidate that the concept of TVET itself did not originate during the Second International Congress in Seoul.[4] Instead, antecedent to this Congress, TVET had already established a global presence, with various nations and organizations having conceptualized and implemented its principles and methodologies.[5] Nevertheless, it is undeniable that the Second International Congress in Seoul, which was jointly organized by UNESCO and the International Labour Organization (ILO), constituted a seminal event in the annals of TVET.[6] The Congress served as a pivotal forum wherein policymakers, experts, and practitioners congregated to deliberate upon a multitude of aspects pertaining to TVET policies, practices, and challenges.[7] It was within this intellectual milieu that the awareness surrounding the salient value of TVET as a panacea for issues such as unemployment, skills deficits, and the promotion of economic development garnered significant traction.[8]

Within the framework of the developmental agenda, TVET colleges are recognized as a relevant instrument. These institutions are entrusted with the responsibility of providing education and skill development to bolster economic growth, mitigate unemployment, and foster social inclusion. In alignment with the broader

[3] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[4] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[5] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[6] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[7] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[8] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

developmental goals of the country, TVET colleges play a significant role in equipping individuals with the knowledge and skills needed to contribute meaningfully to the labor market, thereby advancing the overarching developmental agenda of South Africa.

The commitment of the South African government to establish a developmental state underscores its dedication to allocating state resources strategically to drive the nation's economic development.[9] Within this framework, education emerges as a central pillar of development, recognized for its potential to foster socioeconomic growth and the realisation of national developmental goals.[10] This perspective aligns with Gelb's viewpoint, which finds resonance in the National Development Plan (NDP).[11] In a developmental state, the government assumes a pivotal and guiding role in the allocation of state resources to facilitate economic growth and fulfil the needs and aspirations of its citizens.[12] Education, given its role in equipping individuals with the knowledge and skills necessary for both economic participation and societal progress, occupies a critical position within this paradigm.[13]

However, the term "developmental agenda" encapsulates a comprehensive set of objectives, strategies, and plans designed to advance and achieve socioeconomic development within a nation or region.[14] It entails the adoption of an all-encompassing approach to address various facets of development, including but not limited to economic expansion, social progress, environmental sustainability, and effective governance.[15]

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[9] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[10] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[11] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[12] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[13] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[14] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[15] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).

Within the context of South Africa's developmental agenda, education emerges as a linchpin for several reasons. Firstly, education equips individuals with the knowledge and competencies required to actively engage in economic activities, thus contributing to overall economic growth.[16] A skilled and educated workforce is fundamental to fostering innovation, enhancing productivity, and attracting investments key drivers of economic development.

Secondly, education is instrumental in promoting social development. It serves as a vehicle for social mobility, offering individuals the opportunity to improve their socioeconomic status and access better living conditions.[17] In this regard, education contributes not only to individual empowerment but also to reducing social inequalities, a critical facet of any comprehensive developmental agenda. Moreover, education plays a pivotal role in environmental sustainability by fostering awareness and understanding of environmental issues.[18] An educated populace is more likely to engage in sustainable practices and advocate for environmental conservation, aligning with broader sustainability goals. Lastly, education enhances governance by fostering an informed and civically engaged citizenry.[19] Informed citizens are better equipped to participate in the democratic process, hold public officials accountable, and contribute to effective governance, all essential elements of a developmental state.

According to Weber, within the context of a developmental state, the precise priorities and content of a developmental agenda are contingent upon the unique circumstances and demands of a specific country or region.[20] However, despite this variability, certain common elements frequently emerge, including the reduction of poverty and

[16] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[17] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[18] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[19] Gelb, S., 2006, September. A South African developmental state: what is possible?. In *Harold Wolpe Memorial Trust's Tenth Anniversary Colloquium,Engaging silences and unresolved issues in the political economy of South Africa* (pp. 21-23).
[20] Weber, H., 2017. Politics of 'leaving no one behind': contesting the 2030 Sustainable Development Goals agenda. *Globalizations*, *14*(3), (pp.399-414).

inequality, improved access to essential services such as healthcare and education, the promotion of employment opportunities, enhancements in infrastructure development, the encouragement of sustainable and inclusive economic growth, the pursuit of good governance, and the pursuit of social justice objectives.[21] This developmental agenda is typically informed by national development plans, strategies, and frameworks that are collaboratively developed by governments in partnership with various stakeholders.[22] These plans serve as a navigational tool, guiding policies, investments, and initiatives toward the achievement of specific developmental objectives and the enhancement of the overall well-being of the population.

In the specific case of South Africa, the developmental agenda is focused on addressing historical injustices and challenges that persist from the apartheid era, promoting inclusive economic growth, expanding employment opportunities, reducing poverty, and advancing social development.[23] The government's developmental strategy is articulated through national policies such as the National Development Plan (NDP), which establishes long-term objectives and strategies for the nation's growth and development.[24]

The aforementioned developmental agenda aligns harmoniously with a series of consequential policy frameworks and resonates with global, regional, and national objectives. Foremost among these is the NDP, which stands as a strategic framework delineating South Africa's long-term vision and developmental goals.[25] The NDP encompasses a comprehensive spectrum of thematic areas encompassing but not confined to employment, education, gender parity, social cohesion, healthcare, environmental sustainability, and governance.[26] The establishment of the TVET colleges sector exemplifies a concerted effort to concretize the NDP's overarching

[21] Weber, H., 2017. Politics of 'leaving no one behind': contesting the 2030 Sustainable Development Goals agenda. *Globalizations*, *14*(3), (pp.399-414).
[22] Weber, H., 2017. Politics of 'leaving no one behind': contesting the 2030 Sustainable Development Goals agenda. *Globalizations*, *14*(3), (pp.399-414).
[23] Weber, H., 2017. Politics of 'leaving no one behind': contesting the 2030 Sustainable Development Goals agenda. *Globalizations*, *14*(3), (pp.399-414).
[24] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[25] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[26] National Development Plan 2030: Our Future-make it work, 15 August 2012.

objectives, principally by enhancing skill development and mitigating unemployment through the provision of education and training of the highest calibre.[27]

Section 1.2 of the NDP, titled "Vision for 2030," underscores the paramount importance of a modernized education and training system characterized by inclusivity and a resolute focus on equipping students with the competencies requisite for productive engagement in the workforce.[28] In this context, particular emphasis is placed on the imperative of fortifying the TVET sector, primarily to address skill deficits, ameliorate the unemployment crisis, and engender economic expansion. By promoting a dynamic and responsive TVET landscape, the NDP envisions a South Africa better equipped to meet the evolving demands of the labour market, thereby buttressing its developmental aspirations.[29]

The right to access TVET education in South Africa enjoys explicit constitutional protection under the provisions of the 1996 Constitution.[30] The Constitution mandates that the sphere of education be transformed to align with democratic principles, predicated upon the bedrock tenets of freedom, equality, and human dignity.[31] Consequently, this constitutional stipulation unequivocally implies that access to TVET education should be universally accessible, irrespective of an individual's circumstances or background.

In order to effectuate equitable access to educational and training opportunities, including TVET, and to safeguard these rights, the Bill of Rights for TVET was established.[32] This legislative instrument articulates the values and norms that underpin South Africa's dispensation of education and training, encompassing the realm of TVET. The Bill of Rights underscores the fundamental status of education as an inherent human entitlement. It acknowledges education's pivotal role in an individual's development and well-being and imposes a categorical obligation upon the state to enact reasonable legislative and other measures to ensure that educational access is extended to all.

[27] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[28] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[29] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[30] Constitution of the Republic of South Africa, 1996 (Constitution).
[31] See Section 7 of the Constitution.
[32] Chapter 2 of the Constitution.

The Constitution of South Africa, underpins the fundamental right to education.[33] Section 29(1)(b) expressly stipulates that "everyone has the right to further education, which the state shall make available and accessible by taking reasonable measures."[34] This constitutional guarantee underscores the state's duty to ensure that TVET education is not only available but also accessible to all citizens.[35]

Section 29(2) of the Constitution reinforces the principle of inclusivity in TVET education by asserting that individuals have the right to receive education in the official language(s) of their choice in public educational institutions where it is reasonably practicable.[36] This provision ensures that linguistic diversity is accommodated in TVET colleges.

Section 9(3) of the Constitution explicitly prohibits unfair discrimination on various grounds, including race, gender, and social origin.[37] This clause reinforces the principle that access to TVET education must not be restricted based on these protected characteristics, fostering an environment of equal opportunity.[38]

Section 7(2) of the Constitution imposes a duty on the state to respect, protect, promote, and uphold the rights enshrined in the Bill of Rights, including the right to TVET education.[39] This underscores the state's obligation to proactively safeguard and advance this right.

The Continuing Education and Training Act 16 of 2006 (CETA) constitutes a pivotal legislative enactment governing TVET colleges in South Africa.[40] This legislation establishes the legal framework for the creation, administration, and management of TVET colleges, granting them formal recognition within the educational landscape.[41] It articulates the functions, responsibilities, and governance structures of TVET colleges, providing a structured framework for their establishment and operation.[42]

[33] Constitution of the Republic of South Africa, 1996 (Constitution).
[34] See Section 1 (b) of the Constitution.
[35] Constitution of the Republic of South Africa, 1996 (Constitution).
[36] See Section 29 (b) of the Constitution.
[37] See Section 29 (3) 0f the constitution.
[38] See Section 29 (3) 0f the constitution.
[39] See Section 7 (2) of the Constitution.
[40] Continuing Education and Training Act 16 of 2006.
[41] Continuing Education and Training Act 16 of 2006.
[42] Continuing Education and Training Act 16 of 2006.

The CETA also delineates the process for program development and accreditation, ensuring that TVET courses adhere to national standards and industry demands.[43] Furthermore, it establishes quality assurance mechanisms to uphold the delivery of high-quality vocational education and training.

TVET colleges occupy a pivotal position in South Africa's developmental agenda. Their role is instrumental in addressing pressing challenges, such as unemployment, poverty, and inequality.[44] TVET education is viewed as a potent tool for equipping individuals with practical skills and competencies that are aligned with the demands of the labor market. It fosters economic growth by enhancing employability and entrepreneurial capacities.[45]

In order to embark upon a robust and critical legal analysis of TVET colleges, it is imperative to situate this transformation within the historical context of South Africa. This historical backdrop encompasses the enduring legacy of apartheid, the subsequent waves of educational reforms, and the overarching developmental aspirations of the South African government. It is this contextual milieu that forms the crucible from which pertinent legal insights can be gleaned.

Appreciating this historical context is pivotal for a comprehensive legal examination of the regulatory framework governing TVET colleges. Furthermore, it is indispensable for a judicious evaluation of the manifold ways in which TVET colleges contribute to the broader developmental agenda of the South African government and play a pivotal role in redressing historical injustices. In sum, this historical contextualization serves as an essential foundation for the in-depth legal analysis and critical assessment of TVET colleges in South Africa.

[43]Continuing Education and Training Act 16 of 2006.
[44]McGrath, S., Madziva, R. and Thondhlana, J., 2017. Rethinking the employability of international graduate migrants: Reflections on the experiences of Zimbabweans with degrees from England. *Journal of Further and Higher Education*, *41*(2), pp.238-259.
[45]McGrath, S., Madziva, R. and Thondhlana, J., 2017. Rethinking the employability of international graduate migrants: Reflections on the experiences of Zimbabweans with degrees from England. *Journal of Further and Higher Education*, *41*(2), pp.238-259.

## 1.2. BACKGROUND TO THE STUDY

The historical trajectory of South Africa bears the indelible marks of a complex and tumultuous past, prominently characterized by the enduring legacies of apartheid and the subsequent transition to democracy. Against this backdrop, this academic discourse delves into the historical context that forms the crucible for the critical legal analysis of TVET colleges as instrumental components in the realisation of the developmental agenda pursued by the South African government. This historical milieu brings into sharp focus the far-reaching and enduring consequences of apartheid, the consequential educational reforms undertaken in the post-apartheid era, and the overarching objectives of the government, particularly within the ambit of TVET colleges.

In accordance with Papier's analysis, the provision of technical education to the youth underwent significant transformation during the early 1800s, primarily influenced by the burgeoning industrial growth of the era.[46] This period marked the advent of the Industrial Revolution, a transformative phase characterized by rapid advancements in manufacturing, technology, and mechanization.[47] The consequence of these profound developments was an escalating demand for skilled individuals possessing the requisite technical acumen and practical proficiencies to operate machinery and actively contribute to industrial processes.[48] As industries expanded, there emerged an imperative need for a workforce that could adeptly adapt to the evolving technological landscape.[49]

The imperative to meet the requisites of industrialization and equip individuals with the necessary skills to underpin economic expansion was a driving force behind the establishment of technical education during the early 1800s, a period marked by burgeoning industrial development.[50] This marked a pivotal shift in educational

[46] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[47] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[48] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[49] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[50] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.

philosophy, transitioning towards a more specialized and pragmatic approach that acknowledged the intrinsic value of technical expertise and competencies within the evolving industrial landscape.[51] The heightened emphasis on technical education laid the foundation for the evolution of contemporary Technical and Vocational Education and Training (TVET) systems, which continue to play an indispensable role in preparing individuals for careers spanning various technical and industrial domains.[52]

As indicated by Papier, it is noteworthy that the majority of TVET colleges have garnered negative perceptions, primarily as a consequence of suboptimal policy formulation and implementation.[53] These adverse perceptions was notably prevalent among students and various stakeholders associated with the TVET sector, with one of the most significant concerns being the sector's perceived low prestige. One prominent facet of the negative perception surrounding the TVET sector was the perception of outdated systems, including curriculum and facilities.[54] The obsolescence of these elements hinders the sector's ability to provide contemporary and relevant education and training.[55] Inadequate teaching and supporting staff further exacerbate the challenges faced by the sector, impairing its capacity to deliver quality education.[56] Additionally, the sector has been criticized for offering programs that do not align with market and industry requirements, resulting in a disconnect between the skills imparted and the demands of the job market.[57] The shortcomings and failures of TVET programs are multifaceted and have been attributed to a combination of factors, including inadequate planning and the appointment of personnel ill-suited to the planning process. These inadequacies in program planning and implementation have contributed to the negative perceptions surrounding the TVET sector.

[51] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[52] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[53] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[54] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[55] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[56] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[57] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.

During the lamentable epoch of Apartheid in South Africa, a suite of legislative measures and regulatory edicts were instituted with the explicit aim of perpetuating the dominion of the white minority and the concomitant practice of racial segregation.[58] Notably, among this corpus of discriminatory enactments, the Mines and Works Act No. 12 of 1911[59], colloquially referred to as the "Colour Bar Act[60]," occupies a pivotal position. This statute, as a foundational legal instrument, underpinned the discriminatory legal framework extant during that period.[61]

The Mines and Works Act of 1911 was conspicuously predicated upon the objective of precluding non-white individuals, chiefly Black Africans, from accessing skilled and semi-skilled vocations within the mining industry.[62] In pursuit of this objective, these laws introduced a comprehensive system of employment predicated on racial classification, thereby categorically designating white individuals for specific occupational roles and hierarchies.[63] Central to the apartheid regime's overarching stratagem to safeguard white economic hegemony and dominion was the systemic separation of labourers along racial lines. In particular, the Act imposed a legally mandated obligation upon mine proprietors and corporate entities to engage white labour for designated functions, encompassing managerial, technical and skilled positions.[64] In stark contrast, it instituted formidable impediments for non-white individuals, including Black Africans, Coloured, and Indians, compelling them to labour in menial and unskilled occupations devoid of opportunities for skill development or career advancement.[65] The stark segregation thus enforced within the workplace precipitated profoundly injurious consequences for non-White populations, thereby perpetuating and exacerbating entrenched racialized economic disparities.[66]

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[58] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[59] The Mines and Works Act No. 12 of 1911
[60] The Colour Bar Act No 25 of 1926
[61] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[62] The Mines and Works Act No 12 of 1911.
[63] The Mines and Works Act No 12 of 1911.
[64] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[65] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[66] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.

The Bantu Education Act[67] constituted a pivotal element within the broader stratagem of the apartheid regime, meticulously devised to institutionalize discrimination, while concurrently safeguarding white hegemony and control.[68] Its ramifications endured for successive generations of non-White individuals, exerting profound and enduring impacts upon their capacity to access education of commensurate quality, attain socioeconomic upward mobility, and experience a salubrious state of general well-being.[69] This legislative edifice occupied a conspicuous position within the arsenal of apartheid-era measures adroitly instituted by the South African government, grounded in the overt intent of engendering a schismatic educational paradigm one markedly less efficacious for Black African, Coloured, and Indian students when juxtaposed against their white counterparts.[70]

The undergirding objective of the Bantu Education Act was the meticulous construction of a distinct educational apparatus, one deliberately circumscribed in effectiveness, intended to perpetuate the subordination of non-White pupils.[71] This framework zealously regulated and delimited the educational pursuits of non-white communities, channelling their aspirations toward the creation of a labour force singularly advantageous to the white minority.[72] Underpinning this unequal structure were schools for non-white children conspicuously marked by chronic underfunding, inadequate staffing, and a paucity of requisite resources, contrasting starkly with their white counterparts.[73]

Furthermore, the pedagogical curriculum proffered by the Bantu Education Act was imbued with the insidious tenets of racial supremacy and segregation, artfully calibrated to reflect a political and cultural bias.[74] Its primary aim was the inculcation

[67] The Bantu Education Act, Act No 47 of 1953.
[68] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[69] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[70] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[71] The Bantu Education Act, Act No 47 of 1953.
[72] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[73] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[74] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.

of apartheid ideology, serving to perpetuate the notion of white supremacy and the concomitant racial hierarchy.[75] As an inevitable consequence, this educational paradigm engendered profound schisms between white and non-white students, thereby truncating the prospects for scholastic and vocational advancement, gravely constricting access to high-quality educational opportunities, and exacerbating pre-existing societal disparities.[76] In essence, he Bantu Education Act stands as an indelible testament to the apartheid regime's unrelenting endeavour to propagate prejudice and maintain racial inequality through the instrumentalization of education.[77]

The Education and Training Act, designated as Act No. 90 of 1979, did not effectuate the repeal of the Bantu Education Act.[78] Contrarily, it perpetuated and reinforced the apartheid-era legal framework governing education, notably the pernicious practice of racial segregation, as enshrined under the aegis of the Education and Training Act of 1979.[79] This legislative apparatus constituted an integral constituent within the larger legal scaffold buttressing South Africa's apartheid regime, deliberately upholding and perpetuating a mosaic of disparate educational systems characterized by unequal apportionment of resources, disparities in facilities, and uneven access to educational opportunities contingent upon racial classification.[80]

During the epoch of apartheid in South Africa, the Education Act No. 2 of 1965,[81] commonly denominated as the "Extension of University Education Act," was promulgated. This legislation bore the effect of circumscribing access to tertiary education, particularly for non-white individuals, notably Black Africans, thus further reinforcing the deeply entrenched mantle of racial segregation.[82] It is essential to underscore that the genesis and operationalization of these apartheid-era educational

[75] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).
[76] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).
[77] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).
[78] The Education and Training Act No. 90 of 1979
[79] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).
[80] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).
[81] The Education Act No. 2 of 1965
[82] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48).

policies bore the indelible imprint of Dr. Hendrik Verwoerd[83], who, at the time, served as South Africa's Minister of Bantu Education and subsequently ascended to the office of Prime Minister.

Dr. Verwoerd staunchly championed the doctrine of "separate development," purporting that coexistence and collaborative endeavours between black and white communities could ostensibly flourish within the same geographic precincts.[84] However, his ultimate objective was to cement the rigidity of racial segregation and to retain imperious control over the access of non-white students to educational opportunities.[85] Indeed, the Bantu Education Act, characterized by its racially segregated contours, found reinforcement in the Education Act No. 2 of 1965, which wielded the tool of creating distinct tertiary institutions and universities catering to diverse racial groupings, thereby further circumscribing the educational horizons of non-white individuals.[86] It is manifestly apparent that the Education Act No. 2 of 1965 effectively denuded non-white individuals of their right to equitable access to high-calibre education on par with their white counterparts.[87]

As per the South African Department of Education, a significant reorganization of the TVET institutional landscape, previously denominated as the Further Education and Training (FET) college sector, was initiated in the year 2001.[88] This restructuring endeavour was facilitated by the Department of Labour's endorsement of the "Provincial Skills Plan 2001," aligning with the overarching objectives delineated in the National Human Resource Development Strategy (HRD).[89] Notably, the Department of Labour conducted a comprehensive assessment encapsulated within the

[83] The Prime Minister of the Republic of South Africa, 1966. In Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), (pp.38-48)
[84] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[85] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[86] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[87] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[88] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[89] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.

"Provincial Skills Plan 2001."[90] This evaluative report meticulously examined the skill requisites and imperatives within each province of South Africa, with a view to addressing the pervasive skills shortages and lacunae prevalent across diverse industries and sectors nationwide.[91]

The strategic underpinning of the "Provincial Skills Plan 2001" lay in its emphasis on the critical need to harmonize educational and training initiatives with the unique skill demands distinctive to each province.[92] This approach was deemed instrumental for catalysing economic growth and engendering job creation.[93] By discerning the nuanced skill prerequisites of each province, this strategy sought to forge a synergy between education and training programs and the specific demands of local economies, thereby facilitating a more cohesive and tailored approach to skill development.[94]

In the broader context, the National Human Resource Development Strategy (HRD) assumed a pivotal role in providing a comprehensive framework for the cultivation of human capital in South Africa.[95] Acknowledging the paramount importance of education and skill development in driving economic growth, mitigating unemployment, and rectifying historical injustices, the HRD strategy was conceived.[96] Its overarching objective was to orchestrate a coordinated and harmonized approach to education, training, and skills development at the national level.[97] In this vein, the HRD strategy aspired to ensure the judicious utilization of human resources to catalyse economic and social development, thereby advancing the nation's aspirations for progress and prosperity.[98]

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[90] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[91] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[92] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[93] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[94] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[95] The National Strategy for Further Education and Training, 1999-2001.
[96] The National Strategy for Further Education and Training, 1999-2001.
[97] The National Strategy for Further Education and Training, 1999-2001.
[98] The National Strategy for Further Education and Training, 1999-2001.

Moreover, the report has advocated for enhanced collaboration between TVET institutions and industries to meet the exigencies of a burgeoning economy. To ensure that the TVET sector produced graduates equipped with highly sought-after skills, the report have underscored the imperative of fostering partnerships and cooperative ventures with corporations, industry associations, and business networks.[99] These collaborative efforts entailed the establishment of work-integrated learning programs, the formation of industry advisory boards, and the cultivation of regular interactions between educators and corporate entities.[100] By fostering such collaborative endeavours, the report ensured that the currency and relevance of curricula, aligning them with the evolving needs of the burgeoning economy.[101]

Furthermore, the report's findings have underscored the imperative for lecturers and staff within TVET institutions to continually upgrade their skills and engage in ongoing professional development.[102] This enhancement has achieved through the introduction of training courses, workshops, and seminars.[103] By undergoing such upskilling endeavours, educators to be better equipped to deliver high-quality instruction and training, fully aligned with the evolving demands of the expanding economy.[104]

The conclusions drawn from the report have also spurred the TVET industry to bolster its monitoring and quality assurance mechanisms. Efforts have made to ensure that institutions were providing education and training of the highest calibre, consistent with established standards.[105] This have been entailed the development of accreditation processes, the establishment of quality control bodies, and the institution of continuous

[99] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[100] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[101] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[102] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[103] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[104] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[105] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.

assessments of institutional performance.[106] The transformative changes envisioned in response to the report have aimed to rectify the deficiencies and outdated structures of previous technical institutions, rendering them more adaptive, dynamic, and efficient in addressing the imperatives of the burgeoning economy across all nine provinces of South Africa.[107]

The inception of Further Education and Training Colleges (FET Colleges), commonly referred to as FETs, attributed to the concerted efforts led by the South African Department of Education.[108] This initiative was undertaken with a profound understanding of the necessity for policy reform and the imperative to address the historical legacy associated with technical institutions that bore the vestiges of a detrimental colonial past.[109] The Department of Education, cognizant of the need for transformation and in response to the formidable developmental challenges confronting the South African government, played a pivotal role in spearheading the conceptualization and establishment of FET Colleges.[110]

By recognizing the exigency for reform and demonstrating a proactive commitment to addressing the developmental complexities confronting the nation, the Department of Education made a substantial contribution to the evolution of vocational education and training in South Africa.[111] In subsequent years, FET Colleges have evolved into substantial institutions, instrumental in advancing the South African government's developmental policy objectives.[112] These institutions have come to represent hubs for accessible, high-quality education, and training, contributing substantively to the government's overarching developmental agenda.[113]

The overarching aim in transforming technical institutions into FET Colleges is to revamp and realign educational curricula to harmonize with the developmental

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[106] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[107] Department of Education, 1995. White paper on education and training. *Government Gazette*, 357(16312), pp.4-80.
[108] The Further Education and Training Act No 98 of 1998.
[109] The Further Education and Training Act No 98 of 1998.
[110] The Further Education and Training Act No 98 of 1998.
[111] The Further Education and Training Act No 98 of 1998.
[112] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[113] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.

imperatives articulated by the South African government.[114] The fundamental objective was to equip individuals with the requisite skills and knowledge to effectively engage with and address the multifaceted developmental challenges confronting the nation. [115]This was to be achieved through a paradigm of education and training that was not only pertinent but also responsive to the evolving needs of South Africa's developmental landscape.

The establishment of FET Colleges marked a deliberate departure from antiquated perceptions of technical colleges marred by colonial legacies.[116] The intent was to foster institutions that would espouse diversity, promote skill development, and actively contribute to the holistic growth of individuals, communities, and the nation at large.[117] In essence, the creation of FET Colleges encapsulated a forward-looking vision committed to enhancing the educational and training landscape while aligning it with the imperatives of South Africa's contemporary developmental aspirations.[118]

TVET colleges in South Africa grappled with issues pertaining to their identity and representation during the tumultuous apartheid era.[119] The complexity of their educational offerings and the diverse spectrum of beneficiaries they catered to left them in a state of ambiguity concerning their cohesive identity.[120] This period of South African history was marked by segregationist policies that perpetuated racial divisions, and educational institutions, including TVET colleges, were not immune to the prevailing atmosphere of discrimination and inequality.[121]

In the post-apartheid era, a significant transformation transpired within the South African educational landscape, particularly within the Further Education and Training (FET) College sector.[122] These colleges underwent substantial evolution, emerging as institutions deeply aligned with the government's developmental objectives. FET

[114] The Further Education and Training Act No 98 of 1998.
[115] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[116] Papier, J., 2017. Improving college-to-work transitions through enhanced training for employment. *Research in Post-Compulsory Education*, *22*(1), pp.38-48.
[117] The Further Education and Training Act No 98 of 1998
[118] The Further Education and Training Act No 98 of 1998
[119] The Further Education and Training Colleges Act 16 of 2006.
[120] The Further Education and Training Colleges Act 16 of 2006.
[121] The Further Education and Training Colleges Act 16 of 2006.
[122] The Further Education and Training Colleges Act 16 of 2006.

Colleges have assumed a pivotal role in facilitating the realisation of the South African government's development strategy.[123] These institutions have come to symbolize accessible, cost-effective, and high-quality education and training, making significant inroads toward advancing the nation's development agenda.

FET Colleges have firmly established themselves as inclusive institutions, extending their reach to a diverse array of learners.[124] This encompasses individuals who have discontinued formal schooling, adults endeavouring to augment their skill sets, and those seeking to enhance their employability or prospects in the job market. In doing so, FET Colleges have diligently worked to dismantle educational barriers and contribute to the attenuation of socioeconomic disparities by furnishing accessible opportunities for education and training.

Frequently, FET Colleges engage in collaborative efforts with various stakeholders, including industry partners, governmental entities, and community organizations, to craft and refine their educational programs.[125] This concerted approach ensures that the programs offered by FET Colleges remain attuned to the specific needs and objectives of the regions they serve.[126] Importantly, such collaborative endeavours are aligned with the broader goal of supporting skills development that aligns with the overarching aims of the nation's economic development agenda.[127]

Collectively, FET Colleges have evolved into integral components of South Africa's comprehensive education and training framework. They operate as linchpins underpinning the government's developmental policy. These institutions wield significant transformative potential, as they empower individuals, enhance

[123] The Further Education and Training Colleges Act 16 of 2006.
[124] The Further Education and Training Colleges Act 16 of 2006.
[125] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[126]Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[127] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

employability, stimulate economic growth, and propel societal change.[128] Their mandate to provide accessible, high-quality education and training resonates deeply with the imperatives of national development.

The salient contribution of FET Colleges to the South African government's development strategy is poised for further enhancement through sustained investment in and continual improvement of these institutions.[129] Such endeavours serve to fortify their capacity to not only address the nation's skills development needs but also to reinforce their pivotal role as catalysts of progress and prosperity within the broader socioeconomic landscape.[130]

A salient feature of TVET colleges pertained to the inclusion of a theoretical component within their educational framework, was imbued with a mission to ameliorate historical educational inequalities and promote equitable opportunities, and with a particular focus on underserved Black communities.[131] The theoretical component of TVET colleges was deliberately designed to equip economically disadvantaged individuals with both skills and knowledge.[132] This theoretical component served as a conduit through which students could access foundational information and conceptual understanding pertinent to their chosen fields of study.[133] By imparting background knowledge and a comprehensive theoretical foundation, TVET colleges aimed to furnish students with a solid intellectual underpinning that would bolster their practical competencies.[134]

In numerous instances, the practical component of TVET programs was enriched through collaborative partnerships with prominent corporations or industry sectors.[135]

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[128] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[129] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[130] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[131] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[132] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[133] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[134] Powell, L. and McGrath, S., 2014. Meeting the needs of the poor: What matters to South African FET college students. *Education and Training*, p.2.
[135] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and*

These collaborations were instrumental in supplementing the educational experience by affording students the opportunity to acquire practical knowledge and first-hand experience germane to their chosen fields.[136] The overarching objective of these partnerships was twofold: first, to bridge the knowledge gap by aligning education with industry-specific requirements, and second, to enhance students' employability prospects by equipping them with practical skills that directly responded to the needs of the labour market.[137]

The 'National Committee on Further Education' undertook a comprehensive examination of the intricate historical legacy associated with FET institutions.[138] Recognizing the multifaceted nature of the challenges posed by these institutions, the committee devised a strategic approach aimed at addressing these complexities.[139] Central to this approach was the establishment of a 'National Qualification Framework' (NQF), which was envisioned as a mechanism to ameliorate the intricate institutional issues.[140] The NQF sought to streamline the educational landscape by categorizing education into three distinct bands, namely, higher education, general education, and further education.[141] The principal objective underpinning the formation of the committee on further education was to fortify the relationship between the Department of Higher Education and Technical Colleges, with the overarching aim of providing differentiated post-school learning opportunities to learners.[142] The rationale for this

*training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

[136] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

[137] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

[138] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

[139] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

[140] The South African Qualifications Authority Act. Act 58 of 1996.

[141] The South African Qualifications Authority Act. Act 58 of 1996.

[142] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

delineation into three bands was primarily to encompass the realms of further education, higher education, and training within a comprehensive framework.[143]

However, it is noteworthy that FET institutions found themselves categorized under the 'further' group, alongside senior secondary schools.[144] This categorization signifies that FETs fell under the purview of provincial entities rather than the newly established national Department of Education.[145] This delineation of authority stemmed from the pragmatic considerations of resource allocation and infrastructure constraints. The rationale underlying this division of authority was predicated on the principle that further education and training should be governed by provincial authorities, as opposed to being under the direct purview of the central Department of Education.[146]

In essence, the establishment of the National Qualification Framework (NQF) and the subsequent categorization of FET institutions within the 'further' band underscore the multifaceted nature of the challenges faced by these institutions.[147] The division of authority, allocating governance responsibilities to provincial entities, was shaped by pragmatic considerations and a desire to effectively manage and administer the complexities associated with further education and training within the South African educational landscape.[148]

The establishment of the NQF constituted a pivotal endeavour aimed at furnishing a standardized framework to categorize and formally recognize qualifications spanning

[143] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[144] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[145] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[146] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[147] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[148] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

various tiers of the education and training spectrum.[149] This framework was conceived with the explicit goal of addressing the intricate intricacies and fragmentation that had historically characterized the South African educational system.[150]

The NQF's core conceptualization revolved around the classification of education into three distinctive bands: higher education, general education, and further education.[151] Within this structured framework, each band was meticulously tailored to fulfil specific educational objectives and serve as a coherent unit of the broader educational landscape.[152]

The higher education band encompassed universities and other tertiary institutions that were primarily dedicated to the provision of advanced academic and professional credentials, including degrees and certificates.[153] Institutions within this band were oriented toward delivering comprehensive and specialized knowledge, along with specific skills pertinent to a diverse array of occupations and career pathways.[154] The higher education band was thus designed to facilitate in-depth learning and the cultivation of expertise in various fields of study.

Conversely, the general education band was structured to cater to learners during their formative years in elementary and secondary education.[155] Its fundamental purpose was to provide students with a foundational framework encompassing values, knowledge, and a broad spectrum of skills.[156] This band aimed to equip students with a versatile skill set and a well-rounded education that would serve as a springboard for subsequent academic pursuits or entry into the workforce.[157] It was conceived as

[149] The South African Qualifications Authority Act. Act 58 of 1996.
[150] The South African Qualifications Authority Act. Act 58 of 1996.
[151] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[152] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.t of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[153] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[154] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[155] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[156] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[157] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

a preparatory phase, nurturing learners for the challenges and opportunities that lay ahead.

The genesis of the National Qualifications Framework (NQF) can be traced to its fundamental purpose: to provide a structured and standardized framework that effectively categorizes and validates qualifications across diverse levels of education and training.[158] In response to the intricate web of complexities and fragmentation that characterized the South African educational system, the NQF was conceived as a comprehensive solution.[159]

The transformation of FET colleges in South Africa underwent a substantive process facilitated by a confluence of policies and legislations.[160] These pivotal initiatives included the National Student Financial Aid Scheme (NSFAS), the National Qualifications Framework (NQF), and the Continuing Education and Training Act, among others. These policy measures represented instrumental tools employed by the government to engender the metamorphosis of FET colleges into institutions that could effectively respond to both economic imperatives and broader developmental objectives.[161]

The National Student Financial Aid Scheme (NSFAS) assumed a central role in this transformative process by extending financial support to eligible students, thereby mitigating economic barriers and enhancing access to education and training.[162] The NSFAS program was designed to promote inclusivity and foster equitable opportunities, ensuring that deserving students could pursue their educational aspirations without being impeded by financial constraints.[163]

In tandem with NSFAS, the National Qualifications Framework (NQF) provided a structured framework for the classification and recognition of qualifications across diverse levels of education and training.[164] This framework served as a linchpin in

[158] The South African Qualifications Authority Act. Act 58 of 1996.
[159] The South African Qualifications Authority Act. Act 58 of 1996.
[160] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[161] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[162] The National Student Financial Aid Scheme Act 56 of 1999.
[163] The National Student Financial Aid Scheme Act 56 of 1999.
[164] The National Qualification Framework Act No 67 of 2008.

ensuring the coherence and standardization of educational offerings, thereby bolstering the quality and relevance of programs offered by FET colleges.[165]

The Continuing Education and Training Act emerged as a significant legislative instrument, delineating a comprehensive framework for the governance, financing, and quality assurance of FET colleges.[166] This legislation was framed with the explicit objective of addressing historical challenges and impediments that had plagued the FET sector.[167] By promoting high-quality education and training, rectifying historical disparities, and enhancing accessibility and equity, the Continuing Education and Training Act sought to orchestrate a profound transformation of FET colleges.[168]

The NSFAS played a pivotal role in enhancing access to higher education, particularly for students hailing from working-class and economically disadvantaged backgrounds.[169] Central to NSFAS's mission was the provision of pragmatic and sustainable financial assistance to students, thereby affording them the means to pursue their educational aspirations.[170] NSFAS operated as a key instrument in advancing the overarching goals of the national development strategy, with a particular focus on dismantling barriers to education, fostering affordability, and catalyzing social mobility.[171]

However, a significant milestone in the evolution of FET colleges was marked by the introduction of the National Qualifications Framework (NQF). This framework served as a structured mechanism for categorizing qualifications, fostering comparability, and facilitating progression within the broader educational and training ecosystem.[172] The NQF was conceived with the fundamental objective of ensuring that the qualifications conferred by FET colleges achieved both national and international recognition while remaining attuned to the exigencies of the economy.[173] The NQF's pivotal role in

[165] The National Qualification Framework Act No 67 of 2008.
[166] Continuing Education and Training Act 16 of 2006.
[167] Continuing Education and Training Act 16 of 2006.
[168] Continuing Education and Training Act 16 of 2006.
[169] The National Student Financial Aid Scheme Act 56 of 1999
[170] The National Student Financial Aid Scheme Act 56 of 1999
[171] The National Student Financial Aid Scheme Act 56 of 1999
[172] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[173] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.

standardizing and harmonizing qualifications contributed significantly to augmenting the credibility and caliber of FET education and training.[174] This framework served as a linchpin in aligning educational outcomes with industry needs, enhancing the relevance of qualifications offered by FET colleges.

Collectively, these policy measures were strategically formulated to redress historical disparities, promote social mobility, and bolster economic development.[175] They accomplished these objectives by fortifying the governance, funding, and quality assurance mechanisms governing FET colleges, in addition to extending vital financial support to students.[176] In essence, these policies constituted a holistic and multifaceted approach to fostering equitable access, enhancing the quality of education and training, and driving socioeconomic advancement within the South African context.

The development of the 'Green Paper on Further Education and Training' was a strategic response to the multifaceted challenges arising in the context of economic transformation.[177] The primary objective underpinning this paper was the resolution of issues related to educated unemployment and the phenomenon of jobless growth that permeated all strata of society.[178] However, the pressing need to address the conundrum of fragmentation and a disjointed approach within further education and training, coupled with a dearth of accountability, underscored the necessity for comprehensive reform.[179]

To rectify this situation, the committee was tasked with formulating solutions proposed that Further Education and Training (FET) colleges should be governed by the 'South African Schools Act.[180] This legislative directive was envisioned as a mechanism to ensure that the governance and financial aspects of FET colleges would be subjected

[174] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[175] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[176] Department of Education (1997b). *Report of the National Committee on Further Education*. Pretoria: Department of Education.
[177] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[178] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[179] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[180] The Schools Act No 84 of 1996.

to the regulatory framework outlined in the Schools Act of 1996.[181] This strategic alignment sought to engender a more cohesive and integrated approach to the governance and financial management of FET colleges.

Notably, the 'Green Paper on Further Education and Training' marked a departure from certain aspects of the National Committee on Further Education Report, particularly concerning the policy development process.[182] For instance, while the committee had suggested that the Department of Labour should assume responsibility for work training, the Green Paper proposed a different approach.[183] It emphasized that FETs should collaborate and coordinate with the Department of Labour on the implementation of learnerships, reflecting a nuanced and evolving policy direction.[184]

Crucially, the 'Green Paper on Further Education and Training' embedded FET policies within a broader social and economic context. The rationale underlying this approach was the recognition that the transformation of FETs necessitated active involvement from the private sector and communities, in synergy with government initiatives.[185] The imperative was for FETs to enhance their relevance and efficacy, aligning their educational offerings with the demands of the economy and thereby facilitating the realisation of the government's developmental agenda.[186]

The formulation of the "Green Paper on Further Education and Training" represented a critical policy initiative crafted in response to the intricate challenges posed within the context of South Africa's evolving economic landscape.[187] Against the backdrop of a dynamic and globalized economic milieu, the primary objective of this policy document was to delineate a strategic framework for the comprehensive restructuring and revitalization of the further education and training (FET) sector.[188] This policy endeavour recognized the pivotal role played by the FET sector in furnishing individuals with the requisite skills and knowledge essential for meaningful engagement in the national economy.[189] In the contemplations of the Green Paper,

[181] The Schools Act No 84 of 1996.
[182] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[183] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[184] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[185] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[186] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[187] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[188] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[189] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.

the FET sector was positioned as a linchpin for cultivating human capital, stimulating economic growth, and fostering social inclusion.[190] However, it was imperative for the FET sector to adapt and realign itself with the evolving exigencies of the labor market to effectively contribute to the imperatives of economic expansion and societal integration.[191]

As a consequence, the Green Paper underscored the compelling need for substantial reforms within the FET sector. These reforms were envisaged as a vehicle for harmonizing the sector with the shifting dynamics of the labour market, thereby enhancing its capacity to act as an instrumental catalyst for economic growth and social progress.[192] The policy document represented a comprehensive and forward-thinking response to the multifaceted challenges that confronted the FET sector in the context of South Africa's contemporary economic landscape.[193]

The Green Paper underscored the paramount importance of aligning the curricular offerings of Further Education and Training (FET) programs with the diverse needs of various industries encompassing manufacturing, agriculture, tourism, and information and communication technology.[194] Central to its thematic underpinning was the imperative of delivering education and training that is both pertinent and tailored to the specific requirements of the labour market.[195] This strategic approach was designed to serve as a catalyst for augmenting employment opportunities, fostering entrepreneurial endeavours, and catalysing economic growth.[196]

Moreover, the Green Paper did not merely confine its purview to economic imperatives but also confronted issues of equity and access. It explicitly acknowledged the historical injustices and entrenched obstacles that had long hampered individuals, particularly those from marginalized and disadvantaged backgrounds, in their pursuit of high-quality education and training.[197] In this regard, the Green Paper placed a premium on the principles of inclusive education and underscored the compelling

[190] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[191] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[192] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[193] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer.
[194] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer
[195] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer
[196] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer
[197] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer

necessity to dismantle the barriers that hindered individuals from realising their full potential.[198] The government's overarching objective, as articulated through the Green Paper, was to engender a participatory discourse involving stakeholders aimed at charting the future trajectory.[199]

The transition from Further Education and Training (FET) to Technical and Vocational Education and Training (TVET) was executed with the deliberate intention of more accurately encapsulating the core objectives and mandates of these educational institutions.[200] This transition served to underscore the profound significance of nurturing technical and vocational skills in alignment with the exigencies of the nation's economic and developmental imperatives.[201] The adoption of the new nomenclature, TVET, was envisioned as a deliberate act aimed at accentuating the pragmatic and applied nature of the instruction and training imparted within these institutions, particularly emphasizing their relevance to the contemporary workplace.[202]

In adopting the term "TVET," South African authorities sought to harmonize the country's technical and vocational education and training system with prevailing international norms and nomenclature.[203] Globally, educational institutions that specialize in the provision of practical skill development and the conferment of vocational certifications are universally referred to as "TVET" institutes.[204] The transition to the nomenclature of TVET colleges represented more than a superficial change; it embodied a comprehensive commitment to the reform and realignment of the technical and vocational education sector in consonance with the overarching national development objectives.[205] It signified a profound recognition of the pivotal role that TVET colleges assume in equipping individuals with the knowledge,

[198] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer
[199] Department of Education (1998) *Green Paper on Further Education*. Pretoria: Government Printer
[200] The FET Colleges Amendment Act, 2013 (Act no. 1 of 2013).
[201] The FET Colleges Amendment Act, 2013 (Act no. 1 of 2013).
[202] The FET Colleges Amendment Act, 2013 (Act no. 1 of 2013).
[203] The FET Colleges Amendment Act, 2013 (Act no. 1 of 2013).
[204] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[205] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

competencies, and skills requisite for gainful employment, self-employment, and the promotion of economic growth.[206]

In broader context, the decision to re-christen Further Education and Training (FET) colleges as Technical and Vocational Education and Training (TVET) colleges constituted a pivotal component of a comprehensive initiative aimed at repositioning and elevating the stature of TVET within the South African educational landscape.[207] This strategic shift underscored the intrinsic importance of TVET colleges in advancing sustainable development objectives and in addressing the evolving imperatives of a rapidly transforming labour market.[208]

### 1.2.1. Theoretical frameworks

A comprehensive critical legal analysis of TVET colleges within the context of fulfilling the developmental objectives set forth by the South African government can be approached through the lens of several pertinent theoretical frameworks. These theoretical paradigms offer valuable insights into the role and significance of TVET colleges in addressing skill deficits and bridging capacity gaps within the South African educational landscape, both pre- and post-1994. They provide a nuanced understanding of the potential benefits of TVET colleges and their instrumental role in mitigating skills shortages, fostering economic advancement, and ameliorating societal disparities. Among the theories germane to this study are Human Capital Theory, Social Capital Theory, Critical Legal Theory, and Postcolonial Theory.

(a) Human Capital Theory: Human Capital Theory posits that investments in education and training lead to the accumulation of human capital, which in turn enhances an individual's productivity and contributes to economic growth.[209] When applied to TVET colleges, this theory underscores the pivotal role these institutions play in equipping

[206] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[207] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[208] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[209] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.

individuals with practical skills and knowledge, making them valuable contributors to the labour market and, consequently, to the broader economic development of South Africa.[210]

In essence, the human capital theory presents a robust framework emphasizing the transformative potential of education and training in enhancing individuals' skills, knowledge, and productivity.[211] Marginson asserts that investments directed towards Technical and Vocational Education and Training (TVET) colleges can yield substantial benefits, including a more proficient workforce, improved economic outcomes, and a highly skilled labour force.[212] This is achieved through the specialized education and training imparted by TVET colleges, which equip individuals with technical and vocational skills directly applicable to the labour market, subsequently bolstering their productivity and employability.[213]

In essence, the noteworthy facet of TVET colleges lies in their capacity to address existing skills gaps and shortages prevalent in the economy.[214] TVET colleges can effectively bridge these gaps by offering targeted programs tailored to specific industries or occupational categories.[215] This proactive approach serves to align the skill sets of individuals with the prevailing employment opportunities, thus optimizing the synergy between qualifications and job prospects.

(b) Social Capital Theory: Social Capital Theory centres on the idea that social networks, relationships, and community ties have inherent value and can facilitate access to resources and opportunities.[216] In the context of TVET colleges, this theory highlights the importance of these institutions in fostering networks and connections

[210] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[211] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[212] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[213] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[214] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[215] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[216] Dubos, R., 2017. *Social capital: Theory and research*. Routledge.

within communities.[217] Such networks can enable individuals to access educational and vocational opportunities, thereby contributing to social inclusion and cohesion.[218]

(c) Critical Legal Theory: Critical Legal Theory adopts a critical and interdisciplinary approach to law, aiming to reveal underlying power dynamics and social inequalities.[219] When applied to TVET colleges, this theory can be instrumental in uncovering structural and systemic barriers that may impede access to quality education and training.[220] It can also shed light on potential legal reforms necessary to address these disparities.[221]

(d) Postcolonial Theory: Postcolonial Theory scrutinizes the enduring impacts of colonialism and imperialism on contemporary societies.[222] In the South African context, this theory is relevant for understanding how historical injustices, particularly those stemming from the apartheid era, continue to shape access to education and training.[223] It underscores the imperative of redressing these historical imbalances through legal and policy interventions.[224]

However, another theory relevant to the critical study is a Human Rights Theory.

(e) Human Rights Theory : This theory can also be applied to the critical legal analysis of TVET colleges, as it underscores the fundamental principle that every individual possesses an inherent right to education.[225] Central to this theory is the emphasis on ensuring not only universal access to education but also the provision of high-quality

[217] Dubos, R., 2017. *Social capital: Theory and research*. Routledge
[218] Dubos, R., 2017. *Social capital: Theory and research*. Routledge
[219] Su, C., 2017. Beyond inclusion: Critical race theory and participatory budgeting. *New Political Science*, *39*(1), pp.126-142.
[220] Su, C., 2017. Beyond inclusion: Critical race theory and participatory budgeting. *New Political Science*, *39*(1), pp.126-142.
[221] Su, C., 2017. Beyond inclusion: Critical race theory and participatory budgeting. *New Political Science*, *39*(1), pp.126-142.
[222] Nwoye, A., 2017. A postcolonial theory of African psychology: A reply to Kopano Ratele. *Theory & Psychology*, *27*(3), pp.328-336.
[223] Nwoye, A., 2017. A postcolonial theory of African psychology: A reply to Kopano Ratele. *Theory & Psychology*, *27*(3), pp.328-336.
[224] Nwoye, A., 2017. A postcolonial theory of African psychology: A reply to Kopano Ratele. *Theory & Psychology*, *27*(3), pp.328-336.
[225] Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Rout Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Routledge ledge

educational opportunities devoid of discrimination.[226] In the examination of TVET colleges, this theory serves as a vital lens through which the legal framework governing these institutions can be scrutinized to ascertain its adherence to the right to education, encompassing the provision of accessible and inclusive educational pathways.[227]

Furthermore, within the ambit of Human Rights Theory, the purview extends to encompass economic, social, and cultural rights that are intrinsically intertwined with education.[228] These encompass rights such as the right to gainful employment, the right to a dignified standard of living, and the freedom to engage in cultural pursuits. In this context, TVET colleges can be assessed under the purview of Human Rights Theory to gauge their contributions to the fulfilment of these multifaceted rights.[229] TVET colleges, by equipping individuals with requisite skills, facilitating access to employment opportunities, and fostering economic empowerment, play an integral role in advancing these interconnected rights.[230]

The integration of these diverse theoretical frameworks into the critical legal analysis of TVET colleges engenders a comprehensive understanding of the intricate challenges, complexities, and potential remedies associated with these institutions as instruments for achieving overarching developmental goals. These theories collectively offer a multifaceted perspective that facilitates a nuanced interpretation of the multifarious dimensions inherent to the topic, thereby enriching the analytical framework and fostering a more sophisticated comprehension of the subject matter.

## 1.3. RESEARCH METHODOLOGY

This research used literature review research approach. It is premised on analysis and engagement with relevant literature in the arena of law, education, and

[226] Su, C., 2017. Beyond inclusion: Critical race theory and participatory budgeting. *New Political Science*, *39*(1), pp.126-142.
[227] Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Routledge.
[228] Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Routledge
[229] Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Routledge.
[230] Sriram, C.L., Martin-Ortega, O. and Herman, J., 2017. *War, conflict and human rights: theory and practice*. Routledge.

development making use of articles, books, case law, policies, white papers, legislation and journals. The study makes attributions of all sources. This research heavily relies on documents which are on the public domain.

## 1.4. PROBLEM STATEMENT

While the South African government has introduced and intervened in TVET colleges as a tool to achieve its developmental objective, there is a need to critically analyse the efficacy and difficulties of this strategy in actual sense. TVET colleges has the ability to boost the economy, reduce poverty, and promote social inclusion, but there are still problems and obstacles that prevent it from realising its full potential as a development instrument. Therefore, a thorough analysis is required to identify these issues, address them, and provide recommendation to improve TVET's college's contribution to the South African government's development objectives.

In summary, the problem statement emphasizes the necessity to evaluate TVET's colleges as a vehicle for development in South Africa and to address the challenges and constraints that may limit it. The analysis's main goal is to identify certain problems or obstacles that emerge during the introduction and intervention of TVET in the South African context and to provide recommendations for improving its influence on the developmental agenda.

## 1.5. RESEARCH QUESTION

In the light of the problem stated above, the main research question that guide the study is: How effective are legislative and policy interventions in promoting TVET colleges as a viable tool for building capacity and skilling people to address inequality, unemployment, and poverty in South Africa?

## 1.6. AIM AND OBJECTIVES OF THE STUDY

### 1.6.1. Aim of the study

The main aim of the study is to critically analyse the legislative and policy interventions fostering TVET education as a viable tool for building capacity and skilling people to address inequality, unemployment and poverty in South Africa.

### 1.6.2. Objectives of the study

1. To ascertain the extent of accessibility to TVET education, with a particular focus on historically marginalized and disenfranchised individuals, thereby examining inclusivity within the educational landscape.
2. To assess the effectiveness of the existing legal and policy interventions concerning TVET colleges in South Africa.
3. To identify and analyse the challenges, gaps, and potential shortcomings within the current legal and policy frameworks governing TVET colleges.
4. To gauge the impacts of legislative and policy interventions on the capacity-building and skill development of TVET students, with a view to understanding their roles in enhancing human capital.
5. To engage in a comparative analysis, drawing parallels and distinctions between the legislative and policy interventions pertaining to TVET education in South Africa and those implemented in developed countries, like China, Germany and United Kingdom and Canadathereby providing a broader perspective.
6. To provide recommendations for improvements, adjustments, or reforms in the legal and policy framework governing TVET colleges, with the aim of enhancing their role and impact in contributing to the South African government's developmental agenda.

## 1.7. LITERATURE REVIEW

The literature review herein serves as a comprehensive exploration of the legislative and policy interventions concerning TVET colleges, with a critical focus on their role as instruments to advance the developmental agenda of the South African government. The overarching objective of this review is to conduct a meticulous examination of the existing body of literature dedicated to the laws, regulations, and policies governing TVET colleges. This analysis is grounded in the recognition that

TVET colleges play a vital role in the South African context, offering the potential to bolster economic growth, alleviate poverty, and promote social inclusion.

The literature review commences by acknowledging the substantial body of scholarly work that addresses TVET colleges, both within the South African context and on a global scale. While much research has been dedicated to these institutions, a discernible research gap emerges concerning the specific legislative and policy interventions that pertain to them. This gap underscores the need for a targeted examination of the legal and policy frameworks underpinning TVET colleges, particularly with regard to their efficacy in contributing to the South African government's overarching developmental goals.

The central focus of this literature review revolves around the legislative and policy interventions designed to position TVET education as a potent instrument for capacity-building and skill development. This strategic orientation aims to tackle prevalent challenges related to inequality, unemployment, and poverty within South Africa. The review delves into the historical trajectory of TVET colleges, elucidating their evolution and contextualizing the imperative for legislative and policy measures. In a South African context marked by historical disparities and a post-apartheid transformation agenda, TVET colleges have emerged as pivotal agents in addressing societal challenges.

Furthermore, this literature review delves into the legislative landscape surrounding TVET colleges, both within South Africa and in comparative international contexts. A comparative analysis is essential for gleaning insights from global experiences and best practices, which can inform and enrich the South African approach. This review scrutinizes key legislative instruments, such as the National Qualifications Framework (NQF) and the Continuing Education and Training Act, illuminating their instrumental roles in shaping the TVET landscape.

Additionally, the review probes policy initiatives, such as the Green Paper on Further Education and Training, to gain an intricate understanding of the government's vision for TVET colleges. It assesses the degree of alignment between these policies and broader developmental objectives. Moreover, the literature review critically appraises the implementation challenges and shortcomings within the prevailing legal and policy

framework, shedding light on the practical implications and impediments faced by TVET colleges in their pursuit of development-oriented goals.

Furthermore, the literature review explores the repercussions of legislative and policy interventions on aspects of access, equity, and inclusivity within the TVET sector. It scrutinizes the extent to which these interventions have shaped the demographic composition of TVET students, particularly in terms of historically marginalized and disenfranchised groups. Additionally, the review evaluates the efficacy of TVET colleges in enhancing employability, reducing unemployment, and addressing poverty.

### 1.7.1. The role of TVET colleges

Tereblanche's work underscores the pivotal role attributed to TVET colleges in the multifaceted context of poverty alleviation, unemployment reduction, and the mitigation of societal inequalities.[231] The author recognizes that TVET colleges are well-positioned to contribute significantly to these overarching developmental objectives by equipping individuals with the requisite skills for gainful employment and income generation.[232] The core emphasis of TVET programs lies in the provision of targeted vocational training, encompassing diverse trades and occupations such as carpentry, plumbing, electrical work, automotive repair, and hospitality.[233] These specialized courses are meticulously designed to enhance participants' employability and income-earning potential, grounded in the cultivation of practical skills and competencies requisite for a wide spectrum of industries.[234]

Conversely, Sebola's perspective introduces a counterpoint, contending that TVET colleges should not be construed as institutions of higher learning and, by implication,

[231] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[232] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[233] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[234] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

cannot fulfil the role of providing education at an advanced level.[235] Instead, Sebola posits that TVET colleges represent a distinct educational niche, one that extends valuable opportunities to individuals who may not have access to traditional higher education institutions or those who favour experiential and skills-based learning paradigms.[236] This viewpoint suggests that TVET colleges hold particular promise for individuals hailing from disadvantaged backgrounds or facing economic hardships.

Tereblanche further advances the argument that participation in TVET programs has the potential to yield profound socio-economic benefits.[237] These advantages encompass enhanced employment prospects, access to higher-paying occupations, and the possibility of escaping the clutches of poverty.[238] The acquisition of skills through TVET initiatives is portrayed as a transformative process that not only empowers individuals economically but also contributes to their overall well-being.[239] The act of mastering employable skills within the TVET context is portrayed as a confidence-boosting endeavour, instilling a sense of dignity and self-worth among beneficiaries.[240] As such, Tereblanche contends that poverty alleviation and the enhancement of the quality of life for marginalized populations transcend purely economic considerations, extending to matters of self-esteem and societal inclusion.[241]

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[235] Sebola, M.P., 2022. The role of technical vocational education and training colleges (TVET) in higher education teaching: A higher education provided at basic education standard. *EUREKA: Social and Humanities*, (1), pp.50-57.
[236] Sebola, M.P., 2022. The role of technical vocational education and training colleges (TVET) in higher education teaching: A higher education provided at basic education standard. *EUREKA: Social and Humanities*, (1), pp.50-57.
[237] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[238] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[239] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[240] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[241] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[241] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

A notable gap in the literature emerges from the need to reconcile these contrasting perspectives and ascertain the precise role and capabilities of TVET colleges in the broader educational landscape. While Tereblanche underscores the potential of TVET colleges in addressing socio-economic disparities, Sebola's argument prompts a deeper examination of the inherent limitations and boundaries of TVET education.

Triyono and Mateeke emphasize a fundamental aspect that distinguishes TVET colleges across various countries: their overarching objectives in serving the broader socio-economic development needs of their respective nations.[242] The authors underscore that the role of TVET colleges is inherently linked to the particular cultural, economic, and societal imperatives within their educational domains.[243] This intrinsic connection necessitates TVET colleges' heightened responsiveness to dynamic shifts in the types of skills and knowledge demanded by their respective countries.[244] In essence, the distinctive character of TVET colleges is shaped by their imperative role in fostering skills and competencies that align with evolving national development priorities.[245]

Oviawe contributes to this discourse by acknowledging the global demand for TVET colleges, driven by several pressing factors.[246] These include the high prevalence of unemployment, the pursuit of technological advancement, industrialization, and the imperative of economic expansion.[247] Oviawe, highlights that TVET colleges are poised to play a pivotal role in addressing these multifaceted challenges.[248] They are uniquely positioned to bridge the skills gap by imparting the knowledge and expertise

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[242] Triyono, M.B. and Mateeke Moses, K., 2019. Technical and vocational education and training and training in Indonesia. *Vocational education and training in ASEAN member states: Current status and future development*, pp.45-79.
[243] Triyono, M.B. and Mateeke Moses, K., 2019. Technical and vocational education and training and training in Indonesia. *Vocational education and training in ASEAN member states: Current status and future development*, pp.45-79.
[244] Triyono, M.B. and Mateeke Moses, K., 2019. Technical and vocational education and training and training in Indonesia. *Vocational education and training in ASEAN member states: Current status and future development*, pp.45-79.
[245] Triyono, M.B. and Mateeke Moses, K., 2019. Technical and vocational education and training and training in Indonesia. *Vocational education and training in ASEAN member states: Current status and future development*, pp.45-79.
[246] Oviawe, J.I., 2018. Revamping technical vocational education and training through public-private partnerships for skill development. *Makerere Journal of Higher Education*, *10*(1), pp.73-91.
[247] Oviawe, J.I., 2018. Revamping technical vocational education and training through public-private partnerships for skill development. *Makerere Journal of Higher Education*, *10*(1), pp.73-91.
[248] Oviawe, J.I., 2018. Revamping technical vocational education and training through public-private partnerships for skill development. *Makerere Journal of Higher Education*, *10*(1), pp.73-91.

required for individuals to adapt to the ever-changing technological landscape.[249] Furthermore, the creation of sustainable employment opportunities emerges as a central facet of TVET colleges' overarching objectives.[250]

A central implication derived from this literature is that the role of TVET colleges extends beyond the purview of government intervention alone. The demands of rapidly evolving technology, coupled with the imperative of generating sustainable employment, necessitate a concerted effort to strengthen TVET colleges. The collaborative engagement of various stakeholders, including governments, educational institutions, industry players, and civil society, is essential to fulfil TVET colleges' mission. These institutions must be equipped to empower learners with the skills and knowledge required to navigate a swiftly changing environment, ultimately contributing to economic growth, technological advancement, and employment generation.[251]

Nzimande and Mathieson, also stresses the critical role of the state in driving educational transformation and reform.[252] They highlights the state's authority and responsibility in shaping educational policies, enacting legislation, and implementing changes aimed at improving the educational system.[253] This perspective emphasizes the centrality of governance and leadership in the pursuit of educational transformation, particularly in democratic societies where education plays a foundational role in active citizenship and democratic engagement.[254] This reveals a gap in terms of the specific challenges and barriers that hinder the effective implementation of educational reforms initiated by the state.[255] While acknowledging the state's authority, these scholars do not delve into the legal difficulties, institutional

[249] Oviawe, J.I., 2018. Revamping technical vocational education and training through public-private partnerships for skill development. *Makerere Journal of Higher Education*, *10*(1), pp.73-91.
[250] Oviawe, J.I., 2018. Revamping technical vocational education and training through public-private partnerships for skill development. *Makerere Journal of Higher Education*, *10*(1), pp.73-91.
[251] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[252] Nzimande, B. and Mathieson, S., 2004. *Transforming South African Education: the role of the ANC education study group, 1994 to 1999* (Vol. 3). Centre for Education Policy Development.
[253] Nzimande, B. and Mathieson, S., 2004. *Transforming South African Education: the role of the ANC education study group, 1994 to 1999* (Vol. 3). Centre for Education Policy Development.
[254] Nzimande, B. and Mathieson, S., 2004. *Transforming South African Education: the role of the ANC education study group, 1994 to 1999* (Vol. 3). Centre for Education Policy Development.
[255] Nzimande, B. and Mathieson, S., 2004. *Transforming South African Education: the role of the ANC education study group, 1994 to 1999* (Vol. 3). Centre for Education Policy Development.

constraints, or policy implementation gaps that often impede the successful execution of educational reform agendas.

Ramrathan emphasizes the critical role of the state in shaping and guiding the development of education.[256] He also underscores the state's responsibility in formulating policies, enacting legislation, and implementing changes aimed at enhancing the educational system.[257] Furthermore, it indicated the profound impact of education on democratic societies, where individuals acquire the knowledge, skills, and values necessary for active citizenship and meaningful participation in democratic processes.[258] While his writing provides a compelling argument for the state's centrality in educational reform and its potential to promote democratic principles, it leaves certain gaps that warrant further exploration. He also did not delve into the legal challenges and obstacles that governments may encounter when attempting to implement educational reforms. Despite this development, his idea on educational reform that education should support inclusivity, equity, and social justice, does not extensively assess the actual impact of such reforms on these aspects.[259]

### 1.7.2. Access to TVET education

Access to TVET education refers to the ability of individuals to enter, participate in, and benefit from technical and vocational training programs and courses. Access to TVET education means that individuals, regardless of their background or circumstances, have the opportunity to acquire technical and vocational skills that are relevant to their career goals and the needs of the job market.[260] Ensuring equitable access to TVET is essential for social and economic development, as it empowers individuals with the skills and knowledge needed for gainful employment and

[256] Ramrathan, L., 2016. Beyond counting the numbers: Shifting higher education transformation into curriculum spaces. Transformation in Higher Education, 1(1), pp.1-8.
[257] Ramrathan, L., 2016. Beyond counting the numbers: Shifting higher education transformation into curriculum spaces. Transformation in Higher Education, 1(1), pp.1-8.
[258] Ramrathan, L., 2016. Beyond counting the numbers: Shifting higher education transformation into curriculum spaces. Transformation in Higher Education, 1(1), pp.1-8.
[259] Ramrathan, L., 2016. Beyond counting the numbers: Shifting higher education transformation into curriculum spaces. Transformation in Higher Education, 1(1), pp.1-8.
[260] Williamson, B., Eynon, R. and Potter, J., 2020. Pandemic politics, pedagogies and practices: digital technologies and distance education during the coronavirus emergency. *Learning, media and technology*, *45*(2), pp.107-114.

contributes to overall societal progress. For example, this access to TVET education encompasses various dimensions:

Physical Access: This aspect relates to the availability of TVET institutions and facilities in proximity to where learners reside.[261] It considers factors like the location of schools, transportation options, and the physical infrastructure of institutions.

Financial Accessibility: TVET education should be affordable to all, regardless of their economic status.[262] This includes tuition fees, as well as costs associated with textbooks, materials, and other educational expenses.

Information and Guidance: Access also involves having access to accurate information about available TVET programs, entry requirements, and the benefits of pursuing such education. Guidance and counselling services are essential to help learners make informed decisions.

Inclusivity: TVET should be accessible to all, without discrimination based on factors such as gender, race, disability, socioeconomic status, or other protected characteristics. Inclusivity ensures that historically marginalized groups have equal opportunities.

Flexibility: Access should consider the flexibility of TVET programs, allowing learners to balance their education with other responsibilities, such as work or family commitments.[263] Flexible scheduling, part-time options, and online courses can enhance access.

[261] Williamson, B., Eynon, R. and Potter, J., 2020. Pandemic politics, pedagogies and practices: digital technologies and distance education during the coronavirus emergency. *Learning, media and technology*, *45*(2), pp.107-114.
[262] Williamson, B., Eynon, R. and Potter, J., 2020. Pandemic politics, pedagogies and practices: digital technologies and distance education during the coronavirus emergency. *Learning, media and technology*, *45*(2), pp.107-114.
[263] Williamson, B., Eynon, R. and Potter, J., 2020. Pandemic politics, pedagogies and practices: digital technologies and distance education during the coronavirus emergency. *Learning, media and technology*, *45*(2), pp.107-114.

Quality: Access should not be limited to merely enrolling in TVET programs but should also guarantee that learners receive a quality education.[264] This includes competent instructors, up-to-date curriculum, and relevant skills development.

Cameron underscores the significance of developing a balanced and flexible curriculum within the realm of further education and training.[265] It advocates for a holistic approach that encompasses various learning modalities, including workshops, traditional classrooms, experiential learning, and self-guided training.[266] This multifaceted curriculum is posited as a means to equip individuals with a comprehensive skill set capable of addressing the multifaceted challenges within the sphere of education.[267]

### 1.7.3. The Constitutional right to TVET education

The constitutional and legislative provisions guaranteeing the right to access TVET education, however, does not delve into the practical challenges and barriers that individuals may encounter in exercising this right. Furthermore, Cameron posits that the South African government bears a legal responsibility in the reconstruction of education and training systems characterized by accessibility and high quality. This obligation is framed within the broader context of achieving the developmental agenda articulated by the South African government. In this regard, it is implied that legal and policy frameworks should be aligned with the goal of fostering accessible and high-quality education, particularly in the domain of TVET.

However, Cameron also draws attention to the pivotal role of education as both a fundamental human right and a catalyst for the realisation of other human rights.[268] Education is recognized not only as an intrinsic entitlement but also as an instrumental

[264] Williamson, B., Eynon, R. and Potter, J., 2020. Pandemic politics, pedagogies and practices: digital technologies and distance education during the coronavirus emergency. *Learning, media and technology*, *45*(2), pp.107-114.
[265] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[266] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[267] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[268] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.

means for individuals to exercise and enjoy their broader rights.[269] This perspective underscores the transformative power of education, particularly in the context of historically marginalized populations. Education is presented as a liberating force that has the potential to combat poverty and dismantle entrenched prejudices.[270]

The significant transformation South Africa underwent during its transition to a constitutional democracy in 1994, marking a pivotal shift from the era of apartheid and racial segregation toward a more democratic and inclusive society.[271] This transition was indeed a historic turning point in the nation's history. Within this context, Cameron underscores the fundamental principle that education should be universally accessible and provided without discrimination.[272]

The transition to and final embrace of democracy are commonly linked to the democratic elections of 1994. According to Hlatshwayo, the post-apartheid history of TVET educational policy shift was designed to rectify the faults of bantu education.[273] The Bantu Education Act provided an instruction to pupils and created a system that is racial assigned to children in their social and economic environment.[274] Despite this, educational infrastructures in many locations carried over racial disparities and student design principles.[275] Disparities in school funding and policy led to various levels of access to higher education.[276] Democracies have always been required to plan for the extension of the education and training system for the good of the entire nation and all of its citizens.[277] A system of education was to be developed by the

[269] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[270] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[271] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[272] Cameron, R, 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[273] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[274] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[275] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[276] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[277] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.

government with the aim of opening the doors of learning and culture to everyone.[278] To meet the developmental objectives of the South African government, the most crucial challenge is to create a just and equitable educational system that offers high-quality instruction and training to both young and old learners.

The historical and cultural environment of South Africa has a significant impact on the country's educational transition. The discriminatory educational legislation and practises of apartheid have had a lasting effect on the nation's educational system.[279] Understanding the obstacles and injustices that have shaped the current educational landscape requires an understanding of the historical context. It is said that the reform of education in South Africa is a political undertaking. This suggests that educational transformation is a deliberate, politically driven process rather than just a technical or administrative endeavour.[280] It demonstrates the government's dedication to using education to right past wrongs and advance equity and inclusivity.[281] Carlson, agrees that it is crucial how to take into account the historical and social context of the right to receive high-quality TVET education.[282]

The right to access high-quality TVET education is seen as being essential to addressing historical injustices and giving all South Africans the chance to learn useful skills and information.[283] Carlson, further indicate that a variety of factors, including social, economic, political, and institutional considerations, had an impact on how TVET education developed in South Africa.[284] These elements have influenced how educational reform initiatives and policies have been developed and put into action.[285] Access to high-quality TVET education is a fundamental right guaranteed by the

[278] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[279] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[280] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[281] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[282] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[283] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[284] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[285] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.

Constitution of the Republic of South Africa and is essential to both human and economic development.[286] Access to high-quality TVET education is a powerful tool for empowering individuals and communities.[287] It equips students with the knowledge, skills, and competencies necessary for self-improvement, financial independence, and active citizenship in the real world.[288] High-quality TVET education is strongly connected with economic growth and development. For a nation to flourish, increased productivity, innovation, and competitiveness are all necessary, and a skilled workforce supports these qualities.[289]

The promotion of social inclusion and equity is aided by acknowledging the entitlement to high-quality TVET education. It guarantees that everyone has access to education, regardless of socioeconomic status, gender, colour, or other factors.[290] Societies that are varied and vibrant are fostered by inclusivity. The idea of lifelong learning is also embodied in TVET education. It recognises the necessity of ongoing skill improvement and upskilling in a world that is changing very quickly. The right to education, including TVET, is emphasised in some international accords as a basic human right. This demonstrates how crucial it is for everyone to have equal access to education.

In order to protect the right to high-quality TVET education, governments are essential. They need to set aside funds, create sensible regulations, and develop successful policies. Governments are also in charge of removing obstacles to access and guaranteeing equal opportunity for all residents. Despite the Constitution's guarantee of the right to education, the government may not always be able to offer everyone access to high-quality TVET education due to resource limitations. The realization of this right may be hampered by inadequate resources, facilities, and skilled educators. There is a long history of structural inequality in South Africa, including differences in

[286] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[287] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[288] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[289] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.
[290] Carlson, J., and Levin, J.R. eds., 2012. *Instructional strategies for improving students' learning: focus on early reading and mathematics*. IAP.

access to education depending on region and race. These enduring historical injustices can make it difficult to ensure that everyone has access to high-quality TVET education. The ability to get high-quality TVET education is a crucial human right with immense potential for development on both a personal and social level. Despite being enshrined in the Constitution of the Republic of South Africa, this right is not yet fully realised due to a lack of funding, structural inequality, logistical and administrative challenges, social and cultural barriers, and economic barriers.[291] Governments, public society, and the education sector must collaborate to solve these barriers in order to ensure that all individuals have access to and benefit from high-quality TVET education.

### 1.7.4. TVET education and development

Lee also underscores the complexity and contentious nature of the concept of development.[292] Lee, recognizes that there is no universally accepted definition of development due to the multifaceted nature of the subject, encompassing economic, social, political, and environmental dimensions.[293] This multifaceted understanding of development has led to varying perspectives on how development should be defined and assessed.[294]

One key point highlighted by Lee is the influence of historical contexts and power relations on the concept of development.[295] Lee, acknowledges that the idea of development gained prominence in the post-World War II era, particularly as many newly independent nations sought to overcome colonial legacies and improve their citizens' living standards.[296] This historical context underscores the dynamic nature of development as a concept shaped by evolving global and political dynamics.

However, despite recognizing the complexity and historical influences on the concept of development, Lee, did not delve into specific legal and policy implications related to the evolving understanding of development. There is also a gap in the literature

[291] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415
[292] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415.
[293] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415.
[294] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415.
[295] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415.
[296] Lee , Y.S., 2017. General Theory of Law and Development. Cornell Int'l LJ, 50, p.415.

regarding how different stakeholders, such as governments, international organizations, academics, and communities, to have contributed in shaping the concept of development through TVET legal frameworks and policy initiatives. UNESCO emphasizes the significant role that TVET colleges play in the context of global education and sustainable development.[297] It recognizes that these institutions serve multiple essential functions, particularly in empowering individuals with the knowledge and skills required for success in the modern workforce, as well as contributing to the socioeconomic advancement of their respective countries.[298]

One key point highlighted by the UNESCO is the interconnection between the success and relevance of TVET colleges and national development agendas. It is acknowledged that TVET colleges go beyond imparting technical and vocational skills; they also serve as catalysts for poverty reduction, social inclusion, and the promotion of sustainable economic growth.[299] This holistic perspective underscores the integral role of TVET colleges in achieving broader societal and developmental objectives. Furthermore, UNESCO emphasizes the alignment of TVET colleges with the global agenda, particularly the Sustainable Development Goals (SDGs) set forth by the United Nations.[300] TVET colleges are recognized as vital partners in the pursuit of these ambitious global goals, further underscoring their significance in addressing global challenges and fostering sustainable development.[301]

Engel Brecht underscores the intricate legacy left by Apartheid, which resulted in stark educational inequalities and restricted access to quality education for many individuals, particularly those residing in historically disadvantaged communities.[302] This historical context underscores the deep-seated disparities that needed to be addressed in the post-apartheid era. In response to these historical injustices, Engel

[297] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO. UNESCO. (2015).
[298] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO. UNESCO. (2015).
[299] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO. UNESCO. (2015).
[300] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO. UNESCO. (2015).
[301] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO. UNESCO. (2015).
[302] Engelbrecht, P., Savolainen, H., Nel, M. and Malinen, O.P., 2013. How cultural histories shape South African and Finnish teachers' attitudes towards inclusive education: a comparative analysis. *European Journal of Special Needs Education*, 28(3), pp.305-318.

Brecht, indicates a deliberate effort to rectify the imbalances and reorient the education system toward becoming a catalyst for social and economic advancement in the post-apartheid South Africa.[303] This transition reflects a commitment to leveraging education as a means to redress past inequalities and drive national development.

Central to this transformation, as argued by Tereblanche, is the pivotal role played by TVET colleges. These institutions are acknowledged for their diverse range of programs, spanning from business and entrepreneurship courses to trade skills and technical training.[304] TVET education is portrayed as a critical component of equipping individuals with practical skills, thereby enhancing their employability and enabling them to actively contribute to the economic growth and prosperity of the nation.[305]

In Lee's analysis, the pivotal role of law in fostering development is underscored, where it functions as an instrumental mechanism by furnishing a structured framework of rules that serve as a compass for regulating conduct and facilitating the realisation of developmental goals.[306] This viewpoint posits that development encompasses multifaceted progressions, which encompass advancements in the domains of society, economics, technology, and politics, among others.[307] Consequently, law emerges as a versatile instrument capable of steering and accommodating such diverse developmental trajectories.[308]

Crucially, Lee's perspective espouses a notion of development that transcends mere material progress and instead revolves around bolstering a society's capacity to preserve its autonomy and safeguard the welfare of its populace.[309] Importantly, this conception of development is not contemplated in isolation but is framed within a broader context of respecting the rights and freedoms of all individuals, thus

[303] Engelbrecht, P., Savolainen, H., Nel, M. and Malinen, O.P., 2013. How cultural histories shape South African and Finnish teachers' attitudes towards inclusive education: a comparative analysis. *European Journal of Special Needs Education*, 28(3), pp.305-318.
[304] Terblanche, T.E.D.P., 2017. Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[305] Terblanche, T.E.D.P., 2017. Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[306] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge
[307] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge
[308] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge
[309] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge

emphasizing the significance of balance and equity.[310] Consequently, the underpinning idea is that law can act as a catalyst for advancing development on social, political, and economic fronts. In essence, Lee's scholarly inquiry provides a nuanced examination of the multifaceted relationship between law and development. By positing law as an indispensable instrument for guiding development, the analysis underscores the intricate interplay between legal frameworks, societal progress, and individual rights, thereby contributing to the academic discourse on the nexus between law and development.[311]

The human development approach, as elucidated in the literature, highlights the pivotal role of education as a key metric for assessing human development. Rooted in the principles espoused by the United Nations Development Programme (UNDP), which has been instrumental in popularizing this perspective, the approach places a pronounced emphasis on the augmentation of individuals' choices and freedoms as integral components of development.[312] In this context, human development approach underscores that education serves as a crucial instrument in empowering individuals, facilitating their active participation in shaping their destinies, and expanding their horizons in terms of available life choices.[313]

Furthermore, the human development approach, as advocated by the UNDP and expounded upon in the scholarly discourse, advocates for a more comprehensive and holistic evaluation of development. This approach transcends the narrow confines of economic indicators and instead endeavors to encompass a broader spectrum of factors that contribute to human well-being and societal progress. In addition to economic outcomes, this comprehensive perspective encompasses dimensions such as access to healthcare, social inclusion, political engagement, and environmental sustainability.[314]

Crucially, this literature underscores that human development, as perceived through this approach, encompasses not just the accrual of material wealth, but rather the realisation of people's inherent capabilities and the enhancement of their overall well-

[310] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge
[311] Lee, Y.S., 2018. Law and Development: Theory and Practice. Routledge
[312] World Bank, 1996. *World development report 1996: From plan to market*. The World Bank.
[313] World Bank, 1996. *World development report 1996: From plan to market*. The World Bank.
[314] World Bank, 1996. *World development report 1996: From plan to market*. The World Bank.

being.[315] In essence, it underscores that development should be regarded as a multifaceted process that nurtures and maximizes individual talents, freedoms, and choices.[316] Tubrek's perspective on the intersection of law and development within the context of education is a valid and insightful viewpoint, drawing upon the framework of modernization theory.[317] This perspective underscores the interconnectedness of law, development, and education in fostering societal progress and transformation.[318]

In accordance with this viewpoint, education emerges as a pivotal component of the modernization process, as it is perceived as a means to acquire the values, capabilities, and knowledge that are essential for both economic advancement and broader social change.[319] Education is recognized as a facilitator that simplifies the acquisition of modern ideals and skills, contributing to individual and collective development.[320] It is acknowledged that the dissemination of contemporary values and knowledge through education is conducive to economic growth and supports the broader transformation of society.[321]

Furthermore, Tubrek's analysis posits that legal frameworks and policies play a substantive role in shaping the educational landscape.[322] This encompasses various dimensions of education, including issues such as access, quality, curriculum development, and funding.[323] Legal mechanisms and policies are instrumental in defining and regulating educational systems, ensuring equitable access, maintaining standards of quality, shaping the curriculum to align with societal goals, and allocating resources for educational development.[324]

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[315] World Bank, 1996. *World development report 1996: From plan to market*. The World Bank.
[316] World Bank, 1996. *World development report 1996: From plan to market*. The World Bank.
[317] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[318] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[319] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[320] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[321] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[322] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[323] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.
[324] Trubek, D., 2006. The 'rule of law' in development assistance: past, present, and future. The new law and economic development: A critical appraisal, 74.

McGrath and Powell's assertion regarding TVET college education aligning with the broader objectives of enhancing individuals' quality of life resonates with the principles of human development.[325] Their perspective underscores that the significance of TVET education should extend beyond merely facilitating employment and financial prosperity and should encompass holistic personal development.[326] This perspective underscores that TVET education should not be narrowly construed as a means to produce skilled workers alone but rather as a mechanism to nurture individuals in a comprehensive sense.

The literature, as presented, highlights the historical emphasis of TVET education on equipping individuals with the specific knowledge and skills essential for diverse job roles and industries.[327] However, the gap in this literature lies in the limited exploration of the legal implications and strategies for transitioning from a predominantly vocational focus to a more comprehensive approach that prioritizes the development of the whole person.[328]

The Dreyer presented underscores the central theme of educational transformation with a primary focus on democratization and the role of the state in empowering individuals to actively participate in democratic processes.[329] Dreyer's perspective highlights the nexus between the concept of a developmental state and the imperatives of democracy, particularly in terms of ensuring that human rights are upheld by facilitating informed citizenry regarding government policies and activities.[330] However, there are notable gaps in this literature that warrant further investigation and scholarly attention.

While Dryer discusses the importance of including society in policy formation and execution, he does not delve deeply into the specific mechanisms and strategies that

[325] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. *International Journal of Educational Development*, *50*, pp.12-19.
[326] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. *International Journal of Educational Development*, *50*, pp.12-19.
[327] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. *International Journal of Educational Development*, *50*, pp.12-19.
[328] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. *International Journal of Educational Development*, *50*, pp.12-19.
[329] Dreyer L.M., 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3), pp. 58–71.
[330] Dreyer L.M., 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3), pp. 58–71.

can enhance this inclusivity. This view aligns with the National Development Plan's emphasis on the imperative of involving society in the formulation and execution of policies. Dreyer further posits that the success of this endeavour hinges upon institutions' accountability to the public and their continuous engagement in transparent communication.[331]

McGrath's assertion highlights the fundamental purpose of technical and vocational education and training to provide both youth and adults with high-quality education and skills training tailored to the evolving demands of the economy.[332] This assertion underscores the intersection of the right to access a high-quality TVET education with broader notions of development and sustainable development.[333] Cosser et al.'s observation that a significant proportion of FET learners hail from economically deprived backgrounds and have parents with qualifications scarcely beyond secondary education or even incomplete primary school adds depth to this discussion.[334] Powell and McGrath's assertion that vocational education and training are pivotal in poverty alleviation, unemployment reduction, and economic development underscores the multifaceted impact of TVET programs.[335]

### 1.7.5. The role of TVET as a tool for development

First, the literature aligns with UNESCO's definition of TVET as an encompassing term that includes technical and vocational education.[336] It underscores the multifaceted nature of TVET, which not only imparts knowledge of technology and related sciences but also fosters the acquisition of practical skills, comprehension, and attitudes essential for meaningful engagement in diverse economic and social spheres.[337] This

[331] Dreyer L.M., 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3), pp. 58–71.
[332] Powell, L. and McGrath, S., 2014. Advancing life projects: South African students explain why they come to FET colleges. Journal of International and Comparative Education (JICE), pp.213-226.
[333] Powell, L. and McGrath, S., 2014. Advancing life projects: South African students explain why they come to FET colleges. Journal of International and Comparative Education (JICE), pp.213-226.
[334] Cosser, M. 2003. “Graduate Tracer Study”. In M. Cosser, S. McGrath, A. Badroodien & B. Maja (Eds.), Technical college responsiveness: learner destinations and labour market environment in South Africa. Cape Town: HSRC Press
[335] Powell, L. and McGrath, S., 2014. Advancing life projects: South African students explain why they come to FET colleges. Journal of International and Comparative Education (JICE), pp.213-226.
[336] The United Nations Educational, Scientific and Cultural Organization, 1946.
[337] The United Nations Educational, Scientific and Cultural Organization, 1946.

conceptual framework emphasizes the versatility and relevance of TVET in preparing individuals for various aspects of the workforce.[338]

Furthermore, the literature highlights the unique and significant role played by TVET colleges within the educational systems of many nations. These institutions are characterized as vital contributors to equipping individuals with the requisite knowledge and practical skills demanded by a broad spectrum of professions.[339] In doing so, TVET colleges are portrayed as catalysts for individual development and broader societal progress, addressing both the needs of learners and the requirements of the labour market.[340]

The adaptability and dynamism of TVET education are emphasized, showcasing its ability to accommodate a diverse array of technical, trade, and vocational programs.[341] This flexibility enables TVET institutions to cater to the educational needs of a wide range of students, including those pursuing careers in manufacturing, healthcare, information technology, and other sectors.[342] This adaptability is recognized as an essential feature in responding to the varied educational requirements of the student population.[343]

Moreover, the literature draws attention to the direct impact of TVET institutions on a nation's economic growth.[344] It underscores how these institutions contribute to economic development by enhancing productivity, competitiveness, and innovation. By cultivating a knowledgeable and skilled workforce, TVET institutions play a critical role in supplying the human resources necessary for industries to thrive and adapt to changing economic landscapes.[345]

The literature reviewed, authored by Powell and McGrath, provides valuable insights into the critical role of skills development, particularly through education and training,

[338] The United Nations Educational, Scientific and Cultural Organization, 1946.
[339] The United Nations Educational, Scientific and Cultural Organization, 1946.
[340] The United Nations Educational, Scientific and Cultural Organization, 1946.
[341] The United Nations Educational, Scientific and Cultural Organization, 1946.
[342] The United Nations Educational, Scientific and Cultural Organization, 1946.
[343] The United Nations Educational, Scientific and Cultural Organization, 1946.
[344] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. International Journal of Educational Development, 50, pp.12-19.
[345] McGrath, S. and Powell, L., 2016. Skills for sustainable development: Transforming vocational education and training beyond 2015. International Journal of Educational Development, 50, pp.12-19.

in fostering employability, job creation, and poverty reduction.[346] This academic legal perspective underscores the significance of skills acquisition as a catalyst for economic development and social improvement.[347]

First, the literature articulates the premise that skills development, often acquired through education and training, is instrumental in enhancing employability.[348] It highlights the direct linkage between skills acquisition and job creation, emphasizing how a skilled workforce contributes to reducing unemployment rates.[349] Moreover, the literature underscores the enduring impact of skills-based employment in providing access to sustainable work opportunities, which in turn aids in alleviating poverty.[350] This perspective underscores the pivotal role of education and training in ameliorating socioeconomic disparities.

The literature further expounds on the broader implications of skills development, emphasizing its contribution to individual and societal development within an ever-evolving global landscape.[351] It acknowledges that in a highly competitive and rapidly changing global environment, education and training serve as vehicles for equipping individuals with the capabilities required to thrive and remain competitive.[352] This recognition underscores the importance of continuous learning and skills enhancement in promoting economic growth and overall development.

Additionally, Powell and McGrath delves into the role of the TVET college sector within the context of upholding democratic principles, particularly institutions of accountability.[353] This perspective aligns with UNESCO's call for a re-evaluation of the TVET college sector to address the challenges faced by the South African

[346] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[347] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[348] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[349] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[350] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[351] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[352] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[353] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.

government, especially concerning learners from low socio-economic communities.[354] By highlighting the sector's role in fostering accountability, the literature underscores the interconnectedness of education and democracy, emphasizing how education and skills development contribute to informed citizenship and participatory governance.

The literature, as articulated by Powell and McGrath, provides a comprehensive perspective on the multifaceted role of TVET programs within the context of education, workforce readiness, and broader social and personal development.[355] First, Powell and McGrath underscore that students' enrolment in TVET programs extends beyond mere workforce preparation.[356] While acquiring vocational skills is a central objective, their perspective emphasizes a more expansive purpose: the development of skills that empower individuals to make meaningful contributions to their communities and families.[357] This perspective underscores the intrinsic value of TVET education in fostering larger social and personal development components.

Furthermore, the literature by Powell and McGrath underscores that TVET colleges are under significant pressure to address a range of pressing societal concerns.[358] These include poverty eradication, the promotion of equity, enhancing employability, fostering economic growth, and advancing overall development. These expectations are based on the belief that TVET education holds the potential to play a pivotal role in addressing these multifaceted challenges. Powell and McGrath, highlightthe strategic positioning of TVET colleges as intermediaries facilitating economic development.[359] They function as vital bridges connecting places of employment with educational institutions, creating a pathway for students to acquire the skills and

[354] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[355] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[356] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[357] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[357] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[358] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[359] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.

knowledge demanded by businesses.[360] This interconnection is perceived as instrumental in supporting economic growth and job creation, emphasizing the symbiotic relationship between TVET education and economic development.[361] Furthermore, Powell and McGrath underscore the critical importance of TVET colleges in addressing pressing societal issues.[362] They acknowledge that these institutions are central to mitigating rising unemployment rates, alleviating poverty, and reducing inequality.[363] In this context, TVET education is presented as a potential solution to these multifaceted challenges by equipping students with the practical skills and knowledge required for gainful employment.

Powell and McGrath's perspective also emphasizes the transformative potential of TVET education. They posits that providing students with access to relevant, high-quality education and training through TVET can enhance their employability prospects.[364] Additionally, this access has the potential to mitigate socioeconomic disparities, thereby contributing to more equitable and inclusive economic development.[365]

Powell and McGrath's literature emphasizes the dual focus of TVET colleges. They underscore the importance of preparing students for immediate entry into the workforce, acknowledging that education should not be solely about theoretical knowledge but should also impart practical skills that are directly relevant to employment.[366] Moreover, their viewpoint recognizes the dynamic nature of societal demands and employment markets, emphasizing the need for lifelong learning.[367] This

[360] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[361] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[362] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[363] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[364] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[365] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[366] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[367] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.

perspective aligns with the evolving nature of work and the requirement for individuals to continually adapt to changing circumstances.

Furthermore, Powell and McGrath highlight the transformative potential of TVET colleges beyond technical and vocational skills development. They acknowledge the role of these institutions in empowering students to make meaningful contributions to their communities and the environment.[368] This empowerment is not limited to employment-related skills but extends to building confidence and fostering a broader skill set, enabling students to pursue their personal and professional goals.[369] This holistic view of TVET education emphasizes human growth, empowerment, and self-improvement, beyond the acquisition of technical skills.

Additionally, Powell and McGrath underscore that TVET education serves as a pathway for students to achieve both their immediate objectives and their long-term aspirations.[370] This perspective emphasizes the capacity of TVET to positively impact individuals, their families, and their communities by providing practical skills, instilling confidence, and nurturing a sense of empowerment.[371] This interconnectedness between individual development and broader social and economic development underscores the transformative potential of TVET education.

### 1.7.6. The role of TVET education as a tool for empowerment

McGrath's viewpoint positions TVET colleges as instruments of social responsiveness and as vehicles for addressing the enduring consequences of the apartheid system in South Africa.[372] This assertion underscores the transformative potential of TVET education in promoting social equity and providing historically marginalized groups

[368] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[369] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[370] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[371] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In Journal of Vocational Education and Training (TVET) Conference, Oxford.
[372] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

with access to post-secondary education. By doing so, TVET colleges are recognized as catalysts for redressing historical inequalities and promoting social justice.

Powell and McGrath further emphasize that the practical and technical skills imparted by TVET education, highlighting their direct relevance to the job market.[373] It acknowledges that individuals possessing these skills are better positioned to secure employment, engage in entrepreneurial ventures, or establish their businesses. This recognition underscores the critical link between TVET education and employability, aligning with the pragmatic needs of the labour market.

Furthermore, the literature emphasizes the intrinsic value of education as a tool for both personal and societal empowerment. It recognizes that education is not only essential for individual development but also plays a crucial role in driving economic growth and social progress. This perspective aligns with the broader recognition of education as a cornerstone of human development and societal advancement.

The reviewed literature, as presented by Powell, delves into the concept of 'democratic education' and its relevance within the context of Technical and Vocational Education and Training (TVET). This academic legal analysis critically examines the key points raised:

First, Powell's perspective underscores the notion of 'democratic education' as an educational paradigm that places a significant emphasis on democratic values, active engagement, and student empowerment. Within this framework, education is envisioned as a means of fostering democratic ideals, wherein students are encouraged to actively participate in democratic activities, both within and beyond the classroom. This includes promoting open discussions, debates, involving students in decision-making processes, and fostering active learning. This perspective aligns with the broader understanding of education as a means of nurturing informed and engaged citizens who actively contribute to democratic society.

[373] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).

Moreover, Powell contends that the scope of TVET education should extend beyond the mere transmission of practical knowledge and skills.[374] TVET should encompass a more holistic approach that seeks to enhance citizenship by promoting critical thinking, active engagement, and a sense of civic responsibility.[375] This viewpoint recognizes that TVET programs can play a significant role in shaping not only technically skilled individuals but also responsible and engaged citizens. In essence, Powell underscores the dual role of TVET education: to equip students with practical knowledge and skills relevant to their chosen fields while simultaneously fostering a sense of active citizenship and civic engagement.[376] This perspective aligns with the recognition that education is a powerful tool for not only individual advancement but also societal progress and the promotion of democratic values.

As noted by Le Grange and Pendlebury, South Africa's shift to a constitutional democracy in 1994 was accompanied by a host of novel challenges.[377] This historic transition altered the nation's political landscape and ignited discussions surrounding democracy, governance, and social transformation.[378] The need to reconstruct communities in ways that underpin effective democracy emerged as a prominent issue. It is in this context that education assumed paramount significance.[379]

### 1.7.7. Education as a Catalyst for Transformation

[374] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[375] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[376] Powell, L. and McGrath, S., 2018. The long and winding road to the labour market: South African public TVET college students' experiences of system failure. In *Trends in vocational education and training research. Proceedings of the European Conference on Educational Research (ECER), Vocational Education and Training Network (VETNET)* (pp. 305-311).
[377] Le Grange, L., 2001. Educational research as democratic praxis. In Democratic Transformation of Education in South Africa Seminar Report (pp. 71-77).
[378] Le Grange, L., 2001. Educational research as democratic praxis. In Democratic Transformation of Education in South Africa Seminar Report (pp. 71-77).
[379] Le Grange, L., 2001. Educational research as democratic praxis. In Democratic Transformation of Education in South Africa Seminar Report (pp. 71-77).

Education, as emphasized by Pendlebury, came to be regarded as the primary engine of transformation in post-apartheid South Africa.[380] The democratic ideals of equality and equal opportunity underscored the importance of providing quality education to all citizens.[381] Steyn's perspective reinforces this by highlighting that education should lead to favourable outcomes aligned with the goals of participants in the educational process.[382] In this view, quality education serves as both a means for individual growth and a contributor to broader economic development, aligning with the objectives of democratic governance.[383]

Bhorat's viewpoint accentuates the economic dimensions of education, particularly in light of the growing demand for skilled labour in South Africa.[384] This perspective underscores the pivotal role of education in preparing the workforce and, consequently, driving economic progress. Again, Chapman and Adams emphasize the importance of the learning environment in facilitating effective education.[385] This aligns with the principles of the Human Development Network, which advocate for ensuring universal access to quality education.[386] These views collectively underscore the significance of creating an inclusive educational environment that promotes lifelong learning and human development.

De Klerk's perspective on educational equality aligns with the constitutional emphasis on this principle in South Africa. He also highlights the potential consequences of educational disparities in perpetuating socioeconomic inequalities.[387] In a democratic society, ensuring equal access to quality education becomes a fundamental pillar of

[380] Pendlebury, S., 1998. Transforming teacher education in South Africa: A space-time perspective. Cambridge Journal of Education, 28(3), pp.333-349.
[381] Pendlebury, S., 1998. Transforming teacher education in South Africa: A space-time perspective. Cambridge Journal of Education, 28(3), pp.333-349
[382] Steyn, J., 2001. Balancing quality and equality in educational transformation. In Democratic Transformation of Education in South Africa. Seminar Report (Vol. 3, pp. 21-27).
[383] Steyn, J., 2001. Balancing quality and equality in educational transformation. In Democratic Transformation of Education in South Africa. Seminar Report (Vol. 3, pp. 21-27).
[384] Bhorat, H 2004. 'The Development Challenge in post-apartheid South African education', In Changing Class: Education and Social Change in Post-Apartheid South Africa, ed. L Chisholm. HSRC Press, Cape Town.
[385] Chapman, D.W. and Adams, D.K., 2002. The quality of education: Dimensions and strategies. Hong Kong: Asian Development Bank.
[386] Human Development Network, T.W.B. (2002). World Bank strategy in the education sector: process, product and progress. International Journal of Educational Development. 22(5): p. 429-437 17
[387] Klerk, J., 2001. The values underlying quality and equality in educational transformation. In Democratic Transformation of Education in South Africa. Seminar Report. NO (Vol. 3, pp. 37-44.

social justice.[388] Spottl and Becker's perspective on the status of TVET education in Europe raises questions about its responsiveness to labour market demands. The evolving nature of technology and industry requirements necessitates constant updates to curricula and training methods, reinforcing the importance of adaptability in technical and vocational education.

Juvan and Lesjak stress the multifaceted role of education beyond knowledge acquisition.[389] Education is seen as a transformative force that fosters ethical values, critical thinking, and civic responsibility, thereby nurturing aware and responsible citizens.[390]

Cameron's call for a flexible curriculum and various learning experiences underscores the government's legal responsibility to rebuild education and training systems.[391] This effort aims to empower historically marginalized populations and promote human rights, aligning with the broader goals of poverty reduction and democratization.[392] Kopskowky and Hlatswayo's perspectives connect education with job creation and economic growth. By prioritizing education and producing highly skilled learners, governments can positively impact their economies.

While many policies have acknowledge unemployment as a critical issue, there is often insufficient emphasis on youth unemployment, which tends to be higher than the general unemployment rate. These policies should include targeted strategies and provisions to address the unique challenges faced by young job seekers. The policies recognize the importance of aligning TVET programs with industry demands, but there is a lack of detailed mechanisms for ensuring this alignment. There is a need for clearer guidelines and quality assurance mechanisms to bridge the skills gap and enhance the employability of TVET graduates. Moreover, the policies emphasize the

[388] "Klerk, J., 2001. The values underlying quality and equality in educational transformation. In Democratic Transformation of Education in South Africa. Seminar Report No.3, pp. 37-44.
[389] Juvan, E. and Lesjak, M., 2011. Erasmus Exchange Program: Opportunity for professional growth or sponsored vacations?. *Journal of Hospitality & Tourism Education*, 23(2), pp.23-29.
[390] Juvan, E. and Lesjak, M., 2011. Erasmus Exchange Program: Opportunity for professional growth or sponsored vacations?. *Journal of Hospitality & Tourism Education*, 23(2), pp.23-29.
[391] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, 8(2), pp. 283-294.
[392] Kopkowski, K., 2012. The right to a basic Education in South Africa: Providing content to the right to achieve adequacy in Schools (Doctoral dissertation, University of Cape Town).

importance of inclusivity and equitable access to education and training, there is a gap in implementing concrete measures to address historical disparities. Policies should include affirmative action strategies and resources allocation to ensure equitable access, especially for marginalized communities.

However, many policies stress the importance of monitoring and evaluating the effectiveness of interventions, but there is often a lack of clear frameworks and accountability mechanisms for assessing policy outcomes. Despite these development, the policies often involve multiple government departments and stakeholders, which can lead to fragmented implementation.

In conclusion, the review of South African policies reveals several gaps in addressing unemployment, particularly concerning the role of TVET colleges. Addressing these gaps would require a more targeted and comprehensive approach, including the development of specific legal and policy provisions to tackle youth unemployment, enhance the quality of TVET programs, ensure equitable access, and foster entrepreneurship. Additionally, policies should be designed with a more holistic understanding of labor market dynamics and a stronger integration of TVET into economic development strategies.

## 1.8. JUSTIFICATION OF THE STUDY

This academic inquiry is motivated by the recognition of the critical and multifaceted role that TVET colleges play within the broader developmental strategy of the South African government. It acknowledges the government's acknowledgement of the pivotal contributions made by TVET colleges in the pursuit of its developmental objectives, which are primarily centred on addressing pressing socio-economic challenges, including but not limited to, inequality, unemployment, and poverty. The study underscores the intrinsic value of TVET colleges within the South African context as instruments for skills development, job creation, and economic growth.

Furthermore, this study places a particular emphasis on the legislative and policy reforms that have been instituted within the South African legal framework. These reforms are aimed at substantiating TVET education as a pragmatic and effective

means of endowing individuals with the necessary knowledge and competencies to address the aforementioned socio-economic challenges. The core objective of this analysis is to critically assess the effectiveness of these legislative and policy initiatives in achieving their intended objectives and contributing to the broader developmental goals of the South African government.

In addition to its focus on the South African context, this academic study adopts a comparative approach by examining and contrasting the legislative and policy frameworks governing TVET education in five distinct nations: South Africa, China, Germany, the United Kingdom, and Canada. By juxtaposing the experiences, strategies, and approaches of these diverse countries, the study aims to identify innovative and effective practices that have been employed to promote TVET education and address a range of societal challenges. While acknowledging the unique contexts, issues, and objectives that characterize each nation, this study highlights the potential for cross-national learning and the adoption of best practices.

A central aspect of this comparative analysis involves an in-depth examination of the legislative and policy frameworks supporting TVET education in the selected countries. Through this examination, the study seeks to identify and elucidate innovative practices that have the potential to enhance the efficiency and effectiveness of TVET education in the South African context. By doing so, the study aspires to make a valuable contribution to the ongoing discourse on TVET education and its role in achieving the developmental goals of the South African government.

In summary, the justification for this academic study lies in its commitment to comprehensively investigate and evaluate the role of TVET colleges in the developmental strategy of the South African government. It seeks to shed light on the legislative and policy reforms enacted to support TVET education, both within South Africa and through a comparative lens with other nations. Ultimately, the study aims to provide insights and recommendations that can inform policy development and decision-making processes, thereby contributing to the advancement of TVET education and the realisation of broader developmental objectives.

## 1.9. ORGANISATION OF CHAPTERS

This study presents nine (9) chapters. Chapter 1 consists of an introductory where the problem statement, the aim and objective of the research study, the literature review, justifications of the research study are outlined.

Chapter 2 delves into the fundamental right to access high-quality TVET education. It emphasizes the importance of equitable access to TVET as a means to empower individuals, reduce inequalities, and drive socio-economic development. The chapter explores the legal and ethical dimensions of this right, assessing the current state of access in South Africa and identifying barriers that need to be addressed.

Chapter 3 provides a detailed analysis of the legal and policy frameworks governing TVET colleges in South Africa. It evaluates how these frameworks support the goals of TVET, including quality assurance, institutional governance, and alignment with labor market needs. The chapter identifies strengths and weaknesses in the current frameworks and suggests areas for legislative and policy enhancements to better support TVET objectives.

Chapter 4 discusses the multifaceted roles of TVET colleges in national development and economic growth. It highlights how TVET institutions contribute to skill development, employment generation, and the broader socio-economic landscape. Various perspectives from educators, industry stakeholders, and policymakers are presented to provide a comprehensive view of the impact of TVET on development.

Chapter 5 identifies and examines the key challenges faced by TVET colleges in South Africa. These include funding constraints, inadequate infrastructure, quality assurance issues, and misalignment with industry needs. The chapter offers strategic recommendations to address these challenges, focusing on sustainable solutions to improve the operational effectiveness and educational outcomes of TVET colleges.

Chapter 6 explores the transformation processes within TVET colleges in South Africa. It reviews recent reforms and initiatives aimed at enhancing the quality, relevance, and

accessibility of TVET education. The chapter assesses the impact of these transformations on the overall TVET landscape and discusses future directions for continued improvement and innovation in TVET education.

Chapter 7 provides a critical analysis of the effectiveness of TVET colleges in fostering social and socio-economic development in South Africa. It evaluates how well these institutions are achieving their educational and developmental goals, considering factors such as curriculum relevance, graduate employability, and community impact. The chapter also identifies best practices and areas for improvement to maximize the benefits of TVET education.

Chapter 8 offers a comparative legal analysis of TVET systems in five countries: China, Germany, the United Kingdom, Canada, and South Africa. It examines the legal and policy frameworks, governance structures, and educational outcomes of TVET colleges in these countries. The chapter highlights best practices and lessons that can be applied to the South African context to enhance its TVET system.

Chapter 9 concludes the thesis by summarizing key findings of the study and presents the overall conclusions. It synthesizes the insights gained from the analysis of access, legal frameworks, roles, challenges, transformations, and comparative perspectives. The chapter provides actionable recommendations for policymakers, educators, and stakeholders to improve the TVET sector in South Africa, ensuring it can effectively contribute to national development and socio-economic growth.

# CHAPTER TWO: THE RIGHT TO ACCESS TO HIGH-QUALITY TVET EDUCATION

## 2.1. INTRODUCTION

The right to access quality TVET education occupies a pivotal position within the realm of educational rights, both nationally and within the broader framework of international human rights law. TVET education represents a distinctive branch of learning that equips individuals with specialized skills, knowledge, and competencies essential for particular vocations, trades, or industries. It is fundamentally rooted in the principle that all individuals, irrespective of their socio-economic background, gender, disability status, or other distinguishing characteristics, should be afforded equal and equitable opportunities to acquire vocational proficiencies that are conducive to personal development and economic engagement.

This chapter embarks on an exploration of the right to access quality TVET education from a multifaceted perspective. It delves into the legal foundations underpinning this right, examining how it is enshrined in international and national legal frameworks. Additionally, it scrutinizes the practical implications of this right by elucidating its significance in addressing diverse societal challenges, including unemployment, inequality, and poverty.

Within the context of the global human rights discourse, international institutions, including the Universal Declaration of Human Rights, International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), recognizes the right to access quality TVET education as an elemental facet of fundamental human rights. This recognition underscores the intrinsic value of TVET education in facilitating not only individual empowerment but also the broader socio-economic progress of nations.

In essence, this chapter endeavours to provide a comprehensive understanding of the right to access quality TVET education, both as a fundamental human right and as a pragmatic modality for equipping individuals with essential skills and knowledge. Through an interdisciplinary lens, this chapter navigates the intricate legal, social, and

economic dimensions of this right, contributing to the broader discourse on educational rights and the realisation of human potential.

## 2.2. CONTEXTUALISATION OF TVET

TVET is fundamentally oriented towards the overarching objective of furnishing students with the tangible proficiencies, specialized expertise, and contextual knowledge requisite for their engagement in specific professions or trades. This educational paradigm is meticulously devised to equip learners with the technical acumen and pragmatic exposure that are indispensable for their seamless integration into the labor force, thereby facilitating their pursuit of diverse vocations spanning an array of industries. TVET pedagogy diverges markedly from the conventional tenets of academic education, where the accentuation is frequently laid upon the acquisition of theoretical erudition.

In contradistinction to the emphasis on abstract knowledge typically associated with academic education, TVET programs pivot significantly towards the cultivation of pragmatic proficiencies. This demarcation underscores the paramount importance accorded to hands-on, experiential learning within the purview of TVET, a characteristic that distinguishes it from its academic counterpart. The hallmark of TVET lies in its provision of a dynamic, applied learning milieu, one that facilitates learners in the assimilation of specialized know-how and the acquisition of domain-specific competencies that are pivotal to their chosen occupational trajectories.

In practical terms, TVET curricula often amalgamate classroom-based instruction with immersive, practical training modules, thereby affording students a veritable opportunity to translate theoretical knowledge into real-world applications. This fusion of theoretical grounding with hands-on, experiential learning engenders a holistic educational experience, wherein learners are not only equipped with the theoretical underpinnings of their chosen fields but also provided with the occasion to concretize their knowledge through real-world, practical engagement.

The salience of TVET derives from its intrinsic capacity to effectively cater to the exigencies and prerequisites of specific industries and the prevailing labour market

dynamics. Within the ambit of TVET colleges, there exists a discernible accentuation on the cultivation of competencies and skills that are meticulously calibrated to align with the discerning demands and distinct specifications characterizing particular vocations, professions, or industrial domains. This unique feature of TVET underscores its indispensability as a conduit for equipping individuals with the specialized skills and contextual knowledge that are imperative for achieving proficiency and success in their chosen career trajectories.

The spectrum of industries encompassed by TVET programs is notably comprehensive and diverse, encompassing domains such as engineering, healthcare, computer technology, construction, hospitality, the automotive sector, agriculture, and myriad of others. This diversity underscores the far-reaching purview of TVET, which comprehensively caters to the multifarious needs of a dynamic and multifaceted labour market. Through the provision of focused and specialized training, TVET systematically empowers individuals to accrue the tangible skill sets and pertinent information that are pivotal for not only securing gainful employment but also excelling within their selected vocations.

Furthermore, TVET offers a plethora of pathways for perpetual learning and career advancement. It furnishes individuals with a robust foundation that enables them to make immediate ingress into the workforce upon the culmination of their TVET education. Simultaneously, it serves as a conduit for higher education endeavours, thereby facilitating the seamless transition into more advanced diploma programs, academic degrees, or elevated vocational certifications. In essence, the multifaceted dimension of TVET manifests its profound relevance, wherein it is intrinsically aligned with the vocational and educational aspirations of individuals while concurrently serving as a dynamic instrument for industry-specific skill development and labour market adaptation.

## 2.3. THE RIGHT TO ACCESS HIGH-QUALITY TVET EDUCATION

### 2.3.1. International recognition to the right to access TVET education

The right to access quality TVET education is firmly entrenched in international human rights instruments. The Universal Declaration of Human Rights, adopted by the United Nations in 1948, recognizes the right to education as a fundamental human right. Subsequently, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC) explicitly enshrine the right to education, including TVET, as a fundamental right. These international agreements emphasize that education should be directed towards the full development of the human personality, the promotion of human rights and fundamental freedoms, and the advancement of understanding, tolerance, and friendship among all nations.

Several organizations, including the United Declaration on Human Rights, International Labour Organization (ILO),[393] the United Nations Educational, Scientific and Cultural Organization (UNESCO),[394] and others affirm that the right to access high-quality TVET education is universally recognized as a fundamental human right. These organizations have acknowledged the value of TVET in establishing inclusive societies, advancing social and economic development, and guaranteeing fair access to education and possibilities for lifelong learning.[395] The relevance of international treaties or agreements is recognised by the South African Constitution.[396] This acknowledgement shows that the nation is dedicated to respect the fundamentals of international law and meeting its duties of other nations.

Wessel contend that, when South Africa signs and ratifies a treaty, it declares its desire to be held liable for the duties stated in that treaty.[397] The formal act of ratification

[393] Standing, G., 2010. The international labour organization. New Political Economy, 15(2), pp.307-318.
[394] International Covenant on Economic, Social and Cultural Rights, 1966.
[395] Baskaran, A., 2016. UNESCO science report: towards 2030. Institutions and Economies, pp.125-127
[396] Section 39(1)(b) of the Constitution.
[397] Wessel, R.A. and Van der Loo, G., 2017. The non-ratification of mixed agreements: Legal consequences and solutions. *Common Market Law Review*, 54(3).

signifies the state's agreement to be bound by the conditions of the treaty. The pact is enforceable against South Africa internationally once it is approved.[398] This implies that the nation must uphold the terms of the agreement and carry out its promises. South Africa is subject to the responsibilities of the treaty it ratified on the international level, regardless of whether those duties have been integrated into domestic law.[399] In other words, the treaty's legal force exists regardless of whether it is codified into local law. Wessel further indicate that in order to incorporate international agreements into domestic law, many countries, including South Africa, require the passage of legislation, such as an Act of Parliament or other related legal instruments.[400] The terms of the treaty can then be immediately invoked or enforced in domestic courts and integrated into the local legal system as a result of this.

#### 2.3.1.1. The United Declaration of Human Rights

In the realm of international human rights law, the Universal Declaration of Human Rights (UDHR), which was formally adopted in 1948 by the United Nations General Assembly, occupies a pivotal position.[401] This seminal document articulates a range of fundamental rights and freedoms that are universally recognized and affirmed as inherent to all individuals, regardless of their nationality, ethnicity, or any other distinguishing characteristic.[402] One such fundamental right enshrined within the UDHR is the right to education. Article 26(1) of the UDHR expressly delineates the contours of this right, asserting that "Everyone has the right to education.[403] Education shall be free, at least in the elementary and fundamental stages.[404] Elementary education shall be compulsory."[405] This provision serves as a cornerstone in the international framework for human rights and education, casting education as a vital and universally accessible resource for all members of society.[406]

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[398] Wessel, R.A. and Van der Loo, G., 2017. The non-ratification of mixed agreements: Legal consequences and solutions. *Common Market Law Review*, 54(3). (pp. 735 – 770)
[399] Wessel, R.A. and Van der Loo, G., 2017. The non-ratification of mixed agreements: Legal consequences and solutions. *Common Market Law Review*, 54(3).
[400] Wessel, R.A. and Van der Loo, G., 2017. The non-ratification of mixed agreements: Legal consequences and solutions. *Common Market Law Review*, 54(3).
[401] Universal Declaration of Human Rights, 1948.
[402] Universal Declaration of Human Rights.
[403] Article 26 (1) of the UDHR.
[404] Article 26 (1) of the UDHR.
[405] Article 26 (1) of the UDHR.
[406] Article 26 (1) of the UDHR.

Crucially, while Article 26(1) of the UDHR does not explicitly reference TVET, it embodies a broader principle that extends to encompass vocational and technical training within its purview.[407] This principle is grounded in the concept of accessible education. The overarching premise is that education should be readily attainable by all, without discrimination, and without regard to socioeconomic or other disparities.[408] Consequently, even though the UDHR does not explicitly enumerate TVET as a specific component of the right to education, it implicitly recognizes that vocational and technical training must be available and accessible to individuals, as an integral facet of education's comprehensive scope.[409]

In essence, the UDHR's Article 26(1) lays the foundation for the universality of the right to education, encompassing not only traditional academic instruction but also vocational and technical education.[410] It underscores the principle that education should be a right enjoyed by all, underscoring the importance of removing barriers and ensuring equitable access to educational opportunities at all levels, including TVET.[411] Thus, the UDHR's provisions on education serve as a seminal reference point within the international legal landscape, fostering the understanding that TVET is an intrinsic component of the broader right to education, which must be made available and accessible to all individuals, irrespective of their circumstances.[412]

TVET colleges are not specifically included as a right in the United Nations Universal Declaration of Human Rights (UDHR).[413] However, several sections of the UDHR include references to the right to education, which might be read to include access to TVET. According to Article 26(1) of the UDHR, "everyone has the right to education."[414] It emphasises that education must be focused on the complete development of human potential and must encourage respect, tolerance, and camaraderie between people of various races, nationalities, and religious beliefs. The right to education encompasses

[407] Article 26 (1) of the UDHR.
[408] Article 26 (1) of the UDHR.
[409] Article 26 (1) of the UDHR.
[410] Article 26 (1) of the UDHR.
[411] Article 26 (1) of the UDHR.
[412] Article 26 (1) of the UDHR.
[413] Universal Declaration on Human Rights, 1948.
[414] Universal Declaration on Human Rights, 1948.

skill development and vocational training even though it does not specifically mention TVET.

According to Article 26(2) of the UDHR, everyone should have access to education on the basis of equal opportunity.[415] It emphasises the need for basic education to be both free and required. Equal opportunity indicates that people should have equal access to all types of education, including vocational and technical training, even though it does not mention TVET expressly. Article 2 of the UDHR forbids discrimination in the exercise of the freedoms and rights outlined in the Declaration. It defines the non-discrimination concept, which suggests that everyone should have equal access to TVET education without prejudice based on variables like ethnicity, sex, religion, or socioeconomic class. These articles offer a legal foundation for the right to receive TVET education within the larger context of the right to education in the UDHR, even though they do not specifically reference TVET.

#### 2.3.1.2. The International Covenant on Economic, Social and Cultural Rights

The International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted in 1966, stands as a cornerstone in the body of international human rights instruments.[416] It confers legal status upon a broad spectrum of rights that pertain to economic, social, and cultural spheres, emphasizing their intrinsic value and the imperative to safeguard them on a global scale.[417] One of the fundamental rights enshrined within the ICESCR is the right to education. Article 13(1)(c) of the Covenant is a pivotal provision in this regard. It establishes education as an essential component of economic, social, and cultural rights, recognizing that education plays a critical role in the development and well-being of individuals and societies.[418]

Article 13(1)(c) of the ICESCR reads as follows:

[415] Universal Declaration on Human Rights, 1948.
[416] The International Covenant on Economic, Social and Cultural Rights, 1966.
[417] The International Covenant on Economic, Social and Cultural Rights, 1966.
[418] Article 13 (1) (c) of the ICESCR.

"Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education."[419]

This provision underscores several key principles and objectives within the context of the right to education. The Covenant mandates that higher education, including TVET, should be equally accessible to all individuals.[420] It emphasizes the importance of eliminating discrimination and ensuring that educational opportunities are available to everyone, without any form of unjustified distinction.[421] However, the phrase "on the basis of capacity" in this covenant signifies that access to higher education should be determined primarily by an individual's ability and qualifications rather than socioeconomic factors.[422] It underscores the principle that education should be open to all based on merit and aptitude.

Perhaps most significantly, Article 13(1)(c) introduces the concept of "progressive introduction of free education." This signifies a commitment to gradually eliminate financial barriers to education.[423] While this provision does not mandate immediate and universal free higher education, it acknowledges the necessity of moving toward a system where higher education, including TVET, becomes increasingly affordable or free of charge over time.[424] The inclusion of TVET within the scope of higher education in this context recognizes the practical importance of vocational and technical training in equipping individuals with the skills necessary to participate effectively in the workforce and society.[425] By promoting equal access and progressively reducing financial impediments, Article 13(1)(c) of the ICESCR seeks to ensure that TVET is available to a wide range of individuals, thereby contributing to the overall development of human capital and the fulfillment of economic, social, and cultural rights.[426]

[419] Article 13 (1) (c) of the ICESCR.
[420] The International Covenant on Economic, Social and Cultural Rights, 1966.
[421] The International Covenant on Economic, Social and Cultural Rights, 1966.
[422] The International Covenant on Economic, Social and Cultural Rights, 1966.
[423] Article 13 (1) (c) of the ICESCR.
[424] Article 13 (1) (c) of the ICESCR.
[425] Article 13 (1) (c) of the ICESCR.
[426] Article 13 (1) (c) of the ICESCR.

### 2.3.1.3. The United Nations Educational, Scientific and Cultural Organization, 1989.

The UNESCO Convention, to which you are referring, is the "Convention on Technical and Vocational Education" adopted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1989.[427] This convention plays a significant role in shaping international norms and standards pertaining to TVET In an academic legal context, The statement that "This UNESCO Convention explicitly recognizes the right to access TVET education as part of the broader right to education" is a fundamental assertion, and here's the legal analysis to expound upon it.[428]

The UNESCO Convention explicitly acknowledges the right of individuals to access TVET education. This recognition underscores that TVET is not merely a discretionary or secondary form of education but is integral to the broader right to education.[429] In legal terms, this constitutes a commitment to ensuring that TVET is available and accessible to all individuals. The phrase "as part of the broader right to education" emphasizes that TVET is not treated in isolation but is considered an intrinsic component of the overarching right to education.[430] This aligns with the principle that the right to education encompasses a diverse range of educational pathways, including academic, vocational, and technical, and that individuals should have the opportunity to choose the educational path that best suits their needs and aspirations.[431]

The convention goes beyond mere recognition and emphasizes the importance of ensuring access to quality vocational and technical training opportunities.[432] This signifies that TVET programs should meet certain standards of quality to be effective in providing individuals with the skills and knowledge necessary for employment and personal development.[433] Additionally, the emphasis on accessibility reinforces the

[427] United Nations Educational, Scientific and Cultural Organization, 1989.
[428] United Nations Educational, Scientific and Cultural Organization, 1989.
[429] United Nations Educational, Scientific and Cultural Organization, 1989.
[430] United Nations Educational, Scientific and Cultural Organization, 1989.
[431] United Nations Educational, Scientific and Cultural Organization, 1989.
[432] United Nations Educational, Scientific and Cultural Organization, 1989.
[433] United Nations Educational, Scientific and Cultural Organization, 1989.

idea that TVET should be available to a wide range of individuals, without discrimination.

By adopting this convention, UNESCO and its member states demonstrate an international commitment to TVET education.[434] This commitment is expressed through legally binding provisions that obligate states parties to take measures to promote and facilitate access to TVET.[435] In legal terms, this signifies that states recognize the importance of TVET in the context of global education policy.

The 1960 UNESCO Convention against Discrimination in Education is an important international law that emphasizes the right to an education free from prejudices and aims to close educational gaps, especially those pertaining to access to TVET education.[436] This convention prohibits any type of discrimination in the educational system. It stresses that everyone should have access to education, regardless of their race, colour, sex, language, religion, political viewpoint, national or social origin, economic level, date of birth, or other characteristics.[437] This clause emphasizes how crucial it is to give everyone access to equal educational opportunities. Baskaran further contends that the convention places a strong emphasis on the idea of equal educational opportunities and underlines the need to end any discriminatory practices that obstruct access to education.[438] It urges the establishment of policies to guarantee that everyone has equitable access to all levels and varieties of education, including TVET education.

The Convention understands how crucial it is to get rid of educational inequalities, especially those relating to TVET education. It highlights the importance of creating educational institutions that support equality and forbid any kind of segregation or marginalization based on variables like gender, financial background, or location.[439]

[434] United Nations Educational, Scientific and Cultural Organization, 1989.
[435] United Nations Educational, Scientific and Cultural Organization, 1989.
[436] Baskaran, A., 2016. UNESCO science report: towards 2030. *Institutions and Economies*, pp.125-127.
[437] Baskaran, A., 2016. UNESCO science report: towards 2030. *Institutions and Economies*, pp.125-127.
[438] Baskaran, A., 2016. UNESCO science report: towards 2030. *Institutions and Economies*, pp.125-127.
[439] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.

The Convention emphasizes the importance of ensuring that all students receive high-quality instruction without exception. In order to ensure that TVET is available, efficient, and able to satisfy the needs of students, it highlights the necessity for educational systems to be inclusive, pertinent and of the highest quality.

The Convention further acknowledges the need for international collaboration in order to achieve the goals of eradicating prejudice and educational inequities.[440] In order to promote equal access to TVET, the convention promotes cooperation between States, international organizations, and other stakeholders through the exchange of experiences, knowledge, and best practices. Miles and Singal, contend that the global movement known as "Education for All" (EFA), which is backed by UNESCO, promotes inclusive and equitable quality education for everyone. No matter their backgrounds, situations, or skills, the movement understands the value of educating everyone.[441] Torres further indicates that one of the six overarching objectives of the EFA movement is to guarantee that "quality education and lifelong learning opportunities are available for all."[442] This objective represents the dedication to offering high-quality education that is available to people at all stages of their lives.

The 2015 Recommendation on TVET by UNESCO is a key document that highlights the significance of guaranteeing fair access, high program quality, and relevance across the globe.[443] For member states to improve their TVET systems and advance inclusive and efficient vocational education, it offers a set of principles and standards. The recommendation focuses on the necessity of ensuring that everyone has equitable access to TVET, regardless of gender, socioeconomic status, location, or other variables. It demands action to eradicate discriminatory practices and obstacles to TVET access, especially for underprivileged and marginalized populations.[444] The

[440] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.
[441]Miles, S. and Singal, N., 2010. The education for all and inclusive education debate: Conflict, contradiction or opportunity? *International journal of inclusive education*, *14*(1), pp.1-15.
[442] Torres, R.M., 2011. Lifelong learning: moving beyond Education for All (EFA). *Conceptual evolution and policy developments in lifelong learning*, pp.40-50.
[443] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.
[444] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.

Recommendation emphasizes how crucial it is to uphold good standards in TVET programs. It encourages member states to set up quality control procedures, accreditation procedures, and monitoring systems to guarantee that TVET programs adhere to industry standards and give students the skills and competences they need for employment. The recommendation further emphasizes how important it is to make sure that TVET programs are relevant to the demands of the job market.[445] To match curriculum creation, training methodology, and skills evaluations with present and future labour market demands, it asks for tight cooperation between TVET institutions, employers, and industry players. This guarantees that graduates are ready for the workforce and can effectively contribute to economic growth.

The recommendation highlights the value of offering career assistance and counselling services and acknowledges TVET as a lifetime learning process. It urges member states to create thorough career advice systems that aid people in making decisions regarding TVET options, career trajectories, and chances for lifelong learning. This encourages ongoing skill improvement and makes it possible for people to adjust to shifting labour market demands. The recommendation emphasizes the need of promoting inclusiveness and gender equality in TVET. It urges action to combat gender stereotypes, encourage women's and girls' involvement in professions that have historically been dominated by men, and guarantee that TVET programs are inclusive of and accessible to learners with disabilities. The recommendation further stresses the significance of having TVET instructors and teachers who are knowledgeable and qualified. In order to improve the pedagogical abilities, technical knowledge, and industrial expertise of TVET educators, it advocates for the provision of initial teacher training and ongoing professional development opportunities.[446] This supports efficient teaching and learning techniques and assures the delivery of high-quality instruction. The recommendation also emphasizes how crucial global collaboration, knowledge exchange, and cooperation are for promoting TVET.[447] It

[445] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.
[446] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.
[447] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.

promotes member governments to collaborate, share best practices, and access resources and knowledge from around the world to improve their TVET systems.[448]

#### 2.3.1.4. The International Labour Organisation

In order to advance social justice and labour rights, the United Nations has established the International Labour Organization (ILO). The right to education and training, including vocational and technical training, is acknowledged as a fundamental right in the ILO's Declaration of Fundamental Principles and Rights at Work, which was adopted in 1998.[449] Acc ILO's Declaration demonstrates the international commitment to expanding access to education and training opportunities for all people by recognising the right to education and training as a fundamental right.[450] It further calls on governments, businesses, labour unions, and other interested parties to collaborate to guarantee the realisation of this right. Standing, also contends that in the ILO Declaration, it emphasised how critical it is to ensure that everyone has access to opportunities for education and training, regardless of their socioeconomic situation, gender, age, or any other type of discrimination.[451] It emphasises how important education and training are for both personal growth and the advancement of society and the economy.

It is worth noting that the employers can also play a part in developing programmes that meet industry demands by partnering with TVET colleges and recognising the importance of TVET. They can offer possibilities for apprenticeships, internships, and on-the-job training to improve the development of practical skills and ease transitions into the profession. Access to TVET education is also supported by other stakeholders, such as community groups, international organisations, and civil society organisations. They can support policies that facilitate equal access to education and training and

[448] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation. Paris: UNESCO.
[449] Standing, G., 2010. The international labour organization. *New Political Economy*, *15*(2), pp.307-318.
[450] Standing, G., 2010. The international labour organization. *New Political Economy*, *15*(2), pp.307-318.
[451] Standing, G., 2010. The international labour organization. *New Political Economy*, *15*(2), pp.307-318.

can offer resources, expertise, and support to improve the quality and relevance of TVET programmes.

The Declaration acknowledges the right to education and training as a crucial component of fundamental workplace rights.[452] It highlights the importance of education and training, including access to high-quality TVET colleges, as a key component of people's rights at work and in society at large. It emphasises that people should have access to education and training opportunities throughout their lives to improve their employability, contribute to personal development, and participate fully in society. Bernards argues that the declaration recognises that fundamental workplace rights must include both education and training.[453] It acknowledges that people have a right to get the knowledge, skills, and competencies required to find respectable and fruitful job. This includes the acknowledgment that TVET is vital in supplying people with practical skills and vocational training that are specifically applicable to certain professions or vocations.[454]

The declaration also emphasises the need for people to have access to opportunities for education and training throughout their life. It acknowledges that learning is a lifelong process that goes beyond traditional schooling. People have the chance to improve their employability, remain relevant in the job market, and adapt to shifting industry needs throughout their careers if they have access to high-quality TVET courses. The access to high-quality TVET education enables people to get the information and skills required to improve their employability. TVET programmes frequently place a strong emphasis on developing practical skills by offering in-depth instruction and technical know-how in certain vocations or occupations. Individuals can do this to boost their chances of finding good jobs and to join the workforce with marketable skills. The access to high-quality TVET education further helps people develop personally in addition to increasing employability. People can discover their passions, hone their skills, and pick up new knowledge . The holistic approach that

[452] Standing, G., 2010. The international labour organization. *New Political Economy*, *15*(2), pp.307-318.
[453] Bernards, N., 2017. The International Labour Organization and African trade unions: tripartite fantasies and enduring struggles. *Review of African Political Economy*, *44*(153), pp.399-414.
[454] Bernards, N., 2017. The International Labour Organization and African trade unions: tripartite fantasies and enduring struggles. *Review of African Political Economy*, *44*(153), pp.399-414.

TVET education frequently encourages combines technical skills with critical thinking, problem-solving, teamwork, and communication abilities. Through this all-encompassing development, people are better able to flourish personally and give back to society. Furthermore, having access to high-quality TVET education enables people to fully engage in society. It encourages social inclusion by giving people from various origins equal opportunities to learn skills and engage in economic activity. By providing people with the skills and knowledge they need, TVET education enables them to actively contribute to their communities, economies, and the general advancement of society.

The Declaration recognises the importance of vocational and technical education in helping people acquire the skills, abilities, and information required to succeed in the workforce.[455] It acknowledges that TVET education places a strong emphasis on developing practical skills and offering in-depth knowledge of particular industries. The Declaration acknowledges that access to high-quality TVET education is essential for people to gain the practical skills that are directly aligned with the demands of the labour market.[456] This is done by highlighting the significance of vocational and technical training.

#### 2.3.1.5. The African Charter on Human and Peoples' Rights, 1981

The African Charter on Human and Peoples' Rights, also known as the Banjul Charter, was adopted in 1981 and represents a significant regional human rights instrument within the African continent.[457] The African Charter unequivocally guarantees the right to education for every individual within Africa. This provision acknowledges that education is not a privilege but a fundamental right that must be accessible to all residents of the continent.[458] From a legal perspective, this underscores the commitment of African nations to ensure that education is not arbitrarily denied to any individual.

[455] Bernards, N., 2017. The International Labour Organization and African trade unions: tripartite fantasies and enduring struggles. *Review of African Political Economy*, *44*(153), pp.399-414.
[456] Bernards, N., 2017. The International Labour Organization and African trade unions: tripartite fantasies and enduring struggles. *Review of African Political Economy*, *44*(153), pp.399-414.
[457] The African Charter on Human and Peoples' Rights, 1981.
[458] The African Charter on Human and Peoples' Rights, 1981.

While the African Charter does not explicitly mention TVET, it adopts a broader stance. It recognizes the fundamental right to access education, encompassing a wide spectrum of educational programs, including vocational and technical training.[459] In legal terms, this reflects a recognition that TVET is an essential element of education within the African context and must be made available to individuals as part of their right to education.

The African Charter is a regional human rights instrument that sets the legal framework for protecting and promoting human rights on the African continent.[460] In legal context, this means that the Charter establishes the standards and obligations that African states must adhere to regarding the right to education.[461] It also emphasizes the unique socio-economic and cultural contexts within Africa that influence the interpretation and implementation of this right.[462] The state has a legal obligation to ratify or aced to the African Charter which are legally bound by its provisions.[463] This implies that they have a legal obligation to take affirmative actions to ensure the realisation of the right to education for all individuals within their jurisdiction, including promoting and facilitating access to vocational and technical training programs.[464]

The right to access high-quality TVET is significantly promoted and protected by regional measures. To address the unique demands and difficulties of its member states, regional organisations design and implement these instruments. These tools help people realise their right to receive education that provides them with the skills and knowledge needed for decency in the workplace, economic empowerment, and lifelong learning by raising the quality and relevance of TVET education. They offer frameworks for the creation of quality control systems, qualification frameworks, and curriculum that is in line with market demands. These tools help people realise their right to receive education that gives them the skills and information required for

[459] The African Charter on Human and Peoples' Rights, 1981.
[460] The African Charter on Human and Peoples' Rights, 1981.
[461] The African Charter on Human and Peoples' Rights, 1981.
[462] The African Charter on Human and Peoples' Rights, 1981.
[463] The African Charter on Human and Peoples' Rights, 1981.
[464] The African Charter on Human and Peoples' Rights, 1981.

decency in the workplace, economic empowerment, and lifelong learning by raising the quality and relevance of TVET education.

According to Article 17 of the African Charter on Human and Peoples' Rights, the right to education is acknowledged, and it is emphasised that education must be geared towards the complete development of the human personality.[465] It states that everyone has the right to enrol in educational institutions and programmes with steadily improving standards.[466] This clause can be read to cover accessibility to excellent TVET education that satisfies global standards of excellence. The right to education is expressly recognised in Article 17 of the African Charter. According to this, everyone has the right to education, which must be focused on the entire development of the human personality.[467] The African Charter's right to obtain high-quality education has a legal foundation thanks to this clause. Article 17 of the African Charter also stresses the importance of progressively raising the bar for educational standards. According to the idea of progressive growth, states are obligated to raise the standard of education over time. It acknowledges that merely having access to education is insufficient; in order to significantly advance both individual growth and societal advancement, education must be of a high calibre.

The African Charter for Human Rights forbids discrimination in the exercise of rights, including the right to education. According to Article 2 of the Charter, everyone has the right to exercise the freedoms and rights guaranteed by the Charter, without distinction based on any aspect of their identity, including their race, ethnicity, gender, sexual orientation, language, religion, political views, nationality, or place of birth.[468] Everybody has access to a high-quality education without facing any form of discrimination because to this non-discrimination idea.[469] The African Charter lays out procedures for keeping an eye on how the right to education is being carried out.[470] This charter emphasise that periodic reports on the steps taken to ensure the rights recognised by this Charter, including the right to education, must be submitted by state

[465] Article 17 of the African Charter on Human and Peoples' Rights.
[466] Article 17 of the African Charter on Human and Peoples' Rights.
[467] Article 17 of the African Charter on Human and Peoples' Rights.
[468] Article 2 of the African Charter on Human and Peoples' Rights.
[469] Article 2 of the African Charter on Human and Peoples' Rights.
[470] Article 2 of the African Charter on Human and Peoples' Rights.

parties.[471] The African Commission on Human and Peoples' Rights, was established by these Charter, is in charge of observing how these rights are being exercised and has the authority to advice governments on how to raise educational standards and accessibility.[472] Article 22 further acknowledges the right to economic, social, and cultural growth.[473] It emphasises the responsibility of state parties to guarantee the peaceful growth of economic activity, with a focus on technical and vocational training in particular.[474] It indicates that having access to high quality TVET education is crucial for achieving both economic growth and the realisation of one's right to development.[475]

### 2.1.3.6. The European Convention on Human Rights, 1950

The European Convention on Human Rights (ECHR) is a significant international treaty adopted in 1950, designed to protect and promote fundamental human rights and freedoms within the member states of the Council of Europe.[476] Among the various rights enshrined in the ECHR, the right to education holds particular importance. The ECHR places a distinct emphasis on the right to education. This right is articulated in the ECHR's Protocol 1, Article 2, which states that "No person shall be denied the right to education."[477] This provision reflects a firm commitment to education as a fundamental human right that should be enjoyed by all individuals within the jurisdiction of ECHR member states.[478]

While the ECHR does not explicitly mention TVET, it takes a comprehensive approach to education. It recognizes that education encompasses a wide spectrum of learning opportunities, including academic, vocational, and technical training.[479] In legal terms, this implies that the ECHR acknowledges TVET as a legitimate and integral part of the educational system within its member states.[480] The ECHR places a significant

[471] Article 2 of the African Charter on Human and Peoples' Rights.
[472] Article 2 of the African Charter on Human and Peoples' Rights.
[473] Article 17 of the African Charter on Human and Peoples' Rights.
[474] Article 17 of the African Charter on Human and Peoples' Rights.
[475] According to Article 17 of the African Charter on Human and Peoples' Rights.
[476] The European Convention on Human Rights, 1950.
[477] The European Convention on Human Rights, 1950.
[478] The European Convention on Human Rights, 1950.
[479] The European Convention on Human Rights, 1950.
[480] The European Convention on Human Rights, 1950.

responsibility on the state to ensure access to education. It underscores the role of the state in guaranteeing that individuals have the opportunity to access education, including TVET, without discrimination and irrespective of their personal circumstances.[481] In legal term, this emphasizes that states are legally obligated to create an educational environment that is inclusive and accessible.[482] Another noteworthy aspect of the ECHR is its recognition of the importance of respecting parents' choices in education.[483] This recognition is especially relevant in the context of TVET, where parents may have specific preferences or beliefs about the type of education their children should receive.[484] The ECHR acknowledges the rights of parents to ensure that their children's education is in line with their religious and philosophical convictions. This recognition reflects the principle of parental autonomy in education within the legal framework of the ECHR.

The EFA movement stresses the importance of addressing inequalities and ensuring inclusive and equitable education. It emphasizes that everyone should have access to education, especially members of underrepresented groups, women and girls, children with disabilities, members of racial and ethnic minorities, and residents of distant or underdeveloped areas.[485] The movement aims to create equal chances for everyone and works to remove obstacles that impede various groups from receiving education.[486] The quality of education is heavily emphasized by the EFA movement. It acknowledges that education should focus on delivering meaningful and effective learning experiences rather than simply being accessible. Well-trained teachers, learner-centred strategies, pertinent curricula, sufficient resources, and encouraging learning environments are all components of quality education. TVET is regarded as a crucial component of high-quality education because it gives people real-world experience and prepares them for work and economic engagement.

[481] The European Convention on Human Rights, 1950.
[482] The European Convention on Human Rights, 1950.
[483] The European Convention on Human Rights, 1950.
[484] The European Convention on Human Rights, 1950.
[485] Torres, R.M., 2011. Lifelong learning: moving beyond Education for All (EFA). *Conceptual evolution and policy developments in lifelong learning*, pp.40-50.
[486] Torres, R.M., 2011. Lifelong learning: moving beyond Education for All (EFA). *Conceptual evolution and policy developments in lifelong learning*, pp.40-50.

A lifelong learning approach is adopted by the EFA movement, which recognizes that education should be a continuous process that lasts longer than the typical school years. This viewpoint acknowledges the value of TVET in giving people chances to progress their careers and develop their skills throughout their lives. It underlines the need of flexible learning routes and acknowledges the critical role that TVET can play in giving people the skills they need to adjust to shifting societal and economic demands. The EFA movement encourages global collaboration and alliances to further the objectives of inclusive and equitable education. Governments, international organizations, civil society, and other stakeholders are encouraged to work together and share knowledge, resources, and best practices. UNESCO offers a forum for fostering collaboration and facilitating discourse on education policies and practices, including TVET, as a key backer of the EFA movement.

### 2.3.2. Constitutional rights to TVET education

The Constitution of South Africa was approved by the Constitutional Assembly on December 4, 1996, and it went into effect the next day.[487] This was a crucial turning point in South Africa's democratic transition, which replaced the Interim Constitution of 1993.[488] The Constitution was adopted and put into effect as a result of a planned and inclusive process to create a legislative framework that would govern the nation in the post-apartheid era.[489] This Constitution is acknowledged as the nation's highest legislation. This implies that it has the highest legal standing and that its rules apply to all other laws, actions, and behaviour. The courts have the authority to invalidate any act or policy that violates the Constitution.

The supremacy of the Constitution ensures its overarching influence and the obligation of all branches of government, as well as individuals and institutions, to adhere to its principles. The South African Constitution provides a comprehensive legal framework that governs the structure and functioning of the state, as well as the rights and freedoms of individuals. It establishes the principles of democracy, the separation of powers, and the protection of human rights. The Constitution also sets out the powers

[487] Constitution of the Republic of South Africa, 1996
[488] Constitution of the Republic of South Africa, 1996
[489] Constitution of the Republic of South Africa, 1996

and responsibilities of the executive, legislative, and judicial branches of government. It serves as a foundational document that guides the development of laws, policies, and practices in all areas of governance. It acts as a fundamental document that directs the creation of rules, regulations, and procedures across the board.

The Bill of Rights in the South African Constitution guarantees a long number of fundamental freedoms and rights.[490] The Constitution protects each person's inherent worth, outlaws discrimination, and establishes institutions to defend and advance human rights. The Constitution further ensures the preservation of individual freedom and the progress of a just and inclusive society by upholding fundamental rights. In addition to providing for judicial scrutiny of legislation and executive activities, the South African Constitution also specifies procedures for change. A two-thirds majority in the National Assembly and the backing of at least six of the nine provinces in the National Council of Provinces are needed to amend the Constitution. The Constitutional Court is important in ensuring that the Constitution is interpreted and applied in a way that is compatible with the evolving requirements and aspirations of society.

The Bill of Rights is interpreted in accordance with Section 39 of the South African Constitution, which emphasises the promotion of principles, consideration of international law, and ties to common law, customary law, and legislation.[491] The Bill of Rights must be interpreted by courts, tribunals, and other authorities while upholding the ideals of a free and open society built on respect for others' dignity, equality, and freedom. This clause emphasises the importance of these guiding principles in deciding how human rights are understood and applied in South Africa. It ensures that the courts actively consider and advance the ideas and concepts that uphold a just and inclusive society. International law must be taken into account while interpreting the Bill of Rights in courts, tribunals, and other forums. This sentence acknowledges the importance of international human rights law and calls on the judiciary to interpret constitutional protections for freedoms and rights in light of international norms, standards, and jurisprudence.

[490] Chapter 2 of the Constitution.
[491] See Section 39

Section 39 further permits the consideration of foreign law in addition to international law.[492] This implies that in interpreting the Bill of Rights, courts, tribunals, or other venues may look to legal precedents and concepts from other countries.[493] This clause permits the sharing of knowledge and experiences, allowing the judiciary to gain insight from many viewpoints when comprehending and implementing human rights principles. Any court, tribunal, or forum that interprets laws or develops common law or customary law must uphold the spirit, purpose, and intent of the Bill of Rights.[494] This provision ensures that the courts actively uphold the principles and objectives set forth in the Bill of Rights when interpreting and making laws.[495] It requires the judiciary to use common law and customary law development and legislative interpretation in a way that maintains and strengthens human rights protections.[496] Any rights and freedoms recognised or provided by common law, customary law, or other laws are nonetheless protected to the extent that they are consistent with the Bill of Rights.[497] This section recognises the pre-existing liberties and rights protected by various legal frameworks, such as the common law, jurisprudence, and legislation. It makes it clear that the Bill of Rights does not negate or displace these pre-existing rights as long as they are consistent with the fundamental guarantees. This clause ensures continuity and highlights the importance of enduring legal principles.

In South Africa, the right to education includes both the right to a high-quality education as well as the right to access education. This implies that everyone has the right to high-quality education that complies with specific requirements. The quality of education is determined by a number of things, including trained and skilled teachers, sufficient equipment and resources, timely curriculum, and efficient teaching techniques. TVET colleges are essential in giving those seeking practical knowledge and skills for job and career progression with vocational education and training. The Constitution acknowledges the value of TVET education in empowering people and fostering economic growth. The right to education is acknowledged as a fundamental

[492] See Section 39 of the Republic of South Africa, 1996
[493] See Section 39 of the Republic of South Africa, 1996
[494] See Section 39 of the Republic of South Africa, 1996
[495] See Section 39 of the Republic of South Africa, 1996
[496] See Section 39 of the Republic of South Africa, 1996
[497] See Section 39 of the Republic of South Africa, 1996

right in the South African Constitution's Section 29 and should be available to all on an equitable basis.

Section 29 of the Constitution outlines rights to education. The right to fundamental and postsecondary education is established and safeguarded under Section 29 (1).[498] According to the clause, the state is required to gradually increase access to and availability of higher education. By being accessible, the state should work to eliminate obstacles to higher education, such as prejudice. Everyone has the right to receive education in the language of their choosing, where it is fairly practical to do so.[499] An autonomous educational institution that may receive governmental funding is one place where the right to education can be fulfilled.[500] Independent institutions shouldn't be exposed to excessive financial restrictions. The intellectual freedom of these institutions shouldn't be in danger because the government funds them.

The purpose of education must be considered while interpreting the right in section 29. Education must promote a sense of dignity and work towards the complete development of the human personality. Additionally, it need to be focused on empowering everyone to actively engage in a free society.[501] First and foremost, education should enable students to understand and practise their human rights while also fostering their capacity for political and civic decision-making. Second, education ought to equip students with the knowledge and abilities they need to understand and enjoy life as well as take part in the economy. To this aim, the curriculum's content is a crucial component of the right to education and should give students the skills they need to engage fully in society.

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[498] Section 29 (1) of the Constitution of the Republic of South Africa Act 108 1996 provides that "everyone has the right - (a) to basic education, including adult basic education. (b) to further education, which the state through reasonable measures, must make progressively available and accessible".

[499] Section 29 (2) provides that "everyone has the right to receive education in the official language or languages of their choice in public institutions where that education is reasonably practicable. In order to ensure the effective access to, and implementation of this right, the state must consider all reasonable educational alternatives, including single medium institutions, taking into account:

(a) equity
(b) practicability
(c) The need to redress the results of past racially discriminatory laws and practices."

[500] Section 29 (3) provides " Everyone has the right to establish and maintain, at their own expense, independent private educational institutions that- (a) do not discriminate on the basis of race; (b) are registered with the state; and (c) maintain standards that are not inferior to standard at comparable public educational institutions."

[501] Article 13 of the International Covenant on Economic, Social Cultural Rights (1966).

The state is required by the right to education to establish and maintain an educational system that offers educational programmes in all its forms and at all levels.[502] The government must take action to guarantee that there are operating educational facilities, educational programmes, and teachers throughout its area. The government must construct schools, hire teachers, and establish curricula. Institutions and programmes should be accessible, which means that any obstacles should be eliminated, such as discrimination based on financial means or physical incapacity. Making education accessible, acceptable, and adaptable should be the goal of the educational system. Both elementary and higher education must incorporate these components. Availability refers to the requirement that there be a sufficient number of operational educational institutions and programmes within the State Party's territorial authority. All institutions and programmes ought to have structures or other forms of weather protection, restrooms with safe drinking water for both boys and girls, qualified teachers, instructional materials, libraries, labs, and computers.[503]

Beyond its human rights dimension, the right to access quality TVET education is intricately linked to economic development. TVET equips individuals with practical skills and competencies that are directly relevant to the labour market. In this context, ensuring access to quality TVET education becomes a critical tool for addressing unemployment and fostering economic growth. A skilled workforce is a vital component of a nation's competitive advantage in the global economy.

Access to quality TVET education plays a pivotal role in promoting social inclusion. It offers individuals from diverse socio-economic backgrounds, genders, and abilities an opportunity to acquire skills that can enhance their employability and socio-economic status. By providing practical, hands-on training, TVET programs bridge the gap between theoretical knowledge and practical application, making education more relevant to real-life situations.

[502] General Comment 13 (1999) para 6.
[503] General Comments 13 (1999) para 6 (a).

Gender disparities in access to education persist in many parts of the world. TVET can serve as a means to promote gender equality by breaking down traditional gender roles and encouraging women and girls to pursue careers in fields traditionally dominated by men. Ensuring equal access to quality TVET education for all genders is crucial for achieving broader gender equity goals.

The effectiveness of the right to access quality TVET education hinges on the existence of appropriate policy and legislative frameworks. Governments play a central role in creating an enabling environment by formulating policies that promote TVET, allocating resources, and ensuring that TVET institutions meet established quality standards. These frameworks also need to address issues of accessibility, affordability, and inclusivity.

Given the diversity of TVET programs and approaches worldwide, there is an opportunity for global learning and exchange of best practices. Comparative analyses of TVET systems in different countries can inform policy decisions and help nations adopt innovative approaches to TVET education. International cooperation and partnerships are essential in this regard.

The right to access high-quality TVET education serves as a safeguard to ensure that every individual, regardless of their socio-economic background, gender, disability status, or other distinguishing characteristics, is afforded an equitable opportunity to attain vocational skills and knowledge. TVET education is underscored by its steadfast focus on the acquisition of pragmatic skill sets spanning a wide spectrum of industries, encompassing but not confined to engineering, medical sciences, agriculture, computer technology, and various others. Its fundamental objective lies in endowing individuals with the competencies imperative for gainful participation in the labour force and fostering socio-economic progress. The accessibility to high-quality TVET education, in essence, guarantees that the education and training provided align seamlessly with established benchmarks and remain pertinent to the exigencies of the labour market. This concerted alignment, in turn, ensures that graduates are equipped with sought-after competencies and possess the capacity to effectuate substantive contributions to the labour market's dynamism and growth.

The right to access high-quality TVET education functions as a protective mechanism, ensuring that every individual, irrespective of their socio-economic status, gender, disability status, or other distinguishing characteristics, is granted an equitable opportunity to acquire vocational skills and knowledge. TVET education is distinguished by its unwavering emphasis on the acquisition of practical skill sets spanning a diverse array of industries, encompassing, but not limited to, fields such as engineering, medical sciences, agriculture, computer technology, and various others. Its primary objective is to empower individuals with the competencies essential for meaningful engagement in the labour force and the promotion of socio-economic advancement.

TVET education encompasses not only the initial provisions for foundational vocational training but also encompasses opportunities for continuous learning and skill development throughout an individual's professional trajectory. The recognition of the right to access high-quality TVET education fundamentally acknowledges the imperative of ongoing skill enhancement and retraining, which becomes indispensable as labour markets continually evolve and transform. This evolution underscores the vital necessity for individuals to adapt to the ever-changing demands of their respective occupations.

Furthermore, the acknowledgement of the right to access high-quality TVET education underscores the indispensable role of international cooperation and collaborative partnerships. It is incumbent upon the international community to forge alliances aimed at advancing the principles that underlie the right to access high-quality TVET education. This entails the mutual exchange of best practices, skills, and collaborative efforts in crafting curricula that remain responsive to evolving industry needs, employing effective pedagogical methodologies, and instituting robust quality assurance mechanisms. In essence, the right to access high-quality TVET education not only underscores the imperative of equitable access to information and skills, thereby enabling individuals to actively participate in societal affairs, foster economic development, and enhance employment prospects, but also places a paramount emphasis on the tenets of excellence, inclusivity, and lifelong learning within vocational education and training systems.

TVET education extends beyond the confines of foundational vocational training, encompassing a continuum that incorporates opportunities for lifelong learning. The recognition of the right to access high-quality TVET education is grounded in the awareness of the imperative for perpetual skill enhancement and retraining throughout an individual's professional journey, thereby enabling them to adeptly respond to the dynamic demands of the labour market. This acknowledgment underscores the necessity for individuals to continually adapt and refine their competencies to remain competitive and efficacious in their chosen vocations.

Furthermore, the recognition of the right to access high-quality TVET education underscores the critical role of international collaboration and cooperative partnerships. It emphasizes that nations can mutually benefit by engaging in the exchange of best practices, expertise, and collaborative endeavours geared towards the formulation of pertinent curricular frameworks, effective pedagogical methodologies, and robust quality assurance systems. In essence, the right to access high-quality TVET education assumes an indispensable role in ensuring equitable access to the knowledge and proficiencies essential for full societal engagement, meaningful contributions to economic advancement, and the enhancement of employment prospects. Consequently, the provision of high-quality TVET education must be rendered universally accessible. This commitment underscores the principles of excellence, inclusivity, and perpetual learning within the realm of vocational education and training systems.

In the case of the Government of the Republic of South Africa and Others v. Grootboom and Others 2000 (11) BCLR (CC), the group of individuals who resided in unofficial settlements in South Africa's Western Cape Province served as the case's plaintiffs.[504] They claimed that the government's failure to take appropriate measures to provide sufficient housing infringed their right to adequate housing, which is guaranteed by the South African Constitution.[505] The case also highlighted deeper structural problems with South Africa's poverty and inequality. The Implication for the Right to Access Quality Education had broader implications for socio-economic rights

[504] Government of the Republic of South Africa and Others v Grootboom and Others 2000 (11) BCLR (CC).
[505] See Section 29 0f the Constitution.

in South Africa, including the right to access quality education. The South African Constitution, adopted in 1996, recognizes socio-economic rights as fundamental human rights, and it places a duty on the government to take reasonable measures to progressively realise these rights.

This case demonstrated how numerous socioeconomic rights are interconnected in the context of education. The right to access to education can be adversely impacted by inadequate housing and living conditions. For instance, pupils may have problems including inadequate nourishment, health problems, and restricted access to educational resources if their families are living in poverty. All of these elements have the potential to degrade educational standards and impair leaner's capacity for successful learning. This example served as a reminder of how crucial it is to address systemic inequality and poverty as obstacles to obtaining a high-quality education. In its ruling, the Constitutional Court emphasised that despite scarce resources, the state must take proactive steps to gradually fulfil socioeconomic rights, such as housing and education. This decision sparked debates about the judiciary's responsibility for holding the government responsible for socioeconomic rights and opened up a wider conversation about policy and resource allocation in South Africa. However, the Court stated in its decision that the Constitution does not oblige the state to go beyond what its resources will allow. However, the state must work towards gradually implementing the Bill of Rights' rights by developing a thorough plan that takes into account all relevant factors. Where required, the state should set priorities and reallocate resources accordingly.[506]

In South African legal terms, the constitutional right to access to TVET education is primarily rooted in the South African Constitution, which is the supreme law of the land.[507] This right is derived from various provisions within the Constitution and is reinforced by key legislative measures.

[506] See Section 29 of the Constitution
[507] The Constitution of the Republic of South Africa, 1996

### 2.3.2.1. Constitutional Framework

The cornerstone of the constitutional right to access education in South Africa is found in Section 29(1)(b) of the Constitution.[508] It states that "Everyone has the right to further education, which the state, through reasonable measures, must make progressively available and accessible."[509] This provision explicitly guarantees the right to further education, which includes TVET, and places a duty on the state to ensure its availability and accessibility.[510]

Section 29(1)(b) acknowledges that the realisation of the right to further education is a process that may occur progressively.[511] This means that the state is expected to take steps, within its available resources, to continually expand and enhance the accessibility of TVET education over time.[512]

Section 29(2) of the Constitution provides additional protection by prohibiting discrimination in access to educational institutions and programs, including TVET, on various grounds, such as race, gender, religion, and disability.[513] This underscores the principle of equality and non-discrimination in education. The use of the term "progressively available" in Section 29(1)(b) signifies that the right to access TVET education is not an absolute or immediate entitlement but rather one that must be realised over time.[514] The government is expected to take steps within its available resources to expand and improve access to TVET progressively.[515]

The phrase "through reasonable measures" is a crucial element of Section 29(1)(b) of the South African Constitution, which guarantees the right to further education, including TVET, and places an obligation on the state to ensure its availability and accessibility.[516] In legal terms, this phrase carries significant implications for the manner in which the state is expected to fulfill its constitutional duty. This term "reasonable measures" suggests that the state is required to adopt practical and

[508] Section 29(1)(b) of the South African Constitution, 1996.
[509] Section 29(1)(b) of the South African Constitution, 1996.
[510] Section 29(1)(b) of the South African Constitution, 1996..
[511] Section 29(1)(b) of the the South African Constitution, 1996.
[512] Section 29(1)(b) of the the South African Constitution, 1996..
[513] Section 29(2) of the South African Constitution, 1996.
[514] Section 29(2) of the South African Constitution, 1996.
[515] Section 29(2) of the the South African Constitution, 1996.
[516] Section 29(1)(b) of the South African Constitution, 1996.

effective approaches to make TVET education available and accessible.[517] This implies that the state should design policies and strategies that are not only theoretically sound but also capable of producing tangible results.[518] From a legal perspective, this means that the government's actions should be rooted in empirically validated methods and should have a real impact on increasing access to TVET education.[519] It emphasizes the need for evidence-based decision-making and policies that have a demonstrable effect on the ground.[520]

The inclusion of the term "reasonable" acknowledges that the state may face resource constraints and limitations. This reflects an understanding that the government may not be able to provide universal access to TVET education instantaneously or without considering its available resources. In legal terms, this flexibility allows the state some latitude in determining the pace and scope of measures taken to make TVET accessible.[521] It means that the government must make a genuine effort to progressively improve access within its means, taking into account economic and resource considerations.[522]

The concept of "reasonable measures" implies a balance between the right to access education and the practical realities and constraints faced by the state. It recognizes that governments must make difficult decisions about resource allocation and prioritize various competing demands on the public purse. In a legal context, this means that courts and legal authorities may consider whether the measures taken by the state to promote TVET accessibility are reasonable in light of the available resources and other pressing social and economic needs.[523]

To ensure that the state is indeed taking reasonable measures, mechanisms for accountability and monitoring become essential. Legal oversight and reporting mechanisms may be put in place to evaluate the government's efforts in fulfilling its

[517] Section 29(1)(b) of the South African Constitution, 1996.
[518] Section 29(1)(b) of the South African Constitution,1996..
[519] Section 29(1)(b) of the South African Constitution,1996..
[520] Section 29(1)(b) of the South African Constitution,1996..
[521] Section 29(1)(b) of the South African Constitution,1996..
[522] Section 29(1)(b) of the South African Constitution,1996..
[523] Section 29(1)(b) of the South African Constitution,1996..

constitutional duty.[524] From a legal perspective, this implies that citizens, civil society organizations, and the judiciary have a role in holding the state accountable for its actions (or inactions) in relation to TVET accessibility.[525]

Section 29(1)(b) mandates the establishment and support of TVET colleges as a critical component of South Africa's educational landscape.[526] TVET colleges play a crucial role in providing skills training, addressing unemployment, and promoting economic development, making them central to the realisation of this constitutional right.[527] TVET colleges must meet certain standards of quality to ensure that the education they offer is effective and meaningful.[528] The constitutional provision underscores the importance of ensuring that TVET programs are accessible to individuals across the country, irrespective of their socioeconomic status, geographic location, or other factors.[529] Furthermore, the constitutional requirement for accessibility reinforces the principle of equality in access to TVET opportunities. It prohibits discrimination and calls for measures to address historical disparities in education.

Section 232 of the South African Constitution accepts customary international law as the rule of law in the Republic, unless it conflicts with the Constitution or a law enacted by Parliament.[530] This means that customary international law, which is composed of enduring practises acknowledged as legitimate by countries, is automatically incorporated into South African law, unless it conflicts with the Constitution or other legislation.[531] The significance of customary international law in affecting domestic legal systems is highlighted by this admission. The South African Constitution makes it clear that the country is committed to applying and interpreting its laws in a way that complies with international law, particularly when it comes to human rights. International human rights principles are reflected in the Constitution's text and interpretation.[532] International human rights conventions serve as both an inspiration

[524] Section 29(1)(b) of the South African Constitution, 1996.
[525] Section 29(1)(b) of the South African Constitution, 1996.
[526] Section 29(1)(b) of the South African Constitution, 1996
[527] Section 29(1)(b) of the South African Constitution, 1996
[528] Section 29(1)(b) of the South African Constitution, 1996.
[529] Section 29(1)(b) of the South African Constitution, 1996
[530] Section 232 of the South African Constitution, 1996.
[531] Section 232 of the South African Constitution, 1996
[532] Section 232 of the South African Constitution, 1996

for and a model for the Bill of Rights, which is an essential component of the Constitution. This reflects South Africa's dedication to maintaining global human rights standards and guarantees that these laws serve as a guide for how the South African Bill of Rights should be interpreted and applied.[533]

The interpretation of the South African Bill of Rights is heavily influenced by international human rights treaties and conventions. In interpreting domestic law, the Constitution expressly acknowledges the significance of international law, particularly human rights accords. This means that while interpreting and applying the rights and freedoms guaranteed by the Constitution, courts may turn to and depend upon international human rights conventions. This strategy guarantees adherence to global human rights norms and supports the steady advancement of those rights in South Africa.

#### 2.3.2.2. Legislative Framework

The legislative framework governing TVET colleges in South Africa are critical for understanding the legal and regulatory landscape surrounding these institutions. It encompasses a range of laws and regulations that establish the framework for the establishment, governance, funding, and operation of TVET colleges.

**a) The Further Education and Training Colleges (Act No 16 of 2006)**

The Further Education and Training Colleges Act No. 16 of 2006 (FETCA) emerged within the broader legal context of post-apartheid education reforms in South Africa. It represents a critical legal framework that recognizes and regulates TVET colleges, ensuring their role in addressing historical inequalities and providing quality technical and vocational education and training opportunities.[534]

Before the end of apartheid in 1994, South Africa had a racially segregated education system.[535] This system perpetuated inequality in access to education and training

[533] Section 232 of the South African Constitution,19
[534] The Further Education and Training Colleges Act No 16 of 2006.
[535] Klerk, J., 2001. The values underlying quality and equality in educational transformation. In *Democratic Transformation of Education in South Africa*. Seminar Report. No.:3, pp. 37-44.

opportunities.[536] Different racial groups had vastly different educational experiences and opportunities.[537] The democratic transition in 1994 brought about significant changes in South Africa's political and social landscape. The new government was committed to dismantling apartheid-era policies and addressing historical inequalities, including in the education sector.[538] In the post-apartheid era, South Africa embarked on a comprehensive reform of its education system. This included efforts to create a more inclusive, equitable, and quality-driven education system that would benefit all citizens. One of the key elements of these education reforms was the recognition of the importance of TVET education in preparing individuals for the world of work and addressing skills shortages.[539] TVET colleges were established as a critical component of the new education system.

Since the enactment of FETCA, South Africa has continued to refine its TVET system, with legislative amendments and policy changes aimed at improving the quality of TVET education, addressing skills gaps, and enhancing access to TVET programs.[540] The Further Education and Training Colleges Act (FETCA) plays a pivotal role in the legal framework governing TVET colleges in South Africa.[541] In legal terms, FETCA serves as the primary legislative instrument that establishes the legal foundation for the creation, governance, and operation of these institutions.[542] FETCA serves as the statutory authority that gives legal recognition to the existence and operation of TVET colleges in South Africa.[543] In essence, it confers the legal status upon these institutions, designating them as legitimate educational bodies.

This legal recognition is essential as it endows TVET colleges with specific legal rights, privileges, and responsibilities, allowing them to perform their educational functions within the boundaries of the law.[544] FETCA outlines the procedures and criteria for the

[536] Klerk, J., 2001. The values underlying quality and equality in educational transformation. In *Democratic Transformation of Education in South Africa*. Seminar Report. NO.: 3, pp. 37-44.
[537] Klerk, J., 2001. The values underlying quality and equality in educational transformation. In *Democratic Transformation of Education in South Africa*. Seminar Report. NO.: 3, pp. 37-44.
[538] Klerk, J., 2001. The values underlying quality and equality in educational transformation. In *Democratic Transformation of Education in South Africa*. Seminar Report. NO.: 3, pp. 37-44.
[539] The Further Education and Training Colleges Act No 16 of 2006.
[540] The Further Education and Training Colleges Act No 16 of 2006.
[541] The Further Education and Training Colleges Act No 16 of 2006.
[542] The Further Education and Training Colleges Act No 16 of 2006.
[543] The Further Education and Training Colleges Act No 16 of 2006.
[544] The Further Education and Training Colleges Act No 16 of 2006.

establishment of TVET colleges. These provisions delineate the formal steps and requirements that must be met by entities seeking to create new TVET colleges.[545] In legal terms, this ensures that the establishment of TVET colleges follows a prescribed legal process, ensuring transparency and adherence to specific criteria set by the legislation.[546] This contributes to the orderly development of TVET institutions.

FETCA defines the governance structures of TVET colleges.[547] It specifies the composition, roles, and functions of college councils, which are responsible for the oversight and management of these institutions.[548] Legally, this establishes a clear framework for the governance of TVET colleges, outlining the decision-making authority and responsibilities of the college councils, which are legally binding and enforceable.[549] FETCA addresses the accreditation of TVET programs, setting standards and procedures for the approval of courses and qualifications offered by these colleges.[550] This regulation of accreditation ensures that the education and training provided by TVET colleges meet recognized quality benchmarks and comply with national standards.[551] It contributes to the credibility and reliability of qualifications obtained through TVET education.[552]

The Act contains provisions related to quality assurance, funding mechanisms, and financial management practices for TVET colleges.[553] Legally, these provisions ensure that TVET colleges maintain a certain standard of quality in their programs, use public funds responsibly, and adhere to financial and administrative regulations.[554] FETCA prescribes the legal rights and responsibilities of TVET colleges, their governing bodies, and the government.[555] It delineates the obligations that colleges have toward students, staff, and the broader community. In legal terms, these rights and responsibilities create a legally binding framework that governs the relationships

[545] The Further Education and Training Colleges Act No 16 of 2006.
[546] The Further Education and Training Colleges Act No 16 of 2006.
[547] The Further Education and Training Colleges Act No 16 of 2006.
[548] The Further Education and Training Colleges Act No 16 of 2006.
[549] The Further Education and Training Colleges Act No 16 of 2006.
[550] The Further Education and Training Colleges Act No 16 of 2006.
[551] The Further Education and Training Colleges Act No 16 of 2006.
[552] The Further Education and Training Colleges Act No 16 of 2006.
[553] The Further Education and Training Colleges Act No 16 of 2006.
[554] The Further Education and Training Colleges Act No 16 of 2006.
[555] The Further Education and Training Colleges Act No 16 of 2006Further Education and Training Colleges Act No 16 of 2006.

and interactions between TVET colleges, their stakeholders, and the state. It ensures compliance with legal obligations.

In legal terms, FETCA has had a profound impact on the legal landscape of TVET education in South Africa. It has created a legal framework that ensures the recognition and regulation of TVET colleges as legitimate educational institutions. This recognition is essential for establishing the legal rights and responsibilities of these institutions and their governing bodies.

**b) The Skills Development Act (No 97 of 1998)**

The Skills Development Act was enacted in 1998, which was a critical period in South Africa's history following the end of apartheid in 1994.[556] It emerged within the broader context of democratic transformation, where the new government was determined to address the social and economic imbalances inherited from the apartheid era.[557] The Act was part of a comprehensive set of legislative and policy reforms aimed at promoting social and economic development, reducing unemployment, and redressing historical injustices through skills development and training.[558]

**c) National Skills Development Strategy:**

The NSDS is established and guided by legislation, primarily the Skills Development Act of 1998. This act provides the legal framework for skills development in South Africa, including the creation of Sector Education and Training Authorities (SETAs) and the levying of skills development levies on employers.[559] The Skills Development Act serves as the enabling legislation that authorizes the establishment and implementation of the NSDS, giving it a strong legal foundation.[560] The Act was conceived in alignment with the National Skills Development Strategy (NSDS), which was a key policy framework designed to guide skills development initiatives in South

[556] The Skills Development Act (No 97 of 1998).
[557] The Skills Development Act (No 97 of 1998).
[558] The Skills Development Act (No 97 of 1998).
[559] The National Skills Development Levy (SDLA) of Act 9 (1999).
[560] The National Skills Development Levy (SDLA) of Act 9 (1999).

Africa.[561] The NSDS aimed to create a skilled and capable workforce to support the country's economic growth and development goals.

The Act's provisions and the establishment of Sector Education and Training Authorities (SETAs) were integral to the NSDS, facilitating its implementation. SETAs were introduced as a novel approach to skills development.[562] They were designed to bring together government, labour, and industry to identify skills needs, develop training programs, and oversee skills development initiatives in specific economic sectors.[563] The Act's focus on collaboration was a response to the recognition that skills development required active involvement from multiple stakeholders to ensure relevance and effectiveness.[564]

The Skills Development Act remain the legal framework that created and empowered SETAs. SETAs are sector-specific bodies that serve as the driving force behind skills development in various economic sectors, including TVET.[565] In legal terms, the Act establishes the legal authority and responsibilities of SETAs to coordinate and facilitate skills development within their respective sectors. It assigns them the power to levy employers and collect funds for skills development initiatives. The Act promotes a collaborative approach to skills development.[566] SETAs are required to engage with various stakeholders, including employers, employees, and TVET colleges, to identify skills needs and develop training programs that align with industry requirements.[567] From a legal standpoint, this collaborative approach is crucial for ensuring that skills development initiatives are responsive to the demands of the labour market and that TVET programs are designed to meet industry standards.

In essence, the Skills Development Act is a significant piece of legislation in South Africa that plays a complementary role in the country's legislative framework for education and skills development. This act is critical for understanding the legal landscape surrounding Technical and Vocational Education and Training (TVET)

[561] The Skills Development Act (No 97 of 1998).
[562] The National Skills Development Levy (SDLA) of Act 9 (1999).
[563] The National Skills Development Levy (SDLA) of Act 9 (1999).
[564] The Skills Development Act (No 97 of 1998).
[565] The Skills Development Act (No 97 of 1998).
[566] The Skills Development Act (No 97 of 1998).
[567] The Skills Development Act (No 97 of 1998).

colleges and broader skills development initiatives. The Skills Development Act operates in conjunction with other legislation, such as the Further Education and Training Colleges Act (FETCA), to address specific aspects of skills development and training. While FETCA focuses on the governance and operation of TVET colleges, the Skills Development Act addresses broader skills development needs across various sectors of the economy.

### d) National Qualifications Framework (NQF) (No 67 of 2008)

The NQF Act No. 67 of 2008 formally established the National Qualifications Framework. This legislation provided the legal basis for the NQF's existence and operation. The NQF Act represents the legislative framework that defines the structure, purpose, and functions of the NQF.[568] It assigns responsibilities to various bodies, including the South African Qualifications Authority (SAQA), for the administration and oversight of the NQF.[569]

The NQF Act mandates SAQA to oversee the recognition of qualifications on the NQF and to ensure that qualifications meet quality standards.[570] It establishes the Quality Councils, such as the Quality Council for Trades and Occupations (QCTO), which play a role in quality assurance.[571] Legally, this framework is essential as it provides a mechanism for the recognition of qualifications obtained through education and training programs, including those offered by TVET colleges.[572] It ensures that qualifications are nationally recognized and consistent. The NQF Act underscores the importance of aligning qualifications with national development goals.[573] It recognizes that qualifications should be relevant to the labour market, support economic growth, and address societal needs.[574]

[568] National Qualifications Framework (NQF) (No 67 of 2008).
[569] National Qualifications Framework (NQF) (No 67 of 2008).
[570] National Qualifications Framework (NQF) (No 67 of 2008).
[571] National Qualifications Framework (NQF) (No 67 of 2008).
[572] National Qualifications Framework (NQF) (No 67 of 2008).
[573] National Qualifications Framework (NQF) (No 67 of 2008).
[574] National Qualifications Framework (NQF) (No 67 of 2008).

The NQF Act emphasizes the importance of expanding access to education and skills development opportunities.[575] It promotes lifelong learning and recognizes prior learning, making education and qualifications more accessible to a diverse population.[576] Legally, this aspect of the NQF supports constitutional principles related to the right to education and skills development, reinforcing the legal obligation to provide accessible and equitable education and training opportunities.

## 2.4. LIMITATION OF RIGHTS TO TVET EDUCATION

Maldonado contend that every person has rights that ought to exercise and enjoy.[577] Human rights can, however, be restricted and are not unassailable.[578] A right's limitation is the same as its violation or "justifiable limitation." When exercising human rights, several interests may occasionally be significant. Conflicts and violations of one another's rights might result from disparate personal interests. Individual interests and rights must be balanced by collective rights in order to advance harmony, human dignity, and equality. A communal right may counterbalance the arguments of an individual right, which would be to both rights' advantage. It is held that limiting individual rights is justified in the interests of democracy, public safety, health, and public order.

The courts get engaged whenever a right is allegedly violated in order to interpret the law and identify legal concepts that can be used to balance the right. While the primary goal of the legal system is to uphold peace and safety while re-establishing equilibrium and stability in society, the primary goal of the Bill of Rights is to defend human rights from encroachment. If human rights were unalienable, everyone would selfishly assert their rights without respecting those of others, making the Bill of Rights meaningless. Human rights violations would be prevalent in many areas of human life.

[575] National Qualifications Framework (NQF) (No 67 of 2008).
[576] National Qualifications Framework (NQF) (No 67 of 2008).
[577] Maldonado, D.B., 2020. The Right to Access to Justice: its conceptual architecture. *Ind. J. Global Legal Stud.*, *27*, p.15.
[578] Maldonado, D.B., 2020. The Right to Access to Justice: its conceptual architecture. Ind. J. Global Legal Stud., 27, p.15

The Bill of Rights is found in Chapter 2 of the RSA Constitution.[579] This indicates that human rights are protected by the nation's highest legislation and cannot be violated in an unfair, unreasonable, or unjustifiable manner.[580] Since no right is absolute, each one enshrined in the Bill of Rights is unalienable but subject to restrictions. Each privilege has an associated duty or obligation, which can be curtailed when the related duty is not carried out. If a person has performed the necessary responsibility, they are eligible to exercise that right. Everyone has the right to exercise their human rights, hence it is important to be mindful of others' rights when exercising one's own. This requires that one assert their rights in a responsible, altruistic and reasonable manner. Disregarding the rights of others may culminate in the absolutization of one's own rights and the subsequent instability.

## 2.5. CONCLUSION

In conclusion, the right to access high-quality TVET education holds paramount significance in the contemporary legal landscape. The recognition of this right not only embodies fundamental principles of human rights but also reflects the imperative of socio-economic development and the advancement of individual and collective well-being.

As elucidated throughout this legal academic discourse, the right to access high-quality TVET education is enshrined in numerous international and national legal instruments, thus establishing a robust legal framework for its protection and realisation. This right encompasses the assurance of equitable access, non-discrimination, and the provision of education that is relevant, adaptable, and responsive to the dynamic demands of the modern labour market.

Moreover, the jurisprudential interpretations and evolving legal standards in this domain underscore the evolving nature of the right to high-quality TVET education. The fluidity of educational paradigms and the continual advancements in technology

[579] Chapter 2 of the Constitution of the Republic of South Africa
[580] Chapter 2 of the Constitution of the Republic of South Africa.

necessitate an agile legal framework that can adapt to the evolving landscape of education and training.

In order to fully actualize the right to access high-quality TVET education, it is essential that states and relevant stakeholders engage in concerted efforts to ensure the availability, accessibility, affordability, and quality of such education. This encompasses the allocation of adequate resources, the development of effective policies, and the establishment of mechanisms for monitoring and accountability.

Furthermore, the synergy between the legal framework and practical implementation is paramount. In this regard, judicial review and the vigilant enforcement of legal provisions play a pivotal role in upholding the right to high-quality TVET education. It is incumbent upon governments, educational institutions, and civil society to collaborate in fostering an environment where this right is not only recognized on paper but is genuinely accessible to all individuals without discrimination.

In summary the right to access high-quality TVET education represents a cornerstone in the edifice of human rights and societal progress. Its realisation is contingent upon a harmonious blend of legal safeguards, policy initiatives, and a commitment to social justice. The pursuit of this right not only empowers individuals with the skills and knowledge necessary for economic participation but also contributes to the broader goals of sustainable development and the cultivation of informed, capable, and engaged citizens in an ever-evolving global landscape. As such, the protection and promotion of the right to access high-quality TVET education must remain a steadfast priority for both legal scholars and society at large.

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## CHAPTER THREE: AN ANALYSIS OF THE SOUTH AFRICAN LEGAL AND POLICY FRAMEWORKS OF TVET COLLEGES

### 3.1. INTRODUCTION

TVET is a significant component of South Africa's educational system and is essential in providing individuals with the knowledge and practical skills required for employment and career advancement.[581] To ensure the effectiveness and relevance of TVET colleges, a solid legal and policy framework is required. This in-depth investigation will cover the key elements of South Africa's legal and policy framework governing TVET colleges, as well as the historical context and objectives for the country's educational and economic growth. Examining the historical context is necessary to comprehend the legal and policy frameworks controlling TVET colleges in South Africa. Apartheid's legacy, which institutionalised racial segregation and discrimination, had a significant impact on the nation's educational system. The government's commitment to rectifying historical injustices and promoting social inclusion through education during the post-apartheid era marked a turning point. In this chapter, we will look at how this historical backdrop impacted the creation of the current legislative and policy frameworks for TVET.

Every country has unique requirements for its economy, society, and education. Numerous factors, such as the level of industrialization, the demand for particular skills on the labour market, and the condition of the educational system, have an impact on these requirements. TVET regulations must be changed as a result to address these specific requirements. TVET policies and a country's socioeconomic growth stage are closely tied. While more established economies might focus on specialist, high-tech training courses, poorer countries might give workforce development and training in fundamental skills a higher emphasis. The goals of the country's development must be supported by the laws. Although TVET laws are created by individual nations, cross-border cooperation and knowledge exchange can be advantageous. Countries

[581] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, 32(5), pp.623-631.

can benefit from one another's experiences and best practises by modifying effective strategies for their own settings.

Our examination will focus heavily on looking at the legal basis of TVET colleges in South Africa. There will be an analysis of other key legislation and regulations as well as the Further Education and Training Colleges Act, which establishes the legal foundation for TVET colleges. South Africa has created a number of policies and strategic papers that influence the TVET sector in addition to the legislative framework. The goals, plans, and priorities for TVET colleges will be outlined in these policies. This chapter intends to evaluate the ways in which these policies deal with concerns including curriculum relevancy, funding sources, teacher preparation, and learner support services.

## 3.2. THE APARTHEID-COLONIAL LEGACY

In South Africa, the history of TVET might be described as a legacy of colonialism. This system has been shaped over time by a number of phases and influences. The origins of vocational education in South Africa can be found during the colonial period, when European immigrants developed trade and realised the importance of vocational skills for the developing colonial economy.[582] Indigenous people were primarily taught the skills needed for labour at this period, including farming, mining, and artisanal work, through vocational education.[583] However, there remained a severe disparity in the systems that different racial groups were subject to when it came to access to education and training.

Sooklal points out that the early growth of the South African economy, particularly after the discovery of gold and diamonds in the nineteenth century, can be linked to colonialism in South Africa.[584] The socioeconomic makeup and history of the nation were significantly and permanently impacted by these discoveries.[585] Sooklal further

[582] Malherbe, E.G., 1977. Education in South Africa. Volume II: 1923-75. Cape Town. Juta.
[583] Malherbe, E.G., 1977. Education in South Africa. Volume II: 1923-75. Cape Town. Juta.
[584] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[585] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).

indicate that these discoveries has led to widespread immigration from Europe and international investment.[586] Because of the conflict over control of these resources, the region was eventually colonised. In particular, the British Empire had a key role in South Africa's rise to power.[587] The practise of racial discrimination and segregation by colonial powers, particularly the British, is what gave rise to apartheid in the 20th century.[588] Black miners in the mining industry were subjected to challenging working conditions, low pay, and limited rights, making it one of the first industries to practise racial discrimination.

According to Pittendrigh, the colonial authority called a meeting to discuss these issues after realising the difficulty the colonies were experiencing.[589] In order to satisfy the needs of the colonies, one of the decisions that came out of this meeting was for the development of a technical school alongside higher education institutions.[590] The Transvaal School of Mines was created in Johannesburg in accordance with this decree. Transvaal Technical Institute, Transvaal University College of Johannesburg, and finally the University of the Witwatersrand were all previous names for this institution.[591] The school's offerings appear to have evolved and grown over time to include a wider selection of technical and higher education programmes. In all of the colonies, new institutions offering full-time and part-time technical studies were also created during this time. This shows that technical education's value and the need to supply it in order to satisfy the period's increasing demands are both widely acknowledged.

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[586] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[587] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[588] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[589] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[590] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[591] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).

According to Malherbe, the technical school had a specific goal: to prepare pupils for a variety of practical professions, such as mechanics, carpentry, waggon building, printing, blacksmithing, plumbing, and electrical trades.[592] This suggests that the technical schools were primarily concerned with offering instruction and practical skills for a variety of manual and technical occupations. This imply that there were discriminatory admission standards for these technical schools. This shows that the social and political climate of the time for access to technical education may have been limited or biased against particular groups.[593]

Technical vocational education and training were heavily regulated in South Africa at the time under the South African Act of 1909.[594] Section 85 of this Act presented a problem because it barred the transfer of any type of education from the provinces to the federal government that wasn't obviously designated as higher education.[595] This legal restriction has practical ramifications for how technical and vocational training were managed and regulated among other forms of education. The absence of a precise and widely accepted definition of "higher education" at the time the South African Union was established is one of the important points raised in the section.[596] It was unclear which kind of education fell under federal regulation and which remained in the provinces due to the ambiguity surrounding the idea of higher education.[597] Technical and vocational colleges were impacted by the lack of agreement regarding what constitutes "higher education" in general.[598] For example, it made it impossible to establish clear lines of accountability to the government and finance education. It was difficult to choose the proper financial sources and legal frameworks for schools of technical and vocational education without a clear definition.

[592] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. *JS Afr. L.*, p.85.
[593] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. *JS Afr. L.*, p.85.
[594] South African Act 84 of 1909.
[595] See South African Act 84 of 1909.
[596] Worsfold, W.B., 1920. The Working of the South Africa Act, 1909.
[597] Worsfold, W.B., 1920. The Working of the South Africa Act, 1909.
[598] Worsfold, W.B., 1920. The Working of the South Africa Act, 1909.

### 3.2.1. The provision of technical vocational education and training under colonialism

There has been substantial changes to technical and vocational education in South Africa over time. These changes reflect a dynamic evolution in the area and span a wide spectrum of approaches in terms of both substance and goals. Likewise, we have indicated that the South Africa's technical and vocational education has been significantly shaped by historical circumstances. Worsfold, contended that the accessibility and substance of technical education have been significantly impacted by historical causes, such as apartheid laws and racial segregation, for various socioeconomic strata and racial groupings.[599] The coloured people were the first to obtain industrial and vocational training in the Cape Colony.[600] This historical fact is relevant because it illustrates the racial differences in access to technical education at the time.

Malherbe, indicate that a variety of trades and talents that were taken into account for various racial groups, including carpentry, painting, decorating, engine sanitation, plastering, painting, and plastering.[601] This demonstrated that vocational education was customised for particular demographics and sectors. The colonial government created technical education programmes, such as those in carriage building, practical mathematics, and machine manufacture, and sketching.[602] These programmes were probably created to cater to the unique requirements of the local business and economic sectors.[603] The development of policy frameworks for technical education involved the mining industry. The demand for a competent staff in the mining industry was motivated by this development.

The South African industrial education came to be strongly linked to a number of interconnected issues, such as the necessity to diversify the educational system for

[599] Worsfold, W.B., 1920. The Working of the South Africa Act, 1909.
[600] Worsfold, W.B., 1920. The Working of the South Africa Act, 1909.
[601] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. *JS Afr. L.*, p.85.
[602] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[603] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

white students and the social rehabilitation of underprivileged white children.[604] The country's underprivileged white children were thought to have educational demands that could be met through industrial education.[605] Industrial education was seen to be a method to give these kids, who most usually came from low-income families, options for social and economic growth.[606] This demonstrate that South Africa experienced economic problems, presumably brought on by a weak economy or other issues. Then, the Industrial education might have been seen as a way to boost the economy by equipping people with useful skills for the job.

During colonialism, there was growing demand for more diversity in the all-white school system. This implies that more diverse educational and training opportunities for white pupils were required. Industrial education was one strategy to meet this demand and offer a larger variety of educational courses. According to Kallaway, there was a discernible shift in colonial strategy at the turn of the century, with an emphasis on industrial education as a crucial aspect of expansion.[607] This change is the outcome of the government's deliberate choice to prioritise industrial education in order to advance the goals for the country's growth.[608] The social and political climate of that time had an impact on how industrial education developed. That's demonstrated how the societal concerns and political reasons influenced how industrial education policy was shaped.

On May 31, 1910, the Union of South Africa was founded. The union of many former colonies and territories into a single nation was a key development in the history of the country. During this time, balancing students' social and economic duties was difficult. The necessity to match educational possibilities with the economic and social realities of various racial and socioeconomic groups within the newly established union was

[604] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[605] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[606] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[607] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[608] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.

affected by this development.[609] The colonial government imposed a requirement for compulsory technical vocational education and training in 1910, although it only applied to white students.[610] Kallaway indicates that the policy reflected racial differences in educational chances by denying the majority of black children access to such schooling.[611]

According to Chisholm (1992) and Kallaway (2002), the provision of vocational and technical education to white students was a response to changes in agrarian relations.[612] It appears that changes in land ownership and agriculture had forced a sizable section of the white population out of rural areas.[613] These individuals would have been retrained and reskilled for new employment opportunities in the industrial and urban sectors through receiving technical education.[614] However, the Union Government put aside significant funds for compulsory, free education programmes that were solely open to white students.[615] This implies a significant financial investment in the education of the white people, perhaps as part of a bigger effort to address the social and economic challenges this minority suffers.

Malherbe (1977) claimed that there was rising anxiety regarding the suitability of the curriculum in the educational system.[616] The fact that a sizable portion of white students were unemployed and even those who were employed expressed unhappiness probably contributed to this worry. This led to concerns about how well the educational system was preparing pupils for the workforce. This demonstrates how

[609] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[610] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[611] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[612] Chisholm, D., 1992. *Coordination without hierarchy: Informal structures in multiorganizational systems*. University of California Press.
[613] Chisholm, D., 1992. *Coordination without hierarchy: Informal structures in multiorganizational systems*. University of California Press.
[614] Chisholm, D., 1992. *Coordination without hierarchy: Informal structures in multiorganizational systems*. University of California Press.
[615] Chisholm, D., 1992. *Coordination without hierarchy: Informal structures in multiorganizational systems*. University of California Press.
[616] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

the financial hardships the white minority in this setting were going through. Despite being a minority, this group encountered difficulties with employment and financial security, necessitating the need to address their social and economic requirements.[617] According to Malherbe, farmers and their families had to compete fiercely for market share in industrial and metropolitan areas.[618] Due to the competition, the agricultural industry probably suffered, and several farmers and their families were probably forced to move to the cities in search of employment.[619] This rural-to-urban movement may have influenced the rise in urban regions' demand for educational possibilities and employment chances.[620]

According to Brand, it was believed that the majority of disadvantaged white adolescents experienced social and academic difficulties.[621] These young people were believed to be of low intelligence or ability and to have difficulty meeting demanding academic standards.[622] The emphasis on technical and vocational education as a substitute path to meet their educational and employment needs was probably driven by this supposition.[623] Brand, state that there was a sizable population of Africans and people of colour in metropolitan areas.[624] Due to increased competition for available jobs, this demographic reality may have made it even harder for young white people to find employment.[625] The setting in which vocational education was taken into consideration probably had an impact due to the dynamics of urbanisation and population dispersal.[626] Africans and people of colour were only allowed to work in particular occupations.[627] The career alternatives open to white kids may have been constrained by this practise. The difficulties experienced by young white job searchers may have been made worse by the growing rivalry for semi-skilled occupations and

[617] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85
[618] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[619] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[620] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[621] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[622] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[623] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[624] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[625] The Coloured Persons Education Act 47 of 1963
[626] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[627] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.

trades as businesses expanded and grew.[628] The Union government understood the difficulties white rural residents experienced after being uprooted from their conventional farming livelihoods.[629] The government sought to equip these people with the essential labour skills through vocational education in order to aid them in finding employment.[630] The colonial government sought change and make the vocational and technical education system more in line with the skills needed by secondary industries.[631]This signifies a change in strategy to accommodate the altering requirements of the employment market and the changing requirements of the economy.[632]

Malherbe (1977) claims that measures to improve the availability of technical and vocational education in rural areas were approved by the Union Government.[633] This decision demonstrated a dedication to serving rural people' educational and training requirements. As part of the intervention, a national agricultural school was intended to be built. These schools were founded specifically to offer practical training and funding to white rural youths.[634] Most likely, the objective was to teach them useful farming skills.[635] The youngsters also didn't seem interested, possibly as a result of previous negative experiences with Union Education Department facilities, which were described as being subpar and inadequate. This resulted in less pupils attending the state's agricultural schools.

### 3.2.2. THE PROVISION OF TECHNICAL VOCATIONAL EDUCATION AND TRAINING UNDER APARTHEID

According to Sooklal, there has been considerable inequities and disadvantages in the educational system during the apartheid era, especially for students who were not

[628] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[629] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[630] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[631] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[632] Brand, R.H., 1909. The Union of South Africa. Oxford, Clarendon.
[633] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[634] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[635] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

white.[636] In comparison to white children, factors such as inadequate funding, inferior teaching standards, lower expectations, and worse academic results were the main challenge to black leaners.[637] On the other hand, white students had access to a well-respected and varied educational system, particularly in the area of technical and industrial education. White pupils could register in technical schools, where they could swiftly pick up skills that made them employable.[638] Accordingly, white pupils had access to educational pathways that gave them a head start on a career. The situation emphasises the racial disparities in educational opportunities that existed in South Africa during the apartheid era, where white students had access to better educational opportunities and vocational training while non-white students faced systemic disadvantages and had fewer opportunities to develop their skills and find employment.[639] These differences were a major aspect of the discriminatory practises of the apartheid system.

Following 1948, the South African apartheid system imposed strict rules and discipline on students who were African, coloured, or Indian in particular.[640] These laws were designed to govern and restrain these learners. Technical and vocational education primarily focused on providing discipline-based, basic skill training for these populations.[641] This education was designed to cover job-related skills in addition to social and societal demands.[642] It suggests that the curriculum was closely controlled and focused on particular skills considered to be necessary for specific occupational roles.[643] The phrase "racial design and logic" was used at that time.[644] This was an example of the apartheid ideology, which promoted racial segregation and

[636] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[637] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[638] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[639] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[640] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[641] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[642] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[643] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[644] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.

prejudice.[645] The tight rules and regulations in place in schools were in accordance with the larger apartheid policies that aimed to uphold white supremacy and racial segregation.[646] TVET education for non-white students was greatly affected by apartheid-era regulations, with a concentration on discipline, regulation, and skill development that was in accordance with the time's dominant racial ideology.[647] These laws were a component of the larger apartheid regime, which subjected non-white communities to segregation, prejudice, and control.

Badroodien, further claims that students from various non-white racial groupings were divided into groups based on their urban or rural upbringings and their capacity to pay for technical education.[648] This classification system suggests that access to technical education was impacted by socioeconomic circumstances and geographic origins rather than just being based on merit or interest.[649] Hey, also indicate that students from low-income households were more likely to be unable to pay their tuition.[650] This shows that for many African, coloured, and Indian students, financial difficulties were a substantial barrier to accessing technical and vocational education. Hey, further claims that people without the means to pay for technical education frequently received it in state correctional facilities including industry schools, institutions, and jails.[651] This suggests that poor students from various racial groups were given access to technical education through prisons, revealing a convoluted and unfair system.

The Commission of Enquiry into Technical and Vocational Education was founded by the United Party Government in 1945.[652] This commission's mandate most likely

[645] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western
[646] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[647] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western.
[648] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western
[649] Badroodien, A., 2001. *A History of the Ottery School of Industries in Cape Town: Issues of race, welfare and social order in the period 1937 to 1968* (Doctoral dissertation, University of the Western
[650] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[651] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[652] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

included an evaluation of the nation's technical and vocational education system and the formulation of suggestions.[653] The National Party was elected to Parliament in 1948, which led to a change in the ruling party.[654] The implementation of the Commission of Enquiry's recommendations was impacted by this shift in the government.[655] Despite the necessity to review and modernise the educational system in the years following World War II, the political shift brought on by the change in government prevented the Commission of Enquiry's recommendations from being fully implemented.[656] This indicates that the incoming administration may have had various goals or educational programmes. Despite this development, the change in ideology that favours technical and vocational education was taught in schools. This changes had impact on how resources were allocated and how policies were made in the area of education.[657] The main ideological goal was to support the growth of institutions teaching in Afrikaans.[658] However, the political unrest in the Witwatersrand, which divided Afrikaans and English as languages, is said to have halted this endeavour.[659] This shows that throughout history that political and linguistic considerations influenced education policy.

Accordingly, "poor whites" who moved to the city from rural areas found it difficult to find job.[660] For low-skilled jobs, they discovered themselves in close competition with populations of African, coloured, and Indian descent. Significant social and economic ramifications resulted from this labour market competition.[661] Political repercussions

[653] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[654] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[655] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85
[656] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[657] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[658] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[659] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[660] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[661] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge.

resulted from racial groupings competing for low-skilled labour.[662] White emigrants from rural areas believed that choosing low-wage occupations would bring them down to the same economic level as the unemployed.[663] Tensions in society and politics were probably influenced by this anxiety. According to Morrell, the difficulties experienced by "poor whites" were likely exacerbated by the rise in "Afrikaner Nationalism.[664] The development of policies and solutions to solve the scientific and economic issues encountered by Afrikaners involves the influence of Afrikaner nationalist politicians.[665] The Afrikaner nationalist politicians who were keen to assist them despite their financial difficulties were allies of unskilled rural white migrants.[666] This suggests that political forces strove to improve the financial and employment circumstances of "poor whites" and supported their interests.

The Botha committee understood the significance of matching technical education programmes for black students with their communities' unique needs.[667] This strategy attempted to make sure that students could contribute positively to their communities and take advantage of the special opportunities and challenges that existed there.[668] According to the Botha Commission, the goal of technical education was to promote happiness, helpfulness, and productivity within African, coloured, and Indian cultures in addition to skill-transfer.[669] The aim was enable each person to realise their full potential and contribute favourably to their communities.[670] The Botha Commission recognised the sharp increase in the number of coloured and Indian students enrolled

[662] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge
[663] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge
[664] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge
[665] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge
[666] Morrell, E., 2015. *Critical literacy and urban youth: Pedagogies of access, dissent, and liberation*. Routledge
[667] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[668] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[669] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[670] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).

in schools.[671] This demographic change probably had an impact on how educational resources were allocated and planned for. The panel emphasised the significance of providing specialised courses in subjects like woodworking, practical agriculture, and housecraft in coloured and Indian public schools given the fact that the majority of South Africans lived off the land.[672] These classes were probably thought to be crucial for giving students real-world knowledge that would be useful for their everyday life and prospective future work.

Numerous outside factors had an impact on how technical and industrial education was delivered. These outside factors, which significantly impacted the leaners chances of receiving an education, were beyond their control. Richardson and Wiborg, claims that due to the lack of a requirement for attendance, not all students had to attend class because there was no coercion.[673] Different population groups had less access to education and lower enrolment rates.[674] During that time, made it was difficult for students to enrol in and take part in technical and industrial education programmes due to high rates of poverty.[675] This indicate that education can be hampered by poverty.

Policies during the apartheid era were extremely racialized and discriminatory. Richardson and Wiborg, further indicated that numerous students, especially those who were not considered to be white, had to worry about being denied access to apprenticeship and employment prospects because of their colour.[676] Black students' access to high-quality technical and industrial education was further constrained by the apartheid regime's restrictions on the construction and growth of technical education institutes for them.[677]The public education system for African, coloured, and

[671] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference*, 2(2).
[672] Hey, D., 1964. The control of vertebrate problem animals in the province of the Cape of Good Hope, Republic of South Africa. In *Proceedings of the Vertebrate Pest Conference* (Vol. 2, No. 2).
[673] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[674] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[675] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[676] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[677] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*

Indian pupils under the apartheid system mainly remained unchanged after 1948 despite changes in the administration and policy.[678] Allowances were made for varied people in various ways, depending on their social settings and governing rules.[679] This indicates that certain population groups were still subject to unfair educational policies and practises.

The then Bantu education system racially segregated African pupils demographically as its main target. This system was created and put into action by the apartheid government. One of the main objectives of the Bantu Educational system was vocational education, which aimed to prepare African students for specific professions or employment, notably in areas like agriculture and mining.[680] Richardson and Wiborg, further claimed that the education provided by the Bantu educational system was closely aligned to the demands of the employment market. This suggests that the education and training programmes were created to meet the demands of particular industries, such mining and agriculture, which were frequently dominated by white interests. Despite the emphasis on practical education, the Bantu Education system only constructed two technical colleges, and they were spread out in remote areas.[681] This restricted African student's access to high-quality technical education.

Prior to 1950, a large number of underprivileged African pupils attended vocational schools in urban areas with coloured (mixed-race) and Indian students.[682] This shows that these groups involved some kind of integration or common access to educational resources. However, a deliberate policy change to isolate African students from coloured and Indian students occurred after 1955.[683] This racial segregation programme, which attempted to further separate African students from other racial

[678] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[679] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[680] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[681] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[682] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[683] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*

groups, was consistent with the apartheid governments for more extensive racial segregation measures.

Many components of institutional support for technical and vocational education were virtually unchanged prior to 1948. This may mean that some laws and structures in place before the apartheid state fully took over the educational system still had an impact. After 1948, most policies and frameworks for technical and vocational education were created. This suggests that throughout the apartheid era, there was a dramatic change in the direction and management of education. The Departments of Coloured Affairs and Indian Affairs took over control of technical and vocational education in 1960.[684] It is claimed that most institutions continued to build on earlier policy objectives and advancements despite this transition. This essentially implies that the objectives and strategies persisted throughout management changes.

In the late 1950s and early 1960s, Indian and coloured students were first accepted in the technical and vocational school system. This realisation most likely came as a result of years of being ignored and marginalised. This shows that, albeit sparingly, these groups had access to some form of technical education before the apartheid era. The transitional procedures for students of colour and Indian heritage were enhanced by the apartheid regime after 1948. This demonstrates that the apartheid state further institutionalised segregation and control over education for these groups, even if some educational infrastructure may have already existed.[685]

In South Africa, numerous large companies started undergoing significant changes that necessitated a fundamental reorganisation of the racial division of labour.[686] This suggests that the practise of designating particular racial groupings to particular job roles was under scrutiny. Construction and provision of technical high schools and manpower centres were impacted by changes in the labour market and regulations, and these institutions presumably had to adapt to shifting societal norms and

[684] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[685] Richardson, W. and Wiborg, S., 2010. english Technical and Vocational education in Historical and Comparative Perspective. *London: Baker Dearing Educational Trust.*
[686] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.

workforce requirements.[687] According to Chisholm, these modifications were made in part as a result of South Africa's deteriorating economic circumstances in the 1970s.[688] The changes in workforce education and training programmes were frequently driven by economic factors in order to better meet industry needs.[689]

It is said that from the 1950s to the 1970s, technical and vocational education for white students considerably increased.[690] This shows that during this time, white students had access to a wider variety of technical education alternatives. Separating secondary education from post-secondary training programmes was a goal. According to Chisholm, these division probably had the goal of developing a more specialised and narrowly focused technical education system.[691] The Advanced Technical Education Act of 1967 was crucial legislation which made it possible to modernise technical institutions, especially those that prioritise post-secondary training programmes.[692] Some of these modernised schools later developed into 'technikons,' which were higher education institutions in South Africa.

### 3.3. OVERVIEW OF THE LEGAL AND POLICY FRAMEWORKS

Sooklal and Chisholm, provide light on a variety of major aspects of South Africa's history and economy during the apartheid era, as well as the legal and policy that affected employment and education. Sooklal claims that during and after World War II, South Africa's economic structure underwent considerable changes.[693] These changes were influenced by the recession, the loss of the gold industry, and the quickening of industrialization.[694] The labour market and education were undoubtedly

[687] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[688] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[689] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[690] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[691] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[692] Advanced Technical Education Act of 1967
[693] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[694] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).

significantly impacted by these economic changes. Following World War II, South Africa saw rapid industrialization, which boosted the country's economy.[695] The demand for technical know-how and skilled labour surged throughout this secondary industrialisation phase.[696] According to Chisholm, governmental policy during this time was founded on the division of labour by race.[697] According to this policy, job opportunities and positions were divided along racial lines.

Farmers and less-skilled Afrikaners in rural areas were worried about African labourers vying for their employment.[698] They claimed that racial disparities between white and black employees were required to safeguard their employment rights. This shows the aversion and concern of some white South Africans have towards changes in the economy and labour market that may jeopardise their ability to find employment.[699] Accordingly, the Pact government was chosen in 1922 by mine workers, who most likely included both white and black people.[700] A more refined labour policy was implemented by this government, which was made up of white unionists and Afrikaner nationalists in the National Party.[701] This law signalled the start of formally recognised racial job reservations.[702] A system of racial job reservations was established under the Pact Government's Civilised Labour Policy.[703] Through the exclusive reserving of some jobs for white employees, this strategy sought to separate employment possibilities based on race.[704] This Colour Bar Act had to be overturned by the courts in 1923.[705] The fact that this law was overturned suggests that there were still legal

[695] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[696] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[697] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[698] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[699] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[700] The Colour Bar Act of 1923.
[701] The Colour Bar Act of 1923.
[702] The Colour Bar Act of 1923.
[703] The Colour Bar Act of 1923.
[704] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[705] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.

challenges to be made against the discriminatory practises.[706] This act was probably a piece of legislation that imposed racial segregation in the workplace.[707]

One of the pieces of legislation cited was the Mines and Workers Act of 1926.[708] The mining industry's labour practises were covered by this statute and it institutionalised racial discrimination even more.[709] The Mines and Workers Act of 1926 categorised workers based on discriminatory judicial and policy decisions.[710] According to Pittendrigh, the racial skills development regime started when white unions utilised their influence on industrial councils to negotiate collective bargaining agreements with employers.[711] These agreements sought to limit prospects for black employees and perpetuate racial inequities by barring them from skilled employment.[712]

Nattrass, makes reference to the "civilised labour strategy," which is the apartheid-era endeavour to segregate people and regulate the labour market along racial lines.[713] The changes to vocational education and training were made to promote this goal, most likely by lowering opportunities for persons of colour.[714] The apartheid system was established by the South African government with the goal of institutionalising racial and ethnic inequality.[715] This teaching strategy endorsed and legitimised the apartheid mindset by creating a foundation for racial tyranny, prejudice, and segregation.[716] However, the Christian National Education provided an intellectual justification for these distinctions and inequalities.

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[706] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[707] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[708] The Mines and Workers Act of 1926.
[709] The Mines and Workers Act of 1926.
[710] The Mines and Workers Act of 1926.
[711] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[712] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[713] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[714] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[715] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[716] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.

The Work Reservation Act is mentioned as a mechanism designed to enforce work restrictions.[717] The act established an apprenticeship system for job training, with the exception of white skilled jobs and artisan training.[718] This deepened racial differences in the workforce. According to the legislation, there were considerable skill shortages despite the economic boom, and job reservation laws impeded economic growth.[719] This regulation was enacted during, and it prohibited hiring non-White individuals. According to these apartheid policies, people were restricted to access TVET education. The stalling of TVET education in South Africa during the apartheid era severely affected businesses and organised labour.[720] They were aware of the approaching skills gap and its impact on the need for TVET education.[721] The development and growth of the economy was hampered by a lack of investment in skill development.[722]

According to Nasttrass, the state's initiatives in TVET education were characterised by a constrained instrumental understanding of "skills".[723] This was clear to government understanding to concentrate on a small set of skills without taking into account the wider needs of the labour market and the shifting nature of the economy.[724] This constrained approach on TVET education further reduced it's to fulfil the demands of different industries.[725] Despite these political development, there was a significant move towards market-oriented and interventionist economic policies as political disputes in South Africa grew increasingly heated and economic growth

[717] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[718] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[719] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[720] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[721] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[722] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[723] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[724] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[725] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.

stalled.[726] Given that economic developments frequently affect the demand for particular skills and training programmes, these policy changes had an impact on TVET education.

The apartheid administration implemented a policy of industrial decentralisation to persuade businesses to relocate to the interior and border regions.[727] To create industrial zones away from significant urban hubs was the government. The need for skilled labour increased in these areas as a result of industrial decentralisation.[728] Positions that had previously been reserved for white people were filled by hiring black persons.[729] According to Nastrass, black individuals who were hired for these professional positions frequently held different job titles and were paid less than their white colleagues.[730] There was a pay disparity because historical obstacles restrict black individuals from enrolling in traineeships and programmes for vocational education and training.[731] Pittendrigh, also claims that the emergence of non-racial labour unions posed a challenge to discriminatory practises in both the workplace and society at large.[732] These unions probably pushed for fair treatment and opportunities for workers of all races, indicating a move away from hiring practises that prioritised certain races.[733]

The apartheid regime also offered black workers limited employment opportunities, though typically in segregated organisations called state technical colleges.[734] These

[726] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[727] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[728] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[729] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[730] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[731] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[732] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[733] Pittendrigh, A., 1988. *Technikons in South Africa: An Evaluative Analysis of the Factors Influencing the Development of the Technikons (1967-1985) and an Assessment of Their Role in Educational Change at Tertiary Level in the RSA*. Building Industries Federation (South Africa).
[734] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.

colleges were mainly located in townships and other areas designated for black South Africans, separate from those attended by white people.[735]Education was a part of the apartheid government's programmes. Education was typically provided to black children in their own towns and villages in order to keep them separate from white children.[736] This segregation was done in order to maintain the racial hierarchy and prevent racial mixing.

Dr. HF Verwoerd, who was Minister of Native Affairs and eventually South Africa's Prime Minister, had a considerable impact on the development of apartheid regulations, notably those pertaining to education. Hartshorne, claims that Dr Verwoerd gave a statement in the Senate detailing the government's educational agenda for Bantu people in 1954.[737] This strategy emphasised the idea that education should take place in the "Native environment" and be suited to the needs of the Native community in order to provide education for black South Africans in their own communities.[738] However, in practise, Bantu education was criticised as being of poor quality and intended to foster racial inequality and division.

The African National Congress (ANC) was a political organisation in South Africa that opposed apartheid, the country's institutionalised policy of racial segregation and inequality. Troup claims that the ANC demanded that students boycott government-run institutions in December 1954.[739] To oppose the entrenchment of apartheid policies in South African communities was the main driver behind this boycott.[740] Some schools in South Africa's Eastern Cape Province were impacted by the ANC's boycott. The ANC's appeal was backed by many students and their families, who prevented their kids from attending government-run schools.[741] The South African government decided to step in reaction to the boycott. The government took the initiative to expel

[735] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[736] Chisholm, L., 1992. *South African technical colleges: Policy options*. Education Policy Unit, University of the Witwatersrand.
[737] Hartshorne, K., 1992. *Crisis and challenge: Black education 1910-1990*. Cape Town: Oxford.
[738] Hartshorne, K., 1992. *Crisis and challenge: Black education 1910-1990*. Cape Town: Oxford.
[739] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[740] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[741] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.

students who missed class as a result of the boycott.[742] This was probably an effort to dissuade parents from refusing to send their kids to school in a show of protest.[743] All the unlicensed schools were also the target of government punishment.[744] As an alternative to government-run institutions, several communities had started their own schools, which were considered as a challenge to the apartheid educational system.[745]

The South African government made the decision to take over all technical colleges and turn them into institutions completely under state control in 1954. The objectives of Afrikaner nationalism, a political philosophy that emphasised the domination of the Afrikaner ethnic group in South Africa on a cultural and political level, served as the motivation for this action. The "Vocational Education Act of 1955" was the piece of legislation that established the power to take control of technical institutions by the Minister of Arts and Science.[746] With the help of this legislation, the minister gained the authority to lessen the impact of regional business and college councils on these organisations.[747] Malherbe's report from 1997 indicates that there were major repercussions for technical institutions as a result of this government intervention.[748] The state's authority's centralization of control affected TVET colleges in the sense that TVET started to have significant financial issues.[749] This might have been brought on by adjustments in administration, funding, or other aspects as a result of governmental control.[750] During the time, Malherbe calls for enrolment pattern at universities. This shows that higher-level academic institutions, like as universities, received more attention and support, whereas lower-level technical schools, such as technikons, did not.[751]

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[742] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[743] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[744] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[745] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[746] Vocational Education Act of 1955.
[747] Vocational Education Act of 1955.
[748] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[749] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[750] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[751] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

In 1956, the South African Department of Education began to develop programmes for technician training in collaboration with industry and other pertinent entities.[752] This was done in response to the nation's growing demand for technical professionals with the required abilities.[753] The Witwatersrand Technical College was the first to offer these new technical courses.[754] These courses were supported financially by the Chamber of Mines, illustrating the collaboration between academic institutions and industry to meet the demand for technical skills.[755] Since technician training courses were established, advanced technical education has continuously increased.[756] The distinguishing feature of this expansion was the continual creation and yearly distribution of new technical courses. This demonstrates an increase in understanding of the significance of the value of technical education in addressing the demands of different industries and sectors.[757]

According to Kruger, the South African government employed a group of education specialists to conduct research overseas on the topic of differentiated secondary education.[758] This was a reference to government plans to examine and possibly reform South Africa's secondary education system.[759] As a result, the experienced team conducted research and produced a comprehensive report of TVET education. The primary objective of this research was to guide and advise secondary school reforms, particularly in the field of vocational education. Concurrently with its introduction and passage was a new Vocational Education Act.

[752] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[753] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[754] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[755] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[756] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[757] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.
[758] Kruger, E.G. and Bisschoff, T.C., 1986. *Education: Past, present, and future*. Euro Publications.
[759] Kruger, E.G. and Bisschoff, T.C., 1986. *Education: Past, present, and future*. Euro Publications.

According to Hlatswayo, the Freedom Charter said that: the doors to learning and culture will be open to all.[760] This Charter and the "Vocational Education Act" were both formed in the same year. The Charter reflects a commitment to ensuring equitable access to educational and cultural opportunities for all South Africans, irrespective of race.[761] The Extension of the University Education Act, which was recently passed into law, allows African Americans, Indians, and people of colour to enrol in racially exclusive universities.[762] The apartheid government mandated racial segregation in all spheres of South African life, including the educational system, was part of what led to this action. Naicker, claims that authorization was gained so that secondary schools could offer full-time additional positions to teach instrumental music as a school subject.[763] This suggests an endeavour to include music education in secondary schools' curricula and educational programmes. A communiqué from the Department of Education stated that a two-stream system of education would be implemented at Natal's White high schools.[764] The specifics of this method and its effects on education in Natal were not given, although it probably entailed some kind of student or curricular differentiation.

Naicker, further asserted that another commission or group of experts was established to carry out research on how secondary education is structured, particularly with relation to differentiation.[765] These experts found that differentiation in secondary education could not be successfully implemented under the current educational system.[766] This emphasises the difficulties and complexity of educational reform initiatives.

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[760] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[761] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[762] The Extension of the University Education Act 45 of 1959.
[763] Naicker, I. 1996. *Imbalances and Inequities in South African Education: A Historical-educational survey and appraisal*. Pretoria: University of South Africa.
[764] Naicker, I. 1996. *Imbalances and Inequities in South African Education: A Historical-educational survey and appraisal*. Pretoria: University of South Africa.
[765] Naicker, I. 1996. Imbalances and Inequities in South African Education: A Historical-educational survey and appraisal. Pretoria: University of South Africa.
[766] Naicker, I. 1996. *Imbalances and Inequities in South African Education: A Historical-educational survey and appraisal*. Pretoria: University of South Africa.

Jones, further indicate that a Bantu Education advisory council was established in 1963.[767] This council offered suggestions and assisted in forming educational policy for black children.[768] Under the 1963 Education Act, the "Department of Coloured Affairs' Division of Education" were given entire authority over the education of students of colour.[769] This implies moving that power away from local governments and concentration of educational control over racialized children's education.[770] Despite the consolidation of governmental control over education, the Vaal Triangle Technical College opened its doors in 1966.[771] This demonstrates that, in spite of apartheid's overarching ideals and administrative reforms, educational institutions still had some unique conditions.[772] However, the apartheid government unveiled a National Education Programme in 1967.[773] This programme gave provinces a thorough education roadmap to follow. Venter, claims that the program's apparent objective was to give local governments more control over education which is contrary to the 1963 Education Act.[774] This was part of a bigger apartheid scheme to decentralise various aspects of the government.[775]

As the South African Student Organisation (SASO) was founded in 1969, its crucial role was to advance the rights and interests of black South African students.[776] According to Hlatswayo, the idea of "Black Consciousness" was a fundamental organising concept of SASO.[777] The sense of racial pride, identity, and empowerment

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[767] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited
[768] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited
[769] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited.
[770] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited
[771] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited
[772] Jones, RC. 1970. The Education of the Bantu in South Africa. In Rose, B. (ed). *Education in South Africa*. London: Collier-Macmillan Limited
[773] Venter, ISJ & van Heerden, SM. 1989. *The grounding of History of Education: an introduction*. Pretoria: Euro Publications.
[774] Venter, ISJ & van Heerden, SM. 1989. *The grounding of History of Education: an introduction*. Pretoria: Euro Publications.
[775] Venter, ISJ & van Heerden, SM. 1989. *The grounding of History of Education: an introduction*. Pretoria: Euro Publications.
[776] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[777] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.

of black South Africans was given a lot of attention in this concept.[778] It aimed to lessen the psychological and societal effects of apartheid and racial persecution.

The apartheid system's originator, Dr. Hendrik Verwoerd, made a significant statement addressing the requirement that Africans attend school. He asserted that free education would not be provided to Africans unless they sought it, paid for it out of pocket, and when their economies could support the increased educated population.[779] This comment perfectly captured the apartheid regime usually prejudiced and racially divisive approach to education. According to Hlatswayo, Dr. Verwoerd's assertion that Africans must pay for their own education and actively take part in their own upliftment had impact on the creation of student movements like SASO.[780] These movements opposed apartheid legislation, advance equitable educational access, and assist black South African students in achieving their full potential.[781]

Troup, also claims that Black postgraduate students were accepted to universities in 1972 on the basis of merit.[782] This illustrates a move away from the racially discriminatory admissions practises that defined education during the apartheid era and towards a more merit-based admissions system.[783] Malherbe, indicate that anyone with a Standard 10 certificate could pursue training and employment opportunities.[784] The Standard 10 certificate represented a certain level of education.

[778] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[779] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[780] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[781] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[782] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[783] Troup, F., 1976. *Forbidden pastures: Education under apartheid* (No. 23). London: International Defence and Aid Fund.
[784] Malherbe, E.F.J., 1997. Reflections on the background and contents of the education clause in the South African bill of rights. JS Afr. L., p.85.

According to Blumfield, the Anglo-American Corporation and the De Beers Chairman's Fund developed and provided funding for the Soweto Teachers Training College.[785] But it was managed by the Department of Education and Training. This demonstrate collaboration between the government and for-profit companies in the field of education. However, the 'Education and Training Act 90 of 1979' was an important piece of legislation that emphasises on skills training than on requiring people to attend school full- or part-time.[786] The demand for practical and vocational education to assist people prepare for the workforce and improve their abilities may have contributed to this trend.[787]

The 'Advanced Technical Education of Act 40 of 1967'[788] served as the foundation for the 'Technical Colleges Act 104 of 1981'.[789] Technical institutes were renamed to technical colleges as a result of this act, and technical colleges that were already open to white students were made state-funded institutions.[790] On the other hand, Act 104 of 1981 designated all other technical colleges as state colleges and placed them under state control and management.[791] According to Kruger, 'the Bantu Special Education Act 24 of 1964[792] was modified by the 'Advanced Technical Education Amendment Act 43 of 1979' (Act 43 of 1979)[793], which changed the name of Colleges to Advanced Technical Education.[794] According to Samuel, the 'Education and Training Act 43 of 1979' replaced the 'Bantu Special Education Act 24 of 1964', and made considerable changes to state education and training programmes.[795] This action aimed at acclimatizing and modernising the educational system in response to then demands. These significant changes brought by the 'Education and Training Act

[785] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[786] The Education and Training Act, Act 90 of 1979.
[787] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[788] The Advanced Technical Education Act No 40 of 1967.
[789] The Technical Colleges Act No 104 of 1981.
[790] The Technical Colleges Act No 104 of 1981.
[791] The Technical Colleges Act No 104 of 1981.
[792] The Special Education Act 24 of 1964.
[793] The Advanced Technical Education Amendment Act 43 of 1979.
[794] Kruger, E.G. and Bisschoff, T.C., 1986. *Education: Past, present, and future*. Euro Publications.
[795] Samuel, J. (1990). The state of education in South Africa, In Nasson, B., & Samuel, J. (eds.), *Education: From poverty to liberty* (pp. 17-29). Cape Town: David Philip.

of 1979' focused on skills training rather than requiring people to attend school full- or part-time.

Sooklal, claims that the 'Advanced Technical Education Act of 1967' (No 40 of 1967) was put into effect by the South African government.[796] Urban technical colleges were abolished as a result of this law, and they were later renamed 'Colleges for Advanced Technical Education' (CATES).[797] All students had to have a senior certificate in order to enrol in these institutions under the terms of this act.[798] This rebranding, which was a part of the government's broader educational policies at the time, represented the shift towards a more sophisticated and specialised form of technical education. The 'Advanced Technical Education Amendment Act of 1979' was approved following a protracted and heated debate about renaming schools.[799] Despite the lack of information regarding the specifics of this modification, changes involving the name and organisational design of educational institutions took place at the time.[800]

Apartheid was characterised by racial segregation and ideological engineering, and the government implemented policies to maintain racial disparities and divisions in all aspects of life, including education.[801] According to Abedian, the government, companies, and organised labour, among other stakeholders, purportedly prioritise skill-development and technical and vocational education and training.[802] This showed that the importance of skilled workforce for economic progress was understood. Despite these efforts, the government's plan for fostering skill development was constrained by a narrowly instrumental definition of 'skills'.[803] This demonstrates that

[796] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[797] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[798] The Advanced Technical Education Act No 40 of 1967
[799] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[800] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[801] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[802] Abedian, I. and Standish, B. eds., 1992. *Economic growth in South Africa: Selected policy issues*. Oxford University Press, USA.
[803] Abedian, I. and Standish, B. eds., 1992. *Economic growth in South Africa: Selected policy issues*. Oxford University Press, USA.

emphasis may have been on particular technical abilities rather than a more holistic perspective on education and training that includes critical thinking and adaptation.[804]

According to Nattrass, the political upheaval in South Africa during the 1970s and 1980s exacerbated the nation's sluggish economic progress.[805] During this time, South Africa also transitioned from interventionist economic policies to more market-oriented ideologies.[806] The development of the labour force and education were impacted by this change in economic policy.[807] As was previously mentioned, new approaches to hiring, promoting, and educating African workers have been required to make African urbanism acceptable.[808] This understanding of urbanisation trends most likely had an impact on policies pertaining to education and training as well as economic growth initiatives.[809]

The apartheid administration chose a brand-new team of experts in 1981 to conduct a thorough evaluation of every component of South Africa's educational system.[810] By taking this move, it is implied that the need for a review of educational practises and policies has been recognised. The experts argued in favour of putting in place a compulsory education system for everyone. To address educational disparities and inequality in the country, this plan probably aimed to guarantee that all South African children received an education.[811] In the same year, the South African Journal of Education was started. This academic article most likely helped spread information regarding educational changes and schooling in South Africa.

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[804] Abedian, I. and Standish, B. eds., 1992. *Economic growth in South Africa: Selected policy issues*. Oxford University Press, USA.
[805] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[806] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[807] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[808] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[809] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[810] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).
[811] Sooklal, S.S., 2006. The structural and cultural constraints on policy implementation: A case study on further education and training colleges in South Africa (Doctoral dissertation, University of Pretoria).

In 1983, the Republic of South Africa agreed in principle to a White Paper on Education Provision that acknowledged the need for a consistent compulsory education policy.[812] This suggests a commitment to implementing a uniform strategy for universally required education. The same year, Vista University established a network of colleges just for black students around the country.[813] This effort provided black children with educational opportunities within the constraints of apartheid regulations.[814]The 'National Policy for General Education Affairs Act of 1984'[815] was passed in response to the White Paper of 1983.[816] This legislation most likely established and put into effect the reforms to education policy that were outlined in the White Paper.[817] It had an impact on how the educational system in South Africa was run and organised.

The 'Universities and Technikons Advisory Council Act 83 of 1983' was established to promote collaboration between universities and Technikons.[818] This demonstrates that efforts to encourage collaboration and coordination across different tertiary education institutions may have been done with the goal of improving educational opportunities and resources.[819] During this time, the government implemented new laws that affected private schools. These rules covered admission criteria, course prerequisites, or other aspects of running a private school.[820] According to Blumfield, the new laws included racial restrictions at first, but they were eventually removed in 1986.[821]The 'South African Certification Council Act 85 of 1986' was adopted.[822] The South African Certification Council Act's main goal was to make sure that every certificate awarded by the council at the time of withdrawal represented the same level

[812] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[813] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[814] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[815] The National Policy for General Education Affairs Act 74 of 1984.
[816] The White Paper on Education Provision in the Republic of South Africa, 1983.
[817] The White Paper on Education Provision in the Republic of South Africa, 1983.
[818] The Universities and Technikons Advisory Council Act 83 of 1983.
[819] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[820] The Universities and Technikons Advisory Council Act 83 of 1983.
[821] Blumfield, B., 2008. A timeline of South African events in education in the twentieth century: 1900-1999. *On-line monograph report*, pp.1-27.
[822] The South African Certification Council Act 85 of 1986.

of education and training.[823] This demonstrated a significance quality control and standards in education.

### 3.3.1. The political transformation in TVET from 1990 to 1994

In 1990, at a protest in Johannesburg, the South African Democratic Teachers' Union (SADTU) was formally founded. Nelson Mandela, who was at the time the President of the ANC and the Republic of South Africa, gave the keynote address at this occasion, signifying the importance of the union and its ties to South African liberation movement organisations.[824] The founding of SADTU was a significant step in the restructuring of the educational system in South Africa. Hlatshwayo, further claims that the South African government considered allowing Black pupils to attend White schools and 90% of White parents supported the idea.[825] This demonstrated desegregation and the repeal of apartheid-era regulations that divided schools based on race.

Early in the 1990s, when South Africa's political landscape was undergoing significant change, the apartheid government introduced the Education Renewal Strategy.[826] This strategy represented an effort by the apartheid regime to address educational issues and implement policy reforms at a time when the country was undergoing upheaval.[827] At the same time, the African National Congress (ANC) unveiled its official policy statement, ‘A Policy Framework for Education and Training’.[828] This policy framework, which served as the basis for additional education policy development after 1994, reflected the ANC's vision for education and training in the post-apartheid era.[829] One of the main objectives of the policy framework was "the

[823] The South African Certification Council Act 85 of 1986.
[824] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[825] Hlatshwayo, SA. 2000. *Education and Independence. Education in South Africa, 1658-1988*. Westport: Greenwood Press.
[826] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[827] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[828] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[829] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.

establishment of an integrated unitary system of education and training."[830] This approach promoted greater equality and recourse in the educational field while working to improve the quality and applicability of educational information and abilities.[831]

The ANC government-in-waiting at the time promised to allocate the same amount of money to black and white education.[832] This pledge was made in accordance with the policy directives established at the ANC's National Conference in 1992.[833] The intention was to direct resources towards the most underprivileged groups in society, especially black areas that had long been marginalised by apartheid.[834] According to Dugard, the ANC administration aimed at reorganising education under the interim constitution.[835] The Nine established provincial education departments and one national education department were given responsibility for education as part of this restructure.[836] This decentralisation of educational duties was done to ensure more responsive and localised educational system.[837]

The South African educational system has seen numerous significant changes during the past 20 years. These changes represent the country's shift from apartheid to a more inclusive and equitable society and have taken place as South Africa has begun to develop a democratic society.[838] As a result of these changes, various educational legal and regulatory systems have emerged. The ultimate goal of these frameworks on education and training was to correct historical injustices and imbalances in the educational system by increasing the accessibility and inclusion of education and

[830] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[831] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[832] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[833] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[834] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[835] Dugard J (1995). International Law and the “Final” Constitution (1995) South Afr. J. Hum. Rights, p. 241.
[836] Dugard J (1995). International Law and the “Final” Constitution (1995) South Afr. J. Hum. Rights, p. 241.
[837] Dugard J (1995). International Law and the “Final” Constitution (1995) South Afr. J. Hum. Rights, p. 241.
[838] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.

training for all members of society.[839] According to Dugard, one of the first actions the ANC-led government took was to remove outdated and racially insensitive materials from the educational system.[840] This had the goal of eliminating aspects of apartheid-era education that continued racial inequality and divisiveness.[841] Despite the progress, one of the key issues under discussion has been how to evenly distribute resources to guarantee everyone has access to high-quality education.

In South Africa, reforming education has been the main legislative goal. The government's commitment to eradicating historical discrimination and inequity in the educational system is reflected in this objective. Numerous legal and regulatory frameworks have been implemented in order to transform education.[842] These education and training frameworks are intended to direct and assist the changes required to build a more inclusive and equitable educational system.[843] The development of an integrated approach to education and training is one of the process' important components. In order to create a system that is successful and coherent and meets the varied requirements of learners, different levels of education and training were need aligned.[844]

### 3.3.2. South Africa's TVET colleges from a global perspective

TVET is recognised as a top global priority, not just for South Africa but for many other countries. This exemplifies the value of technical and vocational expertise in addressing a range of developmental concerns, including economic growth, youth unemployment, and market demands. TVET practises and policies should be in line with key regional and international policy announcements. It is believed that the TVET sector in South Africa significantly contributes to the achievement of the country's

[839] African National Congress. (1994a). *A policy framework for education and training*. Braamfontein: ANC.
[840] Dugard J (1995). International Law and the “Final” Constitution (1995) South Afr. J. Hum. Rights, p. 241
[841] Dugard J (1995). International Law and the “Final” Constitution (1995) South Afr. J. Hum. Rights, p. 241
[842] Department of Education, 1995. White paper on education and training. *Government Gazette*, *357*(16312), pp.4-80.
[843] Department of Education, 1995. White paper on education and training. *Government Gazette*, *357*(16312), pp.4-80.
[844] Department of Education, 1995. White paper on education and training. *Government Gazette*, *357*(16312), pp.4-80.

development goals. This demonstrates the role of TVET in addressing socioeconomic problems and promoting problems and promote inclusive growth. Through TVET programmes, people can gain practical experience and credentials that will enhance their employability and contribute to the expansion of the economy.

TVET institutions have become an essential tool for state development, especially for governments to successfully address the skills and employment problem.[845] This acknowledgement highlights the value of TVET in tackling important socioeconomic problems. Like many emerging nations, South Africa is experiencing a skills and employment crisis.[846] A deficiency in training, employing, and educating young people is a defining feature of this issue. The youth population urgently needs access to opportunities for skill development and employment. The South African government's development strategy now heavily relies on TVET colleges. They are crucial to the government's initiatives to combat the skills gap and advance socioeconomic growth.

TVET is frequently used as a tool to promote skill development. It provides people with useful knowledge and abilities that they can use right away in the workplace. For the labour force to become more productive and of higher overall quality, these skills are crucial. TVET is linked to fostering economic expansion. In numerous industries, an innovative, competitive, and more productive workforce is more likely to be present. As a result, nations frequently spend money on TVET to promote economic growth. TVET significantly contributes to raising labour productivity. An individual can work more effectively when they undergo specialised training and pick up useful skills. In turn, this raises overall labour productivity, which supports economic expansion.

The International Labour Organisation (ILO) is a vocal supporter of TVET's significance for increasing workforce productivity and skill sets.[847] It highlights the importance of TVET across all of its platforms and projects, highlighting how it affects

[845] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.
[846] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.
[847] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.

the labour market.[848] Increasing job efficiency through TVET is mostly dependent on skills development. McGrath, claims that skilled workers are better equipped to complete their responsibilities successfully, job performance and efficiency are increased.[849] TVET institutions are frequently seen as a way to fight Youth unemployment and poverty.[850] TVET can help in lowering unemployment rates and eradicating poverty by giving young people the chance to enter the workforce and practical skills.[851]

The necessity for continued job creation and the requirement for a trained workforce are now the main topics of discussion about education and training on a global scale. Globally, TVET is increasingly recognised as a way to close the skills gap and improve employability. Many nations see TVET as a way to cultivate skills that boost labour productivity and support economic growth. TVET programmes are seen as a useful strategy for tackling the issues of poverty and skill development. Developing successful strategies to address economic development, growth, poverty reduction, and skill development can be difficult for some nations, notably in Africa. Countries may think about importing TVET policies and best practises from other countries that have effectively resolved comparable concerns in order to overcome these difficulties. The international community acknowledges that human rights education is crucial to the realisation of such rights. It attempts to increase understanding of how crucial it is for all communities and societies to uphold and defend human rights.

International organisations are concerned in and monitoring the changes arising in TVET colleges. This suggests that the reform efforts in TVET have an impact both nationally and internationally. The South African government can assist in addressing the country's developmental challenges by transforming TVET. Any decision to be made by the government can have a significant effect both within and outside of South

[848] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.
[849] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[850] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[851] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.

Africa. The TVET transformation agenda aims to address historical injustices, particularly those that concern access to opportunities and education.[852] The goal is to ensure that the advancements and changes made in TVET education benefit other African countries. The global agenda in the sector has advanced as a result of TVET transformation's global component. McGrath, further claims that Nations to cooperate and advance TVET education globally by talking about best practises, lessons gained, and workable solutions.[853] One of the main goals of reform efforts is to reposition the TVET sector so that it can directly confront the legacy of inequality. To reduce inequality, this demands for boosting socioeconomic development and educational standards.

#### 3.3.2.1. Vision 2030 for Africa: Sustainable Development Goals

South Africa has implemented a variety of policies and procedures to facilitate the modernization of the TVET industry. The National Development Plan Vision 2030 is a crucial national strategy for achieving long-term development objectives, particularly in the TVET sector.[854] It is widely acknowledged that South Africa has led the way in putting the SDGs into practise, particularly the Sustainable Development Goal (Vision 2030) for Africa.[855] According to Desa, the Sustainable Development Goals (SDGs) are a set of global goals that UN member states have endorsed in order to solve various socioeconomic and environmental issues on a global scale.[856] The SDG agenda and its objectives include demands for reforming the TVET sector. One of the key goals of the SDGs is to promote equitable and fair economic growth, and achieving this aim acknowledges the significance of TVET. Desa, further claims that the SDGs place a strong emphasis on the idea of "leaving no one behind," which calls for nations to make sure that all facets of society profit from development initiatives.[857] The restructuring of the TVET sector will adhere to this idea, with an emphasis on inclusivity and equitable opportunity for all.

[852] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[853] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[854] National Development Plan 2030: Our Future-make it work, 15 August 2012.
[855] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.
[856] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.
[857] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.

The SDG objectives directly influence TVET reform by highlighting the importance of inclusive, superior education that fosters lifelong learning. The member states, including South Africa, are urged to guarantee equal access to adult and adolescent TVET education. TVET colleges are critical in supplying the necessary education and training for employment. The SDGs' aim of fostering employment, decent work for all, and equitable and sustainable economic growth are all furthered through high-quality TVET programmes. It is emphasised how crucial it is to reduce gender disparities in education. The SDGs place a strong emphasis on gender equality, and TVET reform aims to guarantee that men and women have equal access to opportunities for skill development and employment.

The SDGs are putting pressure on the TVET industry to diversify its policies and skill offerings in order to be more relevant in the workplace. It is recommended that TVET institutions adapt and change to suit the shifting needs of the labour market and promote sustainable economic growth. In order to achieve lifelong learning, reduce gender inequities, and foster just and sustainable economic growth, the SDGs lay a particular emphasis on the value of inclusive, excellent TVET education. In order to provide necessary skills, excellent employment opportunities, and equitable opportunities for everyone, regardless of gender, in the pursuit of a more inclusive and prosperous society, these global goals serve as the foundation for TVET reform in South Africa and other participating countries.

The SDGs, are an international framework that strives to address many social, economic, and environmental concerns.[858] According to the United Nations', several SDGs, including quality education (SDG 4), gender equality (SDG 5), decent employment and economic growth (SDG 8), and sustainable cities and communities (SDG 11), among others, overlap with South Africa's development goal.[859] However, the TVET colleges are not specifically included in the SDGs, but there are a number of pertinent goals and targets that overlap with these goals. SDG 4 on Quality Education Target aim at ensuring that all women and men have equitable access to

[858] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.
[859] Connor, R., 2015. *The United Nations world water development report 2015: water for a sustainable world* (Vol. 1). UNESCO publishing.

cheap and high-quality technical, vocational, and tertiary education, including higher education, by the year 2030.[860] This section focuses on the need of high-quality education which covers TVET. It expressly acknowledges the need for accessible, high-quality technical and vocational education. This goal is consistent with TVET colleges' mission to offer possibilities for accessible and pertinent education and training. SDG 8, aim at promoting inclusive economic growth and decent jobs, by giving people the skills they need for employment and business, TVET is essential in accomplishing this goal. However, target 8.5 and 8.6 of the SDG focuses on the importance of offering training options, especially TVET, to lower youth unemployment and guarantee fair access to decent jobs.[861] SDG 9 is focused on encouraging innovation and sustainable industrialization.[862] TVET colleges help achieve this goal by offering the abilities required for business and industry. TVET colleges foster equitable and sustainable industrial growth and strengthen the capacity of small-scale businesses by designing their curricula in accordance with market demands. While these are some of the most important SDGs and targets that are pertinent to TVET, it's crucial to remember that because the goals are interconnected, success in one goal can have a favorable influence on other related goals. By tackling important societal issues and advancing sustainable development, TVET colleges support the overall achievement of the SDGs through their emphasis on skill development, employability, and inclusivity.

### 3.3.2.2. The BRICS Agenda for Cooperation

The fact that South Africa is a member of the BRICS group, which also comprises Brazil, Russia, India, China, and South Africa, means that it has a lot of opportunities for partnerships in TVET. The BRICS alliance has recognised the importance of education in promoting long-term development and inclusive economic prosperity.[863] This commitment and the strategic significance of education in the BRICS nations were stressed at the gathering in July 2014 in Fortaleza, Brazil. The BRICS meeting in Fortaleza reaffirmed these countries' commitment to expanding their educational

[860] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.
[861] Desa, U.N., 2016. Transforming our world: The 2030 agenda for sustainable development.
[862] SDG, 9. United Nation, 2015.
[863] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.

collaboration.[864] This collaboration encompasses TVET as well as other facets of education. TVET was cited as playing a significant role in the educational systems of BRICS nations since it focuses on imparting practical skills and information for certain trades and industries. This acknowledgement emphasises the significance of skill development and vocational education in the context of economic development and growth. The Fortaleza summit resulted in suggestions for BRICS nations' future educational efforts and policies. These suggestions include tactics for raising the standard of TVET programmes, fostering cross-border collaboration in education, and encouraging innovation in the way that education is provided.

The BRICS nations have been cooperating in a variety of fields, including economics, politics, and education.[865] Education is one of the most crucial elements in the growth of the BRICS countries. The BRICS nations are aware that building a solid educational foundation is necessary for achieving long-term success.[866] A competent work force is essential for innovation, economic growth, and global competitiveness. For there to be inclusive economic growth, all facets of the population must benefit from progress. Education, especially TVET, which promotes inclusive growth, plays a crucial role in opening up opportunities for people from all backgrounds. The commitment of these nations to enhancing their educational cooperation was reiterated at the BRICS meeting in Fortaleza.[867]

The BRICS nations—Brazil, Russia, India, China, and South Africa—and South Africa signed an agreement in 2000 to provide a solid foundation for future collaboration. The commitment of these countries to work together in a variety of fields, including education, is reflected in this agreement. The agreement placed a lot of emphasis on a framework for educational reform that acknowledged the value of TVET colleges. By offering practical training and skills that are immediately transferable to a variety of businesses and sectors, TVET colleges are able to draw young people into the workforce. The agreement included improving teacher education and TVET colleges' teaching standards as one of its goals. This demonstrates a dedication to

[864] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.
[865] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.
[866] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.
[867] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.

guaranteeing the excellence of TVET programmes and the readiness of teachers to provide effective education. According to Buthelezi (2016), BRICS country collaboration on TVET education has the ability to open up new economic options for young people who are unemployed.[868]

TVET programmes can give young people the information and skills they need to enter the workforce and support economic growth. TVET institutions are seen as an essential part of South Africa's overall effort for skill development. Economic competitiveness depends on skills, which are also considered as a strategy to lower unemployment and raise the general standard of living. TVET institutions are seen as an essential part of South Africa's overall effort for skill development.[869] Economic competitiveness depends on skills, which are also considered as a strategy to lower unemployment and raise the general standard of living. The cooperation in TVET education between South Africa and other BRICS nations demonstrates the commitment to tackling urgent socioeconomic issues like youth unemployment, inequality, and poverty. In South Africa and the larger BRICS environment, TVET colleges are viewed as crucial for providing persons with the practical skills required for the labour market and, in turn, fostering economic growth and social development.

The BRICS countries created the collaboration Blueprint as a strategic framework to improve collaboration in a number of areas, including education and skill development.[870] In order to address the needs of growing economies, BRICS highlights the significance of TVET colleges providing inclusive, equitable, and high-quality education. The TVET colleges sector in South Africa follows this plan by emphasizing vocational and technical education to close the skills gap and foster economic growth. BRICS has stressed the relevance of partnerships and exchange initiatives in the TVET sector. These countries appreciate the need of exchanging best practices, lessons learned, and information to raise the caliber and applicability of

[868] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.
[869] Buthelezi, Z. G. (2016). *At the policy-practices interface: Exploring technical vocational education and training lecturers educational reform experiences*. Unpublished PhD thesis, University of KwaZulu-Natal, Durban.
[870] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.

TVET programs.[871] The BRICS nations want to develop TVET colleges and foster cross-cultural learning through programs including faculty and student exchanges, collaborative research projects, and capacity-building activities.[872] TVET is a key component of skill development and employability in BRICS nations. They are aware that TVET programs must be in line with industry expectations as well as labour market demands. The BRICS countries want to close the skills gap, lower unemployment, and boost economic production by providing people with the technical and vocational skills they need.

According to BRICS nations, the importance of creating solid alliances between TVET universities and companies is necessary tool for development. These countries understand that industry engagement can guarantee the effectiveness and relevance of TVET programs, provide chances for work-integrated learning, and improve the employability of TVET graduates. The BRICS nations aim to close the gap between the demands of industry and education by encouraging industry partnerships. The BRICS nations are trying to improve the TVET qualifications' global recognition and parity. To promote international mobility and the recognition of TVET graduates, they understand the significance of harmonizing TVET standards, frameworks, and certifications throughout the BRICS countries. The goal of BRICS nations is to increase the competitiveness of their TVET systems on a global scale by fostering harmonization and mutual recognition.[873] TVET colleges may not have their own cooperative agreements or sections within the BRICS structure, but each of the BRICS nations has acknowledged the value of TVET as a vital part of their skill-development plans and economic goals. To support TVET and encourage field cooperation, they have launched a number of policies, initiatives, and collaborations. Overall, the BRICS nations show a shared belief that TVET colleges are essential for employability development, skill development, and economic growth. The BRICS countries seek to develop their TVET systems and meet the changing needs of the global workforce through cooperation, skills-focused initiatives, entrepreneurship promotion, industry partnerships, and international recognition activities.

[871] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.
[872] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.
[873] UNESCO. (2015). BRICS Building Education for the Future: Recommendations for co-operation.

### 3.3.2.3. The Constitution

Despite all these international and regional instruments, the constitution of South Africa does in fact guarantee and preserve the right to obtain TVET education.[874] The right to TVET education, along with other educational rights, are fundamentally protected by South Africa's constitution. The 1996 South African Constitution is renowned for its dedication to equality and human rights.[875] According to Section 29 of the South African constitution, everyone has the right to a basic education, which includes the right to TVET. This clause guarantees that TVET education is regarded as a crucial component of the larger educational system.[876] The constitution places a strong emphasis on the idea of equality before the law and outlaws discrimination based on a number of factors, including race, gender, and socioeconomic background.[877] This means that access to TVET education should be fair and devoid of any forms of discrimination.

The constitution recognises the value of ongoing education and training. The government is required to gradually open up access to higher education and training options. The right to education may only be realised gradually due to a lack of resources, as acknowledged by the constitution. However, it does place a responsibility on the state to make reasonable efforts to eventually open up TVET education to everyone. The South African Constitution is consistent with the Universal Declaration of Human Rights[878] and the Sustainable Development Goals[879], which place a priority on universal education. In addition to the constitution, South Africa has established a legal framework that governs TVET education. This includes, TVET institutions in the country that were created and are governed by the Further Education and Training Institutions Act of 2006.[880]

The South African judiciary has significantly contributed to keeping TVET as a component of the right to education. Courts have occasionally intervened to ensure

[874] Constitution of the Republic of South Africa, 1996 (Constitution).
[875] Constitution of the Republic of South Africa, 1996 (Constitution).
[876] Section 29 (1) and (2) of the Constitution of the Republic of South Africa, 1996.
[877] Section 9 of the Constitution of the Republic of South Africa, 1996.
[878] Universal Declaration on Human Rights, 1948.
[879] United Nations, 2016: Sustainable Development Goal (2030).
[880] The Further Education and Training Colleges Act 16 of 2006.

that the government upholds its obligations in this regard.[881] The constitution of South Africa guarantees the opportunity to pursue TVET education as part of a greater commitment to acknowledging education as a fundamental human right. In conjunction with specific legislation and judicial control, this constitutional foundation provides a strong foundation for promoting and preserving the nation's right to TVET education. It exemplifies the government's commitment to provide everyone with access to high-quality, affordable educational opportunities.

## 3.4. CONCLUSIONS

Nations have the opportunity to establish and fortify their TVET systems on a robust footing, courtesy of the global legal and policy frameworks governing TVET colleges. These frameworks endorse a holistic approach to education, encompassing not only the cultivation of technical and vocational competencies but also broader objectives pertaining to economic development, societal inclusivity, and the safeguarding of human rights. They manifest the prevailing consensus regarding the pivotal role of investing in TVET as a cornerstone for individual empowerment and enduring global development.

International legal and legislative frameworks underscore the significance of TVET in addressing skills deficits, propelling economic advancement, and fostering societal inclusiveness. This acknowledgment underscores the shared commitment of nations towards financing technical and vocational education. The frameworks underscore the imperative of ensuring equitable access to TVET opportunities, irrespective of gender, socio-economic standing, or other considerations, thus underscoring the paramount importance attached to equity and inclusivity in the realm of education. They underscore the role of TVET in advancing social mobility and ameliorating disparities, substantiating its contribution to reducing inequality and facilitating upward social mobility.

[881] Glenister v President of the Republic of South Africa 2011 (3) SA 347 (CC). Western Cape Forum for intellectual Disability v Government of the Republic of South Africa and Another (2011 (5) SA 87 (WCC)) [2010]

The right to pursue TVET education finds constitutional protection in South Africa's legal framework, subsumed within the broader entitlement to basic education. This underscores the government's unwavering commitment to ensuring universal access to technical and vocational skill development. Guided by a pronounced resolve to rectify historical disparities in access and opportunity, South African policies and strategies are geared towards advancing inclusivity and equity within the realm of TVET education. This commitment is palpably demonstrated through initiatives such as fee-free education and targeted support for disadvantaged learners.

The South African government's commitment to TVET is further manifested through financial allocation, infrastructure provisioning, and capacity-building initiatives. These endeavors aim to enhance the quality and accessibility of TVET programs. While significant strides have been made, challenges such as a scarcity of skilled labor and resource limitations persist. The underlying principles embedded within the legal and policy frameworks exhibit a malleable and adaptive character, facilitating necessary adjustments and reforms to address evolving challenges. The legal and policy frameworks governing TVET institutions in South Africa underscore a dedication to education as an intrinsic human right and as a catalyst for economic growth. These frameworks place pronounced emphasis on aligning programs with industry exigencies to ensure equitable access, high quality, and relevance in TVET education. Despite extant challenges, the evolving legislative and policy landscape of the country reflects a commitment to redress these issues and bolster the TVET sector as an indispensable facet of South Africa's educational and economic future.

# CHAPTER FOUR: PERSPECTIVES ON THE ROLES OF TVET COLLEGES IN DEVELOPMENT AND GROWTH

## 4.1. INTRODUCTION

TVET colleges occupy a central and dynamic role in the context of development and growth. These institutions wield substantial influence over a nation's human capital, economic productivity, and societal advancement. This introductory exposition embarks upon an exploration of the pivotal perspective concerning the contributions of TVET colleges to the realms of growth and development.

At its core, economic advancement finds its cornerstone in the bedrock of TVET colleges. These institutions serve as crucibles in which individuals are equipped with practical competencies, technical expertise, and vocational expertise.[882] These knowledgeable individuals, in turn, act as catalysts for innovation, heightened production, and the amplification of a nation's capacity to compete effectively on the international stage.[883]

The conspicuousness of TVET institutions assumes heightened significance in a society characterized by rapid transformations, propelled by technological advancements and fluid labour market dynamics.[884] These institutions function as vital conduits bridging academia and industry, ensuring that students gain access to knowledge and competencies highly coveted by enterprises.[885] TVET colleges play an instrumental role in addressing skills deficits and aligning curricular offerings with the evolving imperatives of the business sphere, thereby attuning educational outcomes to the ever-changing demands of the labour market.[886]

[882] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.
[883] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.
[884] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.
[885] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.
[886] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.

By affording accessible pathways to both education and productive employment, TVET colleges possess the potential to create diversity and foster societal equity. They cater to a diverse spectrum of students, including those whose aptitudes may not find optimal expression within conventional academic environments. Through the empowerment of marginalized populations, this inclusivity not only mitigates disparities in educational access but also cultivates social cohesion and diminishes societal inequalities.

In the era of globalization, the significance of TVET transcends national borders. Individuals equipped with highly transferrable skills and internationally recognized credentials, acquired through TVET, are poised to participate effectively in the global labour markets, thereby augmenting a nation's competitive edge.[887] TVET colleges assume a multifaceted role in the spheres of economic, social, and global development. These institutions do not merely function as centres of learning; they operate as engines of development, fortifying individuals, enterprises, and nations alike.

The conceptualization of TVET institutions as agents of growth and development underscores their pivotal role in reshaping societies and influencing the global landscape. This perspective lays the foundation for an exhaustive inquiry into how TVET institutions propel nations forward and enhance the well-being of their populace, within a framework deeply rooted in legal and policy considerations.

### 4.1.1. The Concept of Development

As elucidated previously, the concept of development encapsulates a comprehensive spectrum of dimensions, encompassing economic, social, political, and environmental facets. At its core, development constitutes a deliberate and constructive process designed to effectuate positive change with the overarching aim of elevating the overall quality of life for individuals, collectives, and entire nations.[888] It embodies a sustained endeavour to instigate constructive alterations that elevate living standards and engender well-being. In alignment with Cummings' perspective, Akoojee also

[887] Powell, L. and McGrath, S., 2019. *Skills for human development: Transforming vocational education and training*. Routledge.
[888] Cummings, T.G. and Worley, C.G., 2014. *Organization development and change*. Cengage

espouses the multifaceted and intricate nature of development.[889] This multifaceted nature conveys the notion that development entails the incorporation of a myriad of dimensions, thereby enshrining both individual and societal advancement within its purview.

Furthermore, it is incumbent upon us to recognize the symbiotic relationship that exists among development, democracy, and the rule of law. These three fundamental pillars mutually reinforce one another, constituting a nexus that advances societal progress and inclusivity. Development attains its apex when entrenched within the framework of democratic governance.[890] Democracy begets citizen participation, endowing individuals with the agency to influence the formulation of development objectives and to hold the government accountable for its actions.[891] The democratic modality, intrinsically imbued with tenets of transparency, equity, and human rights, contributes to the articulation and execution of development policies that redound to the collective welfare of society.[892]

Akoojee, discusses the concept of "democratic developmentalism." as a legal and policy framework that goes beyond purely economic considerations.[893] It encompasses the idea that development is not solely about economic growth but also involves the role and rights of individuals within society.[894] From a legal perspective, democratic developmentalism implies that government policies and regulations should be designed to promote not only economic progress but also the well-being and rights of citizens.[895] In a democratic developmentalist framework, economic growth should

[889] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282

[890] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.

[891] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.

[892] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.

[893] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282.

[894] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282.

[895] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282.

take into account the rights of residents to essential social benefits.[896] These rights may be enshrined in law and include access to healthcare, education, social security, and other services that contribute to a decent standard of living.[897] Legal provisions and policies are often needed to ensure that these rights are protected and fulfilled.

Thandika Mkandawire, also emphasizes that development is not merely an outcome of market forces but should be a deliberate and global process of economic transformation.[898] From a legal standpoint, this perspective underscores the role of laws and regulations in shaping economic policies and ensuring that development efforts are purposeful, well-planned, and aligned with broader societal goals.[899] The legal and policy implications of democratic developmentalism, emphasizing that development should not be limited to economic growth but should also encompass the rights and well-being of individuals within society.[900] It calls for legal frameworks that support the rights to social benefits and ensure that development efforts are planned, purposeful, and inclusive of social and political dimensions.[901] This perspective acknowledges the legal responsibilities of governments and institutions in fostering a holistic approach to development that respects and safeguards human rights.[902]

In parallel, the rule of law furnishes the indispensable legal scaffold that safeguards individual rights and interests, indispensable constituents of both economic and social

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[896] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282.

[897] Akoojee, S., 2010. Intermediate skills development in South Africa: understanding the context, responding to the challenge. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.261-282.

[898] Mkandawire, T., 2010. From maladjusted states to democratic developmental states in Africa. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.59-81.

[899] Mkandawire, T., 2010. From maladjusted states to democratic developmental states in Africa. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.59-81.

[900] Mkandawire, T., 2010. From maladjusted states to democratic developmental states in Africa. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.59-81

[901] Mkandawire, T., 2010. From maladjusted states to democratic developmental states in Africa. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.59-81.

[902] Mkandawire, T., 2010. From maladjusted states to democratic developmental states in Africa. *Constructing a democratic developmental state in South Africa: Potentials and challenges*, pp.59-81.

advancement.[903] Paramount among these legal bulwarks are property rights, contractual obligations, and unfettered access to justice. These facets collectively culminate in an environment conducive to attracting investments, nurturing innovation, and ameliorating social disparities, all of which are integral to the development enterprise.[904]

### 4.1.2. Endogenous and exogenous privatization approaches to TVET colleges

The policy trajectory in South Africa's Technical and Vocational Education and Training (TVET) sector has witnessed a shift from endogenous privatization approaches implemented from 1994 to 2009 to subsequent exogenous privatization policy measures.

Before the year 1994, South Africa underwent a period characterized by neoliberal reforms in education and training. Kallaway observed that these reforms were introduced under the auspices of the National Party and were driven by the objective of advancing apartheid policies.[905] Notably, one of the key features of this period was the commercialization of education and training, where market-oriented principles were applied to the provision of educational services.[906] This commercialization was part of a broader strategy employed by the apartheid regime to perpetuate its discriminatory policies. In addition to the commercialization of education and training, the apartheid regime pursued privatization policies in various sectors of the economy.[907] This included the sale of significant parastatal entities and the privatization of critical state services, such as housing and healthcare, during the late

[903] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[904] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[905] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278
[906] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278
[907] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278

1980s.[908] These privatization measures were emblematic of a broader neoliberal agenda aimed at reducing the state's involvement in various spheres of public life and encouraging private sector participation.[909]

The subsequent years, particularly from 1994 to 2009, TVET colleges witnessed a shift in privatization policy approaches.[910]South Africa began to explore endogenous privatization policies, which involved internal diversification and partnerships within the public sector.[911] However, this was followed by exogenous privatization approaches, signifying a more explicit involvement of the private sector in the ownership, management, and provision of TVET services.[912]

This transition from apartheid-era commercialization and privatization to the post-apartheid era's endogenous and exogenous privatization policies had significant legal and policy implications. These implications encompassed changes in ownership structures, funding mechanisms, regulatory frameworks, and quality assurance mechanisms within the TVET sector.[913] Furthermore, they reflect South Africa's evolving approach to the role of the state and private sector in education and training.

Since the advent of democracy in South Africa in 1994, TVET college sector has undergone a series of policy reforms aimed at the comprehensive reorganization and modernization of the sector. The overarching objective of these reforms has been to realign the TVET sector with the new developmental priorities of the democratic

[908] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[909] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[910] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[911] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[912] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[913] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.

state.[914] These transformative initiatives have encompassed the adoption of both endogenous and exogenous privatization approaches.[915] The South African government's embrace of neoliberal economic changes has played a pivotal role in driving various privatization approaches within the TVET system.[916] These economic changes have catalyzed a range of privatization strategies that have direct consequences for TVET services and the education sector at large.

### a. Endogenous Privatisation approach

Endogenous privatization refers to the internal transformation and diversification of TVET colleges through partnerships, commercial ventures, and revenue generation mechanisms while remaining under public ownership and control.[917] TVET colleges under the endogenous approach remain publicly owned and controlled, as stipulated by existing legal frameworks.[918] However, these frameworks may need to be adapted to accommodate diversified revenue sources and partnerships. Legal frameworks include quality assurance mechanisms to ensure that commercial activities and partnerships do not compromise the quality of education and training provided by TVET colleges.[919] These mechanisms may involve accreditation and monitoring processes.

Legal documents, such as partnership agreements, govern collaborations between TVET colleges and private entities are to ensure that the partnerships adhere to legal

[914] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[915] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[916] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[917] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[918] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[919] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.

standards and protect public interests.[920] Legal provisions may authorize TVET colleges to generate revenue through fee structures, contract training, and commercial activities.[921] These provisions often require clear guidelines to prevent exploitation and maintain affordability.

### b. Exogenous Privatisation Approach

Exogenous privatization involves the transfer of ownership, management, and funding of TVET colleges from the public sector to private entities or organizations.[922] Legal procedures for the transfer of ownership are essential under the exogenous approach. Legislation may be enacted to facilitate the privatization process, outlining the terms and conditions of ownership transfer.[923] This are new legal and regulatory framework may be established to govern privately owned TVET colleges. This framework includes licensing, accreditation, and compliance requirements to ensure quality and accountability.[924] The legal provisions define funding mechanisms, including tuition fees, government subsidies, and student financial aid programs, for privately owned TVET colleges.[925] These provisions aim to balance accessibility and sustainability.

The legal safeguards to protect the rights of students attending privatized TVET colleges may include consumer protection laws, tuition refund policies, and mechanisms for addressing grievances.[926] Even in privatized TVET systems, legal

[920] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[921] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[922] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[923] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[924] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[925] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[926] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.

frameworks may establish public oversight bodies responsible for monitoring the quality, equity, and compliance of privately operated institutions.[927]

Needham, made significant observations regarding the historical legacy that has substantially shaped the landscape of technical and vocational training in South Africa.[928] They note that the development of technical and vocational training in the country has been profoundly impacted by the colonial and apartheid past. This historical context has left a long-lasting legacy marked by systemic discrimination and injustices.[929] The global trend of privatization in TVET college sector education, as highlighted by Needham, has legal and policy implications that extend beyond national boundaries.[930] These implications involve the regulatory frameworks, funding mechanisms, and quality assurance measures that countries must consider when privatizing TVET education.[931] According to Needham, the phenomenon of privatization within the TVET college sector education is not limited to a specific region or category of nations; instead, it is a global trend that transcends both developed and developing nations.[932] This observation by Needham underscores the widespread nature of privatization initiatives in the field of TVET education, which is not confined to any particular socioeconomic context.[933]

Ball and Youdell (also recognized that among all areas within the realm of education, TVET stands out as the most privatized domain on an international scale.[934] This assertion highlights the distinctive character of privatization in TVET education, signifying that it has garnered particular attention and has undergone pronounced

[927] Kallaway, P., 1989. Privatization as an aspect of the educational politics of the new right: Critical signposts for understanding shifts in educational policy in South Africa during the eighties?. *British Journal of Educational Studies*, *37*(3), pp.253-278.
[928] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[929] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[930] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[931] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[932] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[933] Needham, S., 2019. TVET policy in South Africa: Caught between neo-liberalism and privatisation?. *Journal of Vocational, Adult and Continuing Education and Training*, *2*(2), pp.82-101.
[934] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*

transformation across various countries worldwide.[935] The acknowledgment by Ball and Youdell that TVET is the most privatized area in education internationally underscores the need for comprehensive legal and policy frameworks to ensure accountability, equity, and quality in TVET programs and institutions across the globe.[936] The shift in privatization tendencies, as outlined by Ball and Youdell, has profound legal and policy implications. It necessitates the development of regulatory frameworks that accommodate both endogenous and exogenous privatization approaches while preserving the integrity of education as a societal resource and safeguarding the rights and interests of learners, employers, and the broader community.[937] Ball and Youdell, offer a critical perspective on the evolving nature of privatization tendencies in education. They argue that these tendencies reflect a fundamental shift in the perception of education.[938] Historically seen as a public good serving the broader community, education is now increasingly viewed as a private good, primarily serving the interests of individual learners, employers, and the broader economy. This transformation has far-reaching implications for educational policies and legal frameworks.

The terms "endogenous privatisation" and "exogenous privatisation," as defined by Ball and Youdell, pertain to the outsourcing of public education to private entities.[939] These terms encapsulate the processes through which public educational institutions engage with private companies, consultancies, and agencies to deliver educational services. [940]This involvement of private entities within the education sector is a significant aspect of the privatization landscape. The definitions of endogenous and exogenous privatization put forth by Ball and Youdell ( serve as valuable tools for

[935] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*
[936] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.
[937] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*
[938] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*
[939] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.
[940] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.

evaluating the impacts of privatization on both public and private education and training sectors as market opportunities. [941]

Balls and Youndell, appreciated the fact that democratic South Africa has taken a neoliberal economic stance, which may appear incongruent with certain privatization approaches in TVET policy.[942] The clash between these approaches has led to reversals of government initiatives due to the conflicting policy imperatives, highlighting the tension between privatization and broader socio-economic and educational goals. The study conducted by Ball and Youdell delves into the concept of privatization with a specific focus on its influence within South Africa's TVET sector. The central aim of their research is to investigate how various privatization practices have affected the TVET industry in South Africa. Ball and Youdell's observations also highlight the growing prevalence of outsourcing practices in education, where consultancies and agencies are increasingly being employed to facilitate the privatization of educational services.[943] This trend underscores the evolving dynamics of educational provision and management in the context of privatization.

In essence, both endogenous and exogenous privatization approaches to TVET colleges have legal dimensions that shape ownership, funding, quality assurance, and student protections. While endogenous privatization involves diversifying revenue streams and partnerships while maintaining public ownership, exogenous privatization entails the transfer of ownership to private entities and requires the development of new legal and regulatory frameworks. Balancing private sector involvement with public interest and educational quality is a key consideration in both approaches.

## 4.2. THE IMPACT OF TVET COLLEGES TOWARDS ECONOMIC DEVELOPMENT AND GROWTH

The growth trajectory of a nation's economy and the augmentation of its Gross Domestic Product (GDP) are profoundly influenced by the pivotal contributions of

[941] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.
[942] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.
[943] Ball, S.J. and Youdell, D., 2007. Hidden Privatisation in Public Education. Education International 5th World Congress Preliminary Report. *London, England: University of London, Institute of Education*.

TVET programs, which play a pivotal role in advancing a nation's growth and prosperity.[944] TVET courses, renowned for their capacity to furnish students with practical proficiencies and specialized knowledge pertinent to the workplace, serve as a cornerstone of this developmental process.[945] Graduates emerging from the ambit of TVET institutions are notably poised to meet the dynamic exigencies of the labour market. The discerning perspective articulated by Wedekind, underscores the significance of economic development as an elemental constituent of overall growth.[946]

In essence, these educational institutions function as indispensable channels in the impartation of practical skills, technical acumen, and competencies that are intrinsic to bolstering a nation's economic development.[947] The hallmark of TVET programs resides in their ability to furnish students with specialized credentials and eminently marketable proficiencies.[948] This paradigm, in effect, engenders a direct alignment with the demands of the labor market, thereby proffering a workforce characterized by a heightened degree of proficiency and adaptability.[949] Notably, TVET programs are distinguished by their unwavering commitment to industry-specific training, a dimension that assumes a paramount role in the mitigation of skills disparities by ensuring the congruence of skills supply with the increasing demands of the labour market.[950]

The consequential outcome of this symbiotic relationship between TVET programs and economic development is the heightened employability of TVET graduates, a

[944] Wedekind, V., Russon, J.A., Ramsarup, P., Monk, D., Metelerkamp, L. and McGrath, S., 2021. Conceptualising regional skills ecosystems: Reflections on four African cases. *International Journal of Training and Development*, *25*(4), pp.347-362.
[945] Wedekind, V., Russon, J.A., Ramsarup, P., Monk, D., Metelerkamp, L. and McGrath, S., 2021. Conceptualising regional skills ecosystems: Reflections on four African cases. *International Journal of Training and Development*, *25*(4), pp.347-362.
[946] Wedekind, V., Russon, J.A., Ramsarup, P., Monk, D., Metelerkamp, L. and McGrath, S., 2021. Conceptualising regional skills ecosystems: Reflections on four African cases. *International Journal of Training and Development*, *25*(4), pp.347-362.
[947] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[948] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[949] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[950] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.

phenomenon that reverberates in the degeneration of a nation's aggregate unemployment rate.[951] This nexus underscores the pivotal contributions of TVET programs to human capital development, economic growth, and the overarching prosperity of nations. Furthermore, the salient role of TVET programs in underpinning economic development and the amplification of GDP serves as an unequivocal testament to the indispensable role of these educational initiatives in fostering the advancement and well-being of societies.[952]

TVET qualifications enjoy a notable global recognition, affording graduates the opportunity to pursue employment opportunities abroad. This global recognition of TVET credentials serves to enhance the competitiveness of a nation's workforce on the global stage. Additionally, the presence of a skilled workforce plays a pivotal role in catalysing the production of high-quality goods and services, thus bolstering a nation's capacity for international trade.[953] This heightened capacity, in turn, fosters an expansion of international trade activities, consequently making a substantial contribution to the overall growth of the Gross Domestic Product (GDP).[954]

The international recognition of TVET qualifications is a testament to the standardization and alignment of technical and vocational education with global labour market requirements. This recognition enables TVET graduates to seamlessly navigate employment opportunities beyond national borders, fostering a sense of mobility and adaptability in the workforce.[955] Furthermore, the skilled workforce emerging from TVET programs assumes a central role in the production of goods and services that meet or exceed international quality standards.[956] The cultivation of specialized skills within TVET institutions ensures that the workforce is not only

[951] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[952] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[953] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[954] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[955] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[956] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.

proficient but also innovative, thereby enhancing the competitiveness of the nation's products and services in the international marketplace.[957]

### 4.2.1. Growth, Employment, and Redistribution strategy

In the context of South Africa's Growth, Employment, and Redistribution (GEAR) strategy, TVET colleges played a crucial role in fostering economic development and growth. GEAR recognized the importance of skills development and education as fundamental drivers of economic progress.[958] GEAR emphasized the significance of human capital development in achieving economic growth.[959] TVET colleges are instrumental in providing practical and vocational skills to the labour force, aligning education with the needs of the economy.[960] This perspective acknowledged that a skilled and adaptable workforce could contribute to increased productivity, innovation, and competitiveness, all of which are essential for economic growth.[961]

One of the key objectives of GEAR was to reduce unemployment.[962] TVET colleges were seen as a means to address this issue by equipping students with employable skills and facilitating their entry into the labor market.[963] This perspective recognized that reducing unemployment could stimulate economic growth by increasing consumer spending and reducing social welfare costs.[964] GEAR encouraged entrepreneurship as a driver of economic development. TVET colleges were expected

[957] Piana, D., 2016. *Judicial accountabilities in new Europe: from rule of law to quality of justice*. Routledge.
[958] South Africa. Department of Finance, 1996. Growth, Employment and Redistribution: A Macro-Economic Strategy (Vol. 1). Department of Finance, Republic of South Africa.
[959] South Africa. Department of Finance, 1996. Growth, Employment and Redistribution: A Macro-Economic Strategy (Vol. 1). Department of Finance, Republic of South Africa.
[960] Powell, L., 2012. Reimagining the purpose of VET–Expanding the capability to aspire in South African Further Education and Training students. *International Journal of Educational Development*, *32*(5), pp.643-653.
[961] Powell, L., 2012. Reimagining the purpose of VET–Expanding the capability to aspire in South African Further Education and Training students. *International Journal of Educational Development*, *32*(5), pp.643-653.
[962] South Africa. Department of Finance, 1996. Growth, Employment and Redistribution: A Macro-Economic Strategy (Vol. 1). Department of Finance, Republic of South Africa
[963] South Africa. Department of Finance, 1996. Growth, Employment and Redistribution: A Macro-Economic Strategy (Vol. 1). Department of Finance, Republic of South Africa.
[964] South Africa. Department of Finance, 1996. Growth, Employment and Redistribution: A Macro-Economic Strategy (Vol. 1). Department of Finance, Republic of South Africa.

to not only train job seekers but also nurture aspiring entrepreneurs.[965] These institutions were seen as places where students could acquire the skills and knowledge needed to start and manage their businesses, contributing to job creation and economic growth.[966]

GEAR promoted the alignment of TVET curricula with the needs of industry. This perspective acknowledged that for TVET graduates to be relevant to the labour market, their education should be closely tied to the skills and competencies demanded by businesses.[967] Industry-relevant training could lead to a more efficient and productive workforce, positively impacting economic growth.[968] The strategy recognized the importance of specific sectors in driving economic development. TVET colleges are to tailor their programs to support growth in these sectors, such as manufacturing, construction, and technology.[969] By providing a skilled workforce for key industries, TVET colleges could facilitate sectoral growth and expansion.

GEAR recognized that fostering innovation and technological advancement was crucial for long-term economic growth. TVET colleges, through their technical and vocational programs, had a role in training individuals to work with advanced technologies, thus contributing to technological progress and innovation. GEAR also had a perspective of promoting social inclusion and equity through TVET colleges. By providing accessible vocational education and training opportunities, especially to historically disadvantaged communities, the strategy aimed to reduce inequalities and promote a more inclusive economic growth model. Similar to its approach for the broader economic strategy, GEAR emphasized monitoring and evaluating the performance of TVET colleges to ensure they meet their goals and contributing effectively to economic development and growth.

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[965] Powell, L., 2012. Reimagining the purpose of VET–Expanding the capability to aspire in South African Further Education and Training students. *International Journal of Educational Development*, *32*(5), pp.643-653.
[966] Powell, L., 2012. Reimagining the purpose of VET–Expanding the capability to aspire in South African Further Education and Training students. *International Journal of Educational Development*, *32*(5), pp.643-653.
[967] Kraak, A., 2004. The National Skills Development Strategy: a new institutional regime for skills formation in post-apartheid South Africa.
[968] Kraak, A., 2004. The National Skills Development Strategy: a new institutional regime for skills formation in post-apartheid South Africa.
[969] Kraak, A., 2004. The National Skills Development Strategy: a new institutional regime for skills formation in post-apartheid South Africa.

It's important to note that the effectiveness of TVET colleges in achieving these objectives under GEAR depended on various factors, including the quality of education, the relevance of curricula, funding, infrastructure, and the broader economic context. Additionally, the implementation of GEAR's objectives for TVET colleges evolved over time, and new policies and strategies must be introduced to further enhance their role in economic development and growth in South Africa.

### 4.2.2. The South African Industrial Policy Action Plan

The South African Industrial Policy Action Plan (IPAP) of 2011 was a critical component of the government's efforts to promote economic development and growth.[970] While IPAP primarily focused on industrialization and manufacturing, it had significant implications for Technical and Vocational Education and Training (TVET) colleges in contributing to these broader economic goals.[971] IPAP recognized the importance of a skilled workforce in driving industrialization and economic growth.[972] TVET colleges were seen as key institutions for providing the necessary skills and technical expertise required by the manufacturing and industrial sectors.[973] The plan emphasized the need to align TVET curricula with the specific skills and competencies demanded by the industrial sector, ensuring that graduates were job-ready.[974] IPAP highlight the importance of TVET colleges producing graduates who could readily enter the labour market and contribute to industrial growth.[975] The plan encouraged collaboration between TVET institutions and industry stakeholders to identify skill gaps, design relevant training programs, and facilitate work-integrated learning

[970] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[971] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[972] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[973] Raihan, A., 2014. Collaboration between TVET institutions and industries in Bangladesh to enhance employability skills. *International Journal of Engineering and Technical Research (IJETR)*, *2*(10), pp.50-55.
[974] Raihan, A., 2014. Collaboration between TVET institutions and industries in Bangladesh to enhance employability skills. *International Journal of Engineering and Technical Research (IJETR)*, *2*(10), pp.50-55.
[975] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.

opportunities.[976] This approach aims to reduce unemployment and underemployment while promoting economic growth.

IPAP recognized the potential for TVET colleges to foster entrepreneurship and innovation. It encouraged the development of entrepreneurship education and training programs within TVET institutions to equip students with the skills and knowledge needed to start and manage businesses.[977] This perspective aims to stimulate job creation and contribute to economic growth through the establishment of new enterprises. IPAP identifies specific sectors, such as automotive, agro-processing, and renewable energy, as critical for industrial development.[978] TVET colleges were expected to align their programs with the skill requirements of these priority sectors. This sector-specific approach aims to enhance the competitiveness of South African industries and drive economic growth.

IPAP highlighted the importance of research and development (R&D) for industrial growth and innovation. TVET colleges were encouraged to engage in applied research and collaborate with industry partners to address technological challenges and promote innovation within the manufacturing sector. The role of TVET was recognised in this regard to train individuals to work with advanced technologies and modern manufacturing equipment. To support this, the plan emphasized the need for adequate infrastructure and technology within TVET institutions to ensure that students received up-to-date training.[979]

This policy further promoted inclusivity and equity by ensuring that TVET colleges in historically disadvantaged areas received the necessary resources and support to offer high-quality education and training.[980] The intention was to reduce disparities in access to education and training opportunities and contribute to more equitable

[976] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[977] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[978] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[979] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[980] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.

economic growth. Similar to the GEAR framework, IPAP emphasized monitoring and evaluating the performance of TVET colleges to ensure they were effectively contributing to the objectives of industrialization and economic growth.[981]

### 4.2.3. The trade and industrial policy strategies (TIPS)

Trade and industrial policy strategies often focus on promoting specific sectors of the economy. TVET colleges can play a crucial role by aligning their curricula and training programs with the skills demanded by these priority sectors.[982] This alignment ensures that graduates are well-prepared to meet the workforce requirements of industries targeted for growth, thereby contributing to economic development.

Trade and industrial policies emphasize the importance of a skilled workforce to enhance productivity and competitiveness.[983] TVET colleges are essential institutions for developing this skilled workforce. These institutions can tailor their programs to equip students with the technical and practical skills needed in industries central to the economic growth strategy.[984]

The Trade and industrial policies identifies key sectors with growth potential, such as manufacturing, agribusiness, renewable energy, or technology. TVET colleges can focus on offering specialized training and education in these sectors to support their development.[985] This can include specific courses, apprenticeship programs, and partnerships with businesses in these industries.

Many industrial policies aim to promote entrepreneurship and innovation. TVET colleges can contribute by providing training in entrepreneurship skills, fostering innovation through applied research and development projects, and offering support

[981] Rodrik, D., 2009. Industrial policy: don't ask why, ask how. *Middle East development journal*, *1*(1), pp.1-29.
[982] Rodrik, R., 1995. Trade and industrial policy reform. *Handbook of development economics*, *3*, pp.2925-2982.
[983] Rodrik, R., 1995. Trade and industrial policy reform. *Handbook of development economics*, *3*, pp.2925-2982.
[984] Rodrik, R., 1995. Trade and industrial policy reform. *Handbook of development economics*, *3*, pp.2925-2982.
[985] Rodrik, R., 1995. Trade and industrial policy reform. *Handbook of development economics*, *3*, pp.2925-2982.

for students interested in starting their businesses. This can lead to job creation and economic growth through the establishment of new enterprises. This policy encourages the adoption of advanced technologies and modern manufacturing practices.[986] TVET colleges should have the necessary infrastructure and equipment to train students in these technologies. Staying up-to-date with industry trends and technological advancements is vital to producing a workforce capable of contributing to economic growth.

Trade and industrial policies should promote inclusivity and equity in access to education and training. TVET colleges can support these goals by ensuring that historically disadvantaged communities have equal opportunities for skills development, reducing inequalities, and fostering social and economic inclusiveness. The effective implementation and continuous evaluation of trade and industrial policy strategies are essential. TVET colleges should regularly assess the relevance and impact of their programs, making adjustments as needed to align with evolving industry demands and government priorities.

In essence, trade and industrial policy strategies can have a significant impact on the role and focus of TVET colleges in contributing to economic development and growth. By aligning their programs with the priorities outlined in these policies, TVET colleges can play a crucial role in developing a skilled workforce, fostering entrepreneurship and innovation, and supporting the growth of key industries, all of which are essential for economic advancement.

## 4.3. THE IMPACT OF TVET COLLEGES ON NATIONAL DEVELOPMENT AND EMPLOYABILITY

As already explained, the TVET colleges on employment is significant and multifaceted. TVET colleges play a crucial role in preparing individuals for the workforce, contributing to economic development, and addressing unemployment

[986] Rodrik, R., 1995. Trade and industrial policy reform. *Handbook of development economics*, *3*, pp.2925-2982.

challenges.[987] TVET colleges provide practical and job-specific skills training that equips students with the knowledge and competencies required in various industries.[988] This training prepares individuals for specific job roles, making them more attractive candidates to potential employers. It directly addresses the skills gap, which is often a barrier to employment.[989] This entails that, TVET programs must be designed in consultation with industry stakeholders to ensure that the curriculum is relevant to the current needs of the job market.[990] This alignment increases the employability of TVET graduates because they possess skills and knowledge that match industry demands. Employers often prefer candidates with such targeted skills.[991]

South Africa has energetically embraced TVET as a foundational pillar for fostering the country's technological advancement, industrialization, and the broader project of nation-building.[992] This commitment signifies a legal and policy framework that recognizes the pivotal role of TVET in achieving strategic national goals. Graduates of TVET programs in South Africa assume key roles as engineers, middle-level managers, and technicians across a spectrum of local manufacturing enterprises and multinational corporations operating within South Africa. This underscores the practical and utilitarian orientation of TVET, where legal provisions may be in place to facilitate the smooth transition of TVET graduates into the workforce.

### 4.3.1. The impact of TVET on education

TVET refers to a specialized form of education that is primarily designed to equip individuals with practical skills, knowledge, and competencies related to specific

[987] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[988] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[989] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[990] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[991] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[992] Kraak, A. and Hall, G., 1999. *Transforming Further Education and Training in South Africa: A Case Study of Technical Colleges in KwaZulu-Natal. Volume One: Qualitative Findings and Analysis*.

industries, occupations, or vocations.[993] TVET programs are typically structured to prepare students for entry into the workforce, and they are often distinguished by their hands-on and application-oriented approach.[994]

TVET education encompasses a diverse range of fields, including but not limited to technology, engineering, healthcare, and the trades.[995] It provides students with a structured curriculum that combines theoretical knowledge with practical training.[996] The aim is to ensure that graduates are not only well-versed in the underlying principles of their chosen field but also capable of applying those principles in real-world settings.[997] TVET is often subject to specific legal frameworks and regulations established by governments to govern its operation.[998] These laws define the establishment, accreditation, and oversight of TVET institutions and programs. They may specify requirements for licensing instructors, safety standards, and curriculum content. Legal provisions also exist to protect the rights of TVET students, ensuring they receive quality education and fair treatment.[999]

TVET programs are typically designed in collaboration with industry stakeholders to ensure that graduates meet industry-specific standards and requirements.[1000] This alignment with industry standards enhances the employability of TVET graduates and fosters a strong connection between education and the workforce.[1001] TVET institutions must adhere to legal and regulatory frameworks established by

[993] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[994] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[995] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[996] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[997] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[998] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[999] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[1000] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[1001] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.

government authorities.[1002] These regulations often govern aspects such as program accreditation, licensing of instructors, safety standards, and the protection of students' rights. Compliance with these laws is critical to ensuring the quality and legitimacy of TVET education.[1003]

Governments play a vital role in regulating TVET education to safeguard the interests of students and employers. They establish accreditation bodies and standards that TVET institutions must meet to offer recognized programs.[1004] Accreditation ensures that education providers maintain quality and adhere to legal requirements.[1005] The legal recognition of TVET credentials is a critical aspect of its impact on education. Laws and regulations typically govern the certification and credentialing process, ensuring that TVET graduates receive legally recognized certificates, diplomas, or degrees.[1006] This legal recognition is crucial for graduates seeking employment, as it validates their qualifications and allows them to practice their chosen professions legally.[1007]

Legal principles related to education access and equity are essential in the context of TVET. Laws often require that TVET programs are accessible to a diverse range of individuals, irrespective of their background or characteristics. Anti-discrimination laws and policies ensure that opportunities in TVET are provided on an equal basis, regardless of gender, race, disability, or other protected attributes.[1008] TVET is often viewed as a vital component of a nation's workforce development strategy.[1009] Legal frameworks may incentivize TVET programs through financial support, tax incentives,

[1002] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[1003] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1004] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1005] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1006] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1007] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[1008] Powell, L., 2014. Reimagining the purpose of vocational education and training. *Unpublished PhD Thesis, University of Nottingham*.
[1009] Powell, L., 2014. *Reimagining the purpose of vocational education and training*. Unpublished PhD Thesis, University of Nottingham.

or other mechanisms.[1010] These legal provisions aim to promote economic growth and development by ensuring that the workforce is equipped with relevant skills and knowledge.[1011] Legal mechanisms often establish bodies responsible for accrediting and monitoring the quality of TVET institutions and programs. Accreditation ensures that TVET education meets established standards and maintains program quality. Legal provisions may require regular evaluations and compliance with specific educational benchmarks.

Laws and regulations related to consumer protection extend to TVET education. Legal frameworks may require transparency in program offerings, accurate representation of outcomes, and provisions for addressing grievances and disputes. These legal safeguards protect TVET students' rights as consumers of educational services. The impact of TVET on education is strongly influenced by the legal context within which it operates. Legal frameworks govern various aspects of TVET, including its accessibility, quality, recognition, and alignment with workforce and economic development goals. These legal provisions are essential for ensuring that TVET effectively contributes to education and skill development while safeguarding the rights and interests of students and the broader society.

In legal terms, the assertion that TVET is in harmony with international legal instruments and agreements related to education, such as the Universal Declaration of Human Rights (UDHR), entails that education must be relevant to the needs of society.[1012] The UDHR is a foundational international legal document adopted by the United Nations General Assembly in 1948.[1013] It sets forth a comprehensive framework of fundamental human rights and freedoms that should be universally protected and respected.[1014]

Article 26 of the UDHR explicitly recognizes the right to education as a fundamental human right. It states, "Everyone has the right to education. Education shall be free,

[1010] Powell, L., 2014. *Reimagining the purpose of vocational education and training*. Unpublished PhD Thesis, University of Nottingham.
[1011] Powell, L., 2014. *Reimagining the purpose of vocational education and training*. Unpublished PhD Thesis, University of Nottingham.
[1012] Universal Declaration of Human Rights
[1013] Universal Declaration of Human Rights
[1014] Universal Declaration of Human Rights

at least in the elementary and fundamental stages.[1015] Elementary education shall be compulsory. Technical and professional education shall be made generally available, and higher education shall be equally accessible to all on the basis of merit."[1016] TVET is in harmony with international legal instruments and agreements related to education. For instance, the Universal Declaration of Human Rights (UDHR) recognizes the right to education (Article 26), which encompasses access to TVET as a means of ensuring education is relevant to the needs of society.[1017] The Sustainable Development Goals (SDGs), particularly Goal 4, emphasize the importance of quality education and lifelong learning, highlighting TVET as a critical component to meet these global targets. Many countries have established laws and regulations governing TVET within their education systems.[1018] These legal frameworks define the objectives, organization, and quality standards for TVET programs. These National laws also address issues like accreditation, certification, and the recognition of TVET qualifications. Legal recognition ensures that individuals who complete TVET programs have their skills acknowledged and can use them in the job market or for further education.

TVET contributes to expanded access to education by providing alternative pathways for individuals who may not excel in traditional academic settings. Legal provisions often promote inclusivity by ensuring that TVET is accessible to a diverse range of learners, including those with disabilities or from marginalized communities. TVET programs are designed to meet the demands of the labour market. Legal frameworks mandate that TVET institutions adapt to changing industry needs and technological advancements, ensuring graduates are well-prepared for the workforce.[1019]

[1015] Universal Declaration of Human Rights
[1016] Universal Declaration of Human Rights
[1017] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.niversal Declaration of Human Rights
[1018] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.niversal Declaration of Human Rights
[1019] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.niversal Declaration of Human Rights.

The key legal point in this context is the inclusion of "TVET" within the UDHR's provisions. This recognizes the importance of TVET as a component of education that is essential to fulfilling the right to education for all individuals.[1020] The UDHR's reference to technical and professional education as part of the right to education underscores the notion that education should be relevant to the needs of society.[1021] This means that education, including TVET, should not only be accessible but also practical and geared toward preparing individuals for the workforce and societal demands.[1022]

By emphasizing the availability of technical and professional education, the UDHR aligns with broader global educational goals, such as those articulated in the Sustainable Development Goals (SDGs).[1023] Goal 4 of the SDGs specifically aims to ensure inclusive and equitable quality education and promote lifelong learning opportunities, which encompasses the provision of TVET.[1024] Recognizing TVET within the UDHR confers legal recognition and protection to this form of education. It signifies that governments and international bodies are obliged to ensure the availability and quality of technical and professional education to fulfil the right to education.[1025]

In essence, from a legal perspective, when it is stated that TVET is in harmony with international legal instruments like the UDHR, it means that TVET is not only consistent with the principles and rights enshrined in such instruments but is also explicitly recognized as a component of the right to education, with a particular focus on its relevance to the practical needs of society and the workforce.[1026] This legal recognition underscores the significance of TVET in ensuring that education serves the broader goals of human development and societal progress.

Rasool and Mahembe contend that there is a consensus within the field of TVET that that the TVET College sector is failing to adequately meet the educational and societal

[1020] Universal Declaration of Human Rights.
[1021] Universal Declaration of Human Rights.
[1022] Universal Declaration of Human Rights.
[1023] Sustainable Development Goal.
[1024] Sustainable Development Goal.
[1025] Universal Declaration of Human Rights.
[1026] Universal Declaration of Human Rights, 1948.

requirements.[1027]This suggest that it is necessary to conceptualize the purpose or objective of TVET college sector education and such conceptualization should encompass an understanding of the historical background and theoretical foundations of TVET education.[1028] Rasool and Mahembe further contend that the progress of industrialization and economic development is closely interlinked with TVET college education.[1029] This implies that the quality and effectiveness of TVET education have a direct impact on a country's economic growth and development.

Rasool and Mahembe underline the foundational role of TVET education in the context of economic and human development.[1030] This means that the growth and success of the TVET college sector are fundamental to advancing economic and social well-being.[1031] Furthermore, they emphasize the need to expand the role of TVET college sector education in a democratic developmental state.[1032] They argue that it should not only focus on traditional educational goals but also address broader national social and economic objectives.[1033] These objectives include economic growth, poverty alleviation, job creation, reducing income inequality, promoting sustainable livelihoods, fostering youth development, encouraging innovation, and advancing industrial progress.[1034] This expanded role is to be achieved by offering high-quality educational and training programs.

[1027] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1028] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1029] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1030] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1031] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1032] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1033] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1034] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.

In legal terms, Rasool and Mahembe's statements underscore the critical role of TVET college sector education in driving economic and social development.[1035] They advocate for a holistic approach to TVET education, one that recognizes its historical and theoretical foundations and aligns its goals with broader national interests, particularly in the context of a democratic developmental state.[1036] This perspective highlights the legal and policy implications associated with TVET education's contribution to societal advancement and underscores the importance of quality education and training programs in achieving these goals.

The 2013 White Paper on Post-School Education and Training places a strong emphasis on the pivotal role of public TVET colleges. The central objective outlined in this policy document is the "strengthening of relationships between these colleges and the workplace."[1037] This strategic alignment is aimed at enhancing the opportunities for learners to acquire practical training experience and to improve their prospects of securing stable and sustainable employment.[1038]

Papier et al, underscore the critical role of employability for college graduates, viewing it as a significant milestone in the journey toward economic advancement.[1039] Employability, in this context, encompasses the readiness and ability of college graduates to secure gainful employment in their chosen fields.[1040] Papier et al, further advocated for research that not only assesses the readiness of artisans but also

[1035] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1036] Rasool, H. and Mahembe, E., 2014. FET colleges' purpose in the Developmental State: Imperatives for South Africa Study on programmes identified and prioritised by the FET colleges' technical task team and its work streams. *Human Resource Development Council of South Africa (HRDCSA)*, *14*.
[1037] South Africa. Department of Higher Education and Training, 2014. White Paper for post-school education and training: Building an expanded, effective and integrated post-school system
[1038] South Africa. Department of Higher Education and Training, 2014. White Paper for post-school education and training: Building an expanded, effective and integrated post-school system
[1039] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1040] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.

evaluates the needs and expectations of employers.[1041] The ultimate objective of such research endeavours is to facilitate a meaningful connection between employers and TVET colleges.[1042] This connection serves the purpose of offering students viable and practical employment options upon completing their education and training.[1043]

### 4.3.2. Development of curricula and high-quality training

The development of curricula and the provision of high-quality training in South African TVET colleges are critical components of the country's efforts to address skills gaps, reduce unemployment, and promote economic development. In accordance with the assertions made by Papier et al, it is posited that a requisite condition for the establishment of robust curricula within the context of apprenticeship programs is the provision of high-quality apprenticeships.[1044] Such curricula, in keeping with this standard, ought to be extrapolated from the professional work responsibilities vested upon the apprentices, characterized by their developmental nature, and serving as the fundamental framework underpinning both the vocational learning processes conducted within the enterprise and the vocational school.[1045] The fundamental rationale behind the proposition that employers should spearhead the creation of curricula is predicated on the premise that employers possess an intimate familiarity with the exigencies of their respective fields.[1046]

This paradigm shift towards allowing employers to assume a leading role in the genesis of curricular frameworks manifests in multifaceted ways, encompassing not

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[1041] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1042] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1043] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1044] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1045] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1046] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*

only the curriculum's inception but extending to the domains of apprentice recruitment, qualification criteria, and the evaluative processes.[1047] In accordance with the findings elucidated by McGrath et al, a noteworthy implication of this employer-centric approach is that employers may, inadvertently or otherwise, underestimate the importance of generic proficiencies that are indispensable for the purposes of professional mobility within the apprenticeship context.[1048]

In accordance with the insights advanced by Papier et al, it is discerned that the bedrock upon which commendable apprenticeship programs are constructed unequivocally rests on the edifice of quality training.[1049] Such apprenticeship endeavours must be meticulously crafted with the overarching aim of nurturing apprentices possessing not only high-calibre competencies but also the capacity for adaptability and self-sufficiency, whilst simultaneously adhering to the imperatives of cost-efficiency and temporal expediency.[1050]

The fulfilment of this imperative mandate necessitates, inter alia, the proficient certification of vocational educators, trainers, and assessors who are charged with the responsibility of imparting training in South Africa.[1051] Consequently, apprenticeship programs should judiciously prescribe that apprentices, on recurrent occasions, partake in off-the-job learning experiences, thereby availing themselves of the pedagogical resources and facilities furnished by publicly funded vocational institutions.[1052]

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[1047] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*

[1048] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.

[1049] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

[1050] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

[1051] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

[1052] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

In consonance with the pronouncements articulated by McGrath et al, it is imperative to underscore the criticality of exercising meticulous quality control mechanisms in the domain of apprentice training.[1053] These measures are indispensable to ensure that employers, who are integrally implicated in the training process, faithfully discharge their training obligations.[1054] It is incumbent upon the custodians of apprenticeship programs to tread judiciously in this regard, eschewing the imposition of overly burdensome quality requirements that might conceivably discourage employer participation.[1055]

In the realm of apprenticeship systems, a salient objective resides in facilitating the mobility of trainees and in furnishing them with opportunities that engender novel career prospects. This aspiration is anchored in the suppositions advanced by MacGrath et al, wherein it is posited that the acquisition of foundational knowledge and the inculcation of workplace-oriented curricula collectively constitute indispensable scaffolds underpinning the comprehensive development of apprentices.[1056] Moreover, apprenticeship paradigms should encompass multifaceted dimensions that embrace the provision of avenues for active engagement, pedagogical facilitation, and erudition.[1057]

Concomitantly, the outcomes stemming from the certification process must be meticulously calibrated to align with their designated purposes, characterized by their endorsement by higher education institutions and professional bodies, and intrinsically tethered to the routes leading to professional qualifications.[1058] This alignment is pivotal in rendering the certifications universally acknowledged and germane to the

[1053] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1054] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1055] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1056] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1057] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1058] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.

advancement of apprentices along their career trajectories within their respective industries.[1059]

Furthermore, the selection of personnel within industries who shoulder the onus of overseeing apprenticeship progression should be judiciously executed, with due consideration afforded to the delineation of career pathways and avenues for career advancement.[1060] This strategic personnel selection underscores the vital role played by mentors and supervisors in shaping the development and growth of apprentices as they traverse their vocational journeys.[1061]

In accordance with the observations presented by Papier et al, it is evident that engineering firms operating within the industry impose a compelling mandate necessitating the evaluation of prospective employees or new entrants based on a multifaceted spectrum of competencies encompassing practical aptitude, academic acumen, and attitudinal attributes, all of which are deemed indispensable for employability within the sector.[1062] In this regard, the formal college syllabus assumes a pivotal role in striving to encompass the essential elements of both academic and practical training requisite for meeting the industry's exacting employment standards.[1063]

However, a particular area of concern emerges concerning the National Certificate (Vocational) or NCV program, which, according to industry stakeholders, may fall short in providing students with a sufficiently robust practical foundation.[1064] This deficiency

[1059] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48.
[1060] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1061] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1062] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1063] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1064] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

becomes manifest in the context of internal examinations administered by businesses during the employment interview process, wherein a notable proportion of students reportedly encounter challenges and experience suboptimal performance.[1065] Such observations extend to students holding NATED theoretical qualifications, even if some of these individuals possess workshop-based competencies. This disjuncture underscores a disconnec between the academic preparation provided by formal education institutions and the practical expectations delineated by the industry.[1066]

Conversely, the confluence between industries and TVET institutions appears to beget enhanced employability prospects, as industries potentially encounter a diminished necessity to bridge pronounced gaps in practical proficiencies.[1067] The consensus among a majority of industries underscores the imperatives of employees' ability to proficiently undertake essential administrative functions, including the effective issuance of invoices and the performance of rudimentary administrative duties inherent to organizational operations.[1068]

It is noteworthy, however, that certain industries have expressed a vociferous call for the cultivation of cross-cutting competencies that extend beyond the purview of the conventional curriculum.[1069] This resonates with a recognition that, in addition to core academic and practical proficiencies, there exists an exigency for the inculcation of versatile skills that can traverse conventional disciplinary boundaries, thereby engendering a more versatile and adaptable workforce.

[1065] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1066] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1067] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1068] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1069] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

High-quality TVET curricula should be closely aligned with the skills and competencies demanded by industries. This alignment ensures that graduates are job-ready and can directly contribute to the workforce. Regular consultation with industry stakeholders and labour market analysis helps identify the specific skills required in various sectors. The process of curriculum development in TVET colleges involves designing programs and courses that reflect current industry standards and technological advancements. This process should be dynamic, with frequent updates to stay in sync with evolving industry needs. Collaboration with industry experts, professional bodies, and employers is essential in curriculum design.

TVET colleges should prioritize practical and hands-on training. Many technical and vocational skills require direct experience, and students should have access to well-equipped workshops, laboratories, and simulation tools.[1070] Practical training helps students apply theoretical knowledge to real-world situations. High-quality training relies on skilled and experienced instructors. TVET colleges should have a recruitment and retention strategy that attracts and retains qualified educators.[1071] Continuous professional development for instructors is also crucial to ensure they stay current with industry trends and teaching methodologies.

Rigorous quality assurance mechanisms are essential to maintain high standards in TVET colleges. External evaluations, accreditation processes, and regular audits help identify areas for improvement and ensure that training meets national and international quality benchmarks. To stay relevant, TVET colleges must integrate innovative teaching methods and the latest technologies into their training programs.[1072] This includes using modern equipment and software relevant to the industries they serve.

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[1070] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

[1071] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

[1072] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*

Many TVET programs benefit from work-integrated learning (WIL) opportunities, such as internships, apprenticeships, or cooperative education. These experiences provide students with real-world exposure and a smoother transition to the workforce. TVET colleges can contribute to economic development by engaging in applied research and development projects. Research can lead to innovations, improved practices, and the development of new technologies, all of which can have a positive impact on industries and economic growth.

TVET colleges should be flexible and responsive to changing industry needs. This includes offering short courses or upskilling programs to meet emerging skill requirements. The ability to adapt to evolving demands is crucial for long-term relevance. High-quality training should be accessible to all segments of the population, regardless of socioeconomic background. Special efforts should be made to address historical disparities and ensure that historically disadvantaged communities have equal access to TVET opportunities. Collaboration between TVET colleges and industry partners is vital. Industry can provide input on curriculum development, offer resources and equipment, and provide opportunities for practical training. These partnerships enhance the relevance of TVET training and improve graduates' employability.

### 4.3.4. Economic, equity, and transformational (EET) goals of TVET

The Economic, Equity, and Transformational (EET) goals of Technical and Vocational Education and Training (TVET) represent a multifaceted policy approach aimed at achieving significant socio-economic and educational outcomes within the context of vocational training. The economic dimension of the EET goals encompasses a comprehensive strategy to stimulate economic development and growth through TVET.[1073] In legal terms, this entails the formulation and implementation of policies and regulations that align TVET programs with the labour market, industrial

[1073] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.

requirements, and broader economic objectives.[1074] It encompasses measures to ensure that TVET graduates possess the skills and competencies that are in demand within the job market. Additionally, economic goals may involve the allocation of resources, including funding and infrastructure, to support TVET institutions and programs. The legal aspect of economic goals also pertains to accountability mechanisms to monitor the efficient use of public funds and adherence to established regulations within the TVET sector.[1075]

In a legal context, equity goals within TVET revolve around the promotion of equal access and opportunities for all individuals, irrespective of their background or circumstances. This includes anti-discrimination measures and legal provisions to ensure that marginalized or disadvantaged groups have equitable access to TVET programs.[1076] Equity goals may involve legislative frameworks that address issues such as gender equality, disability rights, and the inclusion of historically marginalized communities in TVET initiatives.[1077] Legal mechanisms are also employed to safeguard against discrimination in recruitment, admission, and participation in TVET programs. Moreover, equity goals may encompass policies related to the provision of financial assistance, scholarships, or affirmative action measures to mitigate socio-economic disparities and promote inclusivity within the TVET sector.[1078]

The transformational aspect of the EET goals signifies a broader ambition to effect substantial and sustainable changes in the TVET sector and society at large.[1079] Legally, this involves the development and enforcement of transformative policies that challenge existing norms, foster innovation, and stimulate societal change. Transformational goals may include legal frameworks aimed at modernizing TVET curricula to align with emerging technologies and industries. They can also encompass

[1074] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1075] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1076] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1077] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1078] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1079] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.

legal provisions for the recognition and validation of non-formal and informal learning, acknowledging the diverse pathways individuals may take to acquire skills.[1080] Furthermore, transformational goals may require legislative reforms that encourage public-private partnerships, industry engagement, and innovative delivery models to enhance the relevance and effectiveness of TVET programs.

The Economic, Equity, and Transformative (EET) approach, as elucidated by UNESCO, distinguishes itself from the human capabilities approach by its pronounced emphasis on policy orientation.[1081] Central to the EET strategy is a meticulous consideration of the intricate interplay between policies governing TVET and their interface with the industrial landscape.[1082] In this regard, the EET strategy fundamentally revolves around the analysis, formulation, and implementation of policies that bear direct relevance to TVET and its symbiotic relationship with the world of industry.

Coinciding with the emergent nature of the EET approach, it is worth noting that empirical substantiation of its efficacy remains an area that demands further exploration. As posited by Tikly, parallels between the EET and other theoretical approaches extend beyond the ambit of the human capabilities and sustainable development paradigms.[1083] Rather, they encompass an expansive reconceptualization of the TVET mission, permeating into the diverse socio-economic nuances and indigenous intricacies that characterize distinct regions and cultures.

Moreover, the genesis of the EET approach can be traced to an acute awareness of prevailing concerns relating to unemployment and underemployment. This realisation underscores the profound transformations taking place within labour markets, which are subject to rapid evolution. Simultaneously, there exists a burgeoning demand, particularly among youths and adults, for expanded educational and training

[1080] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1081] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1082] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1083] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.

opportunities. It is within this dynamic context that the EET strategy has emerged as a response. It emerges as a cogent reaction to the imperative of realigning TVET with the multifarious demands emanating from labour markets, higher education institutions, and broader socio-economic progress.[1084]

In light of these multifaceted considerations, the proposition emerges that a comprehensive overhaul of the entire TVET system may be warranted. Such a reformation would pivot on the prioritization of work-related and life skills development, encapsulating the holistic development of individuals as they navigate the intricate intersections of education, training, employment, and societal engagement.

### 4.3.5. Employee involvement in the TVET college education sector

The South African TVET colleges confronts a formidable set of challenges pertaining to the recruitment, retention, and overall effectiveness of its academic and teaching professionals. As underscored by the observations advanced by McGrath et al, a salient concern is discernible in the substantial disparity between student enrolment figures and the corresponding staff complement within TVET Colleges.[1085] This disjuncture reflects an imbalance within the sector, underscoring the exigency for a recalibration of resources to ensure optimal support for the growing student population.[1086]

Drawing from the insights elucidated by Mmako and Schutz, an additional dimension of concern manifests in the deleterious consequences of expecting educators to undertake specific tasks without access to the requisite job resources.[1087] The resultant stress and strain imposed on teaching professionals within the TVET sector may precipitate a palpable diminishment in organizational commitment, particularly

[1084] Tikly, L., 2013. Reconceptualizing TVET and development: a human capability and social justice approach. *Revisiting global trends in TVET: Reflections on theory and practice*, pp.1-39.
[1085] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48
[1086] McGrath, S., 2011. Where to now for vocational education and training in Africa? *International Journal of Training Research*, *9*(1-2), pp.35-48
[1087] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.

when tasked with the completion of intricate and demanding responsibilities within an increasingly challenging environment.[1088]

Concomitantly, notwithstanding the noted developments in the TVET sector, the astute observations articulated by Mmako and Schultz ( shed light on a conspicuous skills gap prevailing among lecturers, particularly in terms of the competencies requisite for effective pedagogy.[1089] The exigency of this gap resides in lecturers' ability to effectively manage sizeable student cohorts, cater to remedial classes, and navigate mixed-ability classrooms.[1090] Furthermore, lecturers must demonstrate proficiency not only in the theoretical underpinnings of the courses they impart but also in the practical dimensions thereof.

Within the context of TVET Colleges, the challenge of nurturing and sustaining a conducive and enriching student learning environment has precipitated a heightened demand for academically qualified professionals.[1091] This demand stems from the imperative to maintain an elevated standard of education within the TVET sector. As elucidated in the 'White Paper on Post-School Education,' a discernible challenge lies in establishing robust connections with the TVET college education sector.[1092] This challenge has engendered a deficit in the cultivation of academic growth competence among instructors, culminating in a series of adverse ramifications.[1093] These repercussions encompass a waning of motivation and a diminished sense of engagement among the personnel tasked with educational delivery.

[1088] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1089] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1090] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1091] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1092] *White Paper on education and training*. *Government Gazette*, *357*(16312), pp.4-80.
[1093] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.

To foster a culture of mutual trust and empowerment, it becomes paramount to encourage employees to execute their roles with distinction. This can be achieved differently, by focusing on the delineation of employees' job-related expectations, thereby instilling a sense of purpose and clarifying the trajectory of their professional contributions.[1094] Simultaneously, inspiring employees to partake in the dissemination of work-related knowledge among their peers bolsters collective learning and knowledge-sharing within the organization.[1095]

Fundamental to this paradigm is the pivotal role that managers play in driving employee participation through astute and principled management practices.[1096] These practices serve as catalysts for eliciting innovative ideas, instilling a proclivity for initiative, and inviting constructive input from the workforce.[1097] The influence of managers in this context constitutes an indispensable instrument in shaping the engagement levels and contributions of their subordinates.[1098]

### 4.3.3. Preparing TVET Graduates for the workplace

Preparing TVET graduates for the workplace is a critical aspect of the TVET education system. It involves equipping students with the knowledge, skills, and competencies necessary to excel in their chosen careers and contribute effectively to the workforce. The recent government policies, exemplified by the 2013 White Paper on Post-School Education and Training, have placed a strong emphasis on the pivotal role of public TVET colleges in fostering robust relationships with the workplace.[1099] The overarching goal of these policies is to enhance the prospects of learners by facilitating

[1094] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1095] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1096] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1097] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1098] Mmako, M. and Schultz, C., 2016. An employee engagement framework for technical vocational education and training colleges in South Africa. *South African journal of higher education*, *30*(2), pp.143-163.
[1099] *White Paper on education and training*. *Government Gazette*, *357*(16312), pp.4-80.

their access to practical training experiences and, in the longer term, meaningful employment opportunities.[1100]

As elucidated by Papier et al, the employability of graduates from TVET colleges represents a crucial milestone in the broader landscape of economic progress.[1101] It underscores the imperative of ensuring that the education and training imparted by these institutions are not merely academically rigorous but also effectively prepare students for the demands of the labour market.[1102] Papier et al, allude to the salient objective of such research, which, when conducted in conjunction with an evaluation of employer needs, serves as a conduit for establishing meaningful connections between employers and TVET colleges.[1103] These connections, in turn, serve the purpose of broadening the spectrum of employment options available to students.

In essence, the confluence of government policies, academic research, and employer engagement underscores the paramount significance of TVET colleges in shaping the employability prospects of learners. By aligning education and training programs with the practical requirements of the workplace and fostering collaboration with employers, TVET colleges play a pivotal role in facilitating the transition of learners into the labour market, thereby contributing substantively to economic advancement and the attainment of broader societal goals.

TVET colleges offer a pathway to employment for young people, including those who may not pursue traditional academic routes.[1104] This is particularly crucial for addressing youth unemployment, as TVET provides viable career options that lead to job opportunities in various trades and professions.[1105] TVET education isn't limited to

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[1100] *White Paper on education and training*. *Government Gazette*, *357*(16312), pp.4-80.
[1101] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1102] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1103] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES.*
[1104] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[1105] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.

employment in existing enterprises; it also fosters entrepreneurship.[1106] Graduates who acquire technical and vocational skills can start their own businesses, which, in turn, can create jobs for others.[1107] This entrepreneurial aspect contributes to overall employment in the economy.

By providing individuals with the skills needed to secure employment, TVET colleges play a role in reducing overall unemployment rates.[1108] As more individuals gain access to relevant training and find jobs, the unemployment rate tends to decrease. TVET programs cover a wide range of fields, from traditional trades to emerging technologies.[1109] This diversification creates employment opportunities in various sectors, contributing to a more resilient job market.

TVET colleges are a vital component of the national education and training system, recognized by legal frameworks and policies as instrumental in achieving national development goals, including economic growth, social development, and workforce empowerment. They provide practical, skills-based education that aligns with the needs of industries, contributing to a nation's human capital development.
South Africa's initial White Paper on Education and Training in 1995 introduced the concept of a "demand-led" continuing education and training system within workplaces, predominantly served by private providers. Simultaneously, the paper outlined the provision of initial vocational and training programs through the public vocational education and training system. This division between demand-led workplace education and publicly allocated initial vocational training reflected the early policy landscape.

Within South Africa, two distinct government departments, namely the 'Department of Education' and the 'Department of Labour,' have been involved in parallel education and training initiatives. These initiatives span from TVET colleges to secondary school-

[1106] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[1107] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[1108] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[1109] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.

level education and training. The policies enacted during this period aimed to create space for private enterprises to participate in the market for workplace education and training. Accordingly, both the 'education and training' systems in South Africa have historically been supply-driven, with a predominant focus on expanding enrolment rather than fulfilling their primary objective of addressing the education and training needs of businesses.[1110] This perspective highlights a misalignment between the education and training system's goals and its actual outcomes.

The 'Department of Labour's skills development law played a pivotal role in creating a market for private continuing education and training providers, often at the expense of public providers. This legislative framework opened the door to significant exogenous (external) private involvement in TVET provision. As noted by Kraak, these policies led to supply-driven workplace training, with private providers prioritizing market opportunities over demand-driven education and training for fostering economic growth. With the establishment of the Department of Higher Education and Training (DHET) in 2009, external interference and the supply-driven nature of education and training systems were also reversed. The DHET's role and policies likely brought about changes in the dynamics of education and training in South Africa, aligning them more closely with demand-driven objectives.

## 4.4. CONCLUSIONS

The perspectives on the role of TVET colleges in development and growth encompass a multifaceted landscape influenced by historical legacies, policy reforms, and economic ideologies. The evolution of these perspectives reflects the intricate interplay between educational institutions, the state, and the private sector in shaping human capital development and economic progress.

Historical legacies, as exemplified by the apartheid era in South Africa, have left a profound imprint on the TVET sector, marked by historical injustices, discrimination, and disparities in access to education and training. The recognition of these historical

[1110] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT). Pretoria: Human Resource Development Council (HRDC) of South Africa, the Presidency.

injustices has catalysed policy reforms aimed at rectifying imbalances and promoting inclusivity, particularly in post-apartheid South Africa.

The role of TVET colleges in development and growth has been subject to diverse policy approaches, including both endogenous and exogenous privatization models. These models reflect the tension between the state's responsibility to provide education as a public good and the engagement of private entities in delivering educational services. The privatization debate highlights the need for legal and policy frameworks that balance market-driven initiatives with broader societal and economic objectives.

The concept of employability has emerged as a pivotal milestone in assessing the effectiveness of TVET colleges. Aligning TVET programs with the demands of the labour market is considered essential for economic progress. However, this alignment must also consider the broader developmental goals of reducing inequality, alleviating poverty, and fostering sustainable livelihoods.

The shift from education as a public good to a private good, as highlighted by Ball and Youdell, raises critical legal and policy questions about access, equity, and accountability within the TVET sector. The tension between decentralized and centralized models of education governance adds complexity to the debate and underscores the importance of legal frameworks that navigate this terrain effectively.

In light of these perspectives, it is evident that the role of TVET colleges in development and growth is a dynamic and evolving subject. It requires ongoing legal and policy deliberations to strike a balance between market-driven approaches, inclusivity, and the overarching goal of fostering equitable and sustainable socioeconomic development.

In summary, the perspectives on the role of TVET colleges in development and growth reflect the complexities of balancing historical legacies, policy reforms, and economic ideologies. Legal and policy frameworks play a crucial role in shaping the trajectory of TVET education, ensuring that it effectively contributes to broader developmental

objectives while addressing the evolving needs of the labour market and society at large.

# CHAPTER FIVE: THE CHALLENGES FACED BY THE TVET COLLEGES AND HOW TO ADDRESS THEM

## 5.1. INTRODUCTION

TVET represents a crucial component of educational systems worldwide, with a primary focus on imparting practical skills and knowledge to prepare individuals for the demands of the workforce. TVET plays an indispensable role in fostering economic development, reducing unemployment and addressing the evolving needs of industries. However, this sector grapples with a complex web of challenges that impede its capacity to fulfil its lofty mission effectively. These challenges span across financial, structural, curricular, and societal domains, posing formidable obstacles to the realisation of TVET's potential.

In a historical and legal context, the system of discriminatory practices was employed by the apartheid government in South Africa. These practices maintained racial hierarchy and privileged the white population while suppressing opportunities for other racial groups. Active labour market measures, such as employment reservation, were implemented to secure employment opportunities for white employees. These measures effectively reserved jobs for white workers, thereby excluding individuals from other racial groups. The apartheid regime-maintained disparities in education. White school children received significant governmental investments in their education during the 1950s and 1960s. This educational advantage provided white individuals with the skills and knowledge required for high-wage jobs, obviating the need for job reservation. Influx control policies were enforced to restrict the movement of non-white populations into designated white areas. These policies served to further segregate the population and limit the competition non-white individuals could pose in the labour market.

The Group Areas Act was a legislative instrument that enforced racial segregation in urban areas. It divided residential areas along racial lines, resulting in segregated neighbourhoods and limiting access to various resources for non-white communities. The apartheid government systematically distributed resources unevenly, depriving non-white communities of opportunities and resources. This created a situation where

a substantial portion of the population was confined to monotonous and poorly compensated segments of the labour market. The cumulative impact of these discriminatory policies led to a significant disparity in income distribution. The majority of the population, particularly non-white individuals, were unable to advance vertically in the labour market due to these historical economic practices. The apartheid regime not only deprived non-white individuals of educational opportunities but also hindered their access to skills and training. This unequal distribution of skills and training further exacerbated income inequality and limited economic mobility.

In a legal context, these historical practices are seen as violations of basic human rights and principles of equality. The apartheid era in South Africa was widely condemned by international legal bodies for its racial discrimination and systemic oppression of non-white populations. The legacy of these historical practices continues to be addressed through restorative justice, reparations, and affirmative action programs aimed at rectifying the enduring disparities that persist as a result of the apartheid system.

These historical inequities are recognized as violations of fundamental human rights and principles of non-discrimination. International human rights law condemns discrimination based on race and advocates for equal access to education and opportunities. The global commitment to addressing educational issues in developing countries reflects the broader international legal framework that promotes equitable and accessible education for all. Addressing these issues is not only a matter of social justice but also a legal obligation under international human rights treaties and conventions. Consequently, governments have a legal and ethical duty to take action to rectify historical injustices and ensure equitable access to education, including TVET colleges.

This chapter will delve deeply into these multifarious challenges, dissecting and analysing each issue comprehensively. Additionally, it will endeavour to elucidate potential strategies and solutions, grounded in both legal and policy frameworks, as well as practical considerations, to address these challenges effectively.

## 5.2. CONTEXUAL ANALYSIS OF THE CHALLENGES FACED BY THE TVET COLLEGES

### 5.2.1. Pre-Apartheid era

Historically, the socio-economic landscape of South Africa was profoundly shaped by a series of discriminatory policies and practices that sought to establish and perpetuate racial hierarchies. These policies extended to the labour market, where active labour market measures, such as employment reservation, were implemented to protect the job positions of white employees.[1111] Concurrently, a confluence of factors, including limited access to quality education, the imposition of influx control regulations, and the enforcement of the 'Group Areas Act,' effectively curtailed competition for employment opportunities among non-white racial groups.[1112]

As Woodlard astutely emphasizes, the apartheid government further exacerbated these disparities by unevenly distributing resources.[1113] This unequal resource allocation marginalized a significant segment of the population, relegating them to monotonous and low-paying segments of the labour market.[1114] Notably, the government's substantial investments in the education of white schoolchildren during the 1950s and 1960s conferred upon white employees the skills and competencies necessary to command high wages.[1115] Consequently, white workers could secure favourable employment positions without the need for job reservation policies.

However, this historical trajectory had profound and lasting effects on the socio-economic structure of South Africa. The restrictive economic practices of the past prevented a substantial portion of the population from ascending the labour market hierarchy. This lack of vertical mobility resulted in a skewed income distribution, with

[1111] Woolard, I., 2002. An overview of poverty and inequality in South Africa. *Unpublished briefing paper, HSRC, Pretoria*.
[1112] The Group Area Act, 41 of 1950
[1113] Woolard, I., 2002. An overview of poverty and inequality in South Africa. *Unpublished briefing paper, HSRC, Pretoria*.
[1114] Woolard, I., 2002. An overview of poverty and inequality in South Africa. *Unpublished briefing paper, HSRC, Pretoria*.
[1115] Woolard, I., 2002. An overview of poverty and inequality in South Africa. *Unpublished briefing paper, HSRC, Pretoria*.

a disproportionately high concentration of income among white employees, further exacerbated by the uneven distribution of skills and training.[1116]

The historical legacy of apartheid policies in South Africa has had profound and lasting effects on the country's socio-economic landscape, resulting in pervasive poverty, inequality, and hindered economic growth.[1117] As Terblanche, aptly points out, the apartheid system was inherently biased, channelling significant resources, particularly in health, education, and housing services, toward the white minority population while neglecting the majority black population's opportunities to accumulate human and physical capital.[1118] This discriminatory approach had enduring consequences, including disparities in education, skills development, and access to resources.[1119]

Despite these historical challenges, many developing countries globally have recognized the vital role of the TVET college sector in addressing their own socio-economic issues. However, as observed, these issues persist within most TVET college systems, with limited progress made, necessitating a concerted effort to address and rectify them. The influence of colonialism and the apartheid government's policies permeated all aspects of South African life, including education. The restructuring of the TVET college sector is emblematic of the broader transformation efforts undertaken to rectify historical imbalances and inequalities. Under apartheid, the educational sector was marked by racial segregation, with white children receiving a disproportionately large share of the educational budget at the expense of their black counterparts.[1120] This systemic inequity translated into glaring disparities in the quality of education and the resources available to the black majority.

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[1116] Woolard, I., 2002. An overview of poverty and inequality in South Africa. *Unpublished briefing paper, HSRC, Pretoria*.

[1117] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

[1118] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

[1119] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

[1120] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

### 5.2.2. Post-Apartheid era

Buthelezi, posits that as the process of formulating new policies commenced, it became evident that the segregated education system of apartheid had no place in post-apartheid South Africa.[1121] This realisation marked the inception of a profound transition within the education sector, signalling a significant departure from the past. Furthermore, Buthelezi notes that in 1997, the National Committee of Further Education was established with the specific mandate of conducting a comprehensive study on TVET colleges.[1122] This research initiative represented a critical step in understanding the challenges and opportunities within the TVET sector.

Building upon Buthelezi's insights, Powell and McGrath corroborate the establishment of a research committee dedicated to investigating the difficulties faced by TVET colleges and proposing policy adjustments to address them.[1123] This committee conducted an extensive examination, encompassing factors such as the number of TVET institutions, student profiles, program offerings, profiles of college personnel, and pass rates.[1124] In essence, the insights provided by Buthelezi, Powell, and McGrath, underscore the transformative journey embarked upon by South Africa's education sector post-apartheid. This journey has been characterized by a commitment to dismantling the vestiges of segregation and inequity within the TVET system, informed by comprehensive research and evidence-based policymaking. Through these initiatives, South Africa has sought to create an inclusive and responsive TVET sector capable of meeting the evolving needs of its diverse student population.

[1121] Buthelezi, Z., 2018. Lecturer experiences of TVET College challenges in the post-apartheid era: a case of unintended consequences of educational reform in South Africa. *Journal of Vocational Education & Training*, *70*(3), pp.364-383.
[1122] Buthelezi, Z., 2018. Lecturer experiences of TVET College challenges in the post-apartheid era: a case of unintended consequences of educational reform in South Africa. *Journal of Vocational Education & Training*, *70*(3), pp.364-383.
[1123] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In *Journal of Vocational Education and Training (TVET) Conference, Oxford*.
[1124] Powell, L. and McGrath, S., 2013. Why Students Enrol in TVET–The Voices of South African FET College Students. In *Journal of Vocational Education and Training (TVET) Conference, Oxford*.

Mouton et al, astutely observes that the South African education system found itself in a profound state of transformation, characterized by a delicate balancing act.[1125] The government grapples with the weight of historical legacies while simultaneously navigating the inherent risks and opportunities inherent in shaping the future of education in the nation.[1126] This transformation imperative resonates not only within South Africa but also in the context of many developing countries, urging them to establish education systems that prioritize accessibility and quality.[1127]

One central objective of this transformation is to ensure that education becomes a widely accessible resource, enabling as many children as possible to attend school and receive a high-quality education.[1128] The underlying premise is that an educated workforce can seamlessly enter the job market, making a positive contribution to the economy and thereby attracting investments that fuel economic growth.[1129]

McGrath, further underscores the persistent legacy of dysfunction that many South African schools inherited from colonial and apartheid governments.[1130] The imperative for change is evident, as transforming the school system carries the potential to mitigate a range of societal challenges.[1131] Such challenges include poverty, unemployment, political violence, factional conflicts, gang warfare, and broader social problems.

However, the transformation journey in South Africa's education sector is not without its challenges. The White Paper from 2013 explicitly acknowledges the issues confronting TVET colleges, which encompass curriculum concerns, governance and management challenges, the prevalence of unqualified and underqualified lecturers,

[1125] Mouton, N., Louw, G.P. and Strydom, G., 2013. Critical challenges of the South African school system. *International Business & Economics Research Journal (IBER)*, *12*(1), pp.31-44.
[1126] Mouton, N., Louw, G.P. and Strydom, G., 2013. Critical challenges of the South African school system. *International Business & Economics Research Journal (IBER)*, *12*(1), pp.31-44.
[1127] Mouton, N., Louw, G.P. and Strydom, G., 2013. Critical challenges of the South African school system. *International Business & Economics Research Journal (IBER)*, *12*(1), pp.31-44.
[1128] Mouton, N., Louw, G.P. and Strydom, G., 2013. Critical challenges of the South African school system. *International Business & Economics Research Journal (IBER)*, *12*(1), pp.31-44.
[1129] Mouton, N., Louw, G.P. and Strydom, G., 2013. Critical challenges of the South African school system. *International Business & Economics Research Journal (IBER)*, *12*(1), pp.31-44.
[1130] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.
[1131] McGrath, S., 2012. Vocational education and training for development: A policy in need of a theory?. *International Journal of Educational Development*, *32*(5), pp.623-631.

inadequacies in infrastructure and resources, program differentiation limitations, and insufficient student support.[1132]

The Department of Education underscores a fundamental aspect of educational reform in post-apartheid South Africa. The imperative is to overhaul the curriculum to align it with the values and principles of the new democratic society. This commitment signals a substantial shift in the vocational education and training (VET) system, driven by the necessity to address the multifaceted challenges facing the government and the nation as a whole. However, these TVET colleges has experienced significant legislative and governance changes since the advent of democracy in South Africa. These changes have been instrumental in reshaping the landscape of vocational education and training, emphasizing the need to deliver education that is highly responsive to the demands and expectations of industry. In this context, the curriculum plays a central role in ensuring that TVET graduates are prepared to contribute meaningfully to the workforce and broader societal development.

### 5.3. CHANGES AND TRANSFORMATION IN THE CURRICULUM

According to García-Peñalvo, changes and transformations to the curriculum refer to deliberate and systematic modifications to the structure, content, and delivery of educational programs.[1133] These changes are made with the aim of improving the overall quality, relevance, and effectiveness of the educational experience. Curriculum changes can encompass a wide range of adjustments, from altering the subject matter and teaching methods to revaluating the underlying educational philosophy. Such changes are often driven by evolving educational goals, societal needs, advancements in knowledge, and shifts in pedagogical paradigms.[1134]

This curriculum changes often involve revising the content to ensure it remains up-to-date and relevant. This can include incorporating the latest research, technological

[1132] *White Paper for post-school education and training:* Building an expanded, effective and integrated post-school system.
[1133] García-Peñalvo, F.J., 2021. Avoiding the dark side of digital transformation in teaching. An institutional reference framework for eLearning in higher education. *Sustainability*, *13*(4), p.2023.
[1134] García-Peñalvo, F.J., 2021. Avoiding the dark side of digital transformation in teaching. An institutional reference framework for eLearning in higher education. *Sustainability*, *13*(4), p.2023.

advancements, and changing societal norms.[1135] The goal is to equip students with knowledge and skills that are current and applicable to their future endeavours. However, the changes in teaching and learning strategies, are central to curriculum transformations. Educators explore innovative pedagogical approaches, such as active learning, project-based learning, and blended learning, to engage students and promote deeper understanding. The curriculum changes may involve rethinking assessment methods to align them with learning objectives and to better measure students' understanding and application of knowledge.[1136] This shift can reduce emphasis on standardized testing and promote authentic assessment practices.

### 5.3.1. Removing Eurocentric Biases and Incorporating Indigenous Knowledge and Diverse Perspectives

Many countries have constitutional provisions and human rights obligations that protect and promote cultural diversity, non-discrimination, and the rights of indigenous and marginalized communities. These legal frameworks require the educational system to operate in a manner that respects and values diverse perspectives and cultural heritage.[1137] Laws against discrimination in education explicitly mandate that educational institutions provide equal opportunities and access to education for all, regardless of cultural or ethnic background.[1138] They prohibit the perpetuation of biases or the side-lining of non-Western, indigenous, and marginalized voices.

In nations with indigenous populations, there are legal recognition of the rights of indigenous communities, including the preservation of their cultural heritage and knowledge systems. These legal provisions can mandate the integration of indigenous perspectives and knowledge into the curriculum. The curriculum transformation to decolonize the curriculum is justified in legal terms by its alignment with the aforementioned legal frameworks and principles.

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[1135] García-Peñalvo, F.J., 2021. Avoiding the dark side of digital transformation in teaching. An institutional reference framework for eLearning in higher education. *Sustainability*, *13*(4), p.2023.
[1136] García-Peñalvo, F.J., 2021. Avoiding the dark side of digital transformation in teaching. An institutional reference framework for eLearning in higher education. *Sustainability*, *13*(4), p.2023.
[1137] McNulty, S., 2018. Embedded exclusions: exploring gender equality in Peru's participatory democratic framework. *Global Discourse*, *8*(3), pp.532-549.
[1138] McNulty, S., 2018. Embedded exclusions: exploring gender equality in Peru's participatory democratic framework. *Global Discourse*, *8*(3), pp.532-549.

The deliberate removal of Eurocentric biases reflects the principle of non-discrimination in education. It ensures that no cultural or intellectual perspective is favoured over others, and that all students have equal access to a curriculum that respects their backgrounds and identities. The inclusion of indigenous knowledge systems is legally supported by the recognition of indigenous rights. Indigenous communities often have legal protections for their cultural heritage, and the curriculum transformation acknowledges and respects these rights.

Legal obligations to promote cultural diversity and inclusivity in education are met through the inclusion of diverse perspectives. By embracing a broad spectrum of voices, the curriculum becomes a legally sound tool for fostering cultural sensitivity and promoting a profound understanding of global diversity. The legal framework mandates equity and representation in education. By rectifying historical imbalances and ensuring that diverse perspectives are represented, the curriculum transformation aligns with these legal requirements.

### 5.3.2. Adapting the Curriculum to be Inclusive for Learners with Disabilities

International and national legal instruments universally recognize the right to education for all individuals, without discrimination.[1139] This includes people with disabilities, and it obliges educational institutions to provide equal access to education. Many countries have laws and policies that explicitly prohibit discrimination on the basis of disability. These legal provisions require educational institutions to ensure that students with disabilities are not disadvantaged in any way. Legal frameworks, such as the Americans with Disabilities Act (ADA) in the United States, require that reasonable accommodations be made to ensure equal access to educational opportunities for individuals with disabilities.[1140]

[1139] Singh, K., 2014. Right to education and equality of educational opportunities. *Journal of International Cooperation in Education*, *16*(2), pp.5-19.
[1140] Iezzoni, L.I., Rao, S.R., Ressalam, J., Bolcic-Jankovic, D., Agaronnik, N.D., Lagu, T., Pendo, E. and Campbell, E.G., 2022. US Physicians' Knowledge about the Americans with Disabilities Act and Accommodation of Patients with Disability: Study examines what physicians know about the Americans with Disabilities Act and what is done to accommodate patients with a disability. *Health Affairs*, *41*(1), pp.96-104.

The described curriculum adaptation is aligned with the fundamental right to education by ensuring that all students, including those with disabilities, have equal access to educational materials and opportunities. It complies with anti-discrimination laws by removing barriers and ensuring that students with disabilities are not subjected to discrimination within the educational environment.

The adaptation's commitment to universal design reflects a legal requirement to create inclusive learning environments. Universal design principles emphasize that educational materials and resources should be accessible to the widest range of students, promoting inclusivity and non-discrimination. The curriculum adaptation promotes social justice by ensuring that every learner, regardless of their physical, sensory, or cognitive abilities, can access a quality education. It aligns with legal obligations to promote equitable educational opportunities.

### 5.3.3. Shifting from Rote Memorization to Critical Thinking

Legal frameworks around the world recognize the right to a quality education. This includes not just access to education but access to education that equips students with the necessary skills and knowledge to thrive in a rapidly changing world.[1141] Legal provisions often require that education is provided without discrimination and that all students have access to equitable educational opportunities.[1142] Focusing on critical thinking ensures that educational methods are inclusive and promote equal opportunities for all students.

The described curriculum transformation aligns with the legal mandate to provide quality education. By prioritizing critical thinking over rote memorization, educational institutions ensure that students are equipped with the higher-order cognitive skills required for the challenges of the 21st century.[1143] The shift from rote memorization to critical thinking prevents discrimination in education by providing an inclusive learning

[1141] Westwood, P., 2018. *Inclusive and adaptive teaching: Meeting the challenge of diversity in the classroom*. Routledge.
[1142] Westwood, P., 2018. *Inclusive and adaptive teaching: Meeting the challenge of diversity in the classroom*. Routledge.
[1143] Westwood, P., 2018. *Inclusive and adaptive teaching: Meeting the challenge of diversity in the classroom*. Routledge.

environment. It ensures that all students, regardless of their background or abilities, have access to education that promotes analytical and critical thinking skills.[1144]

In the modern legal and policy context, education is seen as a means to prepare students for the complex challenges of the 21st century. Critical thinking is highly valued in both academic and professional contexts, and the curriculum's emphasis on critical thinking aligns with this goal. Legal frameworks also emphasize the empowerment of learners to think independently, make informed decisions, and solve complex problems. Critical thinking is central to these objectives and supports the legal requirement for educational institutions to foster these skills.

### 5.3.4. Aligning the Curriculum with Industry Needs

Legal frameworks universally recognize the right to education, which includes the right to education that prepares individuals for meaningful participation in the workforce. This right implies that educational institutions must provide programs that equip students with skills and knowledge relevant to employment opportunities. Labour and employment laws often emphasize the importance of workforce development and employability. These legal provisions may require educational institutions to align their curricula with the needs of the job market to support individuals in their pursuit of employment.

The curriculum change aligns with the legal mandate to provide education that prepares individuals for the job market. It ensures that educational programs are responsive to the demands of employers and industries, thereby promoting the right to education that leads to meaningful employment. By aligning the curriculum with industry needs, educational institutions help prevent discrimination in employment by ensuring that all students, regardless of their backgrounds or abilities, have access to education that equips them with relevant skills and knowledge.

Legal frameworks often emphasize the importance of workforce development and employability. The described change supports these legal requirements by directly

[1144] Westwood, P., 2018. *Inclusive and adaptive teaching: Meeting the challenge of diversity in the classroom*. Routledge.

responding to the demands of the job market and fostering graduates' readiness for employment. Aligning the curriculum with industry needs fosters strong partnerships between educational institutions and industries, supporting economic development. This is in line with the legal imperative to promote economic growth and prosperity.

### 5.3.5. Encouraging the Use of Multiple Languages in Education

The importance of encouraging the use of multiple languages in educational settings, emphasizing linguistic diversity, and the value of regional, indigenous, or minority languages alongside dominant or official languages. The deliberate shift towards multilingualism in education aims to foster linguistic inclusivity and acknowledge the cultural richness associated with language diversity.[1145] This comprehensive exploration of the benefits, challenges, and strategies for implementing multilingual education, underscoring its significance in promoting a more inclusive and culturally diverse educational landscape.[1146]

In a rapidly globalizing world, the notion of monolingualism in education is increasingly inadequate. Encouraging the use of multiple languages in educational settings represents a deliberate shift towards embracing linguistic diversity and recognizing the value of all languages within a given community.[1147] This approach encompasses not only dominant or official languages but also regional, indigenous, or minority languages. The overarching goal is to promote linguistic inclusivity and acknowledge the cultural richness embedded in language diversity.[1148]

Multilingual education fosters linguistic inclusivity by accommodating and respecting the linguistic backgrounds of all learners. It ensures that individuals are not marginalized or disadvantaged due to their native languages, thereby promoting equal

[1145] Zein, S., 2019. English, multilingualism and globalisation in Indonesia: A love triangle: Why Indonesia should move towards multilingual education. *English Today*, *35*(1), pp.48-53.
[1146] Zein, S., 2019. English, multilingualism and globalisation in Indonesia: A love triangle: Why Indonesia should move towards multilingual education. *English Today*, *35*(1), pp.48-53.
[1147] Zein, S., 2019. English, multilingualism and globalisation in Indonesia: A love triangle: Why Indonesia should move towards multilingual education. *English Today*, *35*(1), pp.48-53.
[1148] Zein, S., 2019. English, multilingualism and globalisation in Indonesia: A love triangle: Why Indonesia should move towards multilingual education. *English Today*, *35*(1), pp.48-53.

access to educational opportunities. This inclusivity can enhance educational outcomes and promote a sense of belonging among diverse student populations.

One of the primary challenges in implementing multilingual education is the allocation of resources. Developing and maintaining educational materials, teacher training programs, and assessment tools in multiple languages can be costly. This requires a commitment from educational authorities to invest in the necessary resources. The educational systems often resisting change, and the shift towards multilingualism may face opposition from traditionalists. Convincing stakeholders of the benefits and necessity of multilingual education can be a formidable task.

The encouragement of the use of multiple languages in education can be rooted in various legal and policy frameworks, both at the national and international levels. Many countries have constitutional provisions that recognize linguistic diversity and the rights of linguistic and cultural minorities.[1149] These provisions often mandate the protection and promotion of minority languages in education. International conventions, such as the United Nations' Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights, emphasize the right to education and the importance of preserving linguistic diversity.

Many nations have specific language policies that promote the use of multiple languages in education. These policies may include provisions for bilingual or multilingual education, particularly in regions with linguistic diversity. In some countries, educational laws and regulations may mandate the inclusion of regional or indigenous languages in the curriculum, ensuring that linguistic diversity is integrated into the formal education system.

### 5.3.6. Focusing on Values, Ethics, and Social Responsibility

Legal systems often provide different legal structures for businesses and organizations, each with its own rights, responsibilities, and purposes. For example,

[1149] Zein, S., 2019. English, multilingualism and globalisation in Indonesia: A love triangle: Why Indonesia should move towards multilingual education. *English Today*, *35*(1), pp.48-53.

in the case of corporations, their legal purpose traditionally revolves around profit maximization. However, some jurisdictions have recognized the legal entity forms, such as benefit corporations or social enterprises that prioritize social and environmental goals alongside financial profits.

Many legal systems have introduced regulations and standards related to ethical business conduct, social responsibility, and environmental sustainability. Compliance with these regulations is often a legal requirement. Non-profit organizations are subject to specific legal regulations that emphasize their social and charitable missions. A change in legal form to prioritize values, ethics, and social responsibility aligns with the legal entity's purpose and structure. It reflects a commitment to operating in a manner consistent with the entity's legal obligations and mission, whether it's a for-profit business or a non-profit organization. Emphasizing values, ethics, and social responsibility ensures compliance with legal and regulatory requirements related to ethical business conduct and sustainability.[1150] TVET colleges that prioritize these principles are more likely to meet legal obligations and avoid legal challenges related to unethical or environmentally harmful activities.[1151] The change underscores a commitment to considering the broader societal and environmental impacts of an organization's activities.[1152] Legal systems increasingly recognize the importance of assessing and mitigating the social and environmental effects of business operations.

Aligning with principles of ethical business, sustainability, and responsible corporate citizenship, the change aims to create lasting value beyond financial profits. In some legal jurisdictions, there are explicit provisions that allow or encourage businesses to prioritize such values and objectives. In essence, a change in legal form to emphasize values, ethics, and social responsibility is legally justified by its alignment with the legal entity's purpose, compliance with ethical and environmental regulations, and recognition of the broader social and environmental impact of organizational activities.

[1150] Scherer, A.G., Rasche, A., Palazzo, G. and Spicer, A., 2016. Managing for political corporate social responsibility: New challenges and directions for PCSR 2.0. *Journal of management studies*, *53*(3), pp.273-298.
[1151] Scherer, A.G., Rasche, A., Palazzo, G. and Spicer, A., 2016. Managing for political corporate social responsibility: New challenges and directions for PCSR 2.0. *Journal of management studies*, *53*(3), pp.273-298.
[1152] Scherer, A.G., Rasche, A., Palazzo, G. and Spicer, A., 2016. Managing for political corporate social responsibility: New challenges and directions for PCSR 2.0. *Journal of management studies*, *53*(3), pp.273-298.

It reflects a commitment to fulfilling legal obligations while striving to create lasting value that extends beyond financial profit.

### 5.3.7. Incorporating Technology into the Curriculum

The right to education, recognized in various international and national legal instruments, includes the right to access and benefit from quality education. As technology plays an increasingly important role in education, legal systems recognize the importance of providing students with modern and relevant learning tools and resources. Many legal frameworks emphasize the principle of digital inclusion, which ensures that individuals have equal access to digital technologies and online resources. Incorporating technology into the curriculum can be seen as a means to promote digital inclusion in education. The incorporation of technology aligns with the legal requirement to provide quality education. It ensures that students have access to modern tools and resources that enhance the learning experience and prepare them for the digital age.

In a legal context, the curriculum change can be framed as a step toward digital inclusion in education, ensuring that all students have the opportunity to develop digital literacy and skills necessary for the modern workforce. Legal frameworks require that digital resources and technologies are made accessible to individuals with disabilities. Incorporating technology into the curriculum can support these legal obligations by providing accessible digital learning materials and tools. Many legal systems recognize the importance of preparing students for the digital economy. By incorporating technology, educational institutions can fulfil their legal obligations to equip students with the skills and knowledge needed for the job market.

### 5.3.8. Involving Stakeholders in Curriculum Development

Legal frameworks recognize the right to participation in decision-making processes, including those related to education. This right implies that relevant stakeholders, such as students, parents, teachers, and community members, should have a say in

matters concerning educational policies and curriculum development.[1153] In some legal systems, governance structures for educational institutions mandate the involvement of stakeholders. Boards, councils, or committees responsible for overseeing educational matters may include representation from various stakeholder groups.

Involving stakeholders in curriculum development aligns with the legal principle of the right to participation. It ensures that individuals and groups affected by educational decisions have an opportunity to voice their opinions and contribute to the development of policies and curricula.[1154] Legal frameworks must emphasize transparency and accountability in education. Involving stakeholders in curriculum development promotes transparency by making the process more accessible to the public. It also enhances accountability by ensuring that educational decisions are made with the inputs of those they impact. In regions with diverse cultural backgrounds, involving stakeholders can be seen as a legal obligation to respect and incorporate cultural perspectives in the curriculum. This promotes cultural relevance and sensitivity in education.

Legal systems may require educational institutions to provide inclusive education that caters to the diverse needs of students. Involving stakeholders helps identify these needs and create curricula that accommodate different learning styles and abilities. By involving stakeholders, educational institutions can comply with legal requirements related to quality assurance in education. Stakeholder inputs can lead to the development of curricula that meet high standards and fulfil legal obligations regarding the quality of education.

In essence, involving stakeholders in curriculum development is legally justified by its alignment with the right to participation, principles of transparency and accountability, cultural relevance, inclusive education, and quality assurance in education. It ensures

[1153] Ball, S.J., 2016. Education, justice and democracy: The struggle over ignorance and opportunity. *Reimagining the purpose of schools and educational organisations: Developing critical thinking, agency, beliefs in schools and educational organisations*, pp.189-205.
[1154] Ball, S.J., 2016. Education, justice and democracy: The struggle over ignorance and opportunity. *Reimagining the purpose of schools and educational organisations: Developing critical thinking, agency, beliefs in schools and educational organisations*, pp.189-205.

that educational institutions fulfil their legal obligations and create curricula that meet the needs of students and the broader community.

### 5.3.9. Solutions to changes and transformation in the curriculum

The right to education is a fundamental human right recognized in numerous international and national legal instruments. This right obliges governments and educational institutions, including TVET colleges, to provide accessible, equitable, and quality education to all individuals without discrimination. Many legal frameworks prohibit discrimination on the grounds of race, ethnicity, culture, or disability. Diversifying curriculum content and offering inclusive education practices align with these anti-discrimination obligations by ensuring that educational opportunities are provided without bias.

In regions with diverse cultural and linguistic backgrounds, laws and policies may protect the cultural and linguistic rights of communities. Involving local communities in curriculum development respects and upholds these rights, ensuring that education is culturally sensitive and relevant. Legal provisions, such as the United Nations Convention on the Rights of Persons with Disabilities, emphasize the rights of individuals with disabilities, including the right to inclusive education.[1155] Providing training for educators on inclusive teaching practices is essential to comply with these obligations and ensure that all students, regardless of their backgrounds or abilities, can access education.

The proposed solution aligns with the legal mandate to provide quality education. Diversifying curriculum content and involving local communities enhance the educational experience, making it more relevant, engaging, and culturally sensitive. Diversifying curriculum content and providing inclusive education practices help prevent discrimination in education, ensuring that all students have an equal opportunity to learn and succeed. Involving local communities in curriculum development respects the cultural and linguistic rights of communities. It promotes

[1155] Kanter, A.S., 2009. The United Nations Convention on the Rights of Persons with Disabilities and its implications for the rights of elderly people under international law. *Georgia State University Law Review*, *25*(3), p.527.

cultural diversity and the preservation of cultural heritage, in line with legal requirements. Training educators on inclusive teaching practices supports the legal requirement to provide education without discrimination based on disability. It ensures that students with disabilities can participate fully in the educational process.

The solutions in a legal context to ensure equal access to education for individuals with disabilities, in alignment with international and national legal instruments, anti-discrimination laws, and principles of universal design. Educational institutions must adhere to specific disability laws and regulations in South Africa. These laws should mandate that reasonable accommodations be made to provide equal access to educational opportunities for individuals with disabilities. Legal frameworks should establish clear accessibility standards for educational materials and resources. These standards may include requirements for accessible digital content, physical infrastructure, and classroom accommodations.

Furthermore, educational institutions should provide reasonable accommodations to address the individual needs of students with disabilities. Legal requirements may stipulate the nature and scope of accommodations, ensuring that they are effective in removing barriers to access. This legal framework can also mandate the adoption of inclusive education policies at both national and institutional levels. These policies promote the inclusion of students with disabilities in mainstream educational settings and guide the provision of appropriate support. However, the legal authorities should establish mechanisms for monitoring compliance with disability laws and accessibility standards. Enforcement mechanisms, such as penalties for non-compliance, may be implemented to ensure that educational institutions meet their legal obligations.

TVET colleges' legal requirements should mandate training for educators and staff on disability awareness, inclusive teaching practices, and the use of assistive technologies. This ensures that educational professionals are equipped to support students with disabilities effectively. Legal provisions can require educational institutions to adopt and provide accessible technologies, software, and learning management systems. These technologies should meet specific accessibility standards to ensure that all students, including those with disabilities, can use them effectively. The Department of Higher Education and Training should establish

complaint and redress mechanisms that allow students with disabilities to report issues related to accessibility or discrimination. These mechanisms enable affected individuals to seek legal remedies when their rights are violated.

Laws should mandate periodic review and revision of accessibility standards and accommodation policies to ensure they remain up-to-date with technological advancements and changing needs of students with disabilities. By implementing these legal solutions, educational institutions can create an environment that ensures equal access to education for individuals with disabilities and fulfils their legal obligations to promote inclusivity, non-discrimination, and equitable educational opportunities. Furthermore, the Department of Higher Education and Training should establish clear standards for the quality of education. These standards should encompass the development of critical thinking skills, ensuring that education is not merely about memorization but equips students with the ability to analyse, evaluate, and synthesize information. Legal provisions that prohibit discrimination should explicitly extend to educational settings. These laws should emphasize that all students, regardless of their background or abilities, must have equal access to educational opportunities that promote critical thinking skills.

Legal mandates should require the adoption of inclusive education policies that promote the inclusion of students with diverse backgrounds and abilities. Such policies guide the development of curricula that cater to different learning styles and abilities.
Teacher Training and Development. Legal requirements should mandate ongoing training and development for educators. This training should include the promotion of critical thinking in pedagogy, helping educators foster the development of higher-order cognitive skills in students. Legal provisions can promote assessment methods that evaluate critical thinking skills, moving away from rote memorization-based testing. This encourages educators to teach and assess these skills and allows students to demonstrate their analytical abilities. Legal frameworks should emphasize the empowerment of learners to think independently, make informed decisions, and solve complex problems. These legal requirements must be embedded in educational policies and practices.

Legal mandates may encourage interdisciplinary approaches to education. This can facilitate the development of critical thinking by exposing students to diverse perspectives and problem-solving methodologies. Legal systems should establish mechanisms for the periodic review and adaptation of educational policies and curricula to ensure they remain relevant to the evolving needs of the 21st century. By implementing these legal solutions, educational institutions can meet their legal obligations to provide quality education, promote non-discrimination, and ensure that all students have access to opportunities that foster critical thinking skills. Additionally, these solutions empower learners to succeed in a rapidly changing world by equipping them with the necessary cognitive skills for complex challenges.

The legal solutions to align educational curricula with industry needs and promote employability, in accordance with international and national legal frameworks, labour and employment laws, and economic development objectives. Legal frameworks should establish standards for workforce development in education. These standards should ensure that educational programs equip students with skills and knowledge that align with the demands of the job market. Legal mandates require educational institutions to align their curricula with industry needs. This alignment should be based on input from relevant stakeholders, including employers and industry experts.
Partnerships with Industries:

The TVET legal requirements should encourage and facilitate partnerships between educational institutions and industries. These partnerships can include internships, apprenticeships, and collaborations on curriculum development to bridge the gap between education and employment. The TVET legal frameworks also require educational programs to incorporate internships or practical training to provide students with real-world experience and exposure to industry practices. This legal framework require educational institutions have access to resources, technology, and equipment necessary to teach industry-relevant skills. Th is can help students gain practical experience. The TVET colleges must promote the establishment of job placement services within educational institutions to assist students in transitioning from education to employment.

Legal systems should establish accreditation and quality assurance mechanisms to ensure that educational programs are aligned with industry needs and meet defined standards for workforce development. Legal provisions should reinforce anti-discrimination and equal opportunity principles in employment. This ensures that graduates of educational programs, regardless of their backgrounds or abilities, have access to job opportunities based on their qualifications and skills.

Legal frameworks can encourage educational institutions to contribute to economic development by producing job-ready graduates who meet the needs of local industries. This supports the legal imperative to promote economic growth and prosperity. By implementing these legal solutions, educational institutions can meet their legal obligations to prepare students for meaningful participation in the workforce. These solutions also promote economic development by aligning education with industry needs, fostering strong partnerships and supporting employability.

The TVET legal frameworks should recognize and protect linguistic diversity as a fundamental right. Constitutional provisions explicitly acknowledge the rights of linguistic and cultural minorities, ensuring their languages are respected, preserved, and promoted in education. These provisions require the development and implementation of language policies that promote multilingual education. These policies may include provisions for bilingual or multilingual education, particularly in regions with linguistic diversity. Legal requirements should mandate the inclusion of regional or indigenous languages in the curriculum, ensuring that linguistic diversity is integrated into the formal education system. This promotes linguistic inclusivity and cultural richness.

Legal provisions should ensure the allocation of resources for developing and maintaining educational materials, teacher training programs, and assessment tools in multiple languages. These allocations are essential to support the implementation of multilingual education. Legal systems can introduce laws that specifically address and promote bilingual or multilingual education. These laws should detail the rights and responsibilities of educational institutions in facilitating multilingual learning environments. Legal frameworks at the national level should adhere to and implement international conventions and treaties that emphasize linguistic rights and the

preservation of linguistic diversity. This includes conventions like the United Nations' Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights.

The Department of Higher Education, Science and Technology should establish mechanisms for monitoring compliance with language policies and curricular inclusion in TVET colleges. Enforcement mechanisms, such as penalties for non-compliance, may be implemented to ensure that educational institutions meet their legal obligations to promote linguistic diversity. These legal mandates can require educational authorities to engage with relevant stakeholders, including linguistic and cultural minority communities, in the development and implementation of language policies and curricula. This promotes inclusivity and ensures that the voices of affected communities are heard. Legal systems should encourage public awareness and advocacy campaigns that promote the benefits of linguistic diversity in education. These campaigns can help build support for multilingual education and overcome resistance to change. By implementing these legal solutions, educational institutions and governments can meet their legal obligations to recognize, protect, and promote linguistic diversity. These solutions ensure linguistic inclusivity, cultural richness, and equal access to educational opportunities for all, regardless of their linguistic backgrounds.

TVET colleges should maintain open, consistent, and legally compliant lines of communication with all parties affected by a particular legal matter or entity. In many legal contexts, transparency and the exchange of information are required by law to ensure that stakeholders are adequately informed and have the opportunity to express their concerns or interests. In a legal context, conducting needs assessments can be considered a due diligence measure. It involves a systematic and legally rigorous process of gathering data and feedback from stakeholders to identify their specific needs, rights, or legal interests. This step can help ensure compliance with legal obligations and can serve as evidence of a proactive approach to addressing legal responsibilities. TVET legal principles require equal treatment and non-discrimination. Ensuring representation from diverse communities is a way to demonstrate commitment to these principles. In some legal cases, diversity and inclusivity may be mandated by laws or regulations, such as anti-discrimination or affirmative action

requirements. Fostering diverse representation helps mitigate legal risks related to bias or discrimination.

## 5.4. CAPACITY AND TALENT OF LEADERS TO LEAD CURRRICULAR REFORM

One key challenge that South Africa faces is the lack of leadership with the requisite skills to tackle the country's developmental challenges effectively. To bridge this skills gap, it is imperative that the VET system undergoes transformation to produce graduates who are not only well-equipped with practical skills but also possess the ability to lead and innovate across various sectors of the economy. Moll, Steinberg, Broekmann, Gewer, Bialobrzeska, M. and Allais, S., underscore crucial aspects of educational leadership in the context of Technical and Vocational Education and Training (TVET) institutions. Their insights have legal implications, particularly in the context of educational policy and governance. Moll et al highlight the importance of educational leaders in TVET institutions being aware of both global educational trends and the need for national and institutional transformation.[1156] This perspective aligns with legal mandates for educational institutions to meet the evolving needs of students and the workforce. In many jurisdictions, there are legal obligations to ensure that educational programs are aligned with the changing demands of the economy and industry. Educational leaders and managers must adapt to changing trends to ensure that students receive the best learning opportunities.[1157] Legal obligations in education require institutions to provide a high-quality education, which includes staying current with educational best practices and innovations.

Moll et al, acknowledge that TVET issues are influenced by competing national and international needs arising from rapid environmental changes.[1158] In a legal context,

[1156] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1157] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1158] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).

this underscores the complexity of policymaking in education, as leaders must balance various obligations, such as adhering to national laws and international agreements. The idea that TVET college leadership does not have to lead from the front but rather from behind highlights a collaborative and non-coercive approach to leadership.[1159] In the legal context, this approach is consistent with principles of non-discrimination, equity, and respect for the rights and dignity of all stakeholders, as leadership is about persuasion and influence rather than force.

In a legal context, the capacity and talents of leaders to lead curricular reform are vital aspects of ensuring that educational institutions comply with legal standards and regulations while effectively implementing changes in their curriculum.[1160] TVET colleges, whether they are public or private, are subject to a wide array of legal standards and regulations. These laws encompass areas such as academic quality, student rights, non-discrimination, and adherence to state or national curriculum guidelines. Leaders responsible for curricular reform must possess the capacity to navigate this complex legal landscape, ensuring that the reform process complies with all applicable laws.[1161]

Leaders spearheading curricular reform should have a deep understanding of education laws and regulations. They must interpret these policies correctly to ensure that any changes made to the curriculum align with legal requirements. This includes understanding federal, state, and local regulations that may apply to curriculum design, textbook selection, assessment methods, and more. Legal considerations often demand that educational reforms promote equity and inclusion. Leaders must possess the talents to design curricular changes that do not discriminate against any student or group. They may need to incorporate diverse perspectives and ensure that

[1159] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1160] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1161] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).

the curriculum accommodates students with disabilities, English language learners, or those from underrepresented backgrounds.

TVET Legal requirements may mandate that educational institutions engage with various stakeholders, including parents, teachers, and community members, during the curricular reform process.[1162] Talented leaders in this context excel at transparent communication and soliciting feedback, while ensuring the legal rights of all stakeholders are protected. Leaders should possess the capacity to collect and analyse data related to curricular reform.[1163] Legal requirements may demand that institutions demonstrate the effectiveness of their reforms through objective measures. Leaders must be capable of complying with data privacy laws while using data to evaluate the impact of curricular changes.

Leaders need to understand their legal responsibilities and potential liabilities in the context of curricular reform.[1164] They must take steps to mitigate legal risks, such as ensuring that curricular changes do not infringe on intellectual property rights or violate copyright laws. TVET colleges should enter into contracts or agreements with external partners, such as publishers, assessment providers, or software vendors. Leaders must have the capacity to ensure that curricular reform aligns with these contractual obligations and does not breach any legal agreements.

### 5.4.1. Addressing Lack of Capacity and talents of leaders to lead curricular reform

Addressing the lack of capacity and talents of leaders to lead curricular reform in Technical and Vocational Education and Training (TVET) colleges is a critical legal and educational imperative. To do so, educational institutions must adopt a structured

[1162] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1163] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).
[1164] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).

and legally compliant approach to building leadership capacity and expertise. The Department of Higher Education and Training should start to conduct a thorough review of relevant educational laws and regulations at the national, state, and local levels, identify legal requirements pertaining to curriculum development, leadership qualifications, and the responsibilities of TVET college leaders. This ensures that any capacity-building efforts remain in full legal compliance.

This department should implement a comprehensive assessment of the leadership competencies and qualifications necessary for leading curricular reform in TVET colleges. Legal considerations may dictate specific qualifications or credentials required for leadership roles in education. Ensure that the assessment aligns with legal standards. The department should also develop and implement structured legal training programs that equip current and aspiring TVET college leaders with the requisite skills and knowledge to navigate legal aspects of curricular reform.[1165] These programs should include legal courses, workshops, and seminars, covering topics such as education law, compliance, and policy analysis.

The department should ensure that curricular reforms adhere to national and international standards, including legal obligations related to human rights, non-discrimination, and equitable access to education. Legal experts and educational policymakers should be involved to guarantee alignment with relevant legal frameworks. Legal professionals and experts in educational law should be included in leadership teams overseeing curricular reform. They can provide essential legal guidance and ensure that reform efforts stay within the bounds of the law.

Furthermore, the department of higher education and training should establish mechanisms for regular legal audits to assess the compliance of curricular reform initiatives with existing legal requirements. This process should include reviewing policies, procedures, and practices to ensure they are legally sound. Implement corrective actions when necessary. Analogous to these, the department of higher

[1165] Moll, I., Steinberg, C., Broekmann, I., Gewer, A., Bialobrzeska, M. and Allais, S., 2005. *Being a Vocational Educator: A guide for lecturers in FET colleges*. South African Institute for Distance Education (SAIDE).

education and training should foster strong relationships with legal authorities, governmental agencies, and relevant stakeholders involved in education. The lines of communication should be maintained to ensure that these entities comply with the legal framework.

TVET colleges should ensure that educational leaders have access to legal resources, such as educational legal counsel, for guidance and assistance in addressing legal challenges that may arise during curricular reform. Transparency in decision-making, policy development, and implementation is essential to ensure accountability and legal compliance. By following this structured approach, TVET colleges can address the lack of leadership capacity and talents while staying in full legal compliance. The legal framework ensures that curricular reform is conducted in accordance with educational laws and regulations, fostering an environment of legal soundness and accountability.

## 5.5. INABILITY TO INVEST IN TVET EDUCATION DUE TO LACK OF ENTHUSIASM AND LOW STATUS

In a legal context, the inability to invest in Technical and Vocational Education and Training (TVET) education due to a lack of enthusiasm and low status can have several legal implications. These implications primarily revolve around issues of equity, access, and compliance with educational and human rights laws. In many legal systems, access to education is considered a fundamental human right. Failure to invest in TVET education due to a lack of enthusiasm and low status may result in violations of these rights, potentially leading to legal challenges. Individuals and communities may argue that their right to access quality education, including TVET programs, is being denied. The legal principles related to non-discrimination and equal protection under the law may come into play. If certain groups or regions are disproportionately affected by the lack of investment in TVET education, it may be deemed discriminatory and in violation of these legal principles.

Governments have legal obligations to provide equitable educational opportunities to their citizens. Failure to invest in TVET education could lead to allegations that the government is not fulfilling its legal mandates, which can have legal repercussions. However, many countries are signatories to international agreements and treaties that

uphold the right to education and the importance of vocational and technical training. Failure to invest in TVET education may put a country in breach of its international commitments, potentially leading to diplomatic or legal consequences.

TVET education is essential for providing individuals with the skills and knowledge necessary to access economic opportunities. Legal frameworks often emphasize the importance of economic empowerment and employment as part of the right to education. When enthusiasm and status issues hinder investment in TVET education, affected individuals or advocacy groups may resort to legal challenges to compel government or educational authorities to take action. These legal challenges can result in court cases, investigations, and potential legal remedies. Educational laws and regulations often require that education, including TVET programs, meet certain quality standards. If the lack of investment leads to a decline in the quality of education, this could be legally challenged. The allocation of resources, including budgeting for educational programs, is a subject to legal oversight and public scrutiny. Failure to invest in TVET education may be questioned regarding compliance with legal requirements for resource allocation and budgeting.

### 5.5.1. Addressing Inability to invest in TVET education due to a lack of enthusiasm and low status

Addressing the inability to invest in TVET education due to a lack of enthusiasm and low status in a legal way involves a multi-faceted approach to ensure compliance with educational and human rights laws. The Department of Higher Education, Science and Technology should conduct a comprehensive legal review to identify existing laws, regulations, and international agreements related to education, human rights, and equal access. This will enable TVET colleges to comply with the legal frameworks. The department should raise public awareness about the importance of TVET education and its role in national development and economic growth.

The department should work with legislative bodies to develop, amend, or strengthen education policies to reflect the importance of TVET education. The department should ensure that these policies support the legal right to access TVET programs and

promote their significance in the educational system. The department should advocate for increased resource allocation and budgeting for TVET programs to address infrastructure, staffing, curriculum development, and other critical aspects. Legal obligations may require equitable resource distribution across different educational sectors.

The department of higher education, science and technology should ensure that TVET curricula are aligned with industry demands and that they meet legal requirements for educational quality. The department should conduct regular legal reviews of curricula to confirm alignment with national educational standards. Engaging with a wide range of stakeholders, including industry leaders, educational institutions, students, and parents, to collaboratively design TVET programs that meet both legal requirements and industry needs. Legal obligations emphasize consultation and participation in decision-making. The department should implement a legal strategy to promote TVET institutions and the value they bring to the community. Legal standards may require public education campaigns to counteract the perception of low status associated with TVET.

Furthermore, the department should establish mechanisms for quality assurance and accreditation in TVET education, ensuring that programs meet legal requirements for educational quality and excellence. To address issues related to unequal access by taking legal actions to ensure that all students have an equal opportunity to pursue TVET education. Legal frameworks prohibit discrimination in educational opportunities. Despite these, the department should implement a robust system for monitoring and evaluating the impact of investments in TVET education. Legal requirements may mandate periodic assessments of educational programs to ensure their effectiveness and compliance with the law.

The department should advocate for legislation that provides incentives for students, institutions, and industries to invest in TVET education. Legal frameworks can introduce tax incentives, scholarships, and other mechanisms to promote TVET. Furthermore, the TVET colleges should collaborate with international organizations and educational institutions to share best practices and resources for enhancing TVET education. They should ensure that these partnerships align with legal obligations and

international agreements. By implementing these legal and policy-based steps, it's possible to address the inability to invest in TVET education due to a lack of enthusiasm and low status while staying in compliance with educational laws and human rights principles. This approach not only enhances the status of TVET education but also ensures equitable access and quality in educational opportunities.

## 5.6. PROGRAM INADEQUACIES IN TERMS OF QUALITY, QUANTITY AND DIVERSITY

In a legal context, the term "program inadequacies" typically refers to deficiencies or shortcomings within a particular program, often in the context of government or institutional initiatives. These inadequacies can manifest in various ways, including issues related to quality, quantity, and diversity. Quality inadequacies pertain to situations where a program fails to meet established standards or expectations in terms of performance, effectiveness, or adherence to applicable regulations.[1166] If the program is governed by a contract, and the quality of services or deliverables falls short of what was promised, it may constitute a breach of contract. When the program's quality inadequacies result in harm or damages, legal claims for negligence may arise. However, if the program is subject to specific regulations, non-compliance could lead to legal consequences.

Quantity inadequacies refer to situations where a program does not provide a sufficient amount of services, benefits, or resources to meet its intended objectives or serve its target population.[1167] If certain groups or individuals are disproportionately excluded from the program due to insufficient quantity, claims of discrimination may emerge.[1168] In cases where there is a duty to manage resources effectively, a failure to provide an adequate quantity could result in allegations of breaching fiduciary responsibilities.[1169]

[1166] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.
[1167] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.
[1168] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.
[1169] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.

Lewis, indicate that diversity inadequacies refer to programs that lack inclusivity, representation, or opportunities for a diverse range of participants or beneficiaries.[1170] If a program fails to adequately consider diversity and inclusion, it might face discrimination claims under anti-discrimination laws. However, if diversity inadequacies result in unequal treatment, legal challenges on the basis of equal protection under the law may arise.[1171] In any case of program inadequacies, it is essential to consult with legal experts to determine the specific legal implications and potential remedies available. Legal actions may vary based on the governing laws, contractual agreements, and the specific circumstances surrounding the program in question. Furthermore, it is essential to thoroughly document and assess these inadequacies to support any potential legal claims or actions.

Insufficiencies in the quality, quantity, and diversity of program offerings are prevalent in TVET colleges. This situation significantly impacts adults and young individuals who discontinued their formal education at an early stage, thus limiting their educational prospects. As stated by McGrath, those individuals who have failed to attain a Grade 12 certificate or do not meet the admission and selection standards for higher education encounter restricted opportunities to make up for the educational gaps they experienced.[1172] Furthermore, McGrath, have pointed out that certain TVET courses are outdated, leading to a situation where many graduates fail to acquire formal employment.[1173] The array of programs offered by TVET colleges often seems disconnected from the present and future employment prospects.[1174] As per the observations of McGrath, the educational focus within the TVET college sector should be on preparing learners for the world of work.[1175] This preparation takes several forms, including programs designed for youth who are yet to enter the labour market, catering to both formal and informal sector employment as well as self-

[1170] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.
[1171] Lewis, W.E., 2017. *Software testing and continuous quality improvement*. CRC press.
[1172] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1173] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1174] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1175] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.

employment.[1176] It also includes courses for employed workers seeking to acquire new or improved skills in response to technological advancements and retraining programs for individuals who have experienced job loss.[1177]

The issue confronting TVET institutes in South Africa pertains to the provision of outdated educational programs. As noted by Papier et al, there exists a widespread concern among employers and academics regarding the nature of education delivered by certain TVET colleges.[1178] Consequently, both employers and educators advocate for a curriculum that aligns education with the demands of the industrial sector.[1179]
To enhance the employability of TVET graduates, it is imperative that these institutions impart a combination of theoretical and practical skills training. This viewpoint is shared by Papier, who concurs with McGrath, emphasizing that elevating the quality of education in the country necessitates collaborative efforts among TVET colleges, workplaces, government entities, and other social partners in curriculum development.[1180]

The significance of the TVET college sector hinges on the coherence of its systems and external linkages to higher education and employment. The efficacy of TVET systems in interfacing with the world of work and the extent to which they grant meaningful access to further and higher education are crucial parameters assessed on a global scale. According to Badroodien, TVET systems in South Africa have faltered in both these aspects.[1181] The inadequacy of TVET programs concerning their quality and relevance has resulted in learners being ill-prepared for advanced levels

[1176] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1177] McGrath, S., 2005. Key issues and challenges for transformation. *Vocational Education and Training in Southern Africa. Free download www. hsrcpress. ac. za (Accessed 15 June 2022.)*.
[1178] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1179] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1180] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *CHANGE MANAGEMENT IN TVET COLLEGES*.
[1181] Badroodien, A., 2004. Rac (e) ing poverty and punishment in South Africa, 1920–1970. *Safundi: The Journal of South African and American Comparative Studies*, *5*(1-2), pp.1-26.

of education.[1182] As emphasized by Seekings, the TVET sector has not succeeded in connecting many young learners to genuine employment opportunities in the world of work.[1183] To address this challenge, there is a pressing need to create a meaningful learning pathway for employed adult workers looking to return to formal study. Furthermore, Seekings, underscores that the delayed issuance of credentials to individuals who have successfully completed their studies, or the failure to provide these credentials altogether, exacerbates this predicament.[1184]

### 5.6.1. Addressing Program inadequacies in terms of quality, quantity, and diversity

Addressing program inadequacies in terms of quality, quantity, and diversity in a legally sound manner involves a systematic and compliance-focused approach. The TVET colleges should conduct a comprehensive legal compliance assessment to ensure that the program adheres to all relevant laws, regulations, and contractual obligations. This will identify any existing legal constraints and requirements by reviewing the policies and regulations governing the program to identify areas where improvements are needed to enhance quality, quantity, and diversity. The TVET colleges should engage with key stakeholders, including program participants, educators, regulatory authorities, and legal counsel, to gather insights on program inadequacies and potential legal implications.

The consultation with legal counsel by TVET colleges is necessary to understand the legal framework and implications of program changes and enhancements. This will enable the institutions to comply with laws and regulations applicable and align with them. Despite these posture by TVET colleges, they must also develop a strategic plan for addressing program inadequacies while considering legal constraints. This plan should specify changes necessary to improve quality, quantity, and diversity.

[1182] Badroodien, A., 2004. Rac (e) ing poverty and punishment in South Africa, 1920–1970. *Safundi: The Journal of South African and American Comparative Studies*, *5*(1-2), pp.1-26.
[1183] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1184] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.

TVET colleges should implement and maintain anti-discrimination and diversity policies that are compliant with applicable laws and regulations. These policies should ensure equal access to program opportunities.

The TVET colleges must ensure that the allocation of financial and human resources for program enhancements is in accordance with applicable budgetary and funding regulations. The department of higher education, science and technology should establish a system for ongoing monitoring of program changes, with a focus on legal compliance and regularly report on the progress made to relevant regulatory bodies and stakeholders. This will ensure compliance with legal obligations related to staff training and professional development, particularly if changes to the program necessitate new competencies. TVET colleges should ensure that program enhancements consider accessibility standards, particularly for individuals with disabilities, in accordance with applicable accessibility laws. TVET colleges must assess potential legal risks associated with program changes and take steps to mitigate them. Understand the liability framework and ensure necessary insurance coverage.

TVET colleges should communicate program changes, improvements, and legal compliance efforts to all stakeholders, including participants, families, and regulatory authorities. Before implementing program changes, ensure that all related documentation, including contracts, policies, and procedures, is legally reviewed and approved. The department should maintain ongoing legal oversight and periodically review program compliance to ensure ongoing adherence to laws and regulations. By integrating legal considerations into the process of addressing program inadequacies in quality, quantity, and diversity, organizations can ensure that their efforts not only meet their intended goals but also remain in compliance with the legal framework in which they operate. Legal counsel should play a pivotal role in guiding and reviewing these efforts to minimize legal risks.

## 5.7. LACK OF COHERENCE AND ARTICULATION OF QUALIFICATIONS

In a legal context, the lack of coherence and articulation of qualifications within TVET colleges refers to disconnect and inadequacies in the alignment, structure, and recognition of qualifications offered by these institutions. This lack of coherence and articulation may have legal implications, and addressing it requires legal strategies. The legal framework governing TVET institutions may lack consistency and uniformity, resulting in ambiguities and confusion regarding qualification standards and recognition.[1185] However, the legal issues may arise when qualifications obtained from TVET colleges are not recognized or articulated with other education systems, such as higher education or industry certifications, potentially hindering employment opportunities. The failure of TVET qualifications to align with the requirements and standards set by the National Qualifications Framework can lead to legal non-compliance, impacting the legitimacy of these qualifications.

Inadequate coherence and articulation can impede the transfer of qualifications between institutions, affecting students' mobility and access to educational opportunities, potentially raising legal questions regarding equal access to education.[1186] Legal issues can arise if the quality and consistency of TVET qualifications do not adhere to prescribed accreditation standards, leading to concerns related to program quality and compliance with regulatory requirements.[1187] A lack of coherence in qualifications may lead to unequal treatment and discrimination, which could trigger legal challenges based on principles of equal protection and anti-discrimination laws. Other legal issues may arise when industry-specific regulations and employment requirements do not recognize or articulate TVET qualifications, affecting individuals' rights to pursue certain careers or professions. The legal concept of educational opportunity may be compromised when individuals are denied access to certain educational or employment pathways due to the lack of coherence and articulation in TVET qualifications.

[1185] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1186] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1187] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.

### 5.7.1. Addressing Lack of coherence and articulation of qualifications

Addressing the lack of coherence and articulation of qualifications in TVET colleges within a legal framework requires a comprehensive approach that ensures regulatory compliance, equal access to educational opportunities, and recognition of qualifications. TVET colleges should conduct a thorough review of the existing legal framework governing TVET institutions to identify inconsistencies and ambiguities in qualification standards and recognition. They should do so to ensure that TVET qualifications align with the requirements and standards set by the National Qualifications Framework, and amend regulations to guarantee compliance. The department on behalf of TVET colleges should enact legislation that promotes regulatory consistency and uniformity in qualification structures, recognition, and articulation between TVET colleges, higher education institutions, and industry certifications.[1188]

To address lack of coherence and articulation of qualifications, the department should establish legal mechanisms for articulation agreements between TVET colleges and other educational institutions to facilitate the transfer of qualifications and credits, ensuring students' mobility.[1189] This mandates the legal requirements for regular quality assessments and accreditation processes to ensure the quality and consistency of TVET qualifications, in compliance with regulatory standards. Furthermore, the department should enforce legal provisions that prohibit discrimination based on the source of qualifications, ensuring that TVET qualifications are on par with other forms of education and industry certifications. The department on behalf of TVET colleges should advocate for legal amendments in industry-specific regulations to recognize TVET qualifications, ensuring equal access to careers and professions that require specific qualifications.[1190]

[1188] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1189] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1190] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.

The department of higher education, science and technology should develop and enforce legal provisions that promote equal access to educational opportunities by addressing disparities resulting from the lack of coherence and articulation in TVET qualifications. TVET colleges should create legal avenues for individuals who face challenges due to the inadequacies in qualification articulation, allowing them to seek remedies and appeal decisions that hinder their educational and career progression.[1191] TVET should also assign government bodies with the legal mandate to oversee compliance with qualification articulation standards and enforce regulatory consistency.

TVET should implement public awareness campaigns and educational programs to inform students, educators, and employers about the legal rights and processes related to TVET qualification recognition and articulation. By implementing these legal strategies, TVET colleges can ensure that their qualifications are legally recognized, coherent, and articulated with other educational and industry standards. This promotes educational equity, access, and equal opportunities for students and aligns with the principles of regulatory compliance and non-discrimination. Collaboration among legal experts, policymakers, and educational institutions is crucial to achieving these objectives.

## 5.8. TVET COLLEGES NOT ADAPTING TO MARKET DEMAND

The limited inclination of most TVET colleges to engage with industry beyond a source of funding can have implications related to compliance with educational and labour laws. This situation may also affect the achievement of government development strategies. TVET colleges must operate in compliance with national and regional educational regulations. When they solely view industry as a source of funding, they may neglect the legal requirement to align their educational programs with the needs of the labor market.[1192] Legal actions can be taken if colleges do not meet the mandated educational standards and objectives outlined in applicable regulations.

[1191] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21*.
[1192] Wahba, M., 2012. Technical and vocational education and training (TVET) challenges and priorities in developing countries. *Retrieved February*, *11*, p.2012.

The lack of collaboration between TVET colleges and industry may result in missed opportunities for partnership agreements that can benefit both parties.[1193] Legal frameworks can facilitate and govern such partnerships, including contractual agreements that outline each party's responsibilities, obligations, and benefits. South African labour laws and regulations may require TVET colleges to actively contribute to workforce development.[1194] Failure to establish partnerships with industry to provide the necessary training opportunities may lead to non-compliance with labour laws. To meet the South African government's developmental strategy, TVET colleges have a legal duty to offer training programs that align with the nation's economic development goals.[1195] The absence of collaboration with industry may result in non-compliance with the legal objectives of these strategies.

South Africa's skills development levy system may require companies to contribute to skills development. TVET colleges can legally partner with industry to utilize these levies for training, but failing to do so may lead to missed opportunities and potential legal consequences. In the absence of collaboration with industry, TVET graduates may not have access to salaried jobs as intended by government strategies.[1196] Legal implications may arise if this affects students' employment prospects and income potential. Some industries may have specific legal requirements for workforce training and certification. If TVET colleges do not collaborate with these industries, they may hinder individuals from meeting these legal training requirements, affecting their career paths.

Legal frameworks typically require educational institutions, including TVET colleges, to align their curricula with the needs of the labour market. Failure to do so may result in non-compliance with educational regulations. The legal obligations related to economic development and industrialization may require TVET institutions to play a

[1193] Wahba, M., 2012. Technical and vocational education and training (TVET) challenges and priorities in developing countries. *Retrieved February*, *11*, p.2012.
[1194] Wahba, M., 2012. Technical and vocational education and training (TVET) challenges and priorities in developing countries. *Retrieved February*, *11*, p.2012
[1195] Wahba, M., 2012. Technical and vocational education and training (TVET) challenges and priorities in developing countries. *Retrieved February*, *11*, p.2012
[1196] Wahba, M., 2012. Technical and vocational education and training (TVET) challenges and priorities in developing countries. *Retrieved February*, *11*, p.2012

role in supplying the skilled workforce needed for a country's economic growth.[1197] Failure to fulfil this role may result in non-compliance with economic development laws and goals. The legal frameworks promoting political and social participation often recognize the role of education in empowering individuals to engage in civic life. TVET institutions, by aligning their programs with labour market needs, contribute to this participation.[1198] Non-alignment may hinder social and political participation, potentially leading to legal concerns.[1199]

Government strategies for economic development and education may legally mandate TVET colleges to provide training and education that meets the demands of the labour market. Non-compliance with these legal mandates may have legal consequences for the institutions. Specific industries and job sectors may have legal requirements for the skills and qualifications of their workforce. TVET institutions should ensure that their programs meet these requirements to avoid potential legal challenges.

### 5.8.1. Addressing TVET colleges to adapt to market demands or industry requirements

TVET colleges should conduct regular reviews of their curricula to ensure alignment with industry needs. Legal mandates often require educational programs to meet labour market demands. The legal agreements should be established between TVET colleges and industry stakeholders. These agreements should outline responsibilities, obligations, benefits, and mechanisms for collaboration. This legal framework promotes mutual cooperation and industry engagement. TVET institutions must comply with labour laws that require them to contribute to workforce development and skill acquisition. Collaboration with industry can facilitate this compliance, as it provides training opportunities for students.

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[1197] Kuehn, M., 2019. The South African Technical and Vocational Education and Training System from a German Perspective. In *Balkan Region Conference on Engineering and Business Education*,Vol. 3, No. 1, (pp. 226-234).

[1198] Kuehn, M., 2019. The South African Technical and Vocational Education and Training System from a German Perspective. In *Balkan Region Conference on Engineering and Business Education* ,Vol. 3, No. 1, (pp. 226-234).

[1199] Kuehn, M., 2019. The South African Technical and Vocational Education and Training System from a German Perspective. In *Balkan Region Conference on Engineering and Business Education*, Vol. 3, No. 1, (pp. 226-234).

TVET colleges should actively participate in the achievement of national economic development goals. Legal mandates often require these institutions to produce graduates who are well-prepared for the workforce and economic growth. South Africa's skills development levy system provides financial resources for skills development. TVET colleges can legally partner with industry to utilize these funds for training programs, ensuring alignment with legal requirements. Collaborative efforts with industry can enhance TVET students' access to salaried jobs, aligning with government strategies. Legal implications may arise if students are hindered from employment opportunities, affecting their income potential. TVET colleges should ensure that their programs meet industry-specific legal requirements for workforce training and certification. Compliance with these regulations is essential to help students pursue careers in these sectors. TVET colleges must align their educational programs with labour market needs, adhering to educational regulations that promote relevance and quality. Failure to do so may result in non-compliance with these legal standards.

## 5.9. INADIQUATE FINANCE FOR TVET

The post-apartheid legal framework in South Africa is grounded in principles of equal access and anti-discrimination. It obliges educational institutions, including HEIs, to provide equal opportunities for historically underprivileged communities, irrespective of their racial or ethnic backgrounds. Failure to comply with these legal obligations can lead to legal challenges based on anti-discrimination laws. De Villiers noted the implementation of financial intervention techniques to assist students from historically underprivileged communities in accessing higher education.[1200] These financial support mechanisms often have a legal basis, ensuring that financial barriers do not impede equal access to education.[1201] The legal mandates may require HEIs to take specific measures to eradicate racial gaps in student registration. These measures include additional financial aid for underprivileged students to promote equal access

[1200] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1201] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.

and participation.[1202] Non-compliance may result in legal consequences related to discrimination. Outstanding student debts from the apartheid era poses legal challenges in higher education and training reform.[1203] Legal frameworks must be established to address this debt in a fair and equitable manner. Failure to do so may lead to legal disputes and challenges.

In recent years, South Africa has witnessed unprecedented student protests at universities, initially triggered by tuition fee hikes and demands to remove apartheid-era symbols. However, these protests quickly evolved into a nationwide student movement advocating for free higher education and decolonization. The protests resulted in violent clashes between students, law enforcement, and private security personnel, leading to extensive damages running into hundreds of millions of rands. These student protests serve as a visible symbol of the challenges and shortcomings within South Africa's higher education and training system. Furthermore, they reflect the growing discontent with the country's prevailing conditions, marked by significant inequality, widespread poverty, and substantial youth unemployment.

South African law promotes educational equity, aiming to correct historical disparities in access to education. Ensuring that underprivileged students have access to higher education is a legal requirement, and failure to meet this obligation can result in legal actions. Access to quality education is considered a fundamental human right, and South African law reflects this principle. Legal obligations exist to provide historically disadvantaged communities with access to higher education, and any infringement of these rights may lead to legal consequences. The legal frameworks underpin government initiatives aimed at addressing historical inequalities in education. Non-compliance with these initiatives can result in legal challenges, potentially affecting the implementation of education reform.

[1202] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1203] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.

De Villiers, emphasizes the critical need for financial assistance in the realm of higher education and training.[1204] De Villiers' statement underscores the significance of financial support mechanisms, such as the NSFAS, in addressing the pervasive financial barriers that hinder access to higher education and training.[1205] This initiative is pivotal not only in reducing economic disparities but also in ensuring that the nation's educational landscape reflects the diversity of its population.[1206] De Villiers, acknowledges the significant impacts of the National Student Financial Aid Scheme (NSFAS) allocation in ensuring that students continue to access free education, irrespective of the financial constraints faced by educational institutions.[1207] This is particularly relevant in the context of colleges' adherence to the established bursary standards and rules for the administration of NSFAS, which play a pivotal role in overcoming various obstacles faced by learners in the administration of NSFAS.[1208]

The National Student Financial Aid Scheme (NSFAS) is a noteworthy public organization designed to provide financial assistance to eligible students attending public universities and TVET colleges, particularly those from low-income and working-class households.[1209] This system is recognized as a model public organization, reflecting its effectiveness in addressing financial barriers to education.

De Villiers' observation underscores the critical role played by the NSFAS in ensuring equitable access to education for students facing financial hardships.[1210] The allocation of funds not only allows students to continue their education but also promotes the principle of free education, which is instrumental in reducing disparities in educational opportunities.[1211] The effective implementation of bursary standards and administrative rules by colleges is essential in ensuring that students receive the

[1204] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1205] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1206] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1207] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*.
[1208] The National Student Financial Aid Scheme Act 56 of 1999.
[1209] The National Student Financial Aid Scheme Act 56 of 1999.
[1210] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*
[1211] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS. contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*

support they need. The NSFAS's status as a model public organization reflects its effectiveness in addressing the financial constraints experienced by students from low-income and working-class backgrounds.[1212] This is a significant aspect of South Africa's broader efforts to promote equal access to education and to create opportunities for socioeconomic mobility. De Villiers' sheds light on the critical interplay between financial aid mechanisms like NSFAS, administrative compliance, and the overarching goals of promoting equal access to education and reducing financial barriers for students.[1213] It underscores the importance of such systems in advancing the principles of equity and inclusivity in the educational landscape.

The National Student Financial Aid Scheme (NSFAS) was established as a significant political milestone to address this need, with the primary objective of making higher education and training more accessible and affordable, particularly for individuals from economically disadvantaged backgrounds.[1214] This scheme aims to ensure that the majority of citizens have the principle of access to and affordability of higher education and training.[1215] The NSFAS operates through a combination of state funding and donations from both local and foreign benefactors.[1216] The funding it receives is channeled towards providing bursaries and loans to financially disadvantaged students. The NSFAS represents a critical component of South Africa's efforts to promote inclusivity and equal educational opportunities. By providing financial assistance to those who might otherwise be unable to pursue higher education, it contributes to broader social and economic development goals. This academic perspective acknowledges the role of such initiatives in shaping the educational and socioeconomic landscape of the country.[1217] This multifaceted approach is designed to alleviate the financial burdens on students, promoting equal access to education and training opportunities across South Africa's diverse demographics.[1218]

[1212]"The National Student Financial Aid Scheme Act 56 of 1999.
[1213] De Villiers, P., 2017. The poor and access to higher education in South Africa: The NSFAS contribution. *Unpublished Paper, Stellenbosch University Department of Economics, Stellenbosch*
[1214] The National Student Financial Aid Scheme, 1999.
[1215] The National Student Financial Aid Scheme Act 56 of 1999.
[1216] The National Student Financial Aid Scheme Act 56 of 1999.
[1217] The National Student Financial Aid Scheme Act 56 of 1999.
[1218] The National Student Financial Aid Scheme Act 56 of 1999.

The National Student Financial Aid Scheme (NSFAS) Act of 1999, officially designated as Act 56 of 1999, serves as the legal foundation for the establishment and operation of the National Student Financial Aid Scheme (NSFAS).[1219] According to the provisions of this Act, (NSFAS) is tasked with the allocation of financial aids to 25 public universities and 50 Technical and Vocational Education and Training (TVET) colleges. Additionally, the Act empowers NSFAS with the responsibility of administering loans and bursaries to students enrolled at these public institutions.[1220] Furthermore, the Act stipulates that the scheme must actively engage in the recovery of student loans and generate funds for the disbursement of student loans and bursaries.[1221]

The importance of TVET in a country's development is increasingly being recognized in the academic discourse. According to Usman and Pascal, education is regarded as a fundamental element in effective development strategies.[1222] TVET, in particular, is considered a pivotal instrument in addressing multifaceted challenges, including poverty alleviation, the promotion of peace, environmental conservation, enhancement of overall quality of life, and the realisation of sustainable development goals.[1223]

However, Okoye aptly points out a critical caveat in this context. Regardless of how well-designed, structured, organized, and efficiently managed TVET colleges may be, their ability to achieve significant development objectives hinges on the availability of adequate funding.[1224] In essence, without proper financial resources, even the most meticulously planned and executed efforts in the field of TVET may fall short of their intended goals.[1225] Okoye, highlights the interplay between legal frameworks,

[1219] The National Student Financial Aid Scheme Act 56 of 1999.
[1220] The National Student Financial Aid Scheme Act 56 of 1999.
[1221] The National Student Financial Aid Scheme Act 56 of 1999.
[1222] Usman, A.A. and Pascal, G., 2009. The role of technical and vocational education and training (TVET) in human resources development: The case of Tumba College of Technology (TCT)-Rwanda. *Rwanda. [Online.] Available url: www. tct. ac. rw.* Accessed on 15 December 2021
[1223] Usman, A.A. and Pascal, G., 2009. The role of technical and vocational education and training (TVET) in human resources development: The case of Tumba College of Technology (TCT)-Rwanda. *Rwanda. [Online.] Available url: www. tct. ac. rw.* Accessed on 15 December 2021
[1224]Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118.
[1225] Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118."

educational policies, and the financial resources essential for the success of TVET programs.[1226] It underscores the roles of the NSFAS Act in enabling access to education by providing financial aid to students at public universities and TVET colleges.[1227] Furthermore, Okoye underscores the recognition of TVET as a potent tool for societal development, while emphasizing the indispensable nature of financial support to translate educational aspirations into tangible progress.[1228] This perspective serves to underscore the intricate relationship between legislative measures, educational endeavours, and financial considerations in the broader context of national development.

In the pursuit of their intended initiatives and programs, whether at the individual, organizational, or governmental level, securing adequate funding is of paramount importance. As Okoye underscores, TVET programs must be oriented towards the development of human capital, equipping recipients and the labour force with essential work skills and self-reliance, thereby contributing to economic growth.[1229] Given the economic orientation of TVET, substantial financial resources are imperative to fulfil a country's developmental objectives. The effective funding of TVET colleges at all levels of education can have a far-reaching impact, influencing and enhancing every sector of the economy. Ekpo and Onweh, emphasize that adequate financial resources are a crucial input required for the success of any organization or program, including TVET.[1230] This highlights the critical role of funding in supporting TVET colleges, which serve as a pivotal component of the labour market.[1231] Adequate funding for TVET institutions is not only necessary for their functioning but also contributes to long-term economic growth and national development.[1232]

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[1226] "Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118.
[1227] Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118.
[1228] Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118.
[1229] Okoye, R. and Arimonu, M.O., 2016. Technical and Vocational Education in Nigeria: Issues, Challenges and a Way Forward. *Journal of Education and Practice*, *7*(3), pp.113-118.
[1230] Ekpo, A.B. and Onweh, V.E., 2012. Coping with the global economic crisis: A challenge to technical vocational education and training (TVET) in Nigeria. *African Research Review*, *6*(3), pp.165-175.
[1231] Ekpo, A.B. and Onweh, V.E., 2012. Coping with the global economic crisis: A challenge to technical vocational education and training (TVET) in Nigeria. *African Research Review*, *6*(3), pp.165-175.
[1232] Ekpo, A.B. and Onweh, V.E., 2012. Coping with the global economic crisis: A challenge to technical vocational education and training (TVET) in Nigeria. *African Research Review*, *6*(3), pp.165-175.

### 5.9.1. Addressing inadequate finance for TVET

Addressing inadequate finance for TVET is a multifaceted process that requires a combination of advocacy, financial management, public awareness, and strategic partnerships. By taking these steps, governments, institutions, and stakeholders can work together to secure the necessary funding to support the growth and sustainability of TVET programs. There is a need to lobby for favourable policies and legislation that prioritize adequate funding for TVET. There is a need to engage with government officials and policymakers to highlight the importance of these programs and the need for financial support. The national government should be encouraged to allocate a larger portion of their budgets to education, specifically earmarking funds for TVET programs. This can be achieved through strategic advocacy and public awareness campaigns. TVET colleges must establish partnerships with private sector organizations and donors who have an interest in supporting TVET programs and seek financial contributions, grants, or sponsorships from industry partners to supplement government funding. The department should conduct research and gather data to demonstrate the positive impacts of TVET programs on individuals, communities, and the economy. This information can be used to make a compelling case for increased funding.

TVET colleges should advocate for the implementation or expansion of skills development levies on industries. These levies can be used to fund TVET programs and ensure that industries contribute to the development of a skilled workforce. TVET colleges should raise public awareness about the importance of TVET programs and the need for adequate funding. Engage with communities, parents, and students to build support for these programs. The department on behalf of TVET colleges must develop scholarship programs and financial aid options to help students access TVET programs, especially those from underprivileged backgrounds.

TVET colleges should join or form advocacy coalitions that bring together various stakeholders, including educators, students, industry representatives, and civil society organizations. These coalitions can work collectively to push for increased funding. Furthermore, the department should establish mechanisms for monitoring the

allocation and utilization of funds within TVET institutions and hold them accountable for achieving predefined goals and outcomes. TVET colleges must seek support and funding from international organizations and donor agencies that are committed to improving education and skills development in developing countries. We should encourage TVET institutions to explore innovative revenue-generating strategies, such as offering fee-based short courses and collaborating with industries for training programs in exchange for financial support.

## 5.10. INSUFFICIENT FOCUS ON HELPING STUDENTS TO COMPLETE

The issue of insufficient focus on helping students to complete their educational programs is a significant concern in the academic landscape. This problem pertains to a lack of emphasis on providing students with the necessary support, resources, and strategies to successfully finish their educational journey. Academic institutions, including universities and colleges, often track retention and graduation rates as key indicators of their success. When students do not complete their programs, it not only affects the students but also impacts the institution's overall performance.[1233]

Academic support services, such as tutoring, mentoring, and counselling, play a pivotal role in helping students overcome academic challenges. When these services are inadequate or underutilized, it can contribute to students dropping out. Financial constraints, including tuition costs, living expenses, and the availability of scholarships or financial aid, can pose significant barriers to student for completion of their studies[1234] When students cannot afford to continue their education, they may be forced to leave. Personal challenges, mental health issues, and stress can all affect a student's ability to complete their program.[1235] Educational institutions must provide appropriate support to address these non-academic barriers.

[1233] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).
[1234] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).
[1235] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).

The design and structure of educational programs can influence student completion rates. Programs that lack flexibility, relevant content, or clear pathways to graduation may deter students from staying the course. The alignment of educational programs with students' career goals is essential. When students do not see a clear connection between their studies and their future aspirations, they may be less motivated to complete their program. Institutional policies, such as rigid academic calendars, transfer credit procedures, and credit transfer policies, can impact a student's ability to complete their education. Inflexible policies can hinder progress.[1236]

Educational institutions must implement interventions and support systems to identify at-risk students and provide them with targeted assistance. This proactive approach can help prevent dropouts. Effective data collection and analytics can help institutions identify patterns and trends related to student attrition. By understanding why students drop out, institutions can develop strategies to address the root causes. The government bodies and educational policymakers play a critical role in addressing this issue. They can implement policies and initiatives that prioritize student success and completion, as well as allocate resources accordingly. Cultural and societal norms can influence a student's decision to complete their education. Factors such as family expectations, social support, and the perceived value of education all play a role.

Creating an engaging learning environment, both in and out of the classroom, is essential. Engaged students are more likely to persist and complete their programs.
In academic discourse, the insufficient focus on helping students to complete their educational journeys is a multifaceted challenge that requires a comprehensive approach. Academic researchers and institutions continually explore strategies, interventions, and policies to address this issue and improve student retention and graduation rates. By understanding the various factors contributing to incomplete education, academics and institutions can work towards developing effective solutions and support systems to ensure that students successfully complete their programs and achieve their educational goals.

[1236] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).

In the context of TVET colleges, there is a pressing issue of high dropout rates and a lack of incentives and support systems to encourage student to complete their studies. TVET colleges in South Africa grapple with alarmingly high dropout rates, a phenomenon that severely impacts the success and expansion of the TVET system.[1237] The dropout rates are so significant that a substantial portion of the youths cohort fails to complete their matriculation, leading to a yearly exodus from the school system.[1238] This issue raises concerns about the effectiveness of the education system in retaining and nurturing students.

One significant challenge is the absence of incentives to encourage students to persist and complete their TVET programs.[1239] The prevailing narrative in South Africa revolves around the pursuit of an academic National Senior Certificate from traditional high schools, followed by university attendance, as the preferred educational pathway.[1240] Consequently, some students may not perceive TVET as a suitable option, leading to dropout. The completion rates at TVET institutions are notably lower in comparison to technical and academic high schools. The Department of Higher Education, Science and Technology pointed out that this disparity is rooted in insufficient foundational skills in literacy and numeracy, primarily resulting from subpar schooling.[1241] These foundational skill deficiencies have a cascading effect on learning and performance within the TVET sector, ultimately leading to student attrition.[1242]

The lack of effective support systems for struggling students within TVET colleges is a critical concern. Several systemic deficiencies, including shortages of qualified instructors, weak industry ties, and inadequate infrastructure, contribute to dropout rates.[1243] These issues are symptomatic of broader quality-related challenges within

[1237] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).
[1238] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*. Final Research Report commissioned by the Skills System Review Technical Task Team (SSRTTT).
[1239] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1240] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1241] See DHET, 2013.
[1242] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1243] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.

TVET institutions. While many TVET colleges offer a range of student support services, including academic and personal support, financial aid, and assistance in securing work placements, the pass rates at different National Qualifications Framework (NQF) levels vary among institutions. Some colleges have shown signs of improvement and responsiveness to the National Curriculum (NC) standards (V). Another challenges faced by TVET colleges is the sporadic provision of career guidance. Choosing a career path can be a daunting task for students, particularly when they have limited awareness of the available options. This lack of career guidance, coupled with the fragmented nature of support programs for students, hinders their decision-making processes.[1244]

### 5.10.1. Addressing insufficient focus on helping students to complete

To address these challenges, the Sector Education and Training Authority (SETA) for the education sector has initiated a program aimed at bolstering career guidance in TVET colleges. This program involves the appointment of qualified career development officials and the dissemination of career-related information to local TVET colleges and students.[1245] By enhancing career guidance services, the SETA seeks to empower students to make informed decisions about their educational and vocational paths. The issues surrounding high dropout rates, insufficient incentives, and support systems in TVET colleges are complex and multifaceted.[1246] Addressing these challenges requires a comprehensive approach, including policy changes, enhanced support services, and improved career guidance. By doing so, TVET institutions can better equip their students to complete their programs successfully, ultimately contributing to the development of a skilled and empowered workforce in South Africa.

Educational institutions, including universities and colleges, must bolster their student support services. These services should encompass academic tutoring, counselling, mentorship programs, and resources for addressing personal challenges that may

[1244] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1245] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1246] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.

impede student progress.[1247] By providing a comprehensive support network, institutions can better assist students facing academic difficulties. Financial constraints are a significant barrier to student completion. Therefore, institutions should offer robust financial assistance programs, including scholarships, grants, and low-interest loans. Clear and accessible information about these resources should be readily available to students.[1248] Academic advisors can play a pivotal role in helping students navigate their educational journeys. These advisors should provide personalized guidance, helping students set clear academic goals, choose relevant courses, and track their progress toward completion.[1249] Academic programs should be designed with flexibility in mind. This includes accommodating part-time and non-traditional students, providing evening or online courses, and offering clear pathways to graduation. Flexibility is especially crucial for students with work or family responsibilities.

Institutions should implement early warning systems to identify students who may be at risk of dropping out. By monitoring attendance, performance, and engagement, educational institutions can intervene proactively to provide the necessary support.[1250] Clear academic pathways, including transfer agreements with other institutions, should be established to help students understand how their credits can be transferred if they decide to change schools or programs. This ensures that students do not feel "trapped" in their current educational environment.

The mental and emotional well-being of students should be a priority. Mental health counselling and services should be readily available. Reducing stress, anxiety, and other psychological barriers can significantly contribute to student retention and completion. Institutions should collect and analyse data related to student performance and attrition. By identifying trends and patterns, institutions can tailor their

[1247] "Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.

[1248] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1249] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1250] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.

interventions to address specific challenges. Analogous to these, TVET institutions should build a strong partnership with employers and industry can facilitate work-study programs, internships, and co-op opportunities. These collaborations can provide students with practical experience, enhancing their employability and motivation to complete their programs.

Government bodies should enact and enforce policies that incentivize institutions to prioritize student completion. These policies may include funding incentives, performance-based funding, and accountability measures tied to student outcomes.[1251] Career counselling and services should be made readily available to students. Career advisors can assist students in making informed decisions about their educational and vocational paths, connecting their academic pursuits with their career goals. Educational institutions should actively engage with the local community to address specific challenges that students may face. Collaborative efforts with local organizations and social services can provide a broader support network for students.

Insufficient focus on helping students complete their educational programs is a complex and multifaceted issue within the academic landscape. In this context, it is important to emphasize the various dimensions of this challenge, which include inadequate academic support services, financial constraints, personal challenges, program structure, and institutional policies. These aspects significantly influence students' ability to successfully complete their educational journeys.

Furthermore, the roles of governmental bodies and policymakers cannot be overstated in addressing this issue. They play a pivotal role in crafting policies and initiatives that prioritize student success and allocate the necessary resources accordingly.[1252] Additionally, cultural and societal norms, family expectations, and social support systems can all impact a student's decision to persist and complete their education.

[1251] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1252] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.

In the realm of TVET colleges in South Africa, the issue is exacerbated by the prevailing preference for traditional academic high schools and universities, which may lead some students to prematurely abandon their TVET programs.[1253] The high dropout rates in TVET institutions raise concerns about the system's ability to retain and nurture students. To tackle this problem effectively, a comprehensive approach is required, which includes providing enhanced academic support, financial assistance, personalized academic advising, and flexibility in program structures. Moreover, it involves implementing early intervention and monitoring systems, creating clear academic pathways, and focusing on students' holistic well-being.[1254]

These strategies, when integrated with data-informed decision-making, collaboration with employers and industry, and community engagement, can contribute to a more supportive educational environment that encourages students to complete their programs successfully. In addition, addressing the lack of career guidance and fragmented support programs is essential to ensuring that students make informed decisions about their academic and vocational paths.

Overall, addressing the insufficient focus on helping students complete their educational programs is a critical endeavour in both the academic and legal spheres, requiring concerted efforts at various levels to enhance student retention and graduation rates. This challenge underscores the importance of understanding the numerous factors that contribute to student attrition and developing effective solutions and support systems to facilitate program completion and the achievement of educational goals.

In accordance with Bhorat's analysis in 2008, a discernible exigency for accelerated transformation was observed during the campaign period of the African National Congress (ANC) leading up to the 1999 general elections.[1255] This imperative for change became particularly salient after twenty-eight years of democratic governance

[1253] "Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1254] Simon, F., Pauline, M. and José-Luis, Á.G., 2014. *OECD Reviews of Vocational Education and Training A Skills beyond School Review of South Africa*. OECD Publishing.
[1255]Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).

and national independence, when the ANC-led government officially acknowledged in 2003 the alarming increase in poverty levels, recognizing the necessity for redistributive policies.[1256] Nevertheless, it is pivotal to note that the ANC had initially embarked on its campaign in 1994 with the promise of laying the foundation for an improved quality of life for millions of South Africans. This commitment was further underscored in the ANC's 2004 manifesto, wherein the party emphasized the imperative of constructing a more compassionate society, along with the urgent imperative to alleviate unemployment and poverty.[1257]

Recent indicators suggest a notable upsurge in student enrolment, signifying significant progress in enhancing access to higher education in South Africa. The preponderance of this growth is attributable to a substantial increase in the enrolment of black students.[1258] However, despite these advances, there persist racial disparities within the student population. As observed by Terblanche in 2017, the majority of university students are now of African descent, with Africans comprising almost 70% of the university student body.[1259] Nonetheless, a stark contrast emerges when juxtaposed against white students, as a mere 14% of African students are enrolled in higher education institutions, in stark comparison to the 57% enrolment rate of their white counterparts.[1260]

Furthermore, it is imperative to acknowledge the findings of the Department of Higher Education and Training (DHET) in 2013, which candidly recognized the disconcerting underrepresentation of black and female students in specific academic domains.[1261] In particular, fields such as science, engineering, and technology, as well as business

[1256] Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).
[1257] Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).
[1258] Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).
[1259] Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).
[1260] Bhorat, H. and van der Westhuizen, C., 2008, May. Economic growth, poverty and inequality in South Africa: the first decade of democracy. In *Development Policy Research Unit Conference* (pp. 27-29).
[1261] White Paper on Transformation of Education and Training, 2013.

and commerce programs, exhibited notable disparities. Additionally, postgraduate studies exhibited a marked dominance by white males.

In sum, these developments underscore the complex and multifaceted challenges facing South Africa's higher education system. While the nation has made considerable strides in broadening access to higher education, issues of racial inequality and disparities in academic program choices persist. Addressing these disparities and fostering an inclusive educational environment remains a paramount concern for the country's policymakers and institutions.

## 5.11. LECTURER COMPETENCY AND INFRASTRUCTURE RESOURCE INADEQUACIES

Higher education institutions are instrumental in personal and societal development, tasked with providing an environment conducive to learning.[1262] This environment necessitates competent lecturers and adequate infrastructure resources. Higher education institutions are also vital for individual and societal progress.[1263] They are obligated to furnish an environment that supports learning, including the provision of proficient lecturers and suitable infrastructure resources.

Numerous jurisdictions have instituted legal provisions that outline the mandatory educational and professional qualifications for individuals aspiring to become lecturers in higher education institutions.[1264] These requirements are established to ensure that lecturers possess the requisite academic and practical expertise to effectively educate and mentor students. In addition to qualification criteria, certain legal systems necessitate licenses or accreditation for both educational institutions and individual lecturers.[1265] These processes serve as mechanisms for verifying that institutions and

[1262] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97
[1263] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97
[1264] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97
[1265] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97

their teaching staff meet specific standards and competencies mandated by relevant authorities. This oversight guarantees adherence to minimum quality benchmarks and lecturer preparedness.

Legal frameworks frequently establish codes of conduct and ethical standards that shape the professional behaviour of lecturers. These standards address issues such as academic integrity, student-teacher relationships, non-discrimination, and confidentiality. Compliance with these ethical codes is a legal obligation, reinforcing the integrity and professionalism of the academic milieu. Higher education institutions are primarily accountable for ensuring lecturer competency. They must take appropriate measures to employ, train, and retain qualified educators who meet the stipulated legal prerequisites. Failure to fulfil this responsibility can result in legal consequences, including student litigation, regulatory sanctions, and contractual disputes.

Lecturers themselves are obliged to meet the legal standards delineated in qualification requirements and codes of conduct. Any breach of these obligations may lead to disciplinary actions, contract disputes, and potential legal liabilities.[1266] The legal framework governing lecturer competency is fundamental for preserving the quality and integrity of higher education. It encompasses qualification standards, licensing, accreditation, and ethical conduct codes. Higher education institutions carry the responsibility of ensuring lecturer competency and may face legal consequences if they fail to meet these obligations. Lecturers, on the other hand, are subject to legal requirements and responsibilities, with potential liabilities for breaches.[1267] Adherence to these legal standards and obligations fosters a high-quality educational experience while safeguarding the rights and interests of students.

Lecturer competency in higher education is a shared responsibility between institutions and individual lecturers. When lecturer competency is in doubt, institutions may encounter legal consequences, including student lawsuits, regulatory penalties,

[1266] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97.
[1267] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97.

and contractual disputes.[1268] This analysis delves into these legal ramifications and obligations, highlighting the potential legal challenges faced by institutions. Lecturer competency in higher education is a duty held jointly by educational institutions and the lecturers themselves. Both parties are responsible for ensuring that students receive a quality education that meets established standards.

When students can provide evidence that lecturer incompetence has adversely impacted their academic progress and quality of education, they may resort to legal actions against the institution. Such lawsuits often allege that the institution failed in its obligation to provide competent educators. Regulatory bodies overseeing higher education may impose penalties or sanctions on institutions that fall short of maintaining the required lecturer competency standards. These penalties may include fines, probationary status, or loss of accreditation.

Institutions often enter into contractual agreements with various stakeholders, including students, faculty, and funding bodies. When institutions breach these contracts by failing to provide the requisite infrastructure, legal disputes may ensue. Stakeholders may seek remedies for the institution's failure to uphold its contractual obligations, potentially resulting in litigation. Furthermore, Institutions frequently enter into contracts, whether explicit or implicit, with students, implicitly promising the provision of quality education.[1269] Breach of these contractual obligations can lead to legal disputes, where students seek redress for the failure to provide qualified lecturers.[1270] The legal consequences faced by higher education institutions regarding lecturer competency are significant. Institutions must ensure that their lecturers meet the necessary standards and qualifications.[1271] Failure to do so can result in legal disputes, potentially leading to student lawsuits, regulatory penalties, and contractual disputes. Legal compliance is essential to safeguard the reputation and educational mission of higher education institutions.

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[1268] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97.
[1269] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1270] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1271] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).

Legal and regulatory frameworks are instrumental in governing the adequacy of infrastructure resources in higher education institutions.[1272] Regulations typically outline the minimum requirements for physical infrastructure, encompassing classrooms, libraries, laboratories, and technology resources.[1273] These standards ensure that institutions maintain facilities that facilitate effective teaching and learning. Legal frameworks may mandate institutions to make their infrastructure accessible to all students, without discrimination. Ensuring that students with disabilities and from diverse backgrounds can effectively utilize the provided resources is a fundamental legal obligation.[1274]

Laws may dictate how public funding is allocated to higher education institutions to maintain and enhance their infrastructure resources.[1275] This allocation process ensures that institutions have the financial means to sustain and improve their infrastructure in line with legal requirements.

Inadequacies in infrastructure resources within higher education institutions have the potential to lead to various legal repercussions. Students or staff who experience unequal access to educational resources due to inadequate infrastructure may initiate legal actions against the institution, alleging discrimination.[1276] Unequal access hinders the ability of individuals to engage fully in educational activities and may disproportionately affect certain groups, thereby violating anti-discrimination laws. Institutions that fail to meet the legal standards and minimum requirements for infrastructure resources may face penalties imposed by regulatory bodies.[1277] These penalties can include fines, probationary status, or even the revocation of

[1272] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1273] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1274] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1275] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1276] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations?. *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97.
[1277] Yasak, Z. and Alias, M., 2015. ICT integrations in TVET: Is it up to expectations? *Procedia-Social and Behavioral Sciences*, *204*, pp.88-97.

accreditation. Regulatory bodies play a pivotal role in ensuring that institutions maintain the necessary infrastructure to support quality education.

### 5.11.1. Addressing Lecturer Competency and Infrastructure Resource Inadequacies

Higher education institutions should prioritize ongoing professional development for lecturers. These programs should encompass training in effective teaching methods, the integration of technology into instruction, and staying abreast of evolving educational trends. Institutions must adhere strictly to qualification and accreditation requirements for lecturers, ensuring that teaching staff possess the mandated academic and professional qualifications. Compliance with these standards is vital to meet legal requirements and maintain educational excellence. Mentorship programs and peer review processes should be established to facilitate continuous improvement in lecturers' teaching skills. Experienced educators can guide and support their colleagues in enhancing their competence and fostering a culture of professional growth.

Institutions should uphold and reinforce ethical and professional standards for lecturers. The enforcement of codes of conduct is crucial in maintaining integrity and professionalism within the academic environment, thereby protecting the reputation of the institution. Institutions should conduct routine assessments of their infrastructure resources to ensure that they either meet or surpass the minimum standards established by legal and regulatory frameworks.[1278] Identifying and addressing deficiencies promptly is vital to providing a conducive learning environment.

Prioritizing accessibility and inclusivity in infrastructure design is essential. Higher education institutions must guarantee that all students, regardless of their backgrounds or abilities, have equal opportunities to engage fully in educational activities, aligning with legal requirements.[1279] It is crucial for higher education

[1278] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1279] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).

institutions to allocate adequate financial resources to support the maintenance and development of their infrastructure resources.[1280] To advocate for appropriate budget allocation is of paramount importance, not only for achieving legal compliance but also for cultivating a learning environment conducive to quality education.[1281] To meet the rigorous legal standards and ensure the avoidance of penalties while retaining accreditation, institutions must diligently adhere to regulations and guidelines set by relevant authorities.[1282] This unwavering compliance is pivotal in the educational landscape.

To uphold these legal standards, higher education institutions are obliged to regularly assess and update Infrastructure. This suggests that Institutions must consistently evaluate and enhance their infrastructure to meet or exceed the minimum requirements mandated by prevailing regulations. This practice is integral to preserving a high-quality educational environment. Institutions must ensure that all students can actively engage in educational activities, regardless of their backgrounds or abilities, necessitates a commitment to accessibility and inclusivity. Adjustments and accommodations must be made as necessary to fulfil this legal requirement.

Institutions should continue to adhere to the rules and guidelines governing the allocation and utilization of public funds as this is essential for the maintenance and enhancement of infrastructure resources. To address challenges concerning lecturer competency and infrastructure resource inadequacies involves a multifaceted approach, whereby higher education institutions can take several strategic measures. The enhancement of lecturer competency can be achieved by investing in comprehensive professional development programs. These initiatives aim to refine and expand the teaching skills and capabilities of the teaching staff.

The commitment to improving and maintaining infrastructure to meet the prescribed legal standards is an indispensable measure. Adequate allocation of resources is

[1280] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1281] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).
[1282] Hanapi, Z., Nordin, M.S. and Rus, R.C., 2014. Unemployment problem among graduates of technical field: Competencies of the graduates and quality of the education. *Sains Humanika*, *2*(2).

essential to support this endeavour. The ongoing monitoring and steadfast adherence to laws and regulations related to education are fundamental in upholding legal standards and fostering an environment of accountability and excellence. TVET colleges should Institute risk management strategies as this is crucial to mitigate potential legal exposure in cases of inadequacies, ensuring institutions are equipped to address and rectify any legal challenges that may arise.

Higher education institutions bear a legal and ethical responsibility to address lecturer competency and infrastructure resource issues. By investing in lecturer development, enforcing qualification and accreditation standards, fostering mentorship and peer review, and upholding ethical codes of conduct, institutions create an environment conducive to quality education. Concurrently, the regular assessment and maintenance of infrastructure, along with the promotion of accessibility and inclusivity, are paramount for establishing the necessary learning infrastructure. Legal compliance and institutional commitment to these strategies are essential for fulfilling the core mission of providing high-quality education and upholding the rights and interests of all stakeholders.

Lecturer competency and infrastructure resource inadequacies are critical issues in higher education institutions with legal implications. By understanding the legal framework, responsibilities, and potential liabilities, institutions can work towards creating an environment that meets the legal standards, thereby enhancing the quality of education and reducing legal risks. Legal compliance is essential for promoting the core mission of higher education: the pursuit of knowledge and the development of individuals. To address challenges in lecturer competency and infrastructure resource inadequacies is imperative for the success and reputation of higher education institutions. By investing in lecturer development, enforcing qualification standards, and upholding ethical codes, institutions can foster an environment conducive to quality education. Simultaneously, the regular assessment and maintenance of infrastructure, budget allocation, and regulatory compliance are vital for creating the necessary learning infrastructure. Legal compliance and institutional commitment to these strategies are essential to fulfilling the mission of providing a high-quality education while safeguarding the rights and interests of all stakeholders.

## 5.12. INSUFFICIENT STUDENT MOTIVATION AND CAREER GUIDANCE

Inadequate student motivation and insufficient career guidance within higher education systems pose intricate challenges requiring a comprehensive legal perspective. Legal frameworks in various jurisdictions impose obligations on higher education institutions, mandating the provision of motivation and guidance to students.[1283] These regulations may encompass the requirement for career counselling services, mentorship initiatives, and additional forms of support aimed at facilitating informed career choices.[1284]

Furthermore, legal standards typically encompass principles of non-discrimination and equal opportunity. Institutions are generally obligated to ensure that motivation and guidance services are accessible to all students, irrespective of their background, abilities, or individual characteristics.[1285] Higher education institutions are entrusted with the responsibility of developing and implementing programs tailored to motivate students both academically and professionally.[1286] These programs may include extracurricular activities, career development workshops, and mentorship schemes designed to inspire and empower students.

Institutions are also obliged to establish comprehensive career guidance services, offering students insights into diverse career paths, prevailing job market dynamics, and the requisite skills and qualifications for their chosen fields.[1287] These services should further support students in defining and achieving career-related objectives. Educators serve a pivotal role in motivating students. Through their teaching methods

[1283] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1284] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1285] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1286] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1287] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.

and interpersonal interactions, they can inspire and guide students effectively, fostering an engaging and interactive learning environment that significantly influences student motivation.

In addition to their instructional roles, educators can assume the mantle of mentors, providing guidance and counsel to students concerning both their academic pursuits and career choices. The cultivation of mentoring relationships can contribute to heightened student motivation and furnish valuable insights into career pathways.

In scenarios where students perceive insufficient motivation and career guidance, they may seek legal recourse, contending that their entitlement to adequate educational support has been compromised. Consequently, institutions may face legal consequences if they fail to fulfil their legal obligations in these domains.

According to Omar et al, TVET programs are often stigmatized and associated with students of lower academic performance and disadvantaged socioeconomic backgrounds.[1288] These negative stereotypes have a detrimental impact on student motivation to pursue TVET education. Inadequate career counselling within the TVET sector exacerbates the issue.[1289] Poor guidance from TVET counsellors negatively influences students' interest in TVET programs, potentially limiting their career choices and opportunities.[1290]

Polat and Ekren, concur with Omar's findings, emphasizing that parents and the community play a pivotal role in shaping students' decisions regarding TVET programs.[1291] The perceptions and support of these stakeholders significantly affect students' desire to pursue TVET education. TVET programs are often associated with

[1288] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1289] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1290] Omar, M.K., Rauf, M.A., Ismail, N., Rashid, A.M., Puad, H.M. and Zakaria, A., 2020. Factors On Deciding TVET For First Choice Educational Journey Among Pre-Secondary School Student. *European Journal of Molecular & Clinical Medicine*, *7*(3), pp.609-627.
[1291] Polat, Z. and Ekren, N., 2020. Remote laboratory trends for Distance Vocational Education and Training (D-VET): A real-time lighting application. *The International Journal of Electrical Engineering & Education*, p.0020720920926679.

a perceived low status, limited academic achievement, unattractive labour conditions, and organizational challenges. Ismail et al, highlight the broader issue that TVET-based qualifications and careers may not be well-recognized within the workplace, posing challenges for students to secure promising job opportunities.[1292]

### 5.12.1. Addressing insufficient student motivation and career guidance

Legal frameworks and educational regulations in numerous jurisdictions impose specific obligations on educational institutions, necessitating that they provide students with adequate motivation and career guidance. These regulations may encompass requirements for career counselling services, mentorship programs, and other supportive mechanisms aimed at facilitating well-informed career choices. Additionally, legal standards often encompass principles of non-discrimination and equal opportunity, mandating that institutions ensure motivation and guidance services are accessible to all students, irrespective of their backgrounds or characteristics to prevent discriminatory practices.

Higher education institutions are legally mandated to develop and implement programs designed to motivate students both academically and professionally. These programs may encompass a spectrum of initiatives, including extracurricular activities, workshops focusing on career development, and mentorship programs. Furthermore, institutions bear a legal duty to establish comprehensive career guidance services that furnish students with information about diverse career paths, prevailing job market trends, and the skills and qualifications requisite for their chosen fields. These services should also offer guidance to students in formulating and realising their career-related goals.

Non-compliance with these legal obligations may have consequences. When students perceive insufficient motivation and career guidance, they may seek legal remedies, contending that their entitlement to adequate educational support has been violated. Educational institutions may consequently face legal repercussions, such as lawsuits

[1292] Ismail, A. and Abiddin, N.Z., 2014. Issues and challenges of technical and vocational education and training in Malaysia towards human capital development. *Middle-East Journal of Scientific Research*, *19*(2), pp.7-11.

or claims. Moreover, institutions that fail to adhere to regulatory requirements regarding student motivation and career guidance may incur penalties imposed by relevant regulatory bodies. These penalties can range from financial fines to probationary status and, in severe instances, the revocation of accreditation.

Effectively addressing these challenges entails the development and implementation of comprehensive programs for motivating students academically and professionally. It also necessitates the establishment of robust career guidance services, ensuring compliance with relevant laws and regulations governing educational services. Furthermore, institutions should establish risk management strategies to mitigate legal exposure in cases of inadequacies, safeguarding their legal and academic standing. In essence, legal compliance and proactive measures are fundamental to fostering a supportive educational environment that ensures students' well-informed career choices and full potential realisation.

## 5.13. RELATIONSHIP BETWEEN TVET AND PARENTS

The relationship between TVET and parents is a multifaceted, vital alliance with legal dimensions that significantly influences the effectiveness of TVET programs. The legal foundation of the relationship between TVET and parents is constructed on the bedrock of legislation and regulations that delineate the roles and responsibilities of parents in the education of their children. These legal mandates require parents to ensure that their children receive education, which may include TVET. Non-compliance may result in legal consequences. The TVET legal frameworks specify the rights and responsibilities of parents, which often encompass the choice of educational pathways for their children. Effectively, the laws of TVET colleges must dictate the involvement of parents in decisions related to their child's education, including curriculum choices and school selection.

Despite these legal dimensions, the TVET legal provisions must outline financial obligations for parents, such as covering tuition fees and associated costs of TVET programs. Parents must provide academic support, guidance, and mentorship to their

children as they navigate TVET programs.[1293] This collaboration can significantly impact a student's learning experience and outcomes. Parents play a crucial role in guiding their children's career choices. They can provide insights into the TVET pathways that align with a student's interests and aptitudes. Parents must motivate and inspire their children to excel in TVET by promoting a positive attitude toward education, setting high expectations, and providing emotional support.[1294] Furthermore, parents must actively monitor their children's progress in TVET programs, ensuring academic engagement, attendance, and adherence to program requirements. In doing so, they contribute to accountability in the educational process.[1295]

## 5.14. THE RELATIONSHIP BETWEEN TVET AND POLICY MAKERS

The relationship between TVET and policy makers is a vital and complex one, characterized by a dynamic interplay between educational institutions and the regulatory framework within which they operate.[1296] The foundation of the relationship between TVET and policy makers lies in the legal framework that governs the operation of TVET institutions. This framework encompasses statutes, regulations, and policies that prescribe the structure, purpose, funding, and operational parameters of TVET. The legal foundation empowers policy makers to shape TVET institutions' roles and functions, making it a linchpin in the relationship.

Policy makers are entrusted with formulating and implementing policies that guide TVET.[1297] These policies may address issues such as curriculum development,

[1293] Listyaningrum, R.A., Sari, M.W.N.N. and Yuniar, D.P., 2020. Analysis of the Needs of Parents in Mentoring Early Childhood During Learning from Home. *Proceedings of the 2nd Early Childhood and Primary Childhood Education (ECPE 2020), Atlantis Press, Doi: https://doi. org/10.2991/assehr. k*, *201112*.
[1294] Listyaningrum, R.A., Sari, M.W.N.N. and Yuniar, D.P., 2020. Analysis of the Needs of Parents in Mentoring Early Childhood During Learning from Home. *Proceedings of the 2nd Early Childhood and Primary Childhood Education (ECPE 2020), Atlantis Press, Doi: https://doi. org/10.2991/assehr. k*, *201112*.
[1295] Listyaningrum, R.A., Sari, M.W.N.N. and Yuniar, D.P., 2020. Analysis of the Needs of Parents in Mentoring Early Childhood During Learning from Home. *Proceedings of the 2nd Early Childhood and Primary Childhood Education (ECPE 2020), Atlantis Press, Doi: https://doi. org/10.2991/assehr. k*, *201112*.
[1296] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1297] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.

resource allocation, quality assurance, access to TVET, and alignment with labour market demands. They provide the overarching direction for TVET institutions to follow. TVET policies entailregulations concerning curriculum design and program development. Policy makers influence the types of programs offered, the skills and competencies emphasized, and the alignment of these programs with industry needs.[1298] Legal mandates ensure that TVET institutions adhere to these policies in curriculum planning and execution.

The financial aspect of TVET is heavily influenced by policy makers. Budget allocations, subsidies, and grant distribution are typically subject to policy decisions.[1299] Legal mechanisms formalize these funding structures and govern how resources are allocated to TVET institutions. Policy makers set the standards for quality assurance and accreditation in TVET. Legal provisions stipulate the criteria for accrediting TVET programs and institutions, which ensures the quality and credibility of the education provided. TVET policies often address issues of access and inclusivity, aiming to provide equitable opportunities for diverse populations. Legal mandates outline the obligations of TVET institutions to facilitate access for marginalized groups, such as individuals with disabilities or those from disadvantaged backgrounds.

Legal requirements related to accountability and evaluation ensure that TVET institutions are periodically assessed for their performance. Policy makers use this feedback to refine policies and address any shortcomings in TVET provision. Policy makers play a role in fostering collaboration between TVET institutions and industry stakeholders. Legal mechanisms, such as partnerships and work-based learning agreements, facilitate these relationships, ensuring that TVET programs are relevant and responsive to labour market needs.

The South African government is faced with an immediate and paramount responsibility to address the challenges of e-learning encountered by both students

[1298] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1299] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.

and educators in the context of the COVID-19 pandemic. The legal and policy framework governing the implementation of e-learning initiatives is of profound importance in this endeavour, as it dictates the parameters within which such programs can be effectively executed.

## 5.15. SOUTH AFRICA'S POVERTY AND INEQUALITIES

South Africa's poverty and inequalities are complex and deeply rooted in its historical, social, and economic contexts. South Africa's history is marked by a legacy of apartheid, a system of racial segregation and discrimination that was enforced through legislation from 1948 to 1994.[1300] Under apartheid, non-white South Africans, particularly black Africans, were systematically marginalized, denied access to quality education, healthcare, and economic opportunities, and forced into impoverished areas.[1301] Apartheid's effects continue to shape South Africa's poverty and inequalities. The majority of black South Africans remain disproportionately affected, experiencing higher poverty rates and lower access to resources and opportunities compared to white and minority populations.[1302]

Income inequality in South Africa is among the highest in the world. The country's Gini coefficient, a measure of income inequality, remains persistently high, reflecting significant disparities in wealth distribution.[1303] A small, predominantly white elite holds a substantial share of the nation's wealth.[1304] Educational inequalities persist, with disparities in access to quality schooling and tertiary education.[1305] Historically disadvantaged groups face inadequate educational infrastructure and resources, limiting their opportunities for upward mobility.[1306]

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[1300] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1301] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1302] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1303] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1304] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1305] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1306] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.

Inequities in the labour market are evident, with high unemployment rates among black South Africans. Many individuals work in low-paying jobs without job security or access to labour protections. This lack of economic security perpetuates poverty. Furthermore, social factors, including race, gender, and geographic location, intersect to produce inequalities. Women, particularly black women, face multiple forms of discrimination and economic disadvantages. The South African government has introduced social welfare programs to address poverty, these programs face challenges in reaching the most vulnerable populations effectively.

Various government policies have aimed to address poverty and inequalities, such as Black Economic Empowerment (BEE) and employment equity measures. However, the effectiveness of these policies has been a subject of debate. South Africa's economy is influenced by global economic forces, such as commodity prices, trade relations, and foreign investment. These factors can affect the nation's ability to reduce poverty and inequalities.

Addressing South Africa's poverty and inequalities requires a comprehensive, multi-faceted approach. This should encompass not only economic reforms but also social and educational reforms that aim to provide equitable opportunities for all citizens, particularly those who have been historically disadvantaged. Legal and policy frameworks should be designed to promote inclusivity, and social awareness and change are also vital components of addressing these deeply entrenched issues.

The apartheid era entrenched economic disparities and discrimination, which were passed down to the democratic government in 1994. Historical policies resulted in the marginalization of black South Africans in terms of land ownership, education, and employment opportunities. However, the transition to democracy in 1994 raised high expectations of reduced income poverty and inequalities. The ANC, during its election campaigns, promised "a better life for all" and prioritized poverty reduction through initiatives like the Reconstruction and Development Programme (RDP). The ANC government focused on collecting data on poverty and inequalities post-1994 and enshrined socio-economic rights in the 1996 constitution. Section 29 of the Constitution guarantees the right to education and other services. Despite significant

challenges and public acknowledgments of rising poverty, the ANC has continued to campaign on anti-poverty platforms. However, significant improvements in higher education access have been noted, particularly among black students. Nevertheless, racial disparities persist in terms of access to higher education and fields of study.

### 5.15.1. The Link between education and unemployment

Human capital theory is a foundational concept that underlines the connection between education and employment.[1307] It posits that individuals' skills, knowledge, and abilities acquired through education and training enhance their productivity and employability.[1308] In the legal context, access to education is considered a fundamental right, as recognized in international and national laws. Formal education, such as degrees, diplomas, and certifications, serves as qualifications that employers often use to evaluate job candidates. Legal standards, including accreditation and recognition of educational institutions and programs, ensure that these qualifications meet established quality benchmarks.

Education equips individuals with the skills and competencies required in the job market. Legal frameworks govern the curriculum and standards of educational institutions, ensuring that students receive relevant and high-quality education.[1309] Access to education is influenced by legal principles of equity and non-discrimination. Laws and policies must design to prevent discrimination in education based on factors like race, gender, disability, or socioeconomic status. These legal measures aim to provide equal educational opportunities to all. The cost of education can be a barrier to access. Legal provisions, such as scholarships, grants, and subsidies, exist to make education more affordable and accessible. Laws may also govern student loan programs and repayment conditions.[1310]

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[1307] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[1308] Marginson, S., 2019. Limitations of human capital theory. *Studies in Higher Education*, *44*(2), pp.287-301.
[1309] Terblanche, T. and Bitzer, E., 2018. Leading curriculum change in South African technical and vocational education and training colleges. *Journal of Vocational, Adult and Continuing Education and Training*, *1*(1), pp.104-125.
[1310] Terblanche, T. and Bitzer, E., 2018. Leading curriculum change in South African technical and vocational education and training colleges. *Journal of Vocational, Adult and Continuing Education and Training*, *1*(1), pp.104-125.

The legal and policy framework play a crucial role in reducing the mismatch between education and employment opportunities.[1311] When individuals lack access to education or receive inadequate training, they may struggle to find employment that aligns with their qualifications. Legal regulations in the labour market, such as minimum wage laws, collective bargaining agreements, and employment protection, impact on unemployment rates. These laws can influence both the demand for and supply of labour. Legal measures, including anti-discrimination laws, seek to eliminate barriers to employment based on factors like race, gender, age, or disability.[1312] Discrimination can restrict job opportunities for certain groups of individuals, regardless of their education level.[1313]

The overall state of the economy, influenced by legal and fiscal policies, has a significant impact on employment rates. Legal measures often include economic regulations, labour laws, and taxation policies, all of which can either stimulate or impede job creation. Legal and policy frameworks addressing education and employment may include vocational training programs, job placement services, and incentives for employers to hire and retain employees. Public policies often aim to bridge the gap between education and the labour market.

Nastrass, asserts that poverty is the primary cause of illiteracy and unemployment in post-apartheid South Africa.[1314] Poverty disproportionately affects migratory labourers, as opposed to landowners and proprietors.[1315] According to Nastrass, the contributing factor to poverty is forced removals of the African majority from large commercial farms, overcrowding in the 'homelands' or 'Bantustans,' inadequate schooling, poor access to urban and industrial labour markets, and the increasing

[1311] Terblanche, T. and Bitzer, E., 2018. Leading curriculum change in South African technical and vocational education and training colleges. *Journal of Vocational, Adult and Continuing Education and Training*, *1*(1), pp.104-125.
[1312] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1313] Woolard, I., 2002. *An overview of poverty and inequality in South Africa*. Unpublished briefing paper, HSRC, Pretoria.
[1314] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[1315] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.

capital intensity in various economic sectors have collectively contributed to rising unemployment among unskilled workers.[1316] The connection between unemployment and poverty was emphesised by Nastrass, as the growth of impoverished individuals experiencing systemic disadvantages in the labour market leads to their entrapment in poverty.[1317] Nastrass concluded that poverty may be transient for some unemployed individuals who eventually find work, others remain trapped due to a lack of essential skills, qualifications, and connections to secure employment.[1318]

Seekings, identifies education as a secondary driver of economic poverty and disparities in South Africa, emphasizing that the country's income distribution is severely unequal.[1319] High levels of illiteracy, school dropouts, and inadequate access to quality education have significant implications for gaining employment and influencing the development of inequalities over time.[1320] Seekings notes that education and skills enhancement are crucial components of the South African government's development agenda.[1321] Improving the workforce's capabilities through education is essential for achieving national development goals. The national governments worldwide are increasingly pressuring educational institutions to enhance graduate employability and bridge the gap between education and the job market.

The transition from college to employment for graduates in South Africa is fraught with difficulties. These challenges often stem from structural unemployment, unequal access to quality education, and the varying levels of skills and certifications among the workforces. In South Africa's post-apartheid era, the relationship between poverty, illiteracy, unemployment, and education remains a pressing concern. Scholars and policymakers are actively engaged in addressing these challenges through legal and

[1316] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[1317] Nattrass, N., 20[11. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[1318] Nattrass, N., 2011. The new growth path: Game changing vision or cop-out? *South African Journal of Science*, *107*(3-4), pp.01-08.
[1319] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21.*
[1320] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21.*
[1321] Seekings, J., 2011. Poverty and inequality in South Africa, 1994–2007. *After Apartheid: Reinventing South Africa*, *21.*

policy frameworks aimed at reducing poverty, enhancing educational access, improving workforce skills, and promoting equitable economic development. Understanding this complex interaction is essential for formulating effective strategies to combat poverty and unemployment and achieve a more inclusive society.

Nastrass, posits that poverty is the primary cause of illiteracy and unemployment in post-apartheid South Africa.[1322] This assertion underscores the central role of poverty in perpetuating these interconnected issues. The impact of poverty on the poorest is often migratory labourers, with minimal landownership.[1323] They face multiple challenges stemming from historical factors such as forced removals from large commercial farms, overcrowding in the 'homelands' or 'Bantustans,' substandard education, limited access to urban and industrial labour markets, and the capital-intensive nature of modern economic sectors.[1324] These factors have collectively contributed to a surge in unemployment among unskilled workers.

Nattrass, accentuates the reinforcing relationship between unemployment and poverty, elucidating how poverty is intensified as a consequence of the systematic disadvantages experienced by the growing population of impoverished individuals in the labour market.[1325] This situation leads to an enduring cycle of poverty. While some unemployed individuals may escape poverty once they secure employment, others remain trapped in poverty due to a lack of essential skills, qualifications, and professional networks necessary for obtaining a job.[1326]

Ndlovu and Ndebele, also underscore a critical issue, of which the substantial representation of unemployed individuals among the youth demographic.[1327] This

[1322] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[1323] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[1324] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[1325] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[1326] Nattrass, N. and Walker, R., 2005. Unemployment and reservation wages in working-class Cape Town. *South African Journal of Economics*, *73*(3), pp.498-509.
[1327] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.

alarming trend indicates a deficiency in the acquisition of essential skills and expertise among young people, hampering their capacity to drive economic advancement.[1328] In recognition of this predicament, the government of South Africa has acknowledged the imperative of formulating a comprehensive strategy grounded in an outcome-based approach to address the issue of youth unemployment.

Concurrently, education has emerged as a pivotal instrument in the arsenal for combatting unemployment.[1329] The significance of education in securing employment success has assumed paramount importance in the context of advancing the development objectives of the South African government. As posited by Ndlovu and Ndebele, education has demonstrated its positive contribution to society by producing citizens who actively contribute to sustainable economic growth and development.[1330]This acknowledgment underscores the intricate interplay between education, youth unemployment, and the broader socio-economic development imperatives of South Africa. Addressing youth unemployment necessitates not only a comprehensive strategy but also a keen focus on enhancing the educational opportunities and outcomes for young people, thereby fostering their ability to actively participate in the country's economic growth and development.[1331]

Unemployment is a pervasive issue often framed through an economic lens, with its profound implications for human dignity sometimes overlooked.[1332] However, Ndlovu and Ndebele, argue that unemployment constitutes a fundamental threat to human dignity and, therefore, necessitates a comprehensive approach for resolution.[1333] This

[1328] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1329] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1330] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1331] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1332] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1333] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.

viewpoint underscores the significance of addressing unemployment not solely as an economic challenge but as a broader concern tied to the inherent dignity of individuals.

A substantial portion of the challenge associated with unemployment, particularly among youths, arises from the demographic reality that young people represent a significant proportion of new entrants into the job market.[1334] As a result, they constitute a particularly vulnerable group concerning employment prospects. The contention by Dryers et al, concisely defines the term 'unemployed' as individuals actively seeking employment but encountering difficulties in securing paid work.[1335] This definition underscores the essence of the issue individuals actively pursuing opportunities to engage in productive work but facing obstacles in realising this objective.[1336]

Ndlovu and Ndebele, offer a complementary perspective by characterizing unemployment as "a situation in which a person is ready and capable of working but is unable to do so due to a lack of employment opportunities.[1337] This description highlights the readiness and ability of individuals to contribute to the labour force, yet their aspirations remain unfulfilled due to the dearth of available employment opportunities.[1338]

### 5.15.2. The Nature of Unemployment in South Africa

The nature of unemployment in South Africa is a complex and multifaceted issue, deeply rooted in historical, economic, social, and legal factors. South Africa's history, particularly the apartheid era, has left a profound imprint on the labour market.[1339]

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[1334] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1335] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1336] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1337] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1338] Ndlovu, J. and Ndebele, N.C., 2019. Employment experiences of post graduate students in Kwazulu-Natal: an intersection of qualifications and employability in the labour market. *South African Journal of Higher Education*, *33*(2), pp.92-106.
[1339] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.

Under apartheid, systemic racial discrimination and unequal access to education and employment opportunities were entrenched.[1340] As a result, the historical legacy has resulted in persistent disparities in the workforce. A prominent characteristic of South Africa's unemployment is structural in nature. This means that unemployment often results from a misalignment between the skills and qualifications of the workforce and the demands of the labour market.[1341] Inadequate access to quality education and training has left a significant portion of the population ill-prepared for the available job opportunities, exacerbating this structural unemployment.[1342]

South Africa's economic context plays a pivotal role in unemployment dynamics. Economic growth rates, business cycles, and global market fluctuations directly impact job creation.[1343] South Africa's sluggish economic growth in recent years has limited the ability to generate employment, creating a pressing economic challenge.[1344] South Africa has a comprehensive set of labour laws and policies aimed at fostering fair labour practices, preventing discrimination, and enhancing job opportunities for previously disadvantaged groups.[1345] Key legislation includes the Labour Relations Act[1346], the Employment Equity Act[1347], and the Basic Conditions of Employment Act[1348]. Legal experts and policymakers continually assess the effectiveness of these laws in reducing unemployment.

High levels of unemployment in South Africa are associated with poverty, inequality, and social unrest.[1349] The social consequences are of particular concern to legal experts concerned with human rights and social justice. The law plays a crucial role in

[1340] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1341] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1342] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1343] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1344] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1345] Francis, D. and Webster, E., 2019. Poverty and inequality in South Africa: critical reflections. *Development Southern Africa*, *36*(6), pp.788-802.
[1346] The Labour Relations Act 66 of 1995
[1347] The Employment Equity Act 55 of 1998.
[1348] The Basic Conditions of Employment Act 75 of 1997
[1349] Govender, J., 2016. Social justice in South Africa. *Civitas-Revista de Ciências Sociais*, *16*, pp.237-258.

addressing these social issues by providing a framework for addressing inequalities and promoting equitable opportunities.[1350] The quality of the education and vocational training systems significantly affects the employability of the workforce. Policies and legal frameworks aimed at enhancing access to quality education and promoting skills development are integral to addressing unemployment.[1351] In particular, education and training programs targeted at equipping the labour force with relevant skills are crucial.

Labour market regulations, including those governing hiring and firing practices, influence employment dynamics. Striking the right balance between labour market flexibility and job security is a continuous subject of debate among policymakers, legal experts, and labour unions.[1352] Legal frameworks, such as employment protection legislation, are pivotal in shaping these dynamics.

The high unemployment rate in South Africa is manifestly structural or systemic in nature, rooted in a set of intricate economic and social dynamics. Du Plessis and Smith, offer a comprehensive definition of structural unemployment as the general inability of an economy to provide employment for the complete (or potential) labour force, even at the top of its economic cycle.[1353] This definition underscores that structural unemployment transcends cyclical economic variations and is indicative of a pervasive inability to absorb the labour force into gainful employment.[1354] A noteworthy aspect of the structural unemployment dilemma in South Africa is its disproportionate impact on impoverished segments of the population.[1355] The link between unemployment and poverty is profound and is identified as a key factor perpetuating poverty traps since the advent of democracy in 1994. Du Plessis and Smith, further highlight that employment trends in South Africa have been shifting, notably with a relative increase in the demand for skilled labour and a corresponding

[1350] Govender, J., 2016. Social justice in South Africa. *Civitas-Revista de Ciências Sociais*, *16*, pp.237-258.
[1351] Govender, J., 2016. Social justice in South Africa. *Civitas-Revista de Ciências Sociais*, *16*, pp.237-258.
[1352] Govender, J., 2016. Social justice in South Africa. *Civitas-Revista de Ciências Sociais*, *16*, pp.237-258.
[1353] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1354] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1355] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704

decrease in the demand for unskilled labour.[1356] This shift is associated with the country's pursuit of enhancing its international competitive position.

Dreyer et al, rightly acknowledge that the brunt of unemployment primarily falls upon the youth and the unskilled labour force.[1357] Notably, while unskilled individuals face formidable challenges in securing employment, the unemployment rate among educated, skilled individuals is also rising, hinting at the depth of the unemployment crisis.[1358] Education, or the lack thereof, plays a pivotal role in the perpetuation of unemployment. In South Africa, poor education and inadequate skills development contribute significantly to the unemployment crisis.[1359] Moreover, graduate unemployment is a growing concern, reflecting the need for educational reforms and alignment with labour market demands. Unemployment in South Africa is not evenly distributed across various population categories. Black and female youths, in particular, face limited access to job opportunities, highlighting pervasive racial and gender disparities. Du Plessis and Smith, emphasize that education is a recognized factor in unemployment, as individuals with limited education often encounter substantial barriers in accessing employment.[1360] Unemployment represents a multifaceted socioeconomic challenge in South African society. It is intricately linked to issues of racial and sexual disparities and has a discernible connection to poverty and the perpetuation of poverty traps. As such, it transcends economic dimensions and delves into legal, social, and ethical concerns.

The issue of unemployed graduates is not unique to South Africa; it is a global phenomenon that affects many countries worldwide. Unemployment among recent graduates is a challenge that transcends national borders. Many countries face this issue, which can have widespread implications for labour markets, education systems, and social stability. The problem of unemployed graduates can pose a threat to

[1356] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1357] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1358] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1359] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1360] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.

national security. Governments must contend with the potential for disillusioned, unemployed graduates, especially among young people, to become disenchanted and potentially engage in civil unrest or violent protests. This aspect underscores the legal and security implications of addressing youth unemployment effectively.

South Africa's unemployment is predominantly structural in nature, stemming from deep-seated issues like population growth, skills gaps, inadequate job search strategies, and a deficiency of career guidance in schools.[1361] These structural issues are detrimental to economic growth and development, as they hinder the effective utilization of the labour force and hinder progress toward socio-economic goals.[1362] The statistics from Stats SA in 2022 indicate that youth bear the brunt of South Africa's high unemployment rate. This statistic underscores the gravity of youth unemployment and its potential socio-economic consequences. The persistently high youth unemployment rate has led many young South Africans to feel disconnected from society and disenchanted with the government. This sense of disillusionment is further exacerbated by the perception that their lives have not improved significantly since the advent of democracy in 1994. Dreyer et al, provide a poignant perspective by highlighting the role of many young South Africans as "foot soldiers" during the struggle against apartheid.[1363] These individuals made significant sacrifices in the pursuit of liberation, participating in grassroots anti-apartheid actions and, in some cases, losing their lives.[1364] Consequently, their expectations of socio-economic progress in post-apartheid South Africa remain unfulfilled.

### 5.15.3. The Nexus between Poverty and Unemployment

The relationship between poverty and unemployment in South Africa is a complex and multifaceted issue with profound implications for both individual livelihoods and the broader socio-economic and legal landscape.[1365] Unemployment in South Africa is a

[1361] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1362] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1363] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1364] Dreyer LM 2010. Hope anchored in practice. *South African Journal of Higher Education*, 24(3):58–71.
[1365] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.

significant contributor to poverty. Individuals without stable employment face challenges in meeting their basic needs, such as food, shelter, and healthcare, which leads to a decline in their overall socio-economic well-being.[1366] This predicament may result in a cycle of intergenerational poverty, perpetuating socio-economic disparities.

Conversely, poverty can exacerbate unemployment. Those trapped in poverty often lack access to quality education, healthcare, and other essential resources.[1367] Limited access to education and skill development can render individuals ill-prepared for the job market, making it difficult to secure and maintain employment. Labour laws play a critical role in mitigating the adverse effects of unemployment on poverty.[1368] These laws establish regulations governing employment relationships, ensuring fair wages, working conditions, and protections for workers.[1369] Legal mechanisms enforce minimum wage standards, establish limits on working hours, and protect against discriminatory hiring practices.

The intricate relationship between unemployment and poverty constitutes a significant socio-economic challenge. Unemployment in South Africa serves as a catalyst for the creation of poverty. It is not merely a product of resource scarcity or economic system inadequacies, as elucidated by Du Plessis and Smith.[1370] The perpetuation of unemployment accentuates the dearth of resources and economic opportunities, contributing to the expansion of poverty. The causes of poverty reach beyond the surface. Du Plessis and Smith, assert that poverty is a manifestation of human social relationships.[1371] It is not solely the outcome of economic deficits but reflects deep-rooted societal dynamics. Poverty is not solely the result of material scarcity but is

[1366] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1367] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1368] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1369] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1370] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1371] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704

intertwined with the power imbalances embedded in social interactions and economic processes.[1372]

Poverty, in its essence, is defined as the inadequacy of resources necessary to meet fundamental necessities.[1373] It encompasses the deprivation of access to essential amenities such as food, shelter, healthcare, and education. This material deprivation is a visible manifestation of the broader issue. Poverty is not solely a matter of material deprivation but also a reflection of power imbalances within society.[1374] Du Plessis and Smith, emphasize that poverty results from not only a lack of access to essential goods and services but also from being excluded from societal interactions, decision-making processes, and the exchange of economic goods.[1375] This exclusion compounds the hardships faced by individuals in poverty. Poverty transcends the material realm, inflicting physical, psychological, and spiritual suffering on individuals across all age groups.[1376] The pursuit of happiness is obstructed by the oppressive burden of deprivation, affecting the overall well-being of those trapped in the cycle of poverty.

The ramifications of unemployment extend beyond individual well-being, impacting the societal fabric as a whole. Unemployment not only diminishes personal welfare but also erodes the collective prosperity of a working society.[1377] The burden of unemployment affects the broader community by reducing economic productivity and social stability.[1378] Du Plessis, aptly points out that unemployment and poverty are outcomes of an economic system that tends to exclude certain segments of the population from active participation in economic activities.[1379] This exclusion stems from power struggles between those considered "haves" and "have-nots," as well as

[1372] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1373] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1374] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1375] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1376] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1377] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1378] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1379] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.

the distinction between those in the economic core and those on the periphery.[1380] Inequality arises from this division and is characterized by distorted power relations. Stigmatization and stereotyping, often along lines of wealth and poverty, reinforce these inequalities.[1381] Inequality exacerbates the challenges faced by impoverished individuals, leading to social and economic disparities.[1382]

De Villiers, notes the increase in the labour force's educational attainment.[1383] However, the South African labour market appears to be ill-equipped to absorb this growing supply of educated workers into traditional occupational roles.[1384] The labour market is witnessing a phenomenon described as over-education, particularly in sectors where certain major skills are not essential. For example, industries like fishing and forestry do not require tertiary qualifications. In contrast, the tertiary sector demands specific talents and is associated with stable jobs, favourable working conditions, and comprehensive welfare support. De Villiers, characterizes the tertiary sector as the primary segment, where university education is a prerequisite, job security prevails, and job opportunities align with a positive association between education and income.[1385] However, the prevailing notion that a university degree invariably enhances career prospects does not hold true for a significant proportion of young people in South Africa who are unemployed.[1386]

Post-graduate unemployment represents a significant challenge in the contemporary South African labour market. De Villiers, shed light on the perceived lack of demand for graduates and the role played by employers in contributing to this problem. Employers often ascribe graduate unemployment to a skills gap and a lack of practical

[1380] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1381] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1382] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1383] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1384] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1385] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1386] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.

experience, both of which deter them from hiring recent graduates.[1387] The mismatch between academic skills and employment requirements underscores the need for graduates to acquire supplementary skills to enhance their employability.[1388]

A pivotal factor contributing to graduate unemployment is the reluctance of employers to hire recent graduates. De Villiers, asserts that employers often perceive a skills deficit and a lack of practical experience in graduates, which leads to their hesitancy.[1389] Employers' perceptions of graduates are further shaped by the type of institution attended by the graduate, thus influencing the likelihood of employment.[1390] Graduates from certain institutions face greater challenges in securing employment due to negative employer perceptions.[1391] This highlights the importance of addressing these misconceptions and stereotypes through employer education and engagement.

Graduates entering the job market are often met with the demand for specific skills that they may lack. This skills mismatch between the skills possessed by graduates and the skills required by employers is a significant barrier to employment.[1392] Employers' expectations may not always align with the academic skills imparted by universities, leading to the need for additional, practical skills acquisition by graduates.[1393] Consequently, graduates who are equipped with both academic and practical skills are more likely to find suitable employment.

The type of educational institution attended by a graduate plays a substantial role in employer perceptions and hiring decisions. Employers may favour graduates from prestigious universities over those from less well-known institutions, thus creating

[1387] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1388] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1389] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1390] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1391] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1392] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1393] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.

disparities in graduate employment rates.[1394] De Villiers, points out that employers' opinions about educational institutions significantly contribute to the level of graduate unemployment.[1395] This situation emphasizes the need for more inclusive hiring practices and the reduction of biases associated with institutional backgrounds.

South Africa has implemented social safety nets, such as social grants and unemployment insurance, as part of the legal framework to alleviate poverty and support those affected by unemployment.[1396] These legal provisions aim to provide financial assistance to those in need, reducing the impact of joblessness on their livelihoods.[1397]Education policies and legislation can address the root causes of poverty and unemployment by ensuring equitable access to quality education and skill development.[1398] Legal mechanisms mandate educational opportunities for marginalized groups, promote vocational training, and facilitate lifelong learning to enhance employability.

To break the cycle of unemployment and poverty, legal frameworks can support skills development programs that equip individuals with the competencies demanded by the labour market, promoting their employability.[1399] Legal provisions can foster an environment conducive to economic growth and job creation, encouraging entrepreneurship, attracting investments, and promoting labour market participation.[1400]

Legal mechanisms should be aimed at addressing structural inequalities, including those based on race, gender, and socio-economic status, to create a more equitable

[1394] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1395] de Villiers, K., 2021. Bridging the health inequality gap: an examination of South Africa's social innovation in health landscape. *Infectious Diseases of Poverty*, *10*, pp.1-7.
[1396] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1397] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1398] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1399] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704
[1400] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704

job market.[1401] Education, especially in the form of TVET, plays a pivotal role in breaking the cycle of poverty and unemployment. Legal frameworks should promote access to TVET programs that equip individuals with practical skills and bridge the gap between education and employment.

### 5.15.4. Human dignity and unemployment

Human dignity is a fundamental concept in human rights and ethics, emphasizing the intrinsic worth and value of every individual.[1402] It asserts that every person, by virtue of being a human being, possesses certain inherent rights, respect, and recognition.[1403] Human dignity is closely related to the issue of unemployment, particularly in the context of TVET. Human dignity underscores that every person has inherent worth and should be treated with respect and fairness.[1404] When individuals experience unemployment, especially over extended periods, it can threaten their sense of dignity.[1405] The inability to secure stable employment may lead to feelings of inadequacy, loss of self-esteem, and a diminished sense of self-worth. TVET programs play a critical role in restoring and upholding human dignity by offering individuals the skills and knowledge necessary to enter the workforce and contribute to society, ultimately reaffirming their worth.[1406]

Human dignity asserts that all individuals should have equal opportunities to develop their potentials and lead fulfilling lives. Unemployment can undermine this principle when certain groups, such as those with limited access to quality education or vocational training, face greater barriers to employment.[1407] TVET programs have the potential to level the playing field by providing practical, job-relevant skills and

[1401] Du Plessis, S. and Smit, B., 2007. South Africa's growth revival after 1994. *Journal of African economies*, *16*(5), pp.668-704.
[1402] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1403] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1404] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1405] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1406] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1407] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.

knowledge to a wide range of individuals, irrespective of their background or previous educational experiences.[1408]

Human dignity includes the idea that individuals have the right to make choices about their lives and pursue their aspirations. Unemployment can restrict these choices by limiting access to gainful employment. TVET can empower individuals by equipping them with the skills necessary to enter the workforce and exercise their agency.[1409] This not only allows them to secure employment but also contributes to their sense of autonomy and self-determination. Human dignity encompasses the right to economic security, which includes access to decent work and a standard of living that allows for the basic needs and well-being of individuals and their families.[1410] Unemployment can lead to economic vulnerability and social exclusion. TVET programs, by providing training and education that is responsive to labour market demands, can enhance employability, promote economic security, and facilitate social inclusion for those who may otherwise be marginalized.[1411] Human dignity recognizes the value of knowledge and skills as essential components of personal development and societal progress. TVET programs directly contribute to this by imparting practical, job-specific skills, enabling individuals to participate actively in the workforce, contribute to economic growth, and, in turn, enhance their dignity through meaningful and productive employment.[1412]

Human dignity, as expounded Sangiovanni, is not merely an abstract concept but holds tangible implications for individuals and society as a whole. It highlights the impact of unemployment on individuals' well-being and self-esteem and underscores the role of the state in safeguarding human dignity in the face of socioeconomic challenges. Sangiovanni, elaborate on the various components of human dignity, including autonomous choice in the political domain, well-being and self-esteem in the

[1408] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1409] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1410] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1411] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.
[1412] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press.

psychological domain, and social and physical well-being.[1413] Human dignity, as they argue, is realised through these components, which include access to basic needs, acceptance, respect, and recognition.[1414] Work is presented as a means of upholding human dignity, allowing individuals to sustain themselves, participate in social activities, and lead fulfilling lives.

The divisive impact of unemployment on society is discussed, particularly in a country like South Africa, where economic disparities are stark. Sangiovanni, contends that human dignity, as a universal gift, should bind people together, and the social aspect of human dignity is violated when a substantial portion of the population remains uninformed, unemployed, and impoverished.[1415] The state should play a vital role of the state in safeguarding, recognizing, and valuing human dignity in the face of persistent unemployment and socioeconomic challenges.[1416] It asserts that the state must take active measures to protect human dignity, particularly in ensuring access to work and basic necessities for all citizens.

## 5.16. THE IMPACT OF COVID19 AND ON TVET COLLEGES

The COVID-19 pandemic, an unprecedented global crisis, has had profound implications for the field of education, including TVET colleges. This analysis delves into the legal dimensions of the impact of the pandemic on TVET institutions, addressing issues such as disruptions to education, the duty of care, and potential legal reforms.[1417]The COVID-19 pandemic led to the abrupt closure of educational institutions, including TVET colleges. TVET colleges owe a duty of care to their students, faculty, and staff. Students have rights as educational consumers. TVET colleges enter into contracts with students, faculty, and other stakeholders.[1418] The

[1413] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press
[1414] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press
[1415] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press
[1416] Sangiovanni, A., 2017. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press
[1417] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1418] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.

COVID-19 pandemic disrupted these contracts, leading to disputes over contractual performance.

The COVID-19 pandemic raised critical issues related to public health and safety within educational institutions. The COVID-19 pandemic, commencing in late 2019, has had extensive consequences, including disruptions in education and a necessitated transition to online learning in South Africa's TVET colleges. The South African government's response to the pandemic, including the imposition of curfews, had profound ramifications for TVET colleges. TVET colleges, like many educational institutions globally, transitioned to online learning as a response to the pandemic. Information technology and the internet have significantly altered the dissemination of educational content.

E-learning has become a fundamental component of education, particularly in TVET institutions. TVET institutions are legally obligated to ensure that students have access to e-learning, which necessitates robust internet networks.[1419] E-learning requires dedicated online spaces. TVET institutions are legally encouraged to create e-campuses.[1420] An e-campus serves as an application for administering, documenting, tracking, reporting, and delivering educational programs.[1421] To avoid disruptions in online learning, TVET institutions must provide free learning platforms and high-quality web-based materials.[1422] This necessitates legal support for the provision of these resources, ensuring equitable access for all students. TVET institutions must ensure that their curriculum, pedagogy, learning materials, and assessments align with e-learning demands. Legal considerations dictate the need to construct comprehensive lesson plans that incorporate appropriate e-learning content.[1423]

[1419] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1420] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1421] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1422] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1423] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.

As Mujumdar, highlights, practical components are essential in online learning modules. Legal frameworks should accommodate the incorporation of practical elements, allowing TVET colleges to offer skill training and enabling external examiners to assess student performance effectively. Mujumdar, has highlighted the necessity of proactive engagement between TVET institutions and health services to mitigate unemployment among graduates.[1424]

The engagement between TVET institutions and health services should include the production of protective equipment, sanitizers, and masks. Legal considerations must encompass quality control, safety standards, and compliance with health regulations. Ensuring that TVET graduates are equipped with the necessary skills and knowledge while adhering to regulatory requirements is essential. Engaging TVET graduates in volunteer work at vaccination centres raises legal concerns related to liability, insurance, and occupational health and safety.[1425] TVET institutions and health services should establish legal agreements to address these issues and safeguard the rights and well-being of volunteers.[1426] Involvement in health facility repair and maintenance may necessitate legal agreements that address liability for damages, safety standards, and compliance with health regulations.[1427] Clarity in legal responsibilities is vital to ensuring the protection of TVET graduates and the integrity of the services provided.[1428]

### 5.16.1. TVET Readiness for New Learning Norms

TVET institutions are confronted with the need to adapt to the changing landscape of education, marked by technological advancements and evolving pedagogical approaches. The readiness for the new learning norms entails technological proficiency. Instructors and administrators must possess the skills to integrate

[1424] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1425] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1426]Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1427] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1428] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.

technology effectively into teaching and learning. TVET institutions must provide training and support to enhance the technological competence of their staff. Strategies include professional development programs, investment in technology infrastructure and collaboration with tech experts.

The new learning norms emphasize learner-centred and experiential approaches. Instructors must adapt their teaching methods to align with these trends. Strategies encompass pedagogical training, curriculum redesign, and the promotion of innovative teaching practices. TVET institutions should establish pedagogical committees to foster the exchange of best practices. To ensure readiness for the new learning norms, TVET institutions must invest in technological infrastructure. Strategies include securing funds for hardware and software, establishing e-learning centres, and providing access to reliable internet connections for all students and staff. Legal considerations involve adherence to procurement laws and regulations.

A critical aspect of readiness is understanding the legal implications of the new learning norms. TVET institutions must consider intellectual property rights, data privacy, and compliance with education and technology-related laws. Strategies involve the development of institutional policies, collaborations with legal experts, and the establishment of data protection mechanisms. Strategic planning is paramount for readiness. TVET institutions must develop comprehensive strategies that encompass technological investments, faculty development, infrastructure enhancement, and legal compliance. These strategies should be aligned with the institution's mission and vision and formulated through consultation with all stakeholders.

The new learning norms emphasize student-centred education. TVET institutions must adopt strategies that prioritize the needs and expectations of students. This includes soliciting feedbacks, involving students in curriculum development, and ensuring that resources and services are tailored to their preferences. To maintain readiness, TVET institutions should establish mechanisms for continuous evaluation and improvement. This involves periodic assessment of technological infrastructure, faculty performance, and legal compliance. Strategies include conducting regular audits and seeking external assessments.

TVET institutions should collaborate with industry partners, educational organizations, and technology providers to ensure their readiness. Partnerships can lead to resource sharing, expertise exchange, and access to cutting-edge technologies. TVET institutions must undergo a thorough process of readiness to embrace the new learning norms. This involves technological proficiency, pedagogical adaptability, infrastructure development, legal considerations, and strategic planning. By strategically investing in technology, enhancing faculty skills, and ensuring legal compliance, TVET institutions can seamlessly transition into the emerging educational paradigm, providing students with high-quality and relevant education.

During the lockdown, the TVET college sector faced the challenge of transitioning to online education. According to Hassan et al, the successful implementation of e-learning in TVET institutions depends on their capacity to adapt their curriculum, as well as the preparedness of their infrastructure, which includes internet access, access to devices or media, availability of learning platforms, and the readiness of trainers and teachers for online teaching.[1429] To effectively integrate e-learning, TVET institutions should conduct a comprehensive assessment of their management processes, educational models, and assessment methods.[1430] This assessment is crucial for ensuring a smooth transition to online learning. Notably, academic disciplines or programs that do not heavily rely on manual tasks can more easily transition to e-learning.

Yeap, suggests that TVET colleges can offer online courses in fields such as administrative management, management systems, programming, and information technology.[1431] These programs are well-suited for online delivery due to their theoretical and knowledge-based nature. In essence, the implementation of e-learning in TVET colleges during the lockdown requires careful consideration of curriculum adaptation, infrastructure readiness, and an assessment of management processes

[1429] Wan Hassan, W.A.S., Ariffin, A., Ahmad, F., Sharberi, S.N.M., Nor Azizi, M.I. and Zulkiflee, S.N., 2020. Covid-19 pandemic: Langkawi vocational college student challenge in using google classroom for teaching and learning (t&l). *International Journal*, *9*(3).
[1430] Wan Hassan, W.A.S., Ariffin, A., Ahmad, F., Sharberi, S.N.M., Nor Azizi, M.I. and Zulkiflee, S.N., 2020. Covid-19 pandemic: Langkawi vocational college student challenge in using google classroom for teaching and learning (t&l). *International Journal*, *9*(3).
[1431] Yeap, C.F., Suhaimi, N. and Nasir, M.K.M., 2021. Issues, challenges, and suggestions for empowering technical vocational education and training education during the COVID-19 Pandemic in Malaysia. *Creative Education*, *12*(8), pp.1818-1839.

and educational models.[1432] Online courses are particularly suitable for programs that do not involve extensive manual tasks, such as administrative management, management systems, programming, and information technology.

Transitioning to distance and online learning poses a significant challenge for the TVET sector, primarily because TVET places a strong emphasis on practical skills and workforce readiness.[1433] Hoftijzer et al, highlight that practical skills are typically acquired through hands-on experience in workshops, laboratories, or real-world job settings.[1434] Consequently, the practical nature of TVET presents a unique challenge when it comes to e-learning, as it is well-suited for theoretical subjects but may require additional solutions to address the practical component. In essence, the practical aspect of TVET, which involves hands-on training, cannot be fully substituted by e-learning alone.[1435] As noted by Mujumdar et al, the situation is further exacerbated when trainees or students face job losses due to business closures, making it difficult to gain the necessary practical experience.[1436] The transition to e-learning in TVET is complex, as it is primarily geared toward theoretical subjects and may require alternative methods to address the practical component effectively.[1437] Job disruptions due to business closures further complicate the practical training aspect of TVET.[1438]

Hoftijzer et al, further emphasize the unique challenges faced by the TVET colleges, particularly its strong emphasis on providing instruments and practical learning experiences.[1439] The practical nature of TVET programs makes it difficult to shift to online learning. Furthermore, when businesses close, this exacerbates the issue by

[1432] Yeap, C.F., Suhaimi, N. and Nasir, M.K.M., 2021. Issues, challenges, and suggestions for empowering technical vocational education and training education during the COVID-19 Pandemic in Malaysia. *Creative Education*, *12*(8), pp.1818-1839.
[1433] Yeap, C.F., Suhaimi, N. and Nasir, M.K.M., 2021. Issues, challenges, and suggestions for empowering technical vocational education and training education during the COVID-19 Pandemic in Malaysia. *Creative Education*, *12*(8), pp.1818-1839.
[1434] Hoftijzer, M., Levin, V., Santos, I., & Weber, M. (2020, May 4). TVET in the Times of COVID-19: Challenges and Opportunities.
[1435] Hoftijzer, M., Levin, V., Santos, I., & Weber, M. (2020, May 4). TVET in the Times of COVID-19: Challenges and Opportunities.
[1436] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1437] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1438] Majumdar, S., Araiztegui, I. and Tknika, B.V., 2020. Technical Vocational Education & Training–reflections on the issues facing TVET and its potential in the time of COVID-19.
[1439] Hoftijzer, M., Levin, V., Santos, I., & Weber, M. (2020, May 4). TVET in the Times of COVID-19: Challenges and Opportunities.

hindering students' ability to gain practical experience through internships. In response to the COVID-19 pandemic, TVET colleges had to close to prevent the spread of the disease among students. This sudden response forced a significant shift in teaching methods to adapt to the new standard of online learning.[1440] However, both educators and students often lacked the necessary e-learning skills to effectively integrate information and communication technologies (ICTs) into the classroom.[1441] As suggested by Lie et al, the preparation of educational materials and the development of IT skills can be time-consuming and challenging, leading to minimal student collaboration and limited implementation of ICTs in the learning process.[1442]

Moreover, many students faced obstacles such as limited internet access, inadequate remote learning skills, and a lack of digital tools due to their socioeconomic status.[1443] These challenges have had a demotivating effect on students, hindering their ability to collaborate on assessments and assignments effectively. TVET sector faces significant hurdles in transitioning to online learning due to its focus on practical skills. The COVID-19 pandemic exacerbated the situation, as both educators and students often lacked the necessary e-learning skills. Additionally, socioeconomic disparities in internet access and digital tools have further hindered students' engagement in online education.

### 5.16.2. Readiness of Leaders and Instructors for the New Learning Norm

TVET institutions play a pivotal role in preparing students for practical and vocational careers. However, the educational landscape is evolving, driven by advances in technology and changes in pedagogical approaches. One of the key elements of readiness for the new learning norm in TVET is technological proficiency. This includes the ability to effectively use and integrate various digital tools and platforms for

[1440] Hoftijzer, M., Levin, V., Santos, I., & Weber, M. (2020, May 4). TVET in the Times of COVID-19: Challenges and Opportunities.
[1441] Hoftijzer, M., Levin, V., Santos, I., & Weber, M. (2020, May 4). TVET in the Times of COVID-19: Challenges and Opportunities.
[1442] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1443] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.

teaching and learning. Instructors must be skilled in using Learning Management Systems (LMS), multimedia resources, and virtual classrooms to facilitate online and blended learning.[1444] Leaders, on the other hand, need to provide the necessary infrastructure, training, and support to ensure instructors can harness technology effectively.[1445]

The new learning norm places an increased emphasis on learner-centered and experiential approaches. Instructors should be ready to adapt their teaching methods to these evolving pedagogical trends.[1446] This may involve a shift from traditional lecture-based instruction to more active and participatory methods, where students engage in problem-solving, critical thinking, and practical application of skills.[1447] Leaders should encourage and support pedagogical innovation, ensuring that instructors have the necessary training and resources to implement these changes.

Readiness for the new learning norm extends to understanding the legal and ethical implications of the evolving educational landscape. Instructors should be aware of copyright and intellectual property laws when using digital resources.[1448] They should also be familiar with privacy regulations when handling student data in an online environment.[1449] Leaders need to establish clear policies and guidelines that ensure compliance with these legal and ethical standards. Instructors on the other hands should be ready to adapt their assessment and evaluation methods to align with the

[1444] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1445] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1446] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1447] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1448] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1449] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.

new learning norm.[1450] This may involve shifting from traditional exams to performance-based assessments, project-based learning, and continuous formative assessment. Leaders should provide guidance and resources for instructors to develop valid and reliable assessment methods that align with the new pedagogical approaches.[1451] The readiness for the new learning norm in TVET is an ongoing process. Instructors and leaders should embrace lifelong learning and continuous professional development. This may involve participating in training programs, attending workshops, and staying updated on emerging trends and best practices in education. Leaders should create a culture of professional development within their institutions, fostering a commitment to staying current in the field.

The outbreak of COVID-19 compelled TVET colleges to swiftly shift from traditional instruction to e-learning. Instructors must rapidly adapt to e-learning, often lacking prior experience. Dumbiri and Nwadiani, emphasize the need for instructor training in basic e-learning skills, technology integration, and online pedagogy.[1452] Legal considerations extend to intellectual property rights for materials developed during training. The transition to e-learning necessitates changes in teaching methods. Instructors must develop and modify instructional materials for the online environment.[1453] Online learning introduces new challenges in classroom management and assessment. Instructors must adapt to ensure effective class management, address asynchronous student inquiries, and administer assessments that align with the online format.[1454] Legal implications include maintaining student privacy, data protection, and adherence to institutional policies.

[1450] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1451] Lie, A., Tamah, S. M., Gozali, I., Triwidayati, K. R., Utami, T. S. D., & Jemadi, F. (2020). Secondary School Language Teachers' Online Learning Engagement during the COVID-19 Pandemic in Indonesia. Journal of Information Technology Education: Research, 19, 803-832.
[1452] Dumbiri, D.N. and Nwadiani, C.O., 2020. Challenges Facing Application of E-learning Facilities in Vocational and Technical Education Program in South Nigeria Universities. *Asian Journal of Vocational Education And Humanities*, *1*(2), pp.1-8.
[1453] Dumbiri, D.N. and Nwadiani, C.O., 2020. Challenges Facing Application of E-learning Facilities in Vocational and Technical Education Program in South Nigeria Universities. *Asian Journal of Vocational Education And Humanities, 1*(2), pp.1-8.
[1454] Dumbiri, D.N. and Nwadiani, C.O., 2020. Challenges Facing Application of E-learning Facilities in Vocational and Technical Education Program in South Nigeria Universities. *Asian Journal of Vocational Education And Humanities*, *1*(2), pp.1-8.

The engagement between students and lecturers in the online environment is a significant concern. Hassan et al, underline that the deficiency in ICT skills among instructors may hinder engagement.[1455] Legal aspects encompass ensuring that students receive quality instruction and facilitating effective communication between students and instructors. In addition to instructor challenges, students face difficulties in actively participating in online learning. The transition to e-learning in TVET colleges necessitates comprehensive changes in instruction, pedagogy, and engagement. Instructors require training and support to adapt to the online learning environment.[1456] Legal implications include intellectual property rights, equitable access, student-lecturer engagement, and data protection. Successfully navigating these challenges requires a balanced approach that safeguards the interests of both instructors and students while ensuring the effectiveness of online education.

### 5.16.3. How to address unemployment using TVET education?

The legal framework must ensure equal access to TVET education. Legislation and policies should be in place to guarantee that TVET programs are accessible to a broad spectrum of the population, including historically disadvantaged groups. The legal requirements for TVET colleges must include non-discriminatory admission policies and financial support mechanisms to facilitate access for marginalized individuals. To effectively address unemployment, TVET programs should offer curricula aligned with the current labour market demands. This requires a dynamic legal framework that allows for regular assessments and updates of TVET programs based on industry needs. Collaboration between educational institutions, employers, and relevant government bodies is instrumental in maintaining the relevance of TVET curricula.

Furthermore, a robust legal and regulatory framework is needed to ensure the quality of TVET education. Accreditation and certification processes should be established, allowing employers to have confidence in the qualifications of TVET graduates. This

[1455] Wan Hassan, W.A.S., Ariffin, A., Ahmad, F., Sharberi, S.N.M., Nor Azizi, M.I. and Zulkiflee, S.N., 2020. Covid-19 pandemic: Langkawi vocational college student challenge in using google classroom for teaching and learning (t&l). *International Journal*, *9*(3).
[1456] Wan Hassan, W.A.S., Ariffin, A., Ahmad, F., Sharberi, S.N.M., Nor Azizi, M.I. and Zulkiflee, S.N., 2020. Covid-19 pandemic: Langkawi vocational college student challenge in using google classroom for teaching and learning (t&l). *International Journal*, *9*(3).

will reduce the level of mistrust between TVET colleges and the industries. TVET colleges should comply with quality standards in education which is vital for producing skilled and competent individuals who can meet the needs of the labour market. TVET colleges must incorporate work-based learning into their programs as crucial aspect of enhancing employability. Legal mechanisms should support partnerships between TVET institutions and employers to facilitate internships, apprenticeships, and on-the-job training. Such arrangements require clear legal agreements to protect the rights and interests of all parties involved.

The legal framework should recognize the evolving nature of employment and provide avenues for flexibility within TVET education. This can include mechanisms for recognition of prior learning, credit transfer, and opportunities for individuals to upskill or reskill throughout their careers. Encouraging a culture of lifelong learning through legal incentives can help individuals remain competitive in the job market. The legal provisions should specifically address the needs of vulnerable populations, such as individuals with disabilities or those living in disadvantaged areas. This may include affirmative action measures, financial support, and tailored TVET programs to ensure that these groups have equal opportunities to access and benefit from TVET education.

Furthermore, the legal framework should mandate regular monitoring and evaluation of TVET programs' effectiveness in addressing unemployment. This entails collecting and analysing data on employment outcomes, graduate satisfaction, and the alignment of TVET programs with labour market needs. The results of these evaluations can inform policy adjustments. To facilitate partnerships between TVET institutions and the private sector through legal mechanisms can enhance the responsiveness of TVET programs to labour market demands. Legal agreements can outline the roles, responsibilities, and expectations of each party, fostering collaboration that benefits both education and industry.

In essence, addressing unemployment through TVET education requires a comprehensive and flexible legal framework. Such a framework should prioritize access, quality, relevance, and lifelong learning, while also considering the specific needs of vulnerable populations and facilitating public-private partnerships. By

creating a supportive legal environment, a nation can harness the potential of TVET education as a powerful tool to reduce unemployment and promote economic growth and development.

## 5.17. CONCLUSION

In the realm of TVET colleges, it is evident that a confluence of challenges besets these institutions, impeding their efficacy and compromising their role as vital contributors to workforce development and economic growth. This analysis has explored a spectrum of these challenges and proffered potential solutions in an academic and legal context.

The challenges encountered by TVET colleges are emblematic of a broader socio-economic imperative and have a considerable bearing on the future employability of the workforce. The salient challenges encompass issues related to funding constraints, inadequate infrastructure, the quality of education and training, labor market relevance, student access and completion rates, and the need for professional development and incentives for educators. These challenges mirror the intricate interplay between the legal framework, educational policies, and the practical implementation of these policies within the TVET sector.

To address these challenges comprehensively, a multi-faceted approach is essential. Legal mechanisms should play a pivotal role in establishing a supportive regulatory framework for TVET colleges. This framework must ensure equitable access, address funding disparities, and facilitate collaboration with industry stakeholders to enhance curriculum alignment with labour market demands. Legal provisions should mandate regular quality assessments and support professional development for educators, thus fostering a culture of excellence within the TVET sector.

Furthermore, it is incumbent upon legislators to create an environment that fosters flexibility and innovation within TVET institutions. This includes promoting the recognition of prior learning, credit transfer mechanisms, and lifelong learning opportunities to enable individuals to adapt to evolving job market demands. Such

legal provisions can bolster the capacity of TVET colleges to offer responsive, relevant, and high-quality vocational education and training.

The imperative of addressing these challenges in the realm of TVET is not merely an educational concern; it is an overarching societal and legal obligation. Ensuring that TVET institutions are adequately equipped to produce a skilled and employable workforce is not only essential for individual economic empowerment but also a critical component of broader socio-economic development and stability. Consequently, the legal dimensions considered herein underscore the urgency of fostering an enabling legal environment that supports TVET colleges in overcoming their challenges, realising their potential, and contributing to a more prosperous and equitable future. The alignment of legal frameworks with educational policies and practical implementation remains a crucial endeavour in ensuring the efficacy of TVET colleges and, by extension, the enhancement of the workforce's employability and the fostering of economic growth.

# CHAPTER SIX: THE TRANSFORMATION OF TVET COLLEGES IN SOUTH AFRICA

## 6.1. INTRODUCTION

TVET colleges in South Africa have embarked on a profound journey of transformation in recent years, seeking to reposition themselves as dynamic and responsive institutions that play a pivotal role in addressing the country's socio-economic challenges. This transformation is a testament to South Africa's commitment to providing accessible, quality education and equipping its citizens with the skills and knowledge necessary to thrive in a rapidly changing world.

Historically, TVET colleges in South Africa have faced various challenges, including inadequate infrastructure, inconsistent program quality, and a misalignment with industry needs. These issues have hindered the sector's ability to meet the demands of both students and employers. In response to these challenges, the South African government has introduced a comprehensive and ambitious reform agenda to overhaul the TVET sector. This transformation is underscored by the National Development Plan (NDP)[1457] and the White Paper for Post-School Education and Training[1458], both of which emphasize the critical roles of TVET colleges in advancing the nation's development goals.

The transformation of TVET colleges in South Africa is a multi-faceted endeavour that encompasses various key areas. This includes enhancing program relevance and quality, strengthening the connection between TVET institutions and industry, improving infrastructure and resources, fostering inclusivity and equity, and promoting innovative teaching and learning methodologies. Moreover, this transformation is firmly rooted in a commitment to social justice and redressing historical inequalities, particularly in the provision of quality education and training.

[1457] National Development Plan 2030 : Our Future-Make it work
[1458] White Paper for post-school education and training: (2014). Building an expanded, effective and integrated post-school system.

One of the core pillars of this transformation involves aligning TVET programs with the needs of the labour market and industry. South Africa recognizes that a skilled and adaptable workforce is essential for economic growth and development, and TVET colleges are at the forefront of providing this vital training. Consequently, the curriculum and program offerings of TVET colleges are being restructured to address current and emerging skills gaps, with a focus on priority sectors such as technology, engineering, healthcare, and business.

Another critical aspect of the transformation is improving the governance and management of TVET colleges. These institutions are being empowered to operate efficiently, with a greater degree of autonomy and accountability. This change is expected to result in more responsive decision-making, financial sustainability, and a greater ability to adapt to local and regional needs.

In terms of access and inclusivity, the transformation of TVET colleges aims to expand opportunities for historically disadvantaged individuals, including those from rural areas and marginalized communities. Initiatives to provide financial support and address historical imbalances are being implemented to ensure that TVET education is accessible to all who seek it.

As this comprehensive transformation of TVET colleges unfolds, it is essential to recognize the central role of partnerships between the government, industry, and civil society. Collaboration among these stakeholders is pivotal in achieving the shared goal of equipping South Africa's workforce with the skills and competencies necessary for economic growth, job creation, and sustainable development.

## 6.2. TRANSFORMATION OF TVET COLLEGE EDUCATION SECTOR

The transformation of South African TVET colleges was initially envisioned as a means to provide greater access and equity in an education system that had long been segregated and limited due to apartheid policies.[1459] The aim was to create a differentiated system that would offer mobility and opportunities to the majority of the

[1459] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.

population previously denied such access.[1460] However, the path of transformation has proven to be a complex and challenging one, yielding mixed results and, in many cases, disillusionment.

Transformation, as defined by Mbembe, involves a deep and profound change that breaks with the past and catalyses new configurations, structures, and processes.[1461] Despite the noble intentions behind the TVET college system's transformation in South Africa, there are concerns that it may be falling short of achieving this level of fundamental change.[1462] The transformation efforts may, in fact, be more akin to reforms and turnarounds, rather than the radical shifts required to address the deeply rooted issues.[1463]

One of the persistent challenges lies in the structural and ideological changes that have taken place within South African educational institutions.[1464] While there have been significant changes, the legacy of the apartheid system continues to cast a shadow over the education landscape in various ways.[1465] This suggests that achieving a truly transformative educational system is an ongoing struggle.

Samuel and Marrow, point out that while there have been efforts to increase access to TVET college education and centralize control and oversight, there are systemic and institutional issues that continue to hinder the transformative agenda.[1466] These issues are particularly detrimental to black students who face difficulties in achieving

[1460] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.
[1461] Mbembe, A. 2001. *On the post-colony, studies on the history of society and culture*. California: University of California Press
[1462] Mbembe, A. 2001. *On the post-colony, studies on the history of society and culture*. California: University of California Press
[1463] Mbembe, A. 2001. *On the post-colony, studies on the history of society and culture*. California: University of California Press
[1464] Mbembe, A. 2001. *On the post-colony, studies on the history of society and culture*. California: University of California Press
[1465] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.
[1466] Samuel, M. and W. Morrow. 2004. Continuing teacher professional development. Draft Discussion document, National Framework on Teacher Education. Paper presented at the CEPD Conference on The role of Education in a decade of democracy, Johannesburg.

favourable learning outcomes and retention rates, often evidenced by low completion rates.[1467]

In South Africa's higher education institutions, there has been a significant increase in the number of black personnel, yet the teaching faculty remains disproportionately dominated by white educators.[1468] This situation reflects a persisting issue, as Maringe, argues that the epistemological foundations of South African institutions continue to be rooted in Western discourse, neglecting the incorporation of new and much-needed Afrocentric episteme.[1469]

However, it is notable that within South Africa's TVET college education sector, the impetus for transformation has primarily been driven by economic necessity, with a focus on equipping students with skills tailored to the labour market.[1470] This economic-driven agenda is particularly evident in the 'White Paper on Post-School Education and Training', which has been criticized for its narrow focus on skills development, potentially at the expense of broader knowledge production.[1471] The imbalance in enrolment between universities and TVET colleges is another concern. A significant number of students are enrolled in universities, while comparatively fewer choose TVET colleges.[1472] This has raised issues related to quality, resource allocation, curriculum design, qualification frameworks, alignment with economic needs, and human resource shortages, garnering policymakers' attention.

Moreover, TVET colleges have been primarily tasked with preparing young people for the workforce, particularly in roles requiring practical skills such as artisans, administrators, and apprentices. However, the persistent challenges and

[1467] Samuel, M. and W. Morrow. 2004. Continuing teacher professional development. Draft Discussion document, National Framework on Teacher Education. Paper presented at the CEPD Conference on The role of Education in a decade of democracy, Johannesburg.
[1468] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.
[1469] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.
[1470] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.
[1471] White Paper for post-school education and training: (2014). Building an expanded, effective and integrated post-school system.
[1472] Maringe, F. and Osman, R., 2016. Transforming the post-school sector in South Africa: Limits of a skills-driven agenda. *South African Journal of Higher Education*, *30*(5), pp.120-140.

inconsistencies in the TVET system, as well as the marginalization of other essential educational roles, contribute to a complex educational landscape.

The concept of TVET is of critical importance in the global landscape, and it is evident that it plays a pivotal role in addressing contemporary challenges related to employment, poverty reduction, employability, and sustainable development. UNESCO-UNEVOC emphasizes the fundamental nature of TVET in equipping individuals with the knowledge, skills, and attitudes necessary for employment in various fields, contributing to social and economic advancement.[1473] Similarly, Rauner, underscores the importance of TVET in creating opportunities for productive empowerment and supporting economic development, especially in knowledge-based economies with rapidly evolving work environments.[1474]

One key contribution of TVET is its direct impact on productivity and economic development, which aligns with the national development goals of many countries. The ability of TVET to enhance employability through skill acquisition is instrumental in combating poverty and fostering sustainable development. UNESCO-UNEVOC rightly points out that TVET education offers significant prospects for addressing these challenges across different continents.[1475] This recognition of the role of TVET in global development underscores the growing importance of this form of education worldwide.

In both developed and developing countries, there is a growing realisation of the significance of TVET in preparing individuals to participate effectively in social, economic, and technological innovation processes.[1476] This awareness highlights the critical role that TVET plays in shaping the future prosperity of nations and societies. The acquisition of demonstrable skills, as emphasized by Akerele, is not only a means

[1473] UNESCO-UNEVOC, 2012. Transforming TVET–From idea to action. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training, UN Campus, Bonn, Germany*.
[1474] Rauner, F., 2009. Overview: TVET research. *International Handbook of Education for the Changing World of Work*, pp.1442-1460
[1475] UNESCO-UNEVOC, 2012. Transforming TVET–From idea to action. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training, UN Campus, Bonn, Germany*.
[1476] Rauner, F., 2009. Overview: TVET research. *International Handbook of Education for the Changing World of Work*, pp.1442-1460

of economic gain but also a pathway to sustainable livelihoods.[1477] In this context, TVET emerges as a viable and integral part of education, contributing to economic empowerment and long-term well-being.

The availability and effectiveness of TVET programs have a significant impact on the transformation and inclusive growth of economies, especially in the context of South Africa. The presence of skills shortages and the roles of TVET in addressing these shortages are central to the ongoing process of transformation and growth. As the South African economy grapples with high unemployment rates, the state of the TVET sector and its ability to produce a skilled workforce come under scrutiny.

The definition of TVET in South Africa, as a technique leading to the learning of practical and applied skills along with basic scientific knowledge, underscores its purpose in preparing individuals for productive participation in society. The goal of TVET is to enhance both individual social and economic well-being and the broader societal benefit of having a well-educated workforce.[1478] This dual focus on personal and societal advancement places significant responsibility on TVET leaders and managers to optimize available resources to meet the demands of students and society. The potential of TVET education to equip individuals with the skills needed to access employment opportunities, improve financial well-being, alleviate poverty, and contribute to peace and security is undeniable.[1479] However, challenges persist, particularly in addressing unemployment and poverty. South Africa, like many other developing countries, is striving to expand TVET, with the goal of enrolling a significant portion of post-secondary students in TVET colleges. The emphasis on workplace-based experience and improved employment prospects reflects a commitment to enhancing the role of TVET in economic development.

Despite these efforts, the high rate of unemployment and the lack of essential skills among young people remain critical concerns. The inability to create and sustain

[1477] Akerele, W. O. (2007). Management of technical and vocational education in Nigeria: The challenges of the country. *Lagos Journal of Educational Administration and Planning, 3* (1).
[1478] Allais, S., Kgalema, V., Marock, C., Schöer, V., Sibiya, T. and Ramulongo, N., 2020. TVET, skills, and company transformation and growth.
[1479] Allais, S., Kgalema, V., Marock, C., Schöer, V., Sibiya, T. and Ramulongo, N., 2020. TVET, skills, and company transformation and growth.

businesses and become self-sufficient contributes to economic losses. This situation necessitates a coordinated effort involving governments, non-governmental organizations, parents, and employers to engage in TVET programs, not only to address unemployment but also to tackle broader societal issues.[1480]

The evolution of technical colleges, later renamed further education and training (FET) institutions in South Africa, has been marked by a complex journey that warrants careful examination. Allias et al, highlight a significant period from 1998 to 2006 when the college system struggled to define its character.[1481] During this time, the focus was on educational reform and the emergence of new skills development organizations, leaving technical colleges in a state of flux.[1482] Rather than addressing fundamental issues like identity, curriculum, and expected roles, efforts were primarily directed at restructuring and recapitalization.

Post-2006, there was a more deliberate effort to distinguish FET colleges from the broader education and training system. The year 2009 marked a significant turning point when these colleges formally separated from the school system and became an integral part of the expanded post-school system. This legal separation highlighted the distinct role and purpose of FET institutions. Notably, the number of FET colleges grew substantially after 2009, indicating a positive trend in terms of accessibility and reach.

However, despite this growth in numbers, the performance and role of FET institutions remained relatively stable. The contributions of Young, further underscore this transition and separation of FET colleges from the schooling system. This differentiation was a crucial step in clarifying the distinct role and identity of FET institutions within the broader education landscape.[1483]

[1480] Allais, S., Kgalema, V., Marock, C., Schöer, V., Sibiya, T. and Ramulongo, N., 2020. TVET, skills, and company transformation and growth
[1481] Allais, S., Kgalema, V., Marock, C., Schöer, V., Sibiya, T. and Ramulongo, N., 2020. TVET, skills, and company transformation and growth
[1482] Allais, S., Kgalema, V., Marock, C., Schöer, V., Sibiya, T. and Ramulongo, N., 2020. TVET, skills, and company transformation and growth
[1483] Young, M.F., 2003. National qualifications frameworks as a global phenomenon: A comparative perspective. *Journal of education and work*, *16*(3), pp.223-237.

The end of apartheid and the establishment of South Africa's first democratic government triggered educational reforms in the country. This transition was a significant turning point in South Africa's education landscape. Despite efforts to bridge the gap, historical differences between education and training persist. This suggest that these differences continue to influence the TVET college system. The White Paper outlines a vision for colleges to play a more focused and expanded role in the post-school education and training system. This vision includes partnerships with higher education institutions to offer higher certificates alongside TVET colleges. It also proposes the creation of Community Colleges and deeper integration with colleges in fields such as agriculture and health.

Section 29(1)(b) of the Constitution, which is a fundamental legal provision in South Africa, specifically addresses the right to education and training.[1484] This section underscores two crucial aspects: the progressive availability and accessibility of education and training.[1485] This means that the Constitution places a significant emphasis on making education and training steadily more accessible to all citizens. The primary objective of this provision is to ensure that education is not only free but also compulsory, and it advocates for the continuous improvement and expansion of the education and training system.[1486] The government is tasked with taking steps to make education and training more accessible to everyone over time, highlighting the dynamic nature of this right.

Moreover, the Constitution incorporates a set of principles related to equality, reparation, language, and identity rights. These principles reflect the broader values that guide the TVET College sector. In essence, the Constitution recognizes that access to education and training is not only a matter of logistics but also one of equality and identity. It seeks to address historical inequalities and injustices that have existed in the educational system. The Constitution establishes a system of shared responsibility for education between the national and provincial governments. The

[1484] Section 29(1)(b) of the Constitution
[1485] Section 29(1)(b) of the Constitution
[1486] Young, M.F., 2003. National qualifications frameworks as a global phenomenon: A comparative perspective. *Journal of education and work*, *16*(3), pp.223-237.

national Department of Education formulates policies, but provinces have some autonomy in interpreting and implementing these policies. Additionally, provinces receive resources to manage the education and training system. This shared responsibility is designed to balance the national and local needs in the complex South African educational landscape.

The legislative framework surrounding TVET colleges in South Africa has evolved significantly over the years, with a series of key legislative acts, preceded by policy documents and public consultation processes. The FET Act of 1998 holds a central position in the development of the TVET system in South Africa.[1487]. It laid the groundwork for the establishment, governance, and funding of public TVET colleges, and also introduced provisions for registering private TVET colleges.[1488] The preamble of this piece of legislation underscores the multifaceted objectives aimed at transforming the TVET sector.[1489] These objectives are reflective of the post-apartheid era and are aligned with the broader national imperatives of social justice, inclusivity, economic development, and skills enhancement.[1490]

The FET Act of 1998, as indicated in its preamble, emphasized a number of crucial principles and goals. These include the legislation recognized the need to modernize and adapt TVET programs to address the changing demands of the labour market and the evolving needs of society.[1491] This commitment to program restructuring is a significant contribution, as it ensures the relevance and currency of the skills imparted by TVET colleges. The FET Act acknowledged the historical disparities in access to education in South Africa, with a specific focus on redressing these inequities.[1492] This commitment to addressing past injustices aligns with broader post-apartheid transformation goals. The legislation makes a noteworthy contribution by highlighting the importance of inclusivity and ensuring that individuals with disabilities and those from disadvantaged backgrounds have equal opportunities in accessing TVET

[1487] The FET Act No 98 of 1998
[1488] The FET Act No 98 of 1998
[1489] The FET Act No 98 of 1998
[1490] The FET Act No 98 of 1998
[1491] The FET Act No 98 of 1998
[1492] The FET Act No 98 of 1998

education. This provision is aligned with international principles of equity and social justice.

The FET Act recognizes the importance of offering high-quality training and learning experiences, which is vital for producing a competent and skilled workforce.[1493] This emphasis on quality education is a significant contribution to the TVET sector. This legislation further underscores the role of TVET colleges in advancing national strategic priorities. This recognition of TVET as a strategic component of economic and social development is a valuable contribution to the nation's growth and transformation. The FET Act promotes a culture of learning and respect for education, which is fundamental to the development of a knowledge-based society. The commitment to excellence in TVET education reflects the aspiration to create a highly skilled and competitive workforce, which is essential for South Africa's economic progress. In the same vein, these legislation recognizes the dynamic nature of labour markets and the importance of aligning TVET programs with the current and future needs of both labour and local communities.

### 6.3. TVET AND SKILLS DEVELOPMENT

The subject of skills development within the context of TVET Colleges in South Africa has been a source of recurring tension and debate, particularly between the Ministries of Education and Labour. This tension can be analysed within the framework of legislative and policy developments in the country, particularly considering the 'Skills Development Act of 1998' and the role of Sector Education and Training Authorities (SETAs). The 'Skills Development Act of 1998' represents a pivotal piece of employment legislation in South Africa.[1494] It established SETAs, which were entrusted with the responsibility of managing the skills levy intended to fund skills development initiatives across the national economy.[1495] SETAs were envisioned as the conduits for disbursing funds and managing learnerships, a novel form of work-based learning intended to replace traditional apprenticeships.[1496] As Kraak noted, SETAs required

[1493] The FET Act No 98 of 1998.
[1494] 'Skills Development Act of 1998.
[1495] 'Skills Development Act of 1998.
[1496] 'Skills Development Act of 1998.

the collaboration of TVET Colleges to fulfil their mandate, particularly in the implementation of learnerships.[1497]

This legal framework exemplifies the multifaceted nature of skills development in the South African context. It is a manifestation of government efforts to address the skills gap, boost human resource development, and foster a workforce that is responsive to the evolving needs of the labour market.[1498] However, the tension and debate that played out between the Ministries of Education and Labour highlight differing visions for the role of TVET Colleges in achieving these objectives. On one hand, the Department of Labour was keen on utilizing TVET Colleges to implement strategies related to skills development. This interest was aligned with the national Human Resource Development Strategy, a policy initiative under the purview of the Department of Labour.[1499] The focus on skills development as a critical component of economic growth and human capital development made TVET Colleges a central player in this vision.

Conversely, the national Department of Education (DoE) had a distinct vision for TVET Colleges. The divergence in vision between the Department of Labour and the DoE led to a decade of continual conflict and contention over the role and purpose of TVET Colleges in the broader South African education and skills development landscape. This tension can be analysed through the lens of intergovernmental relations, policy conflicts, and the resultant impact on the functioning and effectiveness of TVET Colleges. It underscores the need for effective coordination and collaboration among government departments to ensure that TVET Colleges can fulfil their vital role in skills development. The historical context of this tension also provides insights into the complexities of policy implementation and the challenges faced in aligning different government agencies' objectives.

The motivation behind the paradigm shifts in TVET colleges, as described by Kraak, was driven by the imperative to transform not only the technological aspects of these

[1497] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1498] 'Skills Development Act of 1998'
[1499] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.

institutions but also the institutional culture. The paradigm shift in TVET institutions was anchored in the recognition that addressing technology functionality alone would not be sufficient to meet the needs of a new South Africa.[1500] Instead, there was a deliberate focus on transforming the institutional culture, with an emphasis on accountability, responsibility, and professionalism.[1501] This shift was driven by the imperative to align TVET institutions with the changing socio-economic and educational landscape of the country.[1502] The motivation for this transformation was to ensure that TVET institutions played a significant role in advancing the national educational and economic agenda, with a particular focus on improving the student experience.[1503]

The overarching framework adopted to facilitate this paradigm shift took both a strategic and operational approach. This approach reflects a recognition that change in TVET institutions required not only a clear vision but also practical steps to implement this vision. The goal was to enhance the overall student experience, which is a fundamental objective for TVET institutions as they play a critical role in skills development and workforce preparation.[1504] The connection between this paradigm shift and the Reconstruction and Development Program (RDP)is notable.[1505] The RDP was a central economic policy of the newly established democratic government in South Africa. It was designed to address the socio-economic disparities that were a legacy of apartheid.[1506] The RDP emphasized the importance of providing basic infrastructure as a means to reduce these disparities.[1507] This policy was not only about economic development but also about social transformation.

In this context, the establishment of a qualification's framework and the adoption of outcomes- and competency-based education for all South Africans, as supported by

[1500] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1501] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1502] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1503] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1504] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1505] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283- Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283-294.294.
[1506] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283-294.
[1507] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283-294.

the RDP, were significant steps. These measures aimed to redress the discriminatory educational legacies of the past. The Congress of South African Trade Unions (COSATU) had previously advocated for such an approach, highlighting the importance of creating an education system that would be inclusive and equitable.[1508] COSATU also highlighted the need for policy alignment and the interconnectedness of various policy initiatives in post-apartheid South Africa.[1509] The paradigm shift in TVET institutions reflects the broader commitment to social and economic transformation through education.

The transition from the Reconstruction and Development Program (RDP) to the neoliberal 'Growth, Employment, and Redistribution' (GEAR) policy in 1996 had significant implications for the development of education and training systems in South Africa. The phasing out of the RDP in 1996 and the subsequent introduction of the GEAR policy marked a pivotal moment in South Africa's economic and policy landscape. The shift was primarily driven by the perceived failure of the RDP to stimulate acceptable economic growth. The GEAR policy, characterized by neoliberal principles, aimed to attract investment in South Africa. This transition reflected a shift in economic ideology, moving away from the more interventionist and redistributive approach of the RDP to a more market-oriented approach.

In the context of education and training, this transition led to the formation of the 'National Training Strategy Initiative' in 1994, which played a central role in the development of South Africa's National Qualifications Framework (NQF).[1510] However, a notable aspect of this policy process was its primary focus on 'education and training' for workers in formal workplaces. The transition from the RDP to the GEAR policy and the subsequent development of the NQF primarily focused on workplace-based education and training for employees. This emphasis aligned with the broader economic objectives of attracting investment and promoting workforce development.

[1508] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283-294.294
[1509] Cameron, R., 1996. The reconstruction and development programme. *Journal of Theoretical Politics*, *8*(2), pp.283-294.294.
[1510] The South African Qualification Authority Act 58 of 1995.

However, this emphasis had implications for education providers, particularly TVET colleges, which were not the primary focus of the policy process.

This significance of this shift lies in the shift of policy priorities and their impact on the education sector. The transition from a more socially oriented RDP to a market-driven GEAR policy demonstrates the dynamic nature of policy development and the influence of economic ideologies on educational policies. The focus on workplace-based education and training had implications for TVET institutions, which were key providers of vocational education. The establishment of the NQF under the oversight of the South African Qualifications Authority also had a significant development.[1511] The NQF aimed to correct prior educational disparities and provide a framework for recognizing and communicating qualifications across different education and training sectors.[1512] It sought to bring coherence and standardization to the education and training system, facilitating mobility and comparability of qualifications.[1513]

The establishment of learnerships and skills programs as a result of the Skills Development Act of 1998, it touches on the South African National Qualifications Framework (NQF) and the transition from apprenticeship programs to learnerships. The establishment of learnerships and skills programs, as mandated by the Skills Development Act of 1998, was a significant step in the South African education and skills development system. These programs represent a more integrated approach to learning, combining theoretical knowledge with practical training in the workplace.[1514] This approach aligns with international best practices for skills development, where a hands-on, experiential component is increasingly recognized as essential for producing work-ready individuals.[1515] In the context of South Africa, learnerships and skills programs aimed to enhance employability, which is crucial for addressing unemployment and skills gaps in the labour market.[1516]

[1511] The South African Qualification Authority Act 58 of 1995.
[1512] The South African Qualification Authority Act 58 of 1995.
[1513] The South African Qualification Authority Act 58 of 1995.
[1514] Skills Development Act of 1998
[1515] Skills Development Act of 1998,
[1516] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.

The NVQ model involves the active involvement of stakeholders, particularly representatives of employers, in the development of qualifications.[1517] This approach ensures that qualifications are aligned with industry needs and standards, enhancing the relevance of education and training to the job market.[1518] In context, this signifies a commitment to aligning the education and training system with the needs of the economy, which is a key feature of modern skills development strategies.[1519]

The mention of the phase-out of apprenticeship programs at public TVET institutions in favour of learnerships is noteworthy. This transition represents a fundamental shift in the approach to skills development. Apprenticeships are typically more traditional and may not have kept pace with evolving industry demands. Learnerships, on the other hand, offer a more flexible and adaptable approach to skills development, ensuring that learners acquire the skills that are directly applicable to the workforce.

However, it is also significant to note the challenges and issues associated with this transition. The fact that public FET institutions were barred from offering learnerships and that the TVET sector was outsourced to provincial education ministries, with the requirement of certification from Sector Education and Training Authorities (SETAs), introduced complexities and bureaucratic hurdles.[1520] This had implications for the role and autonomy of public FET institutions and their ability to respond effectively to skills development needs. In this context, this transition from apprenticeships to learnerships and the issues related to the outsourcing of TVET to provincial education ministries raise questions about policy coherence, governance, and the effectiveness of regulatory frameworks.[1521] The need for a streamlined and efficient process for the certification of learnerships is evident, as any delay or bureaucracy in the certification process can hinder the responsiveness of the TVET system to labour market demands.[1522]

[1517] The South African Qualification Authority Act 58 of 1995.
[1518] The South African Qualification Authority Act 58 of 1995.
[1519] The South African Qualification Authority Act 58 of 1995.
[1520] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1521] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1522] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.

The establishment of SETAs and the introduction of learnerships and skills programs raised concerns about potential duplicate funding. TVET colleges, sponsored by the Department of Education (DoE) for vocational programs, were also accessing state funding through SETAs for similar initiatives.[1523] This created a situation commonly referred to as "double-dipping." TVET colleges as public provider were excluded from SETA-funded training opportunities. This exclusion resulted in the inability of public institutions to establish long-term relationships with businesses and limited their participation in state-funded training programs.

The gap left by the exclusion of public providers was filled by a growing number of commercial providers authorized by SETAs. These commercial entities were able to offer learnerships and skills programs, thereby taking advantage of state-funded training opportunities. This situation can be described as a consequence of the complexities and challenges within the skills development and education system in South Africa. It is a result of policy decisions and implementation issues related to the Skills Development Act of 1998, the roles of SETAs, and the relationship between TVET colleges, SETAs, and commercial providers.

The policy framework established the role of SETAs in funding and overseeing skills development programs. However, the exclusion of TVET colleges from accessing these funds created disparities and challenges in the system. The concerns about double-dipping may have emerged due to a lack of clear coordination and collaboration between the Department of Education and the Department of Labour, which was responsible for SETAs. However, one of the solutions could involve a review and realignment of policies related to skills development to ensure that funding mechanisms and roles of various stakeholders are clearly defined and harmonized.[1524] This would prevent issues related to double-dipping and exclusion of public providers. Another solution could be the encouragement of collaborations and partnership between public FET institutions, SETAs, and commercial providers could promote a more coordinated approach to skills development. This would require mechanisms for TVET colleges to access SETA funding and participate in state-funded training

[1523] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.
[1524] Kraak, A., 2013. *Sector skills councils in international perspective: in search of best practice*.

opportunities. Analogous to these, is the implementation of effective regulatory oversight to ensure that state-funded training opportunities are provided by accredited and qualified institutions, whether public or commercial, would help maintain quality and accountability in the system. The development of these policies to ensure the inclusion of public institutions in state-funded training opportunities, particularly in long-term partnerships with businesses, would address concerns raised in the Green Paper on Post-School Education and Training. This would foster stability and sustainability in skills development.

The shift in South Africa's economic focus from the Reconstruction and Development Program (RDP) to the Growth, Employment, and Redistribution (GEAR) policy had notable implications for the country's public vocational education and training system.[1525] The National Commission for Further Education, (NCFE's) proposal for a "community-college model" based on trade union and civil-society aspirations marked a distinctive approach to vocational education and training.[1526] This model emphasized the involvement of various societal stakeholders, reflecting a broader vision of education and training.[1527] In these context, this approach underscores the importance of inclusivity and participatory governance in the development of education policies.[1528] It suggests that education and training should be responsive to the needs and aspirations of different segments of society, rather than being narrowly focused.

The Green Paper for Further Education and Training, by contrast, was influenced by policy advisors from the National Business Initiative (NBI), a corporate business fund.[1529] This influence suggests a more market-oriented and business-driven approach to vocational education. The Green Paper emphasized the state's role in controlling and managing vocational education and training.[1530] In this context, this approach raises questions about the balance between state control and market-driven forces in shaping education policy.[1531] It also underscores the influence of economic

[1525] *Growth, Employment and Redistribution: A Macro-Economic Strategy*
[1526] *Growth, Employment and Redistribution: A Macro-Economic Strategy*
[1527] *Growth, Employment and Redistribution: A Macro-Economic Strategy*
[1528] White Paper for post-school education and training: Building an expanded, effective and integrated post-school system."
[1529] *Green Paper on Public Service Training and Education.*
[1530] *Green Paper on Public Service Training and Education.*
[1531]*Green Paper on Public Service Training and Education.*

interests on education policy decisions. The significance of these divergent policy approaches lies in the competing visions of what vocational education and training should be and who should be the primary beneficiaries.[1532] It reflects the tension between a more inclusive, community-driven model and a more market-driven, business-oriented model.[1533] In the post-apartheid context, this tension is emblematic of broader debates about the roles of education in social and economic transformation.

In this context, this shift is part of the complexities of policy development in a transitional society like South Africa. It highlights the influence of different stakeholders, from trade unions and civil society to corporate interests, on shaping education policy. It also underscores the need for a nuanced approach to education and training that balances the demands of the labour market with the broader societal goals of inclusivity, social justice, and equitable access to education. The tension between these approaches represents an ongoing challenge in education policy, not just in South Africa but in many countries like China, Germany and Canada, as they seek to reconcile the imperatives of economic development with the goals of a just and equitable society.

The introduction of the 'Accelerated and Shared Growth Initiative for South Africa' (ASGISA) in 2006, which replaced the previous Growth, Employment, and Redistribution (GEAR) policy, had significant implications for the country's vocational education and training system.[1534] ASGISA placed a heavy emphasis on skills upgrading, which was seen as vital for economic development.[1535] This emphasis recognized that a well-skilled workforce is essential for boosting economic growth and productivity.[1536] The modernization of TVET colleges was identified as a key component of this effort. In this context, this signifies a policy shift that aligns education and training with broader economic development goals. The contribution here lies in the acknowledgment that education plays a pivotal role in supporting economic growth and that vocational institutions like TVET colleges are integral to this process.

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[1532] *Green Paper on Public Service Training and Education.*
[1533] *Green Paper on Public Service Training and Education.*
[1534] *Accelerated and Shared Growth Initiative for South Africa*. Department of Finance.
[1535] *Accelerated and Shared Growth Initiative for South Africa*. Department of Finance.
[1536] *Accelerated and Shared Growth Initiative for South Africa*. Department of Finance.

JIPSA, as a supportive initiative, reinforced the importance of upgrading TVET colleges to produce skills for both the formal and informal economies. This recognition underscores the need for education and training institutions to be responsive to the diverse skills requirements of the labour market, acknowledging that skills are not solely needed in traditional formal employment but also in informal sectors. In an academic legal context, this highlights the need for education policies and curricula that reflect the realities of the labour market and support various forms of employment and entrepreneurship. The consequence of this emphasis on skills upgrading and modernization was a shift in the focus of TVET colleges. While traditionally these institutions had provided artisan training and emphasized workplace skills, the ASGISA and JIPSA-driven changes led to a shift toward pre-employment vocational training with a higher emphasis on theoretical learning. This change suggests that the curriculum and priorities of TVET colleges evolved in response to the policy directives, adapting to the new economic context. The shift away from artisan training and workplace skills training at TVET colleges had implications for the development of practical, hands-on skills. This shift may have had both positive and negative consequences, influencing the types of skills produced by TVET colleges and their alignment with industry needs.

The introduction of the 'National Certificate Vocational' (NC(V)) programs in 2007 by the Department of Education (DoE) marked a significant development in South Africa's public Further Education and Training (FET) institutions.[1537] The introduction of the NC(V) programs in 2007 represented a significant policy shift aimed at modernizing and updating the vocational education and training offerings in public FET institutions.[1538] These programs were designed to replace the National Accredited Technical Education Diploma (NATED) programs, which had become outdated. The shift signifies the importance of ensuring that educational programs remain relevant and aligned with industry needs.[1539] It also reflects the role of education policy in responding to changing economic and technological demands. The replacement of NATED programs with NC(V) programs was a response to the need for more

[1537] The South African Qualifications Authority Act. *Act 58 of 1996.*
[1538] The South African Qualifications Authority Act. *Act 58 of 1996.*
[1539] *White Paper for post-school education and training:* Building an expanded, effective and integrated post-school system.

contemporary and industry-relevant vocational training.[1540] The NATED programs were a legacy of the apartheid era and were no longer considered suitable for addressing the skills requirements of a post-apartheid South Africa.[1541] This transition highlights the role of education policies in addressing historical legacies and promoting educational equity and relevance.

The observation by Wedekind, that the policy direction for TVET colleges was ambiguous raises questions about the clarity and coherence of education policies.[1542] Ambiguity in policy direction can lead to implementation challenges and hinder the effectiveness of educational reforms. This issue underscores the need for clear and well-structured policy frameworks that provide guidance to educational institutions.[1543] This led to the recapitalization program that began in 2004 aimed to prepare FET colleges for the implementation of the NC(V) programs. This program likely involved investments in infrastructure, faculty training, and curriculum development to ensure that the colleges were ready to deliver the new programs. This highlights the practical and financial considerations that underpin education policy implementation.[1544] It emphasizes the need for adequate funding and resources to support educational reforms.

Youth unemployment is a persistent and grave concern, representing a substantial challenge for governments around the world, including South Africa. Manshor et al, have identified a multitude of factors contributing to the problem of youth unemployment, which need to be comprehensively understood to inform legal interventions.[1545] There is a mismatch between the skills possessed by youth and the

[1540] *White Paper for post-school education and training:* Building an expanded, effective and integrated post-school system.
[1541] *White Paper for post-school education and training:* Building an expanded, effective and integrated post-school system.
[1542] Wedekind, V. and Watson, A., 2016. Understanding complexity in the TVET college system: an analysis of the demographics, qualifications and experience of lecturers in sixteen TVET colleges in Gauteng and KwaZulu-Natal. *SAQA Bulletin*, *15*(1), pp.61-83
[1543] Wedekind, V. and Watson, A., 2016. Understanding complexity in the TVET college system: an analysis of the demographics, qualifications and experience of lecturers in sixteen TVET colleges in Gauteng and KwaZulu-Natal. *SAQA Bulletin*, *15*(1), pp.61-83
[1544] Wedekind, V. and Watson, A., 2016. Understanding complexity in the TVET college system: an analysis of the demographics, qualifications and experience of lecturers in sixteen TVET colleges in Gauteng and KwaZulu-Natal. *SAQA Bulletin*, *15*(1), pp.61-83
[1545] Manshor, Z., Abdullah, S. and Takiyudin, M.A., 2020. Social Entrepeneurship and TVET: Tackling Youth Unemployment. *Development*, *9*(4), pp.93-98.

skills demanded by the job market. Legal mechanisms can compel educational institutions to align their curricula with labour market needs and promote industry engagement in curriculum development. Youths often face a scarcity of job opportunities. However, the legal frameworks should foster an environment conducive to entrepreneurship and job creation, possibly by offering incentives to employers who hire young graduates.[1546] Soft skills, like communication and problem-solving, are often underdeveloped among young job seekers. TVET colleges should encourage the integration of soft skills training into educational programs.

Youth may face competition from foreign employees and immigrants. TVET colleges should a design a program that prioritize local workforce for certain job categories or sectors.[1547] Negative attitudes of local workers towards certain jobs can exacerbate youth unemployment. TVET colleges must raise awareness of the importance of all jobs and promote a positive attitude towards employment. To address youth unemployment, legal measures can be instrumental. These measures should be devised within the existing legal framework or through the formulation of new legislation. TVET colleges must enact legal provisions that prioritize youth for job openings, particularly in sectors with high youth unemployment.[1548] This may involve setting quotas, offering wage incentives, or providing other forms of support to employers hiring young graduates.

The government can implement a Vocational Education Transformation Plan, supported by legal provisions. This plan would promote collaboration between educational institutions, public and private sectors, and community groups. Legal requirements can mandate the development of partnerships between educational institutions and industries to ensure that curricula meet skill demands, thereby facilitating the transition of students into employment and self-employment. TVET colleges must establish a legal framework to facilitate entrepreneurship by offering tax incentives, access to start-up capital, and support for youth-led enterprises. These

[1546] Manshor, Z., Abdullah, S. and Takiyudin, M.A., 2020. Social Entrepeneurship and TVET: Tackling Youth Unemployment. *Development*, *9*(4), pp.93-98.
[1547] Manshor, Z., Abdullah, S. and Takiyudin, M.A., 2020. Social Entrepeneurship and TVET: Tackling Youth Unemployment. *Development*, *9*(4), pp.93-98.
[1548] Manshor, Z., Abdullah, S. and Takiyudin, M.A., 2020. Social Entrepeneurship and TVET: Tackling Youth Unemployment. *Development*, *9*(4), pp.93-98.

mechanisms can promote job creation among young entrepreneurs. Regardless of such mechanism, TVET colleges must ensure the inclusion of soft skills training within educational programs, thereby enhancing the employability of young graduates.[1549] A critical component of addressing youth unemployment is fostering collaboration between the public and private sectors. These legal provisions should outline the responsibilities and incentives for both sectors to work together in providing employment opportunities for young job seekers. This partnership can ensure that youth are effectively integrated into the job market.

## 6.4. TVET COLLEGE FOR JOB CREATION AND SUSTAINABLE DEVELOPMENT

Investing in education and its relationship with development and economic growth is a subject of great significance in legal academic discourse. This relationship is grounded in various legal and policy frameworks, as well as international agreements and commitments. Many countries have ratified international agreements and adopted legal frameworks that recognize education as a fundamental right. The Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights are examples of international instruments that legally oblige states to ensure access to quality education for their citizens. These legal obligations reinforce the importance of investing in education.

Investing in education contributes to the development of human capital, which encompasses the skills, knowledge, and competencies of individuals.[1550] From a legal perspective, the development of human capital is a critical component of social and economic development.[1551] A well-educated workforce is essential for a country's growth and prosperity. Legal frameworks must emphasize the principles of equality and non-discrimination in education. These legal frameworks must ensure that

[1549] Manshor, Z., Abdullah, S. and Takiyudin, M.A., 2020. Social Entrepeneurship and TVET: Tackling Youth Unemployment. *Development*, *9*(4), pp.93-98.
[1550] Nadezhina, O. and Avduevskaia, E., 2021, September. Genesis of Human Capital Theory in the Context of Digitalization. In *European Conference on Knowledge Management* (pp. 577-584). Academic Conferences International Limited.
[1551] Nadezhina, O. and Avduevskaia, E., 2021, September. Genesis of Human Capital Theory in the Context of Digitalization. In *European Conference on Knowledge Management* (pp. 577-584). Academic Conferences International Limited.

education is accessible to all, regardless of factors like gender, socioeconomic status, or disabilities, is not only a legal obligation but also a cornerstone of development.[1552] Inclusive education systems promote social cohesion and reduce inequalities, which are essential for economic growth.

The multifaceted nature of the term "skills" in the realm of education, as highlighted by Edokpolor and Owenvbiugie, underscores the complexity of addressing employment-related skills within a broader development context.[1553] The notion of "skills" encompasses various dimensions, including the skills demanded by the labour market. An academic inquiry into the specific skills in demand by employers in South Africa, their relevance to the economy, and the extent to which educational programs align with these requirements would be valuable. This can contribute to a better understanding of how education can bridge the skills gap.

Investigating the specific skill shortages in South Africa and their impact on economic development is crucial. This can involve identifying key sectors with acute skills gaps, such as STEM fields, and exploring strategies to address these shortages through education and training programs. The observation that higher education and training in South Africa may not adequately prepare students for employment raises important questions about the quality and relevance of educational programs. The rise in dropouts, stop outs, repeaters, and failures in the university sector is a significant concern. An academic investigation can explore the root causes of these challenges, which may include issues related to access, support structures, and curriculum design.

The allocation of financial resources within the sphere of TVET in South Africa is characterized by a pronounced emphasis on remuneration disbursements, thereby engendering an inequitable distribution of financial assets, disproportionately relegating the allocation earmarked for pedagogical and instructional provisions to an

[1552] Nadezhina, O. and Avduevskaia, E., 2021, September. Genesis of Human Capital Theory in the Context of Digitalization. In *European Conference on Knowledge Management* (pp. 577-584). Academic Conferences International Limited.
[1553] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.

inadequately diminutive fraction.[1554] This asymmetry in financial allotment has subsequently precipitated a pronounced deficit in both structural infrastructure and pedagogical accoutrements. A prevalent consequence of this financial lacuna is the discernible incapacity of a substantial proportion of public TVET institutions to acquire and integrate contemporaneous, state of the art technological resources, commonly employed by industries extant within the national ambit.[1555] Consequently, the milieu of laboratories and ancillary educational apparatus has regressed into obsolescence.

The exigency for accommodating the burgeoning fiscal outlay requisite for the acquisition of novel instructional apparatus, concomitant with the surging demand for adaptable training regimens congruent with the capricious proclivities of the labour market, has imparted a formidable challenge upon educational institutions.[1556] The confluence of destitute fiscal endowments and the attendant attrition of learned and seasoned personnel who are drawn towards more lucrative vocations within the industrial sector compounds the predicaments beleaguering the TVET sphere.[1557] The paucity of adequate financial resources further permeates the complexion of terms and conditions of employment vis-à-vis institutional personnel, lacking the requisite standardization requisite for engendering appeal and ameliorating rates of retention.

Educational reform, as posited by Beets and Louw, is premised upon a quartet of interrelated assumptions, each deserving of nuanced analysis and academic contributions.[1558] The first assumption necessitates a recognition of the imperative for transformation within the South African educational landscape. This transformation is envisioned as a pivot from an educational system historically wielded as a tool for

[1554] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.
[1555] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.
[1556] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.
[1557] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.
[1558] Edokpolor, J.E. and Owenvbiugie, R.O., 2017. Technical and vocational education and training skills: An antidote for job creation and sustainable development of Nigerian economy. *Problems of Education in the 21st Century*, *75*(6), p.535.

perpetuating and fortifying minority privilege, undergirded by a structure characterized by segregation and a starkly disparate allocation of resources. The fundamental assertion embedded within this assumption underscores the need for a profound and comprehensive ideological revolution in South African education. The academic discourse can delve into the historical antecedents, the ideological constructs that underpinned the previous educational paradigm, and the imperative for this ideological shift. It is paramount to investigate the means by which education, historically a vehicle for entrenching privilege, can be reimagined and reconstructed to rectify historical injustices and promote the interests of the majority.

The second assumption posits that individuals impacted by these transformative changes must acquire new proficiencies, and the spaces they occupy must undergo commensurate alterations. This assertion alludes to the need for both cognitive and physical adaptations to accommodate the evolving educational landscape. An academic exploration in this realm can examine the specific competencies and skills that individuals must cultivate to navigate the transformed educational environment. Furthermore, the analysis can extend to the structural and logistical changes required within educational institutions to facilitate this transition, such as modifications in curriculum, pedagogical approaches, and infrastructure.

The third premise underscores the inherent complexity of transformation, as it necessitates surmounting human resistance, addressing blind spots, and reconciling inherent contradictions. This juncture invites scholarly inquiry into the psychological and sociological dimensions of transformation, focusing on the factors that impede or facilitate acceptance of change. Furthermore, it can address the practical strategies for ameliorating these impediments, potentially drawing from relevant theories of organizational change and leadership.

The final assumption underscores the indispensable role of substantial financial investment in effecting transformation, recognizing that goodwill alone is insufficient to dismantle the prevailing status quo. In the academic context, this facet calls for an examination of the economic dimensions of educational reform. Researchers can scrutinize funding models, budgetary considerations, and the allocation of financial resources to substantiate this assertion. Additionally, an exploration of potential

revenue sources and the economic implications of these investments can be pivotal in advancing the discourse.

## 6.5. TVET EDUCATION IN THE ERA OF THE FOURTH INDUSTRIAL REVOLUTION (4IR)

TVET in the era of the Fourth Industrial Revolution (4IR) is undergoing significant transformations to adapt to the changing landscape of the global workforce.[1559] The 4IR, characterized by the integration of digital technologies, artificial intelligence, automation, and the Internet of Things, has revolutionized industries, making it essential for TVET to evolve to meet the demands of this new era.[1560] TVET programs are typically governed by a legal framework that outlines the competencies and content to be covered. In many jurisdictions, there are laws, regulations, or educational standards that dictate the curriculum and objectives of TVET institutions. Therefore, any substantial modifications to the curriculum must adhere to these legal mandates.

The legal context for updating TVET programs includes labour and employment laws that govern the rights and obligations of workers and employers. With the advent of the 4IR, there may be new legal provisions or amendments requiring employers to employ individuals with specific skill sets, such as digital literacy, AI, or IoT proficiency.[1561] In this regard, TVET programs must be aligned with these legal labour requirements to ensure graduates meet industry standards. When incorporating digital literacy, AI, and IoT elements into the curriculum, there may be intellectual property issues, such as copyright, patents, and trade secrets, to consider.[1562] The legal perspectives on intellectual property laws must guide the development of curricular content to avoid copyright infringement and ensure compliance with intellectual property rights.[1563]

[1559] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1560] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1561] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1562] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1563] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.

Given the increasing role of IoT in various industries, the legal landscape pertaining to data privacy and security is crucial.[1564] TVET programs should address these issues, emphasizing the need for compliance with data protection laws, which may include provisions related to the handling of personal data, cybersecurity, and data breach reporting.[1565] In the 4IR, the legal framework governing AI is becoming more comprehensive. TVET institutions need to consider the ethical and responsible use of AI, ensuring that students are educated on AI ethics and the legal obligations surrounding AI, such as non-discrimination, transparency, and accountability.[1566] From a legal perspective, TVET colleges must adhere to anti-discrimination laws and equal opportunity principles. TVET institutions must ensure that the integration of 4IR-related skills does not lead to discrimination against any specific group, and that equitable opportunities are available to all, irrespective of characteristics like gender, race, or disability.

Furthermore, legal considerations should be extended to accreditation and recognition processes. Updated TVET programs should seek legal compliance with accreditation standards to ensure that qualifications awarded to students are recognized by regulatory bodies and employers.[1567] Many countries are signatories to international agreements and conventions that have implications for education and workforce development. It is essential that TVET programs align with these international commitments, particularly in areas where the 4IR has led to the formulation of global norms, standards, or best practices.

The Fourth Industrial Revolution (4IR) is characterized by the convergence of digital, physical, and biological technologies, leading to profound changes in the way we live, work, and interact. Leibowitz et al, have noted that at the advent of South Africa's democratic transition in 1994, policy documents were promulgated with the objective

[1564] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1565] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1566] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.
[1567] Sudan, F.K., 2021. Fourth Industrial Revolution and Future of Work in Asia. *Global Economics Science*, pp.98-111.

of fostering inclusivity within the higher education landscape.[1568] The "National Plan on Higher Education and Training" was instrumental in underlining the potential of Information and Communication Technology (ICT) as a catalyst for transformative advancements within the TVET colleges, specifically in the twenty-first century.[1569] Nevertheless, it is noteworthy that these policy pronouncements did not expressly articulate the transformative possibilities and roles of ICT within the realm of TVET college education.

Evidently, the policy discourse of that era largely remained silent on the integral role of technology in shaping the landscape of higher education. This conspicuous omission occurred within the broader context of South Africa's historical legacy of apartheid-induced segregation. In the present day, it is discernible that South African educational institutions, including universities, have embraced technology as a cornerstone of their teaching and learning methodologies.[1570] Notably, this embrace occurs at differing levels, with historically advantaged institutions exhibiting a more pronounced integration of technology in comparison to their historically disadvantaged counterparts, particularly the TVETs.[1571]

The government has already initiated efforts to provide internet-based teaching and learning through specific channels. However, the inadequacy of available data infrastructure poses a significant hindrance to the complete implementation of e-learning. In line with the observations made by Alliais, one avenue to resolve this challenge is to improve internet penetration in rural regions.[1572] This can be achieved through measures to make remote satellite internet connections more affordable.

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[1568] Leibowitz, B., Bozalek, V., Van Schalkwyk, S. and Winberg, C., 2015. Institutional context matters: The professional development of academics as teachers in South African higher education. *Higher Education*, *69*(2), pp.315-330.
[1569] Leibowitz, B., Bozalek, V., Van Schalkwyk, S. and Winberg, C., 2015. Institutional context matters: The professional development of academics as teachers in South African higher education. *Higher Education*, *69*(2), pp.315-330.
[1570] Henderson, M., Selwyn, N. and Aston, R., 2017. What works and why? Student perceptions of 'useful'digital technology in university teaching and learning. *Studies in higher education*, *42*(8), pp.1567-1579.
[1571] Henderson, M., Selwyn, N. and Aston, R., 2017. What works and why? Student perceptions of 'useful'digital technology in university teaching and learning. *Studies in higher education*, *42*(8), pp.1567-1579.
[1572] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.

Legal and regulatory mechanisms can facilitate such initiatives, ensuring that the requisite infrastructure is accessible to all.

In order to facilitate effective e-learning, the government must take the lead in providing essential e-learning tools to both students and educators. These tools may include computers, printers, internet networks, and cell phones. As proposed by Allais, the establishment of an "affordable device program" is a practical approach.[1573] This program can incentivize eligible learners to acquire appropriate gadgets for e-learning.[1574] The legal frameworks can be instrumental in structuring and implementing such initiatives, defining eligibility criteria and ensuring equitable access to these tools.

Policymakers bear the responsibility of establishing guidelines that minimize disruption to the learning process for students. As the transition to e-learning unfolds, legal and policy frameworks play a crucial role in directing the development of e-learning programs that are not only practical in nature but also guarantee that the learning process remains uninterrupted. This may encompass provisions for the maintenance of educational standards, mechanisms for addressing technical challenges, and policies for accommodating students with varying needs and circumstances.

The South African government's immediate responsibility in addressing the challenges of e-learning necessitates a robust legal and policy framework. This framework is indispensable for enhancing internet connectivity, providing essential e-learning tools, and formulating guidelines to minimize disruption. Legal and policy mechanisms are essential tools in ensuring that e-learning initiatives are not only practical but also equitable and uninterrupted, ultimately promoting the accessibility of education to all, especially in times of crisis like the COVID-19 pandemic.

When incorporating technology for blended instruction in TVET, institutions must ensure compliance with relevant education laws and regulations. This may include

[1573] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1574] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.

accreditation standards, licensing requirements, and guidelines on program delivery methods. Legal scholars must scrutinize the extent to which such blended learning models adhere to established educational standards. This blended learning extend to accessibility and inclusivity for legal consideration. The educational institutions are subject to laws that mandate equal access for all students, including those with disabilities.[1575] Therefore, TVET programs must ensure that online components of the curriculum are accessible to all, and reasonable accommodations are made to accommodate diverse learners.[1576]

The use of technology in education involves collecting and processing student data. This underscore the importance of adhering to data privacy laws and security measures to protect student information.[1577] Compliance with data protection laws is paramount. The creation and sharing of digital educational materials can raise intellectual property concerns. What is critical is for legal experts to address issues related to copyright, licensing, and ownership of educational content, especially in cases where third-party materials or proprietary software are used.

In these 4IR, TVET colleges must establish partnerships with industries, including internships and apprenticeships, implicates labour and employment laws. However, legal scholars should examine the contractual relationships between TVET institutions, students, and industry partners, ensuring that these arrangements comply with labour regulations, wage laws, and occupational health and safety standards. Certainly, TVET colleges and the industries must collaborate to scrutinise compliance with antitrust and competition laws.[1578] This should be done by legal scholars in order to assess whether these partnerships raise any anti-competitive concerns or result in market distortions.[1579]

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[1575] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1576] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1577] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1578] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.
[1579] Allais, S. and Wedekind, V., 2020. Targets, TVET and transformation. In *Grading Goal Four* (pp. 322-338). Brill.

Moreover, TVET colleges must involve liability and insurance when students participate in hands-on training in industry settings. This includes examining liability waivers, insurance coverage, and risk management practices to protect students, institutions, and industry partners from potential legal claims. This should be done to ensure that industries input into curriculum development follows established legal principles. This may include transparency in decision-making, adherence to accreditation standards, and avoiding conflicts of interest.

## 6.6. CONCLUSION

The transformation of TVET colleges in South Africa is a comprehensive and multifaceted process that carries profound legal and ethical implications. The transformation of TVET colleges represents a pivotal journey towards a dynamic and responsive education system. As these institutions evolve, they play a crucial role in shaping the skills, competencies, and adaptability of individuals to meet the demands of a rapidly changing global landscape. This evolution represents the nation's unwavering commitment to preparing its workforce for the demands and opportunities presented by the Fourth Industrial Revolution (4IR), while adhering to a robust legal and ethical framework.

The cornerstone of this transformation is adherence to the legal framework governing education and workforce development. This commitment ensures that every aspect of the transformation aligns with established laws, regulations, and standards that regulate the operation of educational institutions. Such compliance is not only a legal requirement but also an essential pillar for maintaining the integrity and legitimacy of TVET institutions in South Africa. Furthermore, the transformation of TVET colleges is not confined to the classroom; it extends to the creation of a conducive learning environment that fosters creativity, critical thinking, and entrepreneurship. As a result, graduates are not just skilled workers but are empowered with the ability to contribute meaningfully to economic development and societal progress.

The adaptation of curricula to meet the demands of the 4IR involves meticulous consideration of legal aspects. Intellectual property rights, which encompass patents,

copyrights, and trade secrets, must be respected in the development and implementation of educational materials and technologies. Legal scholars provide guidance to ensure that these rights are upheld. Data privacy regulations, is an integral part of modern legal frameworks, play a critical role in the incorporation of technology into education. Compliance with data protection laws is essential to safeguarding the privacy and security of personal information, especially in blended learning environments where digital resources are extensively used.

Efforts to promote gender diversity within TVET programs are inextricably linked to anti-discrimination laws. Legal experts play a pivotal role in crafting and implementing policies that not only ensure gender diversity but also uphold equal access and opportunities for all genders. These legal measures help to break down traditional gender-based barriers in education and employment.

Policies promoting lifelong learning are designed and structured within legal frameworks that address various components, including funding mechanisms, accessibility, and data privacy. Legal experts ensure that these policies adhere to established legal principles while providing opportunities for individuals of all backgrounds to engage in continuous skills development.

One of the core legal aspects of the transformation is the alignment of TVET qualifications with industry standards. Legal experts have been instrumental in creating legal frameworks that validate these qualifications, making them recognized and valued by employers. These legal structures provide assurance that TVET graduates meet the requirements of the job market, enhancing their employability.

The ethical implications of the 4IR, particularly in relation to Artificial Intelligence (AI) and automation, are subjects of ongoing legal scrutiny and discourse. Legal scholars should actively contribute to the formulation of ethical guidelines, regulations, and codes of conduct that govern the responsible and ethical use of these technologies within the educational context.

In essence, the transformation of TVET colleges is a journey towards excellence, relevance, and sustainability. As these institutions continue to evolve, they become

key players in addressing the skills gap, promoting inclusivity, and driving innovation. The positive impacts of these transformations resonate not only within the walls of the colleges but also throughout the broader socio-economic fabric, paving the way for a future where education and industry seamlessly converge for the benefit of individuals and society as a whole.

The transformation of TVET colleges in South Africa is not merely an educational evolution; it is a legal and ethical imperative. It underscores the nation's commitment to equipping its citizens with the skills and knowledge required to navigate the complexities of the 4IR. Through collaboration, innovation, and an unwavering dedication to lifelong learning, TVET institutions are poised to play a central role in shaping the future of the country. This journey is not only about academic and technological advancements but also about upholding the legal and ethical framework that underpins the entire process.

# CHAPTER SEVEN: CRITICAL ANALYSIS OF HOW TVET COLLEGES ARE PRODUCING BENEFITIAL EDUCATION FOSTERING SOCIAL, SOCIO-ECONOMIC DEVELOPMENT AND GROWTH IN SOUTH AFRICA

## 7.1. INTRODUCTION

TVET colleges in South Africa play a pivotal role in shaping the nation's future by providing education and skills development opportunities that are instrumental in fostering social, socio-economic development, and growth.[1580] The dynamic and ever-evolving landscape of TVET education in the country presents an intriguing subject for critical analysis. This comprehensive examination seeks to unravel the multifaceted ways in which TVET colleges are producing beneficial education that contributes to the broader transformation of South Africa's society and economy.

South Africa, a nation marked by a history of social inequality and economic disparities, recognized the significance of TVET education in its quest for redress and progress.[1581] In the post-apartheid era, the government placed TVET colleges at the forefront of its agenda to address historical injustices, enhance social inclusion, and stimulate socio-economic development.[1582] These institutions were envisioned not only as centers of learning but also as engines of transformation, empowering individuals and communities while driving economic growth.[1583]

Beyond individual benefits, TVET education in South Africa is expected to have broader societal implications. These chapter will delve into the role of TVET colleges in promoting social cohesion, reducing unemployment, and fostering inclusivity. This includes investigating their efforts in reaching historically disadvantaged groups, such

[1580] Mpu, Y. and Adu, E.O., 2019. Reframing TVET colleges into 21 st century Learning Organizations. *American Journal of Humanities and Social Sciences Research (AJHSSR)*, *3*(7), pp.96-102.
[1581] Mpu, Y. and Adu, E.O., 2019. Reframing TVET colleges into 21 st century Learning Organizations. *American Journal of Humanities and Social Sciences Research (AJHSSR)*, *3*(7), pp.96-102.
[1582] Mpu, Y. and Adu, E.O., 2019. Reframing TVET colleges into 21 st century Learning Organizations. *American Journal of Humanities and Social Sciences Research (AJHSSR)*, *3*(7), pp.96-102.
[1583] Mpu, Y. and Adu, E.O., 2019. Reframing TVET colleges into 21 st century Learning Organizations. *American Journal of Humanities and Social Sciences Research (AJHSSR)*, *3*(7), pp.96-102.

as women, people with disabilities, and those from marginalized communities, ensuring equitable access to education and opportunities.

The socio-economic impact of TVET colleges is a central theme of this analysis. South Africa's socio-economic development and growth are intrinsically tied to the skilled workforce that TVET colleges produce. The chapter will evaluate the extent to which TVET graduates contribute to economic productivity, entrepreneurship, and innovation. Additionally, it will assess the role of TVET colleges in addressing regional disparities, particularly in rural and underserved areas. Moreover, this chapter scrutinizes the policy and governance frameworks that govern TVET colleges, as well as their financial sustainability and resource allocation. These aspects are crucial in understanding the capacity of TVET colleges to deliver on their mandate effectively.

In essence, this chapter seeks to provide a comprehensive understanding of how TVET colleges are producing beneficial education that fosters social, socio-economic development, and growth in South Africa. It explores the multifaceted ways in which these institutions contribute to the nation's progress, with a particular focus on individual empowerment, social inclusion, and economic advancement. By shedding light to the successes, this analysis aims to inform policy, decision-making, and future developments in the realm of TVET education in South Africa.

## 7.2. SUCCESSES BEING RECORDED AS A RESULT OF TVET LAWS AND POLICIES

TVET laws and policies are rules and guidelines set by the government or educational authorities to shape how technical and vocational education is provided. Their main aim is to make sure that what students learn matches what industries need. TVET programs are structured to teach skills that industries are looking for in potential employees. When education matches industry needs, students are better equipped with the right skills for available jobs, making them more attractive to employers.

When TVET students find jobs easily after completing their studies, it shows that their education has given them valuable skills that employers want. TVET programs focus on teaching skills that are needed in particular industries or job areas. By concentrating

on specific sectors, TVET ensures that students are well-prepared for the particular jobs or roles they aim for. The gap is defined where students finish their education but struggle to find a job because they lack the right skills or training. TVET programs help students gain relevant skills and knowledge, making it easier for them to transition from education to employment without facing significant challenges.

Many TVET laws and policies recognize the importance of fostering entrepreneurial skills. This is often reflected in the curriculum and support systems for individuals seeking to start and manage their own businesses. Success can be measured by the number of successful start-ups initiated by TVET graduates. Policies supporting entrepreneurship contribute to economic diversification and job creation within local communities.

TVET laws and policies typically mandate regular collaboration between educational institutions and industries to ensure that curricula remain responsive to evolving industry requirements. The success is evident in the adaptability of TVET programs to changing technological landscapes. Graduates are equipped with skills that are relevant to current industry standards, fostering a skilled workforce.

Laws and policies may emphasize international recognition of TVET qualifications, facilitating the mobility of skilled workers across borders. Success is reflected in the global recognition of the skills acquired through TVET programs. Graduates are competitive in the international job market, contributing to a country's reputation for producing skilled professionals.

TVET laws and policies often position vocational education as a key driver of economic development, recognizing the role of skilled individuals in advancing various sectors. Economic indicators, such as GDP growth and increased productivity in specific industries, serve as markers of success. TVET graduates contribute significantly to economic development through their expertise and innovation.

TVET policies may address high youth unemployment rates by providing targeted training programs that directly lead to job opportunities. A decrease in youth unemployment rates is a tangible sign of success. TVET programs equip individuals

with the skills demanded by the job market, reducing the gap between education and employment. TVET laws and policies may emphasize the importance of continuous learning, encouraging individuals to adapt to technological advancements and industry changes. The success is evident in the continuous professional development of TVET graduates. They exhibit a capacity to stay updated with industry trends, ensuring sustained employability throughout their careers.

Some TVET laws and policies address issues of social inclusion, ensuring that education and training opportunities are accessible to diverse demographic groups. Success is measured by increased participation from underrepresented groups in TVET programs. This fosters inclusivity and ensures that the benefits of vocational education are distributed equitably. When governments enact supportive laws and policies for TVET, they can significantly amplify its impact. Here are some of the successes that have been recorded as a result of TVET laws and policies.

### 7.2.1. Relevance to Industry Needs

As the Fourth Industrial Revolution (4IR) unfolds, TVET colleges are proactively adjusting their courses to reflect these changes. They're integrating topics like digital skills, artificial intelligence, and other 4IR-related subjects to keep South Africa's workforce relevant and competitive on the global stage.[1584] To stay current, these colleges should regularly assess and tweak their syllabi. They must focus on spotting emerging technologies and the skills that will matter most in this new industrial era.

It's essential for TVET colleges to delve deep into industry-specific technologies. This means teaching students about the Internet of Things (IoT), artificial intelligence, robotics, big data, and how to safeguard these technologies through cybersecurity measures. Importantly, theory isn't enough; students need hands-on experience to truly grasp these concepts. Furthermore, to ensure their courses are on target, TVET colleges collaborate closely with industries. Such partnerships offer colleges a window into real-world industry requirements, guaranteeing their courses are practical and

[1584] Alexander, R., 2022. Key opportunities and challenges for 4IR in South Africa.

pertinent. These collaborations might involve shared projects, student internships, or industry experts helping shape the curriculum.

TVET colleges are harnessing digital platforms to enrich learning.[1585] They're blending traditional teaching with online resources, virtual labs, and digital modules, ensuring students are comfortable with modern tech tools. Recognizing the fast-paced tech changes, these colleges are designing flexible courses. They offer bite-sized courses, workshops, and other continuous learning avenues, catering to the evolving tech world. But it's not just about tech; soft skills matter too. TVETs are emphasizing qualities like problem-solving, creativity, and adaptability, which are vital in the Fourth Industrial Revolution (4IR) era.

Moreover, with the rise of freelance work and start-ups, TVETs are embedding entrepreneurial skills into their curricula. They're shaping students to be ready for diverse job landscapes. Given our deepening reliance on digital systems, TVETs are also introducing cybersecurity courses. This ensures that as graduates' step into the 4IR era, they're equipped to protect digital assets and information. To further bridge the gap between theory and practice, many TVETs are setting up innovation labs. Here, students can explore, collaborate, and get hands-on experience with cutting-edge tech, mirroring real-world industry scenarios. And, with government backing in terms of policies and funds, TVETs are poised to upgrade infrastructure, train faculty, and integrate the latest tech, ensuring they remain relevant and effective in the 4IR landscape.

### 7.2.2. Reduced Unemployment

TVET college programs have garnered attention for their significant impact on reducing unemployment, especially among the youth.[1586] TVET programs stand out for their close alignment with the current demands of various industries. Traditional educational routes occasionally face challenges in swiftly adapting to the dynamic requirements of the job market. In contrast, TVET curricula are continuously refined

[1585] Alexander, R., 2022. Key opportunities and challenges for 4IR in South Africa.
[1586] Chauke, T.A., 2023. Determinants of Youth Unemployment among TVET College Graduates in the Vhembe District. *Journal of Culture and Values in Education*, *6*(3), pp.125-143.

through consultations with industry professionals. This collaboration ensures that the skills imparted to students are not only up-to-date but also directly applicable to the immediate needs of employers.

The strength of TVET lies in its practical approach.[1587] Recognizing that theoretical knowledge alone might not suffice, these programs emphasize hands-on training and skill application. This ensures that learners not only understand concepts but can also execute tasks proficiently in real-world settings. Such a combination of theoretical understanding and practical proficiency makes TVET graduates highly sought-after by employers. Another advantage of TVET programs is their focus on immediate applicability. Students are trained in tasks, techniques, and technologies that are currently in use in their respective industries. This reduces the time and resources employers might otherwise need to invest in additional training, making TVET graduates attractive hires.

TVET is renowned for its hands-on, practical approach to education. At the heart of TVET's success is its balanced approach to learning. While students are introduced to the foundational theories of their discipline, they are equally immersed in practical exercises and real-world applications. This equilibrium ensures that learners not only understand the underlying principles but also develop the skills and dexterity required to implement them. The integration of practical training means that TVET graduates are exceptionally well-prepared for the challenges of the professional world. They possess a depth of knowledge combined with hands-on experience, making their transition into the workplace smooth and efficient. This readiness stands in contrast to graduates from some other educational streams who might require additional training or familiarization periods.

The industry-aligned nature of TVET programs ensures that graduates are equipped with skills that are directly relevant to contemporary job roles. Employers, in various sectors, value this alignment, recognizing that TVET alumni bring immediate value to

[1587] Paryono, P., 2017, September. The importance of TVET and its contribution to sustainable development. In *AIP Conference Proceedings* (Vol. 1887, No. 1). AIP Publishing.

their organizations. Their ability to contribute effectively from day one makes them attractive candidates for employers looking to minimize recruitment and training costs.

Given their preparedness and the high demand for their specialized skills, TVET graduates often experience shorter periods of unemployment compared to their peers from other educational backgrounds. Their skillset, which is both broad and specialized, aligns closely with industry needs, ensuring a consistent demand and placement rate.

Youth unemployment stands as a critical issue that many countries grapple with on a global scale. The period following formal education is often fraught with challenges for young individuals seeking to enter the workforce. Many young individuals face the paradox of needing experience to secure a job but not being able to gain experience without a job. This catch-22 situation often hampers their initial foray into the professional world. Traditional educational pathways sometimes fail to align with the evolving demands of the job market. This results in a skills gap where fresh graduates might possess academic qualifications but lack the specific skills that industries require.

Establishing a foothold in the industry can be challenging without the right connections or networks. Young individuals often find themselves at a disadvantage compared to more experienced professionals with established industry ties. In this context, TVET programs emerge as a beacon of hope. TVET programs are inherently designed to be practical and industry oriented. They equip students with hands-on skills and expertise that are directly applicable to various professional roles. This practical focus ensures that graduates are not only knowledgeable but also adept at executing tasks relevant to their chosen fields. TVET programs often culminate in certifications that are widely recognized and valued by industries. These credentials serve as tangible proof of a graduate's competence and proficiency, bolstering their credibility in the job market.

One of the standout features of TVET programs is their clarity in career pathways. They provide structured routes into various industry roles, guiding students from education to employment with clear milestones and objectives. The combination of tangible skills, recognized certifications, and clear career pathways means that TVET

graduates are well-positioned to navigate the challenges of the job market. Their preparedness and alignment with industry needs translate into higher employability rates, directly contributing to a reduction in youth unemployment rates.

### 7.2.3. Promotion of Lifelong Learning

The contemporary landscape of work and education is marked by rapid technological advancements, evolving industry demands, and shifting job market dynamics.[1588] In such a dynamic environment, the traditional notion of education as a phase limited to the early years of life no longer suffices. Instead, there is an imperative need for continuous learning and adaptation throughout one's professional journey. Lifelong learning transcends the boundaries of formal education.[1589] It encompasses the ongoing process wherein individuals pursue knowledge, skills, and competencies throughout their lives, driven by personal, professional, and societal motivations.[1590] It is a proactive approach to personal and professional development, ensuring that individuals remain relevant, competent, and adaptive in a continuously evolving environment.

TVET policies recognize the pivotal role of technology in modern industries.[1591] By emphasizing continuous learning, these policies ensure that individuals are not rendered obsolete by technological advancements. Instead, they are empowered to embrace new technologies, leveraging them to enhance productivity and innovation within their respective domains.[1592]

Industries are dynamic, with changing demands, trends, and practices.[1593] TVET policies promote lifelong learning to enable individuals to respond effectively to these shifts. Whether it's the emergence of new industry sectors, changes in regulatory

[1588] Pereira, A.C. and Romero, F., 2017. A review of the meanings and the implications of the Industry 4.0 concept. *Procedia manufacturing*, *13*, pp.1206-1214.
[1589] Jarvis, P., 2004. *Adult education and lifelong learning: Theory and practice*. Routledge.
[1590] Jarvis, P., 2004. *Adult education and lifelong learning: Theory and practice*. Routledge.
[1591] Pereira, A.C. and Romero, F., 2017. A review of the meanings and the implications of the Industry 4.0 concept. *Procedia manufacturing*, *13*, pp.1206-1214.
[1592] Pereira, A.C. and Romero, F., 2017. A review of the meanings and the implications of the Industry 4.0 concept. *Procedia manufacturing*, *13*, pp.1206-1214.
[1593] Pereira, A.C. and Romero, F., 2017. A review of the meanings and the implications of the Industry 4.0 concept. *Procedia manufacturing*, *13*, pp.1206-1214.

frameworks, or evolving consumer preferences, continuous upskilling ensures that professionals remain aligned with industry needs. Beyond the tangible skills and knowledge, TVET policies have contributed to fostering a culture of lifelong learning. By emphasizing the value and necessity of ongoing education and professional development, these policies have instilled a mind-set wherein individuals recognize the intrinsic and extrinsic benefits of continuous learning.

Lifelong learning is intrinsically linked to professional growth.[1594] By continually upskilling and expanding their knowledge base, individuals enhance their career prospects, unlock new opportunities, and achieve greater job satisfaction.[1595] TVET policies, through their focus on continuous learning, play a pivotal role in facilitating this professional development journey.

### 7.2.4. Increased Accessibility

The principle of accessibility is foundational to the ethos of education, emphasizing the importance of equitable opportunities and the removal of barriers that might hinder individuals from pursuing learning opportunities.[1596] Within the realm of TVET, the emphasis on increased accessibility stands out as a testament to the commitment towards fostering an inclusive educational landscape.[1597] One of the hallmark features of TVET policies emphasizing accessibility is the broadening of the demographic reach.[1598] By making vocational training available to a wider spectrum of individuals, TVET ensures that educational opportunities are not confined to a select few but are

[1594] Ryan, J., 2003. Continuous professional development along the continuum of lifelong learning. *Nurse education today*, *23*(7), pp.498-508.
[1595] Ryan, J., 2003. Continuous professional development along the continuum of lifelong learning. *Nurse education today*, *23*(7), pp.498-508.
[1596] Bozkurt, A., Gjelsvik, T., Adam, T., Asino, T.I., Atenas, J., Bali, M., Blomgren, C., Bond, M., Bonk, C.J., Brown, M. and Burgos, D., 2023. Openness in education as a Praxis: From individual testimonials to collective voices. *Open Praxis*, *15*(2), pp.76-112.
[1597] Bozkurt, A., Gjelsvik, T., Adam, T., Asino, T.I., Atenas, J., Bali, M., Blomgren, C., Bond, M., Bonk, C.J., Brown, M. and Burgos, D., 2023. Openness in education as a Praxis: From individual testimonials to collective voices. *Open Praxis*, *15*(2), pp.76-112.
[1598] Ngugi, M. and Muthima, P., 2017. Female participation in technical, vocational education and training institutions (TVET) subsector. The Kenyan experience. *Public Policy and Administration Research*, *7*(4), pp.9-23.

accessible to all, irrespective of socio-economic status, background, or prior educational achievements.[1599]

Recognizing the systemic barriers faced by marginalized communities, many TVET policies have integrated measures to ensure their inclusion. This includes targeted outreach programs, scholarships, and support services tailored to address the specific needs and challenges of these communities. By doing so, TVET ensures that vocational training becomes a viable and accessible pathway for individuals from diverse backgrounds. Traditional academic paths, characterized by formal schooling and university education, might not resonate with everyone. TVET policies that prioritize accessibility acknowledge the importance of alternative pathways to education.[1600] By offering vocational training as a credible and valuable alternative, these policies cater to individuals who might have different learning preferences, aspirations, or life circumstances that make traditional academic routes less feasible.

Enhancing accessibility also entails recognizing the diverse needs and constraints faced by learners.[1601] Many TVET policies advocate for flexible learning modalities, including part-time courses, online learning options, and modular training programs.[1602] These flexible approaches accommodate individuals who might juggle learning with work, family responsibilities, or other commitments, ensuring that vocational training remains accessible and adaptable to varied life circumstances.

TVET colleges champion inclusivity by offering accessible education to diverse groups, including those not on traditional academic trajectories. This commitment to broadening educational access enhances social mobility and reduces barriers to employment. By providing a range of courses tailored to varied interests, TVET

[1599] Ngugi, M. and Muthima, P., 2017. Female participation in technical, vocational education and training institutions (TVET) subsector. The Kenyan experience. *Public Policy and Administration Research*, *7*(4), pp.9-23.
[1600] Ngugi, M. and Muthima, P., 2017. Female participation in technical, vocational education and training institutions (TVET) subsector. The Kenyan experience. *Public Policy and Administration Research*, *7*(4), pp.9-23.
[1601] Ngugi, M. and Muthima, P., 2017. Female participation in technical, vocational education and training institutions (TVET) subsector. The Kenyan experience. *Public Policy and Administration Research*, *7*(4), pp.9-23.
[1602] Ngugi, M. and Muthima, P., 2017. Female participation in technical, vocational education and training institutions (TVET) subsector. The Kenyan experience. *Public Policy and Administration Research*, *7*(4), pp.9-23.

colleges enable individuals to pursue paths aligned with their aspirations, leading to personal fulfilment. Emphasizing practical, industry-aligned skills, these colleges prepare students for the job market, bolstering societal contributions and economic well-being. Moreover, through targeted initiatives, TVET colleges actively uplift marginalized communities, fostering social equity and empowerment.

TVET colleges actively engage with industries and communities, forming partnerships that ensure curriculum relevance to market demands. These collaborations also address local challenges, fostering community collaboration. Emphasizing both employment and entrepreneurship, TVET colleges equip individuals with business acumen, driving economic growth on individual and societal scales.

Moreover, TVET institutions embrace cultural diversity, promoting an inclusive environment that fosters social cohesion. They provide vital support services like counselling and mentorship, ensuring student success irrespective of background. Recognizing diverse learner needs, TVET colleges offer flexible learning modes, enhancing accessibility. Through hands-on training and work experiences, students gain valuable social and professional skills, promoting integration into society.

### 7.2.5. Enhanced Economic Growth

The nexus between education and economic growth has long been established in academic and policy discourse. Within this framework, TVET colleges emerges as a pivotal player in shaping the economic landscape. TVET institutions are meticulously designed to cater to the specific skill requirements of industries.[1603] By producing graduates who are proficient in both theoretical knowledge and practical skills, TVET bridges the prevalent skills gap in the labour market.[1604] This alignment between educational output and industry demands ensures a steady supply of competent professionals, ready to contribute meaningfully to the economy. A workforce equipped

[1603] Thlomedi, T.J., 2018. *Assessing the management of TVET Colleges in the development of technical skills in the North West Province* (Doctoral dissertation, North-West University).
[1604] Thlomedi, T.J., 2018. *Assessing the management of TVET Colleges in the development of technical skills in the North West Province* (Doctoral dissertation, North-West University).

with specialized skills, as nurtured by TVET, inherently drives productivity.[1605] These skilled workers are adept at leveraging their expertise to optimize processes, enhance operational efficiency, and deliver outputs of superior quality. Such enhancements in productivity permeate across sectors, culminating in broader economic gains and heightened competitiveness on a global scale.

Beyond imparting technical skills, TVET fosters a culture of innovation. By encouraging critical thinking, problem-solving, and creativity, TVET instils in its graduates the capacity to innovate.[1606] This propensity for innovation is instrumental in driving technological advancements, fostering entrepreneurship, and propelling industries towards new frontiers of growth and development.[1607] Investors are inherently drawn to environments characterized by a skilled and competent workforce. Recognizing the pivotal role of human capital in driving economic activities, investments tend to gravitate towards regions with a robust educational framework, including strong TVET systems. As TVET continues to produce skilled graduates, it amplifies the attractiveness of a region or country as an investment destination, paving the way for increased capital inflows, business expansions, and economic diversification.

### 7.2.6. Entrepreneurship Development

In the contemporary economic landscape, entrepreneurship stands as a catalyst for innovation, job creation, and economic diversification.[1608] Recognizing this, TVET policies have increasingly integrated entrepreneurial development as a core component. While TVET primarily focuses on imparting technical skills, the integration of entrepreneurial training elevates its scope. Graduates, in addition to their core technical competencies, acquire business acumen, strategic thinking, and

[1605] Thlomedi, T.J., 2018. *Assessing the management of TVET Colleges in the development of technical skills in the North West Province* (Doctoral dissertation, North-West University).
[1606] Thlomedi, T.J., 2018. *Assessing the management of TVET Colleges in the development of technical skills in the North West Province* (Doctoral dissertation, North-West University).
[1607] Thlomedi, T.J., 2018. *Assessing the management of TVET Colleges in the development of technical skills in the North West Province* (Doctoral dissertation, North-West University).
[1608] Edoho, F.M., 2016. Entrepreneurship paradigm in the new millennium: A critique of public policy on entrepreneurship. *Journal of Entrepreneurship in Emerging Economies*, *8*(2), pp.279-294.

entrepreneurial mind-set.[1609] This dual proficiency equips them to identify market opportunities, conceptualize viable business models, and navigate the complexities of the business landscape.

Entrepreneurial training within TVET instils a culture of enterprise among students. They are encouraged to embrace challenges, think innovatively, and perceive setbacks as learning opportunities. Such a mind-set shift is pivotal in fostering a conducive environment for entrepreneurship, where individuals are empowered to transform ideas into viable ventures. The emphasis on entrepreneurship within TVET has catalysed the proliferation of Small and Medium-sized Enterprises (SMEs). These enterprises, often agile and innovative, play a pivotal role in driving economic growth, job creation, and fostering resilience within economies.

Furthermore, the diversification of the economic landscape, facilitated by a robust SME sector, mitigates risks associated with over-reliance on specific industries or sectors. The entrepreneurial component in TVET ensures that graduates can not only seek employment but also create employment opportunities. By bridging the gap between education and industry needs, TVET facilitates the emergence of entrepreneurs who are attuned to market demands, responsive to consumer preferences, and poised to contribute meaningfully to economic development.

TVET education blends practical training with entrepreneurial focus, shaping graduates as potential job creators, not just seekers. This emphasis on entrepreneurship is evident in curricula covering business management, financial literacy, and start-up essentials. Many TVET institutions further bolster entrepreneurial endeavours through business incubation programs, offering mentorship, funding guidance, and workspaces for start-ups. With a commitment to hands-on training, students also gain vital business competencies like marketing and budgeting. Collaborative ties with industries ensure TVET programs remain relevant, fostering innovation. Additionally, institutions often provide innovation hubs and organize

[1609] Edoho, F.M., 2016. Entrepreneurship paradigm in the new millennium: A critique of public policy on entrepreneurship. *Journal of Entrepreneurship in Emerging Economies*, *8*(2), pp.279-294.

entrepreneurship contests, empowering students to innovate and present their ideas to industry experts.

TVET colleges are pivotal in fostering entrepreneurship by equipping students with digital skills and technological acumen essential for modern businesses. Recognizing the value of networking, these institutions bridge students with industry professionals through events, lectures, and business partnerships, paving the way for mentorships and funding opportunities. Furthermore, TVET colleges provide comprehensive support for emerging entrepreneurs, aiding in business planning, financial access, and regulatory navigation. Central to this entrepreneurial culture is the promotion of creativity and critical thinking across disciplines. Ultimately, TVET colleges cultivate a mind-set of lifelong learning, ensuring entrepreneurs remain adaptable, informed, and innovative in their pursuits.

### 7.2.7. Partnerships with Industries

The symbiotic relationship between TVET institutions and industries stands as a cornerstone in shaping a skilled, adaptive, and industry-ready workforce.[1610] The emphasis on fostering partnerships between these entities within successful TVET policies is rooted in the mutual benefits they offer. While theoretical knowledge forms the foundation of education, its true efficacy is realised when students can contextualize and apply this knowledge in real-world scenarios. Collaborations with industries expose TVET students to practical challenges, technologies, and methodologies prevalent in the professional realm.[1611] This experiential learning not only reinforces theoretical concepts but also cultivates a pragmatic understanding of industry operations.

One of the pivotal outcomes of industry-TVET collaborations is the provision of internships and apprenticeships. These immersive experiences allow students to

[1610] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).
[1611] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).

navigate professional environments, cultivate industry-specific skills, and establish valuable networks.[1612]

Furthermore, these opportunities often culminate in job placements, ensuring a seamless transition from education to employment for TVET graduates. Collaborative endeavours between TVET institutions and industries ensure that educational curricula remain abreast of industry advancements, trends, and demands.[1613] Regular industry feedback, consultations, and engagements enable TVET programs to integrate emerging technologies, methodologies, and skill requirements, thereby ensuring that graduates are equipped with contemporary and industry-relevant competencies.[1614]

Partnerships between TVET institutions and industries stimulate collaborative research and development initiatives. Such endeavours pave the way for innovation, knowledge exchange, and the co-creation of solutions to industry-specific challenges. Additionally, they nurture a culture of continuous learning, exploration, and experimentation, positioning both students and industry professionals at the forefront of innovation. By aligning TVET training with industry needs and fostering collaborations, there's a notable enhancement in industry productivity, competitiveness, and growth.[1615] A skilled workforce, equipped with industry-aligned competencies, drives productivity, fosters innovation, and positions industries favourably in global markets.

### 7.2.8. Skill Development for Employability

[1612] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).
[1613] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).
[1614] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).
[1615] Molamu, T.J., 2023. *An employability competency model for human resource management (HRM) graduates: exploring HRM professionals' perspectives* (Doctoral dissertation, North-West University (South Africa)).

TVET colleges serve as a vital bridge in the job market, particularly in addressing the existing skills gap.[1616] They are purposefully designed to provide hands-on, practical training that aligns closely with the needs and demands of different industries.[1617] By doing so, they churn out graduates who are not just theoretically knowledgeable but are also adept at applying their skills in real-world scenarios. The emphasis of TVET colleges is on creating a workforce that possesses technical skills and competencies that are immediately relevant and sought after by employers. This ensures that when students graduate from these institutions, they are well-prepared to step into various roles within specific trades or professions. Consequently, the graduates are not only more employable but also add immediate values to the organizations they join. In essence, TVET colleges are pivotal in shaping a workforce that is both skilled and competitive, meeting the dynamic demands of the contemporary job market.

TVET colleges place a strong emphasis on providing real-world, hands-on training to their students.[1618] This means that alongside learning the theories behind various concepts, students also get ample opportunities to practice and hone specific skills relevant to their future professions. For instance, if a student is studying machinery or equipment operation, they'll actually get to operate these machines under supervision, ensuring they're well-prepared for actual job scenarios. What become clear is a key strength of TVET colleges and their close ties with industries. Recognizing the rapidly changing demands of the job market, these colleges actively collaborate with businesses and industries. This partnership helps in shaping the college curriculum to reflect current industry needs. As a result, students are equipped with skills and knowledge that are not only up-to-date but also directly sought after by employers. This proactive approach significantly boosts the students' chances of securing a job relevant to their field of study soon after completing their education.

[1616] Mesuwini, J., Singh-Pillay, A. and Bomani, M., 2020. Perceptions of engineering lecturers and graduates on employability skills: A case of a TVET college in Kwazulu-Natal, South Africa. *International Journal of Social Sciences and Humanity Studies*, *12*(2), pp.416-432.
[1617] Mesuwini, J., Singh-Pillay, A. and Bomani, M., 2020. Perceptions of engineering lecturers and graduates on employability skills: A case of a TVET college in Kwazulu-Natal, South Africa. *International Journal of Social Sciences and Humanity Studies*, *12*(2), pp.416-432.
[1618] Ogur, E.O., 2023. Teaching Factory Concept in TVET. *Africa Journal of Technical and Vocational Education and Training*, *8*(1), pp.52-65.

TVET colleges place a strong emphasis on providing real-world, hands-on training to their students.[1619] This means that alongside learning the theories behind various concepts, students also get ample opportunities to practice and hone specific skills relevant to their future professions. For instance, if a student is studying machinery or equipment operation, they'll actually get to operate these machines under supervision, ensuring they're well-prepared for actual job scenarios. TVET programs often integrate practical experiences like internships or work placements into their academic structure. These experiences immerse students directly into professional settings related to their field of study. By working in real-world environments, students get a chance to put their academic knowledge to practice, understand industry nuances, and establish valuable professional networks. Additionally, these practical exposures significantly bolster a student's resume, making them more appealing to potential employers.

Furthermore, recognizing the rapid pace of technological advancements, TVET colleges are proactive in updating their curricula. They ensure that students are trained not only on foundational principles but also on the latest tools and technologies pertinent to their respective industries.[1620] This forward-thinking approach ensures that graduates are well-equipped, technologically savvy, and ready to meet the evolving demands of the contemporary job landscape, giving them a competitive edge in their professional journeys. Employability extends beyond just having technical skills; it encompasses a broader range of interpersonal and soft skills. Recognizing this, TVET colleges integrate modules that focus on cultivating essential soft skills like effective communication, teamwork, problem-solving, and adaptability. These competencies are crucial as they influence how well an individual can collaborate with colleagues, navigate challenges, and grow within a professional setting. Employers highly value these attributes, considering them as integral components for organizational success.

[1619] Ogur, E.O., 2023. Teaching Factory Concept in TVET. *Africa Journal of Technical and Vocational Education and Training*, *8*(1), pp.52-65.
[1620] Ogur, E.O., 2023. Teaching Factory Concept in TVET. *Africa Journal of Technical and Vocational Education and Training*, *8*(1), pp.52-65.

Moreover, to validate and showcase students' competencies, TVET colleges often offer certifications and accreditations.[1621] These credentials are not mere pieces of paper; they symbolize a student's dedication, skill set, and readiness for the industry.[1622] Possessing such recognized certifications can significantly elevate a student's standing in the competitive job arena. To recognize the multifaceted needs of their students, TVET colleges also provide career guidance services. Through these services, students receive personalized counselling to better understand their aptitudes, aspirations, and potential career trajectories. Such guidance ensures that students make well-informed academic and career choices, optimizing their chances for successful professional outcomes.

Furthermore, to remain relevant and aligned with industry dynamics, TVET colleges are agile in their approach. They continuously refine their curricula, integrating emerging industry trends, introducing new courses, and modernizing teaching methodologies. This proactive approach ensures that students are always equipped with the most current and sought-after skills, making them valuable assets in the ever-evolving job market.

### 7.3. TVET LAWS FOR QUALITY AND STANDARDS

TVET laws create systems to check and ensure that the education provided by training institutions is of good quality.[1623] These mechanisms can involve regular inspections, evaluations, or reviews of the training programs and facilities to make sure they meet specific standards. Accreditation is an official recognition given to institutions or programs that meet established quality standards set by an accrediting agency.[1624] By establishing accreditation processes, TVET laws help identify and endorse institutions

[1621] Johnstone, M.E., 2021. *The alignment and impact of the TVET college National Certificate (Vocational) Tourism curriculum on graduate skills and employability*. University of Johannesburg (South Africa).
[1622] Johnstone, M.E., 2021. *The alignment and impact of the TVET college National Certificate (Vocational) Tourism curriculum on graduate skills and employability*. University of Johannesburg (South Africa).
[1623] Ayonmike, C.S., Okwelle, P.C. and Okeke, B.C., 2015. Towards Quality Technical Vocational Education and Training (Tvet) Programmes in Nigeria: Challenges and Improvement Strategies. *Journal of Education and Learning*, *4*(1), pp.25-34.
[1624] Ayonmike, C.S., Okwelle, P.C. and Okeke, B.C., 2015. Towards Quality Technical Vocational Education and Training (Tvet) Programmes in Nigeria: Challenges and Improvement Strategies. *Journal of Education and Learning*, *4*(1), pp.25-34.

that offer high-quality training, giving them credibility and trustworthiness in the eyes of students, employers, and other stakeholders.[1625]

Standards are specific criteria or guidelines that training institutions must meet to ensure the quality and relevance of their programs.[1626] By setting clear standards, TVET laws provide a framework that training institutions must adhere to, ensuring consistency in the delivery of education and promoting excellence in training. Establishing quality and standards ensures that students receive education and training that is relevant to their chosen field, preparing them effectively for the workforce.[1627] For students, it means acquiring valuable skills and qualifications. For employers, it means having access to a pool of well-trained and competent individuals. For society at large, it means a skilled workforce contributing to economic growth and development.

The National Qualifications Framework (NQF) in South Africa constitutes a pivotal statutory and legal framework designed to systematically organize and regulate qualifications across diverse levels of education and training.[1628] This framework, outlined in the South African Qualifications Authority (SAQA) Act of 1995 (Act No. 58 of 1995), establishes SAQA as a legal entity responsible for overseeing the development and implementation of the NQF.[1629] The SAQA Act, through legal provisions, created SAQA as a juristic person entrusted with the critical responsibility of advancing the objectives of the NQF.[1630] SAQA, as a legal entity, is mandated to ensure the quality and relevance of qualifications within the national education and training system.[1631] This mandates SAQA to play a pivotal role in the development,

[1625] Ayonmike, C.S., Okwelle, P.C. and Okeke, B.C., 2015. Towards Quality Technical Vocational Education and Training (Tvet) Programmes in Nigeria: Challenges and Improvement Strategies. *Journal of Education and Learning*, *4*(1), pp.25-34.
[1626] Ayonmike, C.S., Okwelle, P.C. and Okeke, B.C., 2015. Towards Quality Technical Vocational Education and Training (Tvet) Programmes in Nigeria: Challenges and Improvement Strategies. *Journal of Education and Learning*, *4*(1), pp.25-34.
[1627] Ayonmike, C.S., Okwelle, P.C. and Okeke, B.C., 2015. Towards Quality Technical Vocational Education and Training (Tvet) Programmes in Nigeria: Challenges and Improvement Strategies. *Journal of Education and Learning*, *4*(1), pp.25-34.
[1628] South African Qualifications Authority Act No. 58 of 1995.
[1629] South African Qualifications Authority Act No. 58 of 1995.
[1630] South African Qualifications Authority Act No. 58 of 1995.
[1631] South African Qualifications Authority Act No. 58 of 1995.

classification, and oversight of qualifications in alignment with the objectives of the NQF.[1632]

The NQF, as delineated in the SAQA Act, aims to facilitate the establishment of a unified and integrated national framework for learning achievements.[1633] Rooted in legal principles, the framework seeks to guarantee that qualifications within it are not only credible and accessible but also internationally comparable.[1634] This legal underpinning underscores the imperative of fostering transparency and coherence in South Africa's education and training landscape.

A key feature of the NQF is its classification system, wherein qualifications are organized into levels ranging from Level 1 (Grade 9) to Level 10 (Doctoral degree).[1635] Each level is accompanied by specific descriptors meticulously outlining the requisite complexity, knowledge, and skills.[1636] This legal classification imparts a clear and standardized structure to educational qualifications, facilitating understanding and comparison.

The NQF mandates that all qualifications undergo a rigorous registration process to attain official recognition. This process, stipulated in the SAQA Act, is overseen by SAQA and ensures that qualifications meet predetermined criteria and contribute to the overarching objectives of the NQF.[1637] The legal requirement for registration serves as a quality control measure, upholding the integrity of qualifications within the framework.[1638]

Upon successful registration, qualifications are publicly accessible as they are published on the NQF. This transparency, mandated by the SAQA Act, serves multiple purposes. It not only informs learners, employers, and stakeholders about the nature of various qualifications but also contributes to a transparent and accountable

[1632] South African Qualifications Authority Act No. 58 of 1995.
[1633] South African Qualifications Authority Act No. 58 of 1995.
[1634] South African Qualifications Authority Act No. 58 of 1995.
[1635] South African Qualifications Authority Act No. 58 of 1995.
[1636] South African Qualifications Authority Act No. 58 of 1995.
[1637] South African Qualifications Authority Act No. 58 of 1995.
[1638] South African Qualifications Authority Act No. 58 of 1995.

education and training system.[1639] The NQF, in acknowledgment of the dynamic needs of the labour market and broader societal demands, underscores the importance of qualifications being relevant.[1640] TVET colleges, guided by the NQF, are legally obligated to design programs that meet industry needs. The alignment with national standards not only enhances the recognition of TVET qualifications but also underscores their credibility and relevance.

TVET colleges, recognized as integral components of the NQF, operate within its legal framework. The legal mandate stipulates that these colleges align their programs with national standards and levels, contributing substantively to the coherence of the broader education and training system. TVET colleges, as agents of education and training, play a vital role in realising the objectives set forth by the NQF.

The Higher Education Act in South Africa serves as the primary legal framework governing the establishment, governance, and funding of higher education institutions, encompassing TVET colleges.[1641] The Higher Education Act, enacted to provide a legal foundation for higher education institutions, including TVET colleges, delineates the parameters for their establishment and governance.[1642] This legal framework is essential for ensuring the legitimacy and regulatory oversight of institutions providing higher education and specialized vocational training.[1643]

Central to the Higher Education Act is the establishment of funding mechanisms for higher education institutions. These mechanisms, rooted in legal provisions, contribute to the financial sustainability and equitable distribution of resources among various institutions, including TVET colleges.[1644] Such legal underpinnings are crucial for fostering an environment of fiscal responsibility and transparency. Section 20 of the Higher Education Act constitutes a pivotal provision that explicitly empowers TVET colleges. This legal empowerment is directed toward facilitating the offering of programs that directly respond to the prevailing needs of the labour market.[1645] In legal

[1639] South African Qualifications Authority Act No. 58 of 1995.
[1640] South African Qualifications Authority Act No. 58 of 1995.
[1641] Higher Education Act 101 of 1997.
[1642] Higher Education Act 101 of 1997.
[1643] Higher Education Act 101 of 1997.
[1644] Higher Education Act 101 of 1997.
[1645] Section 20 of the Higher Education Act.

terms, this signifies a deliberate alignment of TVET colleges with the broader national objective of producing graduates who are not only academically well-equipped but also possess practical skills essential for seamless integration into the workforce.[1646]

The legal empowerment granted to TVET colleges under Section 20 is strategically aligned with broader national objectives. By enabling these institutions to tailor their programs to the demands of the labour market, the legal framework seeks to address the imperative of producing a workforce that meets the evolving needs of various industries. This alignment reflects a concerted legal effort to bridge the gap between educational offerings and the actual requirements of the workforce. The legal empowerment of TVET colleges under Section 20 translates into a mandate for these institutions to craft and implement programs that are inherently responsive to the ever-changing dynamics of the labour market.[1647] This responsiveness is legally mandated, thereby ensuring that TVET colleges remain agile and adaptable in their educational offerings, in compliance with the overarching legal framework.

The legal provisions within Section 20 contribute significantly to the enhancement of workforce readiness among TVET college graduates.[1648] By legally enabling these institutions to focus on practical, industry-relevant skills, the Higher Education Act aligns the educational trajectory with the demands of the job market.[1649] This legal empowerment reinforces the broader national goal of producing graduates who are not only academically proficient but also possess the applied skills necessary for meaningful contributions to the workforce.

The legislative landscape in South Africa is enriched by the inclusion of the Continuing Education and Training (CET) Act, specifically tailored to address the establishment and governance of CET colleges, a category that prominently encompasses TVET colleges.[1650] Section 4 of the CET Act, highlighting its emphasis on fostering partnerships with industry, communities, and relevant stakeholders in the development and delivery of programs that address the educational needs of learners

[1646] Higher Education Act 101 of 1997
[1647] Section 20 of the Higher Education Act.
[1648] Section 20 of the Higher Education Act.
[1649]Section 20 of the Higher Education Act.
[1650] Continuing Education and Training Act 16 of 2006.

and the economic landscape.[1651] The CET Act, as a specialized legislative instrument, focuses explicitly on the unique context of Continuing Education and Training colleges. These colleges, which include TVET institutions, are governed by the Act in terms of their establishment and ongoing governance.[1652] The legal framework set forth in the CET Act provides clarity on the organizational structure, authority, and functions of CET colleges, establishing a legal basis for their existence and operation.[1653]

Section 4 of the CET Act further emerges as a critical provision, placing a specific emphasis on the necessity of forming partnerships.[1654] These partnerships extend beyond the confines of the educational institution itself, incorporating industry stakeholders, local communities, and other relevant actors.[1655] In a legal context, Section 4 mandates that CET colleges actively engage with these entities in the development and implementation of programs, ensuring alignment with the needs of learners and the broader economic landscape.[1656]

The legal significance of partnerships, as underscored in Section 4, lies in its mandate for collaboration as a fundamental aspect of CET college operations. Legally, these partnerships provide a structured mechanism for engagement, collaboration, and shared responsibilities among the educational institution, industries, communities, and stakeholders.[1657] This legal imperative not only enriches the educational experience but also ensures that programs offered by CET colleges are tailored to the practical needs of learners and the dynamic demands of the economy.

Section 4 specifically highlights the importance of partnerships with industry stakeholders. From a legal standpoint, this signifies a recognition of the pivotal role that industries play in shaping the curriculum and educational offerings of CET colleges.[1658] The legal framework encourages a symbiotic relationship between

[1651] Continuing Education and Training Act 16 of 2006.
[1652] Continuing Education and Training Act 16 of 2006.
[1653] Continuing Education and Training Act 16 of 2006.
[1654] Continuing Education and Training Act 16 of 2006.
[1655] Continuing Education and Training Act 16 of 2006.
[1656] Continuing Education and Training Act 16 of 2006.
[1657] Continuing Education and Training Act 16 of 2006.
[1658] Continuing Education and Training Act 16 of 2006.

educational institutions and industries, ensuring that programs are relevant, up-to-date, and responsive to the rapidly evolving requirements of the workforce.

In a legal context, Section 4 mandates CET colleges to actively engage with local communities. This legal provision recognizes the importance of community involvement in the educational process and emphasizes the role of colleges as community assets. By legally obligating collaboration with communities, the CET Act ensures that educational initiatives are culturally sensitive, socially relevant, and contribute to the overall development of localities.[1659]

From a legal perspective, the emphasis on partnerships in Section 4 aligns the educational objectives of CET colleges with the economic needs of the nation. By mandating collaboration with stakeholders in the development of programs, the legal framework ensures that educational offerings are directly linked to the demands of the economy. This legal alignment contributes to the overall economic development of the country by producing a skilled and adaptable workforce.

The Quality Council for Trades and Occupations (QCTO) is a statutory body in South Africa established under the Skills Development Act Act 97 of 1998.[1660] Its mandate is to oversee the design, implementation, and quality assurance of occupational qualifications.[1661] In academic and legal terms, the collaboration between TVET colleges and the QCTO plays a pivotal role in ensuring the alignment of educational programs with industry needs.[1662] The collaboration between TVET colleges and the QCTO is legally underpinned by the Skills Development Act, which mandates the QCTO to develop and manage occupational qualifications.[1663] This collaboration ensures that the curricula of TVET colleges are aligned with the occupational qualifications developed and recognized by the QCTO. This alignment enhances the academic relevance of TVET programs, making them responsive to the evolving needs of industries.

[1659] Continuing Education and Training Act 16 of 2006.
[1660] Skills Development Act 97 of 1998.
[1661] Skills Development Act 97 of 1998.
[1662] Skills Development Act 97 of 1998.
[1663] Skills Development Act 97 of 1998.

The QCTO, as a statutory body, is entrusted with the responsibility of quality assurance in the realm of occupational qualifications. TVET colleges work closely with the QCTO to uphold rigorous academic standards. The collaboration involves regular assessments and evaluations to ensure that the qualifications offered meet the stipulated quality benchmarks. This contributes to the credibility and integrity of the educational programs.

The Skills Development Act empowers the QCTO to standardize occupational qualifications to maintain consistency and comparability. Through collaboration, TVET colleges adhere to the standardized qualifications set by the QCTO. This ensures that the skills and knowledge acquired by students are uniform and meet national standards, enhancing the portability of qualifications across different institutions and regions. The QCTO derives its authority from the Skills Development Act, and TVET colleges are legally obligated to align their programs with the prescribed qualifications.

TVET colleges, in their collaboration with the QCTO, ensure legal compliance by adhering to the regulations and guidelines set forth in the Skills Development Act. This adherence is crucial for the legal recognition of qualifications. The QCTO has the legal authority to recognize and register occupational qualifications. TVET colleges collaborate with the QCTO to secure the legal recognition of their qualifications. This recognition is essential for the legitimacy and acceptance of the qualifications in the national and international arenas. The QCTO is mandated by law to ensure that occupational qualifications align with the needs of industries.

TVET colleges, through collaboration, demonstrate legal compliance by aligning their curricula with industry needs as stipulated by the QCTO. This alignment enhances the employability of graduates. The QCTO is empowered to exercise oversight and regulatory functions over occupational qualifications. TVET colleges, in collaboration with the QCTO, are subject to regulatory scrutiny to ensure compliance with legal standards. This accountability fosters transparency and accountability in the educational system.

The Skills Development Act and National Standards Bodies Regulations provide a comprehensive framework for the development and registration of occupational qualifications on the NQF in South Africa.[1664] This regulatory landscape underscores the importance of aligning qualifications with the dynamic demands of industries to enhance the employability and skillsets of the workforce.[1665] The Skills Development Act of South Africa, enacted in 1998, serves as the foundational legislation for skills development and training in the country. It establishes the National Qualifications Framework (NQF) and mandates the development and registration of occupational qualifications to meet the needs of the labour market.[1666]

These regulations provide the procedural guidelines for the development and registration of occupational qualifications. They emphasize the role of industry-led processes and collaboration with relevant stakeholders, including TVET colleges, in ensuring the relevance and quality of qualifications.[1667] TVET colleges actively participate in the development of occupational qualifications through industry-led processes. Industry involvement ensures that qualifications are tailored to meet the specific requirements of sectors, fostering a direct link between education and employment.

TVET colleges play a crucial role in aligning qualifications with the current and future needs of industries. This alignment enhances the employability of graduates, addressing skills gaps and contributing to economic development. The qualifications developed through the collaborative efforts of TVET colleges and industries become the foundation for designing TVET curricula. This process ensures that the curricula are responsive to industry demands, providing students with practical skills and knowledge. The NQF mandates the quality assurance of qualifications, and TVET colleges, as key contributors, are instrumental in upholding these standards.[1668] Regular reviews and updates of curricula based on evolving industry requirements contribute to the continuous improvement of educational programs.

[1664] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1665] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1666] South African Qualifications Authority Act No. 58 of 1995.
[1667] South African Qualifications Authority Act No. 58 of 1995.
[1668] South African Qualifications Authority Act No. 58 of 1995.

The symbiotic relationship between TVET colleges, the Skills Development Act, and the National Standards Bodies Regulations is integral to the creation of a dynamic and responsive education system.[1669] This collaboration not only addresses the immediate needs of industries but also fosters a culture of lifelong learning, ensuring the continuous adaptability of the workforce to an ever-changing economic landscape.[1670] Through a nuanced understanding of the legal framework and active engagement in the qualification development process, TVET colleges contribute significantly to the development of a skilled and competitive workforce in South Africa.

TVET colleges actively engage in the development of occupational qualifications through industry-led collaborations, fostering a symbiotic relationship between academia and industry.[1671] This collaborative approach ensures that qualifications are not only theoretically sound but also practically applicable within the complex dynamics of specific sectors.[1672] TVET colleges, through their active involvement, contribute to the alignment of occupational qualifications with the real-time demands of industries.[1673] This proactive approach enhances the employability of graduates by imparting skills that are directly relevant to the ever-evolving professional landscape.

The occupational qualifications crafted through the joint endeavours of TVET colleges and industries serve as the cornerstone for designing TVET curricula.[1674] This nexus ensures that curricula are dynamic, responsive, and calibrated to address the nuanced skill requirements of specific industries.[1675] The direct linkage between occupational qualifications and TVET curricula results in tangible impacts on educational outcomes,

[1669] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1670] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1671] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1672] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1673] Allais, S.M., 2007. Why the South African NQF Failed: lessons for countries wanting to introduce national qualifications frameworks. *European Journal of Education*, *42*(4), pp.523-547.
[1674] Hategekimana, K.E., 2014. *The quest for a benchmark model of educational standards in Namibian Vocational Training Centres (NVTCs)* (Doctoral dissertation).
[1675] Hategekimana, K.E., 2014. *The quest for a benchmark model of educational standards in Namibian Vocational Training Centres (NVTCs)* (Doctoral dissertation).

fostering graduates who are not only academically proficient but also professionally adept.

The intricate interplay between the Skills Development Act, National Standards Bodies Regulations, and the active involvement of TVET colleges forms a cohesive paradigm for fostering a skilled workforce. By engaging in industry-led qualification development processes, TVET colleges contribute significantly to the realisation of a symbiotic relationship between education and industry needs. This, in turn, propels the overarching objective of the legal framework to facilitate the seamless transition of individuals from education to employment while ensuring the enduring relevance of the South African workforce in a rapidly evolving global landscape.

The Higher Education Quality Committee (HEQC), operating as a sub-committee of the Council on Higher Education, plays a pivotal role in accrediting higher education institutions, including TVET colleges.[1676] The HEQC, established as a regulatory body, exercises oversight in accrediting higher education institutions, ensuring adherence to prescribed quality standards.[1677] Accreditation is a legal requirement, providing a mechanism for quality assurance and continuous improvement within the higher education sector. TVET colleges, as integral components of the higher education landscape, fall within the ambit of HEQC oversight, emphasizing the equivalence of quality standards across diverse educational institutions.[1678]

TVET colleges possess legal authority, as outlined in the Higher Education Act and relevant policies, to develop, implement, and review their curricula.[1679] This legal autonomy underscores the recognition of the unique role of TVET colleges in responding to the dynamic demands of industries.[1680] The Higher Education Act accentuates the importance of continuous improvement, granting TVET colleges the

[1676] Stander, E., 2016. *Managing quality assurance in private higher education institutions in South Africa* (Doctoral dissertation, University of Pretoria).
[1677] Stander, E., 2016. *Managing quality assurance in private higher education institutions in South Africa* (Doctoral dissertation, University of Pretoria).
[1678] Stander, E., 2016. *Managing quality assurance in private higher education institutions in South Africa* (Doctoral dissertation, University of Pretoria).
[1679] Harrison, N., 2011. Have the changes introduced by the 2004 Higher Education Act made higher education admissions in England wider and fairer?. *Journal of Education Policy*, *26*(3), pp.449-468.
[1680] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

legal mandate to adapt their programs to changes in industry requirements through established legal processes. This emphasis on adaptability ensures that TVET curricula remain responsive and relevant in the face of evolving professional landscapes.

The legal framework within which TVET colleges operate in South Africa is multifaceted, encompassing a combination of acts, regulations, and quality assurance mechanisms.[1681] The National Policy for RPL serves as a cornerstone for recognizing prior learning and experience within the South African education system.[1682] It provides a legal framework that acknowledges the diversity of learning pathways and facilitates the inclusion of individuals with non-traditional educational backgrounds.[1683] TVET colleges, operating within the parameters of the National Policy for RPL, utilize robust RPL processes to assess and credit individuals for skills and knowledge acquired through work experience.[1684] This legal provision enhances the inclusivity of education, acknowledging and valuing the experiential learning of individuals. The National Policy for RPL, as part of the legal framework, recognizes and values diverse learning pathways, acknowledging the importance of experiential learning in skills development.[1685] This recognition enhances inclusivity, allowing individuals with varied educational backgrounds to contribute to the skilled workforce.

## 7.4. THE OVERALL BENEFITS OF TVET TO SOUTH AFRICAN EDUCATIONAL SYSTEM

TVET colleges are of paramount importance to South Africa, touching upon multiple sectors like education, economy, and employment. Its impact is felt across various areas, from fostering economic development and growth to directly addressing

[1681] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[1682] Hlongwane, I.K., 2014. *Recognition of prior learning (RPL) implementation in Library and Information Science (LIS) schools in South Africa* (Doctoral dissertation, University of South Africa).
[1683] Hlongwane, I.K., 2014. *Recognition of prior learning (RPL) implementation in Library and Information Science (LIS) schools in South Africa* (Doctoral dissertation, University of South Africa).
[1684] Hlongwane, I.K., 2014. *Recognition of prior learning (RPL) implementation in Library and Information Science (LIS) schools in South Africa* (Doctoral dissertation, University of South Africa).
[1685] Hlongwane, I.K., 2014. *Recognition of prior learning (RPL) implementation in Library and Information Science (LIS) schools in South Africa* (Doctoral dissertation, University of South Africa).

employment needs. One of the main strengths of TVET lies in its close ties with industry. TVET institutions frequently collaborate with businesses and industry experts when designing their courses. This ensures that what students learn is not only relevant to current industry needs but also anticipates future trends. As a result, graduates from these programs possess skills that are immediately valuable and in-demand in today's job market. This strategic alignment with industry requirements is central to the effectiveness of TVET in preparing individuals for successful careers and ensuring they meet the expectations of different sectors.

Within fast-paced industries like IT, healthcare, and manufacturing, TVET demonstrates flexibility and adaptability.[1686] It consistently updates its training content to incorporate the newest tools, technologies, and techniques. This ensures that students are equipped with up-to-date skills and knowledge that align with current industry practices.[1687] Unlike some conventional academic approaches that focus mainly on theory, TVET emphasizes practical learning. This means students don't just learn concepts but also get hands-on experience, using the actual tools and technologies they'll encounter in their future careers.

A significant feature of many TVET courses is the inclusion of practical experiences like internships, apprenticeships, and on-the-job placements.[1688] These hands-on opportunities enable students to apply their learning in real work settings, refine their skills, and build professional networks. TVET curricula are structured to tackle specific skill shortages observed in different industries.[1689] By honing in on these particular skills, TVET ensures that its graduates are well-equipped for the job market and are poised to contribute positively to innovation, efficiency, and advancement within their chosen sectors.

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[1686] Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing.
[1687] Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing.
[1688] Batholmeus, P. and Pop, C., 2019. Enablers of Work-Integrated Learning in Technical Vocational Education and Training Teacher Education. *International Journal of Work-Integrated Learning*, *20*(2), pp.147-159.
[1689] Batholmeus, P. and Pop, C., 2019. Enablers of Work-Integrated Learning in Technical Vocational Education and Training Teacher Education. *International Journal of Work-Integrated Learning*, *20*(2), pp.147-159.

TVET institutions sometimes offer specialized short courses or training modules tailored to current industry needs or specific skill gaps.[1690] This adaptability allows learners to gain unique, sought-after skills, boosting their chances of landing jobs in competitive fields. With its hands-on approach, TVET ensures that students are well-prepared for the workforce.[1691] Employers often appreciate the practical skills and real-world knowledge TVET alumni possess, making them attractive hires. Moreover, TVET lays out clear career paths for its graduates, helping them find roles that match their abilities and ambitions. Whether starting in entry-level positions or aiming for higher roles, TVET provides a strong starting point for career growth.

While some students excel in traditional classrooms that emphasize theory, others learn better by doing. TVET recognizes this by focusing on hands-on training that suits these practical learners. For those who benefit from seeing or doing things first hand, TVET uses visual aids, practical demonstrations, and simulations to make learning more effective and engaging. Furthermore, TVET covers a broad spectrum of fields like healthcare, engineering, hospitality, and the arts. This variety allows students to choose programs that match their interests and career goals, keeping them motivated and invested in their education.[1692]

TVET not only prepares students for regular jobs but also nurtures their ability to start their own businesses or work for themselves. By promoting an entrepreneurial spirit, TVET inspires students to be innovative and proactive in business ventures. Moreover, TVET serves as a flexible option for those who may have encountered difficulties in conventional schooling. Whether someone is returning to education after a break, looking to learn new skills, or switching career paths, TVET offers programs tailored to individual needs and goals.

Understanding that learning doesn't stop after formal education, TVET emphasizes the idea of continuous learning. It does this by offering adaptable courses, short modules, and chances for people to upgrade or learn new skills. This adaptability

[1690] Wang, Y., 2012. *Education in a changing world: Flexibility, skills, and employability*. World Bank.
[1691] Wang, Y., 2012. *Education in a changing world: Flexibility, skills, and employability*. World Bank.
[1692] Amado, S., 2019. *Assessment of factors affecting the contribution of technical and vocational education and training on job creation, between 2014-2018 at Durame Town*. Unpublished dissertation. Addis Ababa Science and Technology University.

means individuals can adjust to shifts in job demands, explore new fields, or simply keep learning as they go through life. Importantly, TVET also works to level the playing field in education.[1693] It aims to make learning reachable, affordable, and pertinent for everyone, regardless of their background or circumstances. This implies that TVET should focus on helping those who might face barriers in education, like those from poorer areas or groups with fewer opportunities historically. By implementing specific programs, providing necessary support, and ensuring fair policies, TVET ensures that these individuals have the chance to receive a good education, find meaningful jobs, and access broader opportunities in society.

TVET courses blend bookish knowledge with real-world practice. This mix ensures that students don't just understand concepts in theory but can also use them in practical situations. Through hands-on activities like lab experiments, workshops, and actual job training, students get to apply what they've learned.[1694] This kind of learning-by-doing not only hones their skills but also boosts their self-assurance, getting them ready for real work settings.[1695] By tackling practical tasks and real challenges, TVET students sharpen their ability to think critically and solve problems. They become adept at assessing situations, making sound choices, and devising innovative answers to intricate problems, making them versatile and robust in their professional journeys.[1696]

TVET courses often require students to work together on group tasks and projects. This setup helps students improve their communication, teamwork, and people skills. Such experiences teach students how to interact well with others, whether it's with peers, clients, or other professionals. When students successfully finish these hands-on tasks in TVET, it boosts their confidence and motivation. They feel proud of what

[1693] Palmer, R., 2020. Lifelong learning in the informal economy. *International Labour Organization, Geneva*.
[1694] Hassan, A. and Wai, L.K., 2019. Exploring the learning theories underpinning in technical, vocational, education and training (TVET) curriculum perceived by TVET students. *International Journal of Academic Research in Business and Social Sciences*, *9*(11), pp.1372-1381.
[1695] Hassan, A. and Wai, L.K., 2019. Exploring the learning theories underpinning in technical, vocational, education and training (TVET) curriculum perceived by TVET students. *International Journal of Academic Research in Business and Social Sciences*, *9*(11), pp.1372-1381.
[1696] Hassan, A. and Wai, L.K., 2019. Exploring the learning theories underpinning in technical, vocational, education and training (TVET) curriculum perceived by TVET students. *International Journal of Academic Research in Business and Social Sciences*, *9*(11), pp.1372-1381.

they've achieved, realise their potentials, and become more eager to learn and grow further.

Furthermore, TVET ensures students don't just gain technical know-how but also develop essential soft skills and personal qualities. This comprehensive learning approach equips students to handle various life situations, choose different career paths, and adjust to the changing demands of society. By promoting a well-rounded education, TVET nurtures in students a lasting love for learning and self-development. They leave with a strong foundation, the right attitude, and the skills needed to keep learning, explore new avenues, and succeed in an ever-changing environment.

TVET courses are created in partnership with experts from various industries.[1697] This collaboration guarantees that what students learn matches what these industries currently need and will need in the future. As a result, when students graduate from TVET, they're well-prepared to step into roles in sectors like healthcare, tech, manufacturing, and construction, where there's a high demand for skilled workers.[1698] Understanding that industries keep changing, TVET also offers specialized courses. These courses focus on teaching students specific, in-demand skills, be it the latest in manufacturing, digital tools, or particular healthcare methods. This approach ensures that there's a closer match between what students learn and what the job market requires, helping address skill gaps in the workforce.

TVET graduates, with their specialized training, boost the performance and effectiveness of industries. Their specific skills mean they can work more efficiently, refine processes, and elevate the standard of goods and services. Moreover, TVET doesn't just teach technical skills; it also encourages a mind-set of innovation. By imparting knowledge about the latest technologies and best methods, TVET helps students embrace new ideas and improvements. This emphasis on innovation doesn't just benefit individual businesses; it also makes entire industries more competitive.

[1697] WAHUNGU, D.K., WAWIRE, V. and KIRIMI, F., 2023. Strategies for aligning institutional engineering technical vocational education and training practices with industry skills requirements in Kenya. *Reviewed Journal International of Education Practice*, *4*(1), pp.96-116.
[1698] WAHUNGU, D.K., WAWIRE, V. and KIRIMI, F., 2023. Strategies for aligning institutional engineering technical vocational education and training practices with industry skills requirements in Kenya. *Reviewed Journal International of Education Practice*, *4*(1), pp.96-116.

Ultimately, by fostering such innovation, TVET plays a vital role in driving economic progress and positioning countries as leaders in global innovation.

TVET, by training individuals in the specific skills industries require, helps create jobs across different areas. When businesses know they have access to a skilled workforce, they're more likely to invest and grow.[1699] This boosts the economy by adding variety and depth to it. Furthermore, by filling skill gaps, boosting productivity, and pushing for new ideas, TVET significantly supports long-term growth that's both economically and environmentally sustainable.[1700]

Having a well-trained workforce means communities and industries can rely more on their own talents and abilities, reducing the need to always seek expertise from outside.[1701] It strengthens local capabilities and reduces vulnerabilities. However, for TVET to truly make a difference, it's essential that everyone, including women, young people, and those from less advantaged backgrounds, have equal access and opportunities.[1702] By ensuring these groups get the right training, TVET not only levels the playing field but also helps in reducing societal gaps. It gives people the chance to improve their lives and boosts the overall economy.[1703] Especially in areas that might be overlooked, like rural regions, local TVET institutions are crucial. They help these areas grow by training individuals to meet local job needs, supporting local businesses, and laying down foundations for lasting growth in these often-underserved regions.

[1699] Cox, E., Broadbridge, A. and Raikes, L., 2014. Building economic resilience. *An Analysis of Local Partnerships' Plans. Newcastle.*
[1700] Cox, E., Broadbridge, A. and Raikes, L., 2014. Building economic resilience. *An Analysis of Local Partnerships' Plans. Newcastle.*
[1701] Cox, E., Broadbridge, A. and Raikes, L., 2014. Building economic resilience. *An Analysis of Local Partnerships' Plans. Newcastle.*
[1702] Baxter, M., Novy-Marx, M. and D'Angelo, S., 2022. Improving pathways for girls and disadvantaged youth through secondary education and into work: Evidence and reflections from practice: Special Issue Youth & Adolescent Skills Development: Preparing young people for diverse global challenges. *Development Policy Review*, *40*, p.e12651.
[1703] Baxter, M., Novy-Marx, M. and D'Angelo, S., 2022. Improving pathways for girls and disadvantaged youth through secondary education and into work: Evidence and reflections from practice: Special Issue Youth & Adolescent Skills Development: Preparing young people for diverse global challenges. *Development Policy Review*, *40*, p.e12651.

TVET courses are carefully crafted to match the exact needs of the job market.[1704] This means that students who complete these programs have the precise skills that industries are currently looking for. Because of this direct alignment, graduates from TVET have a higher chance of finding jobs quickly, since they possess the specific skills that employers need right now.[1705] This close match between what TVET teaches and what industries need not only helps graduates secure jobs but also plays a crucial role in reducing unemployment.[1706] By ensuring students are well-prepared with relevant skills, TVET effectively bridges the gap between learning and working, making the transition from school to employment smoother.

Furthermore, the cultivation of a well-prepared and proficient workforce emanating from TVET institutions has broader implications for industrial dynamics and economic vitality. Specifically, industries endowed with such a skilled labour force invariably witness heightened levels of competitiveness on both domestic and international platforms. This enhanced competitive edge is attributable to the workforce's adeptness in integrating contemporary techniques, adhering to industry best practices, and driving operational efficiencies.

Moreover, the presence of a competent workforce augments the attractiveness of industries as investment destinations. Potential investors are inherently inclined towards sectors characterized by a skilled workforce, viewing them as indicators of sustainable operations, innovative potential, and promising returns on investment. Thus, the synergy between TVET-driven skill development and industrial competitiveness serves as a catalyst for investment inflows, further propelling economic growth trajectories.

Additionally, a proficient workforce is instrumental in bolstering economic resilience, particularly in navigating challenges posed by global economic fluctuations, technological disruptions, or market dynamics. The adaptability, innovation, and

[1704] Olotewo, J., 2017. Developing and sustaining vocational educational training in Africa: the core element. *International Journal of Arts & Sciences*, *10*(1), pp.257-273.
[1705] Olotewo, J., 2017. Developing and sustaining vocational educational training in Africa: the core element. *International Journal of Arts & Sciences*, *10*(1), pp.257-273.
[1706] Olotewo, J., 2017. Developing and sustaining vocational educational training in Africa: the core element. *International Journal of Arts & Sciences*, *10*(1), pp.257-273.

productivity engendered by a well-trained workforce equip industries with the resilience to withstand external shocks, optimize resource utilization, and sustain growth momentum.

TVET colleges play a pivotal role in shaping the entrepreneurial and innovative landscape of economies. One of the salient contributions of TVET in this regard is the cultivation of a culture steeped in innovation. Through a combination of pedagogical approaches, experiential learning, and real-world application, TVET engenders an environment where creativity, problem-solving, and forward-thinking are not only encouraged but also ingrained in the learning ethos. This nurtured culture of innovation serves as a catalyst for ideation, experimentation, and the genesis of novel business ventures.

Parallelly, the emphasis on entrepreneurship within TVET curricula further amplifies its impact on economic diversification. By equipping learners with the requisite skills, knowledge, and mind-set to conceptualize, initiate, and manage enterprises, TVET fosters a robust entrepreneurial ecosystem. Graduates and trainees of TVET programs emerge not merely as job seekers but as job creators, venturing into diverse sectors, introducing innovative products or services, and contributing to the diversification of the economic landscape.

Moreover, the collaborative endeavours between TVET institutions and industries amplify the transformative potential of TVET. These collaborative partnerships serve as conduits for knowledge transfer, where academic insights, research findings, and technological innovations are seamlessly integrated into industrial practices and processes. Such symbiotic collaborations not only enhance the practical relevance of TVET programs but also infuse industries with cutting-edge expertise, research capabilities, and innovative solutions.

Furthermore, the collaborative milieu between TVET and industries catalyses research and development endeavours. By leveraging the synergies between academic rigour and industrial pragmatism, collaborative research initiatives are often characterized by their applicability, relevance, and potential for commercialization. These research outputs, spanning technological innovations, process optimizations,

or product developments, contribute significantly to industrial advancements, sectoral growth, and overall economic dynamism.

TVET colleges serves as a linchpin in the contemporary educational landscape, particularly in the context of career progression and socio-economic mobility. Central to its mandate is the provision of structured pathways for career advancement, underscored by a commitment to upskilling and reskilling initiatives. As the dynamics of the global job market undergo profound transformations driven by technological innovations, economic shifts, and evolving industry requirements, the imperative for continuous skill enhancement becomes unequivocal. In this milieu, TVET emerges as a critical enabler, offering targeted programs and courses designed to equip individuals with the contemporary skills, competencies, and certifications requisite for navigating and thriving within fluctuating job market paradigms.

Concomitant with its role in career advancement, TVET assumes a pivotal societal function in engendering socio-economic mobility and attenuating entrenched inequalities. Historically, marginalized communities have encountered systemic barriers impeding their access to quality education, vocational training, and equitable opportunities.[1707] TVET institutions, cognizant of these disparities, proactively endeavour to dismantle such barriers by offering inclusive and accessible educational pathways tailored to the unique needs, contexts, and aspirations of marginalized cohorts.[1708] Through targeted outreach, community engagement, and affirmative action initiatives, TVET not only expands educational access but also fosters an environment conducive to the holistic development, empowerment, and upliftment of marginalized communities.

Furthermore, the transformative impact of TVET extends beyond academic attainment, resonating profoundly within the socio-economic fabric of communities. By

[1707] Trainor, A.A., Lindstrom, L., Simon-Burroughs, M., Martin, J.E. and Sorrells, A.M., 2008. From marginalized to maximized opportunities for diverse youths with disabilities: A position paper of the Division on Career Development and Transition. *Career Development for Exceptional Individuals*, *31*(1), pp.56-64.

[1708] Trainor, A.A., Lindstrom, L., Simon-Burroughs, M., Martin, J.E. and Sorrells, A.M., 2008. From marginalized to maximized opportunities for diverse youths with disabilities: A position paper of the Division on Career Development and Transition. *Career Development for Exceptional Individuals*, *31*(1), pp.56-64.

endowing individuals with industry-relevant skills, certifications, and entrepreneurial acumen, TVET catalyses pathways to gainful employment, self-employment, and enterprise creation. Such avenues not only augment individual livelihoods, financial stability, and socio-economic well-being but also engender a broader societal shift towards self-reliance, economic independence, and reduced reliance on extant social welfare systems. Consequently, the dividends of TVET's interventions reverberate across multiple dimensions of societal advancement, manifesting in reduced poverty incidence, enhanced economic productivity, and augmented social cohesion.

TVET offers a hands-on learning approach that's directly in tune with what employers look for. This makes the education system more practical, ensuring that students graduate with skills that are immediately useful in the job market. It also provides an alternative route for learning, accommodating a wider range of students with different learning styles. This flexibility helps create a more inclusive education system.

Furthermore, TVET is instrumental in addressing the gap between the skills workers have and the skills industries need. By offering targeted training in areas lacking skilled professionals, TVET helps meet industry demands, aiding economic progress. Graduates from TVET programs play a crucial role in the economy. They step into roles that require specific technical skills, helping to lower unemployment rates and boost economic growth. Additionally, TVET instils an entrepreneurial spirit in its graduates. Many go on to establish their own ventures, fostering the growth of smaller businesses, which are vital for a diverse economy. Overall, the expertise gained from TVET enhances workforce efficiency, benefiting industries and the nation's economy as a whole.

In essence, TVET colleges are pivotal for national growth, producing skilled professionals vital for sectors like construction and engineering. It drives innovation by training individuals for technological research and application, boosting South Africa's global industry standing. Offering a direct route to jobs, especially in fields like manufacturing and healthcare, TVET curbs youth unemployment and uplifts households from poverty. It's a ladder for social advancement, particularly for those from underprivileged backgrounds. Emphasizing practical expertise, TVET ensures

graduates are job-ready and adaptable. Its focus on continuous learning fosters a resilient workforce prepared for evolving industry demands.

## 7.5. THE BENEFITS OF YOUTHS AND ADULTS FROM TVET AND ALL OPPORTUNITIES BROUGHT THROUGH TVET EDUCATION

South Africa faces significant challenges with youth unemployment. TVET colleges directly address this issue by offering practical skills that make graduates more attractive to employers.[1709] By focusing on employability, these institutions empower the youth to contribute meaningfully to the economy. TVET colleges offer programs designed to equip students with practical, industry-specific skills. These skills are directly aligned with the demands of the job market, making graduates more employable upon completion of their studies.[1710] By providing training in areas such as engineering, technology, healthcare, and various trades, TVET colleges ensure that students are ready for immediate entry into the workforce.

TVET colleges collaborate closely with industries to develop curricula that meet current market needs. This collaboration ensures that students are trained in the latest technologies and practices, making them attractive to employers. Programs must be regularly updated to align with industry trends, fostering a dynamic learning environment that prepares students for emerging job opportunities. Many TVET programs incorporate internships, apprenticeships, and work-based learning experiences. These practical exposures allow students to apply their skills in real-world settings, build networks within industries, and gain valuable work experience.[1711] By connecting students directly with employers, TVET colleges facilitate a smoother transition from education to employment.

TVET colleges often integrate entrepreneurial skills into their programs, encouraging students to consider self-employment and business ventures. This not only diversifies

[1709] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.
[1710] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.
[1711] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE W Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.ORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.

career options but also contributes to job creation as graduates establish their enterprises. Beyond technical skills, TVET colleges emphasize the development of soft skills such as communication, teamwork, and problem-solving.[1712] These skills enhance students' overall employability and adaptability in diverse workplace environments. TVET colleges provide career guidance services to help students make informed decisions about their educational and career paths. This proactive approach ensures that students are aware of available opportunities and can align their skills with market demands.

Establishing partnerships with local industries and employers is a key strategy of TVET colleges. These partnerships often involve advisory boards, joint projects, and direct input from businesses into the design of training programs. Employers may be involved in curriculum development, ensuring that students are learning skills that are directly applicable to the workforce. TVET colleges offer flexible learning pathways, including short courses, skills certificates, and diploma programs.[1713] This flexibility caters to the diverse needs and preferences of students, enabling them to enter the job market at different levels of qualification. Government initiatives and policies often support TVET education as a crucial component of addressing youth unemployment. Funding, scholarships, and incentives for both students and institutions contribute to the growth and effectiveness of TVET programs.

TVET often fosters an entrepreneurial spirit by providing training in areas like business management, marketing, and innovation. This encourages youths to start their own businesses, driving economic growth and creating jobs. The rapid technological advancements in various sectors require individuals to continuously update their skills. TVET equips youths with the ability to adapt to changing industry demands and remain relevant in their careers.[1714] TVET programs often cater to marginalized and disadvantaged youths, offering them a pathway to gainful employment and social

[1712] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.
[1713] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.
[1714] Muchira, J.M., Kiroro, F., Mutisya, M., Ochieng, V.O. and Ngware, M.W., 2023. Assessing technical vocational education and training institutions' curriculum in Kenya: what strategies can position the youth for employment? *Journal of Adult and Continuing Education*, *29*(2), pp.563-582.

inclusion. It helps reduce inequalities by providing equal opportunities for skill development.

For adults looking to advance in their careers or transition to a new field, TVET offers specialized training programs that enhance their professional skills and qualifications. TVET promotes lifelong learning by providing adults with opportunities to update their skills, stay abreast of industry trends, and remain competitive in the job market.[1715] Adults seeking a career change or re-entering the workforce after a hiatus can benefit from TVET programs tailored to their needs. These programs offer targeted training that aligns with their career goals and aspirations.

Employers often invest in TVET for their workforce as it leads to increased productivity.[1716] Adults who undergo TVET programs are better equipped to perform their jobs efficiently, leading to improved organizational outcomes. Apart from professional growth, TVET also contributes to personal development by enhancing adults' problem-solving abilities, critical thinking skills, and overall confidence.[1717]

TVET institutions often collaborate with industries to develop curriculum, ensuring that training programs are aligned with current industry needs and standards.[1718] TVET embraces technological advancements, incorporating modern tools and techniques into training programs. This prepares learners for the digital age and emerging job roles. TVET qualifications are recognized globally, opening doors for international employment and collaboration. It allows individuals to explore opportunities beyond their local regions and contribute to global industries.

[1715] Comyn, P.J., 2018. Skills, employability and lifelong learning in the Sustainable Development Goals and the 2030 labour market. *International Journal of Training Research*, *16*(3), pp.200-217.
[1716] Papier, J., Needham, S., Prinsloo, N. and McBride, T., 2016. PREPARING TVET COLLEGE GRADUATES FOR THE WORKPLACE EMPLOYERS'VIEWS. *Change Management in Tvet Colleges*.
[1717] Ezekoye, B.N., 2017. Technological challenges in implementing TVET programmes in Nigeria. In *Technical Education and Vocational Training in Developing Nations* (pp. 65-84). IGI Global.
[1718] Ezekoye, B.N., 2017. Technological challenges in implementing TVET programmes in Nigeria. In *Technical Education and Vocational Training in Developing Nations* (pp. 65-84). IGI Global.

TVET offers a diverse range of programs catering to various sectors, from healthcare and IT to construction and hospitality.[1719] This diversity ensures that individuals can choose programs aligned with their interests and career goals. In essence, TVET plays a pivotal role in empowering both youths and adults by providing them with relevant skills, enhancing their employability, and fostering continuous learning and growth. The opportunities brought through TVET education are instrumental in driving personal, professional, and economic development.

However, TVET programs align with national labour laws and employment regulations, facilitating compliance with requisite skills demanded by employers.[1720] Such alignment ensures the legal efficacy of these programs in preparing young individuals for gainful employment. The nexus between TVET and employment is substantiated by legal statutes that mandate the integration of industry-relevant skills into educational curricula, underscoring the academic legitimacy of TVET as a conduit to professional engagement.

The incorporation of hands-on learning in TVET programs corresponds with legal imperatives emphasizing the practical applicability of education. This aligns with educational laws and policies should emphases a holistic approach to skill acquisition. The pedagogical underpinnings of TVET underscore its efficacy in addressing the cognitive and practical aspects of learning, conforming to established educational theories advocating for experiential learning approaches. This entrepreneurial education within TVET programs is substantiated by legal frameworks promoting economic development through the cultivation of an entrepreneurial ecosystem. Such initiatives are often embedded in broader national economic development policies. TVET's emphasis on entrepreneurial skills aligns with academic theories highlighting the importance of fostering creativity, innovation, and business acumen, contributing to a well-rounded education that transcends traditional vocational training.

[1719] Shereni, N.C., 2020. The role of technical and vocational education and training (TVET) in restoring hospitality sector specific skills in Zimbabwe: a students' perspective. *Journal of Hospitality & Tourism Education*, *32*(3), pp.133-141.
[1720] Brewer, L. and Comyn, P., 2015. Integrating core work skills into TVET systems: Six country case studies. *Geneva: ILO [International Labour Organization]. Available online also at: https://www. ilo. org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_470726. pdf [accessed in Jakarta, Indonesia: December 27, 2023]*.

The alignment of TVET with industry demands is enshrined in legal mandates emphasizing the responsiveness of educational institutions to labour market requirements. National policies often prescribe mechanisms for regular industry consultation to inform curriculum development. TVET's responsiveness to industry needs is academically justified by the imperative to produce graduates who are not only academically proficient but also possess skills that directly meet the evolving demands of the labour market.

The international recognition of skills acquired through TVET is underpinned by legal instruments facilitating the mobility of skilled labour. Bilateral and multilateral agreements, recognize the equivalence of TVET qualifications, ensuring global competitiveness. The academic legitimacy of TVET's role in enhancing global competitiveness is grounded in educational theories emphasizing the importance of producing graduates with skills and qualifications that transcend national boundaries.

The contributions of TVET to economic development is aligned with legal imperatives that underscore education as a catalyst for economic growth. National development plans often articulate the role of a skilled workforce in fostering economic prosperity. Academically, the correlation between TVET and economic development is underscored by educational theories emphasizing the role of education in human capital formation, directly impacting a nation's economic trajectory.

The promotion of a mind-set of lifelong learning within TVET programs is consonant with legal frameworks advocating for continuous professional development. Legal provisions often encourage individuals to engage in ongoing education to adapt to technological advancements. The academic rationale for instilling a mind-set of lifelong learning is rooted in educational philosophies highlighting the need for individuals to remain adaptable and responsive to evolving technologies and industry trends throughout their careers.

Within the legal context, the provision of TVET for adults seeking career changes aligns with labour laws emphasizing equal opportunities for professional development. It also resonates with legal principles promoting lifelong learning and the right to education for all citizens. The integration of TVET into adult education is supported by

educational theories highlighting the importance of addressing diverse learning needs. Adult education frameworks underscore the necessity of flexible and practical approaches to accommodate varying career trajectories.

The acquisition of practical skills by adults is substantiated by legal frameworks emphasizing the relevance and applicability of education to professional contexts. Employment and labour laws may recognize the value of practical skills in ensuring workforce competence. The focus on practical skills aligns with pedagogical theories advocating for the integration of experiential learning to bridge the gap between theoretical knowledge and real-world applications.

TVET's role in equipping adults with entrepreneurial skills aligns with legal imperatives promoting economic self-sufficiency and small business development. Legal provisions may encourage initiatives that foster entrepreneurship, reflecting broader economic development policies. From an academic standpoint, the emphasis on entrepreneurship in TVET is underpinned by educational theories recognizing the importance of cultivating a diverse skill set that includes business acumen and innovation. The continuous training through TVET for adults resonates with legal mandates for promoting ongoing professional development to adapt to evolving industry standards. Professional licensing and certification requirements may also underscore the importance of staying abreast of industry changes. The academic justification for continuous training is rooted in educational philosophies emphasizing the dynamic nature of knowledge and the need for professionals to engage in lifelong learning to remain relevant in their fields.

Adults participating in the global job market through TVET aligns with legal frameworks facilitating the international mobility of skilled labour.[1721] Bilateral and multilateral agreements recognize TVET qualifications, ensuring legal recognition in diverse international contexts.[1722] The global orientation of TVET is supported by educational

[1721] Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing.
[1722] Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing.

theories emphasizing the interconnectedness of the global economy and the importance of preparing individuals for international collaboration.

## 7.6. CONCLUSIONS

TVET colleges in South Africa have emerged as vital contributors to the nation's educational, social, and economic advancement. Through their specialized programs, TVET colleges are producing education that is directly aligned with the evolving needs of various industries, ensuring that graduates are equipped with relevant skills and competencies.[1723]

From a social perspective, TVET colleges are fostering inclusivity by providing opportunities for diverse groups, including historically marginalized communities, to access quality education. This inclusivity promotes social cohesion and equity, bridging educational disparities and empowering individuals to actively participate in the socio-cultural fabric of the nation.

Economically, the impact of TVET colleges is profound. By producing a skilled workforce, these institutions are addressing critical skills shortages, stimulating productivity, and driving innovation across various sectors. The emphasis on practical training and industry-relevant skills ensures that graduates are not only employable but also capable of contributing meaningfully to economic growth and development.

Furthermore, TVET colleges play a pivotal role in addressing unemployment challenges by offering targeted training programs that align with labor market demands.[1724] This strategic alignment between education and employment opportunities enhances the employability of graduates, thereby reducing dependency on welfare systems and fostering economic self-sufficiency.

[1723] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
[1724] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

Additionally, the socio-economic development fostered by TVET colleges extends beyond individual empowerment to community upliftment. Through partnerships with local industries, community engagement initiatives, and entrepreneurship development programs, TVET colleges are catalysts for local economic development, job creation, and sustainable growth.

However, the full potentials of TVET colleges in South Africa is yet to be realised, as challenges such as infrastructural constraints, curriculum relevance, and funding limitations persist. Addressing these challenges requires a collaborative approach involving policymakers, industry stakeholders, educational institutions, and the broader community to ensure that TVET colleges remain at the forefront of fostering social, socio-economic development, and growth in South Africa.

This critical legal analysis underscores the pivotal role that TVET colleges play in South Africa's educational landscape and broader socio-economic fabric. As indicated by Terreblanche, TVET colleges, through their specialized and practical curricula, have become instrumental in producing a workforce that is not only skilled but also attuned to the dynamic needs of the country's diverse industries.[1725]
From a legal perspective, the regulatory frameworks governing TVET colleges have sought to ensure quality, relevance, and inclusivity. This has not only elevated the standards of education but also fostered a culture of accountability and transparency within these institutions. The emphasis on aligning TVET programs with industry requirements has further solidified their relevance, ensuring that graduates are readily absorbed into the labour market, thereby reducing unemployment and contributing to economic growth.

Moreover, the socio-economic benefits emanating from TVET education are manifold. By equipping students with tangible skills and competencies, these colleges empower individuals to actively participate in the economy, either as skilled employees or entrepreneurs. This, in turn, stimulates local industries, attracts investments, and creates a conducive environment for innovation and enterprise development.

[1725] Terblanche, T.E.D.P., 2017. *Technical and vocational education and training (TVET) colleges in South Africa: A framework for leading curriculum change* (Doctoral dissertation, Stellenbosch: Stellenbosch University).

Furthermore, TVET colleges have been pivotal in fostering social development by promoting inclusivity and addressing historical disparities in access to quality education. Through targeted interventions and support mechanisms, these institutions have enabled marginalized communities, particularly in rural areas, to access opportunities that were previously inaccessible, thereby promoting social cohesion and equity.

However, it is imperative to acknowledge and address the existing challenges, including infrastructural deficits, funding constraints, and mismatches between training programs and market demands. A holistic approach that integrates policy reforms, stakeholder collaboration, and continuous monitoring is crucial to optimizing the impacts of TVET colleges on social and socio-economic development in South Africa.

In essence, the critical legal analysis affirms that TVET colleges are not merely educational institutions but catalysts for change, growth, and development. By producing beneficial education that is closely aligned with the country's developmental goals, TVET colleges are shaping a brighter and more inclusive future for South Africa. Their role in fostering social mobility, economic resilience, and national progress cannot be overstated, making them indispensable pillars of the nation's educational and developmental landscape.

# CHAPTER EIGHT: COMPARATIVE LEGAL ANALYSIS OF TVET COLLEGE IN CHINA, GERMANY, UNITED KINGDOM, CANADA AND SOUTH AFRICA

## 8.1. INTRODUCTION

TVET is a critical component of educational systems worldwide, designed to equip individuals with practical skills and knowledge essential for entering the workforce and fostering socio-economic development. While the fundamental objective of TVET is universal, how it is structured, delivered, and impacts societies can vary significantly from one nation to another. This comparative analysis embarks on a journey to explore the unique facets of TVET colleges in five diverse countries: China, Germany, the United Kingdom, Canada, and South Africa. By scrutinizing the distinct approaches, challenges, and accomplishments of these nations in the realm of TVET education, we aim to gain a deeper understanding of how various cultural, historical, and economic contexts shape the TVET landscape. Each of these five countries brings its rich tapestry of experiences and practices to the realm of TVET.

## 8.2. TVET IN CHINA

### 8.2.1. Historical Overview

TVETs in China have undergone significant transformations, reflecting the nation's socio-political and economic shifts. To understand its trajectory, we can trace back its roots to the 1860s when China first began to integrate industrial and commercial education.[1726] The mid-19th century marked a critical juncture in China's history, characterized by the Westernization Movement. This movement emerged in the aftermath of China's defeat in the Opium War in 1840.[1727] The defeat exposed glaring vulnerabilities in China's military and economic technologies. Consequently, the Qing

[1726] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1727] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.

leadership, along with several patriotic figures, recognized the urgent need to modernize and catch up with Western advancements.[1728]

A central tenet of this movement was the aggressive adoption and assimilation of superior Western technology and methodologies. This adoption necessitated the training and development of a skilled workforce proficient in modern techniques and technologies. In this context, TVET colleges emerged as a pivotal component for national rejuvenation.[1729] Technicians and workers equipped with advanced technological expertise became invaluable assets, particularly in the establishment and expansion of military industries. Their roles were multifaceted. TVET institutions focused on cultivating skills that were directly aligned with the technological demands of the era.[1730] This ensured that China could rapidly build and bolster its military and industrial capabilities.

Collaborative endeavours with Western experts and institutions facilitated the transfer of knowledge, allowing for a more seamless integration of modern techniques into Chinese industries.[1731] Beyond the practical implications, the emphasis on TVE also served as a means to instil national pride and identity. By equipping its populace with contemporary skills, China aimed to reshape its image on the global stage, transitioning from a perceived position of subjugation to that of a formidable modern nation.[1732]

TVET colleges in the People's Republic of China have witnessed a series of transformations, characterized by adjustments, enhancements, and periods of

[1728] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1729] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1730] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1731] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1732] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.

challenges, since its inception in 1949. In the early years following the establishment of the People's Republic of China, the nation recognized the crucial roles of TVET in driving economic growth.[1733] Consequently, the 1950s witnessed the establishment of specialized secondary schools and institutions with a focus on high-quality education.[1734] A pivotal moment in this era was the first national education conference post-1949, where concerns about the disparity between general education and TVETs were articulated.

To address these concerns, the State Council issued the "Decision on Improving Secondary Technical and Vocational Education" in 1954.[1735] This directive aimed to overhaul and elevate the standards of secondary vocational education. Concurrently, the Ministry of Education introduced regulations governing secondary special schools.[1736] These initiatives collectively signalled a shift towards a more structured and purposeful TVET system, with an emphasis on secondary vocational and technical schools.

However, the momentum of TVET was abruptly disrupted during the "Cultural Revolution" (1966-1976). This tumultuous period saw the duration of secondary schooling being truncated from six to four years.[1737] This policy shift led to a surge in secondary school enrolments, straining educational resources and infrastructure. The repercussions were profound: the growth of vocational education was stymied, and the overall quality of general education suffered.[1738]

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[1733] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1734] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1735] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1736] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1737] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.
[1738] Ani, K.J. and Ihuoma, C., 2023. Technical and Vocational Education (TVE), Transformation and Modernisationa in a Globalized China: Model for Educational Development in Nigeria. *resmilitaris*, *13*(3), pp.2078-2089.

### 8.2.2. Legal and Policy Development

The trajectory of educational policies in China demonstrates a nuanced shift from a focus on expanding access to education to emphasizing its quality, particularly in the realm of TVET. The Compulsory Education Act of 1986 marked a pivotal moment in China's educational landscape by introducing a mandatory three-year junior secondary education.[1739] This legislative move was aimed at ensuring broader access to education across the nation. This Law is established in conformity with the provisions of the Constitution of the People's Republic of China and is tailored to the prevailing circumstances within China.[1740] The primary objective of this Law is to advance elementary education and to foster the construction of a socialist society that embodies cultural, ideological, and material advancement.[1741]

However, the landscape of vocational education in China is currently undergoing a period of intense scrutiny and evaluation, predominantly due to the multifaceted challenges emanating from rapid economic and societal transformations.[1742] A critical examination reveals that while China has made notable strides in the realm of TVET education, these advancements are juxtaposed with persistent concerns regarding adequacy and comprehensiveness.[1743]

China's meteoric economic rise, characterized by rapid industrialization, technological advancements, and globalization, has engendered a dynamic and complex economic milieu.[1744] In such an environment, there is an escalating demand for a highly skilled and adaptable workforce capable of navigating the intricacies of modern industries and sectors. While vocational education is inherently positioned to bridge this skills gap, ensuring alignment between educational curricula and evolving industry needs remains a formidable challenge.[1745]

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[1739] The Compulsory Education Law of the People's Republic of China, 1986.
[1740] Article 1 of the Compulsory Education Law of the People's Republic of China, 1986.
[1741] Article 1 of the Compulsory Education Law of the People's Republic of China, 1986.
[1742] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1743] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1744] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1745] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).

Furthermore, the diversification of China's economy, marked by a shift towards service-oriented industries and innovation-driven sectors, necessitates a nuanced approach to vocational education.[1746] The traditional paradigms and frameworks may no longer be wholly applicable, thereby requiring innovative pedagogical strategies and curriculum designs that resonate with contemporary economic realities.[1747]

Concurrently, China is undergoing profound societal transformations, characterized by urbanization, demographic shifts, and changing socio-cultural dynamics.[1748] These transformations exert considerable influence on educational aspirations, expectations, and priorities.[1749] There is an increasing emphasis on holistic development, encompassing not only technical proficiency but also soft skills, critical thinking abilities, and socio-cultural competencies.

Moreover, societal perceptions and attitudes towards vocational education are evolving. While there is a growing recognition of its instrumental value in fostering employability and economic productivity, there remains a palpable scepticism and bias favouring traditional academic pathways. This dichotomy underscores the imperative for advocacy, awareness, and strategic interventions to recalibrate societal perceptions and elevate the stature of vocational education.

It is noteworthy that China has instituted comprehensive policy reforms aimed at bolstering vocational education. These reforms encompass curriculum development, infrastructure enhancement, industry-academia collaborations, and skills training initiatives. However, the translation of policy intent into tangible outcomes is impeded by a myriad of challenges, including resource constraints, capacity limitations, and coordination inefficiencies among stakeholders.

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[1746] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1747] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1748] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).
[1749] Jin, X., 2009. *A Conceptualized Proposal for Reforming China's Test-Driven Secondary Education: Integrating Academic and Vocational Education towards a Vocationalism* (Doctoral dissertation).

Furthermore, the efficacy of policy interventions is contingent upon their adaptability, responsiveness, and alignment with evolving economic and societal dynamics. There is an inherent need for continuous review, refinement, and recalibration of policies to ensure their relevance, effectiveness, and impact. The legal provisions for compulsory education in China are delineated through a structured framework aimed at ensuring universal access, enhancing quality, and fostering the holistic development of students.

Article 3 elucidates the overarching objectives and imperatives governing compulsory education in China, emphasizing the holistic development of students.[1750] The state policy on education is unequivocally articulated as being geared towards augmenting the quality of instruction, thereby fostering an environment conducive to comprehensive development encompassing moral, intellectual, and physical dimensions.[1751] The articulation of these multifaceted developmental goals underscores the intrinsic value accorded to nurturing well-rounded individuals capable of contributing meaningfully to societal progress.[1752] Moreover, the emphasis on moral integrity, high ideals, and self-discipline signifies the broader societal aspirations of cultivating a citizenry characterized by ethical fortitude, civic responsibility, and a commitment to the collective welfare.

The legal framework governing the financing and support mechanisms for compulsory education in China is articulated through a series of articles aimed at ensuring equitable access, alleviating financial barriers, and fostering inclusive development.[1753] Article 10 enshrines the fundamental principle that students enrolled in compulsory education shall not be subjected to tuition fees, thereby reaffirming the state's commitment to ensuring universal access to basic education without financial impediments.[1754] In addition to the prohibition of tuition fees, the article mandates the establishment of a comprehensive system of grants-in-aid designed to facilitate the school attendance of economically disadvantaged students.[1755] This provision

[1750] Article 3 of the Compulsory Education Law of the People's Republic of China, 1986.
[1751] Article 1 of the Compulsory Education Law of the People's Republic of China, 1986.
[1752] Article 1 of the Compulsory Education Law of the People's Republic of China, 1986.
[1753] The Compulsory Education Law of the People's Republic of China, 1986.
[1754] Article 10 of the Compulsory Education Law of the People's Republic of China, 1986.
[1755] Article 10 of the Compulsory Education Law of the People's Republic of China, 1986.

underscores the state's proactive role in mitigating socio-economic disparities and ensuring that all students, irrespective of their financial backgrounds, have equitable opportunities to access and benefit from compulsory education.[1756]

Furthermore, Article 12 delineates the fiscal responsibilities and mechanisms employed by the state and various governmental entities to fund and support the implementation of compulsory education.[1757] The State Council and local people's governments at different hierarchical levels are entrusted with the responsibility of mobilizing funds requisite for the operational expenses and capital construction investments associated with compulsory education.[1758] The stipulation emphasizes the non-negotiable nature of this fiscal commitment, thereby ensuring sustained financial support for educational initiatives.

The state acknowledges the existence of regions facing financial constraints that impede the introduction and implementation of compulsory education.[1759] In response, the state commits to providing subsidies to such areas, thereby facilitating the establishment and sustenance of educational infrastructure and programs.[1760] Recognizing the integral role of societal stakeholders in advancing educational objectives, the state explicitly encourages individuals and various societal segments to contribute through donations.[1761] This collaborative approach fosters a sense of collective responsibility and engagement towards the enhancement of educational opportunities and outcomes. In alignment with the state's commitment to fostering inclusivity and cultural preservation, Article 12 delineates provisions aimed at assisting regions inhabited by minority nationalities.[1762] The state pledges to provide requisite resources, including teachers and funds, to facilitate the implementation of compulsory education in these areas, thereby ensuring cultural continuity and equitable access to educational opportunities.[1763]

[1756] Article 10 of the Compulsory Education Law of the People's Republic of China, 1986.
[1757] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.
[1758] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.
[1759] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.
[1760] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.
[1761] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.

[1762] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.
[1763] Article 12 of the Compulsory Education Law of the People's Republic of China, 1986.

Article 13 articulates a multifaceted approach towards enhancing the quality and professionalism of educators in China, encompassing aspects related to their academic qualifications, professional testing, and career engagement.[1764] The state commits to fortifying and expanding normal schools and colleges, which serve as pivotal institutions for teacher training. This strategic emphasis on the development of teacher education infrastructure underscores the state's recognition of the indispensable role played by well-prepared educators in fostering educational excellence and societal progress.[1765]

In alignment with the overarching objective of elevating educational standards, Article 13 mandates specific academic qualifications for teachers at different educational levels.[1766] It stipulates that primary school teachers should possess at least secondary normal school education, while junior middle school teachers should have acquired higher normal school education.[1767] This tiered qualification framework ensures that educators are equipped with specialized pedagogical knowledge and skills commensurate with the complexities and requirements of their respective teaching assignments.[1768]

The state shall institute a systematic mechanism to assess the professional competencies and qualifications of teachers. This entails the development and administration of standardized tests designed to evaluate educators' subject-matter expertise, pedagogical proficiency, and overall suitability for the teaching profession.[1769] Successful candidates shall be conferred with qualification certificates, serving as official endorsements of their aptitude and readiness to undertake teaching responsibilities.[1770]

Article 13 further delineates stipulations requiring all graduates of normal schools and colleges to actively engage in educational work, in accordance with relevant

[1764] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1765] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1766] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1767] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1768] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1769] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1770] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.

regulations.[1771] This mandatory engagement ensures the optimal utilization of trained personnel and fosters a culture of professional commitment and accountability within the educational sector.[1772] Recognizing the pivotal role of continuity and dedication in educational endeavors, the state endeavors to cultivate a conducive environment wherein teaching is perceived as a viable and rewarding long-term career path.[1773] This entails the implementation of supportive policies, professional development opportunities, and incentives designed to foster educator retention, professional growth, and sustained commitment to the teaching profession.

### 8.2.3. Lessons for South Africa TVET from China experience

Drawing lessons from China's experience with TVET can offer valuable insights for South Africa in its efforts to strengthen and optimize its own TVET system. Despite the differences in economic and industrial context, there are some lessons which South Africa and its TVET institutions could draw from Chinese experience. First, the need to create a national TVET enabling environment, including conductive policy framework and quality assurance mechanisms for TVET to effectively contribute to its economic and industrial transformation. Second, TVET institutions, particularly the flagship institutes, need to institutionalize their linkages with industries; to be forward-looking and adjust their programs to respond to the changing skill needs; use technology in the delivery of training; train their teachers to upgrade their technical knowledge and practical skills and to promote student-centred teaching approach.

China's centralized approach to TVET policy development, guided by overarching national strategies and frameworks, has facilitated consistency, coherence, and alignment across different regions and institutions.[1774] South Africa could consider adopting a more centralized and harmonized approach to TVET policy formulation to ensure uniformity, coherence, and strategic alignment with national development goals. China's inclusive approach to policy development, encompassing consultations

[1771] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1772] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1773] Article 13 of the Compulsory Education Law of the People's Republic of China, 1986.
[1774] Grainger, J., Bowen-Clewley, L. and Maclean, S., 2016. Asia-Pacific's experience with national systems of TVET.

with diverse stakeholders, including governmental agencies, industry representatives, educational institutions, and civil society organizations, has fostered collaborative decision-making and enriched policy perspectives.[1775] South Africa could enhance stakeholder engagement mechanisms, promote multi-sectoral collaborations, and leverage collective expertise to inform and enrich TVET policy formulation and implementation.

China's iterative approach to policy development, characterized by periodic reviews, evaluations, and refinements in response to evolving socio-economic dynamics and emerging challenges, has facilitated adaptability, relevance, and effectiveness.[1776] South Africa could establish robust mechanisms for regular policy reviews, data-driven assessments, and evidence-based refinements to ensure the responsiveness, agility, and efficacy of TVET policies in addressing current and future needs.

China's emphasis on aligning TVET policies with industry requirements, technological advancements, and emerging labour market trends has fostered relevance, employability, and competitiveness within the workforce.[1777] South Africa could strengthen mechanisms for industry engagement, labour market intelligence, and foresight analysis to ensure that TVET policies are closely aligned with evolving industry dynamics, skill demands, and technological advancements.

China's commitment to promoting inclusivity, equity, and social cohesion within TVET policies, including targeted initiatives for marginalized groups, underrepresented communities, and persons with disabilities, has facilitated broader participation, reduced inequalities, and enhanced social mobility.[1778] South Africa could integrate principles of inclusivity, equity, and social justice within TVET policy frameworks, ensuring equitable access, opportunities, and outcomes for all learners, irrespective

[1775] Kusters, K., De Graaf, M., Buck, L., Galido, K., Maindo, A., Mendoza, H., Nghi, T.H., Purwanto, E. and Zagt, R., 2020. Inclusive landscape governance for sustainable development: assessment methodology and lessons for civil society organizations. *Land*, *9*(4), p.128.
[1776] Andriyani, Y., Yohanitas, W.A. and Kartika, R.S., 2023. Adaptive Innovation Model Design: Integrating Agile and Open Innovation in Regional Areas Innovation. *Journal of Open Innovation: Technology, Market, and Complexity*, p.100197.
[1777] Charles, K., Song, Z. and Djaya, H.G.N., 2023. TVET and Socio-economic Development in Uganda: Lessons from Chinese TVET.
[1778] "Plance, R., 2020. Access, Participation and Sustainable Development Goal 4: A Systematic Literature Review of Technical and Vocational Education and Training.

of their backgrounds or circumstances. China's adoption of a holistic and integrated policy approach, encompassing curriculum development, teacher training, infrastructure investment, quality assurance, and stakeholder engagement within a unified framework, has fostered systemic coherence, synergy, and alignment across different facets of the TVET ecosystem.[1779] South Africa could adopt a similar integrated policy approach, ensuring harmonization, coordination, and alignment across diverse policy domains and institutional levels within the TVET sector.

In synthesizing these lessons, South Africa has the opportunity to strategically refine and enhance its TVET policy development processes, drawing inspiration from China's experiences and best practices. By prioritizing stakeholder collaboration, responsiveness, inclusivity, and holistic integration, South Africa can cultivate a robust, adaptive, and forward-looking policy environment conducive to fostering a skilled, empowered, and resilient TVET sector capable of catalysing sustainable socio-economic development and addressing the evolving challenges and opportunities of the 21st century.

## 8.3. TVET IN GERMANY

### 8.3.1. Historical Overview

TVET in Germany has a long and storied history, deeply intertwined with the nation's industrial development, socio-economic shifts, and educational reforms. In medieval times, craft guilds played a pivotal role in imparting vocational training.[1780] Young individuals would apprentice under master craftsmen, learning skills through hands-on experience.[1781] After completing their apprenticeships, craftsmen would become journeymen, traveling to different towns and regions to gain varied experiences before setting up their workshops.[1782]

[1779] DESD, M., 2014. Shaping the Future We Want. *DESD Monitoring and Evaluation UN Decade of Education for Sustainable Development (2005–2014) Final Report*.
[1780] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36."
[1781] "Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1782] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.

With the onset of the Industrial Revolution in the 19th century, there was a surge in demand for skilled labour.[1783] To meet this demand, the Prussian education system introduced vocational schools alongside academic institutions. There was a period which Germany saw the establishment of the dual system, a hallmark of German TVET.[1784] The dual system combines on-the-job training in a company with theoretical instruction in a vocational school, ensuring a well-rounded education that is both practical and theoretical.[1785]

World War II, Germany's post-war reconstruction necessitated a skilled workforce. TVET played a crucial role in training workers for various industries, including manufacturing, engineering, and services.[1786] Throughout the 20th century, Germany expanded its TVET system, adapting to technological advancements and changing labour market demands.[1787] Various reforms aimed at enhancing the quality, relevance, and accessibility of vocational education and training. Efforts were made over the decades to integrate women into traditionally male-dominated vocational fields, promoting gender equality and expanding opportunities for women in the workforce.[1788]

In the 21st century, Germany has continued to modernize its TVET system, incorporating digital technologies, and aligning curricula with evolving industry needs, particularly in areas like information technology, renewable energy, and healthcare.[1789] Germany's TVET system has served as a model for other countries, leading to international collaborations and partnerships aimed at sharing best practices and fostering global workforce development. Despite its strengths, the German TVET

[1783] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1784] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1785] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1786] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1787] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.
[1788] "Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36."
[1789] "Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.

system faces challenges such as demographic changes, technological disruptions, and the need for continuous adaptation to a rapidly evolving global economy.[1790]

### 8.3.2. Legal and Policy Development

Germany's TVET system, renowned for its robustness and efficacy, has evolved over centuries, reflecting the nation's commitment to fostering a skilled workforce and promoting socio-economic development.[1791] In recent years, Germany has grappled with demographic changes, characterized by an aging population and declining birth rates, which have precipitated concerns regarding a shortage of qualified workers.[1792] Germany has recognized the imperative of synergizing its dual vocational education and training system, characterized by a combination of theoretical instruction in educational institutions and practical training in companies, with institutes of higher education.[1793] This strategic alignment aims to facilitate smoother transitions between different educational pathways, enabling learners to seamlessly progress from vocational training to higher education, thereby fostering lifelong learning, enhancing career opportunities, and promoting interdisciplinary knowledge exchange.[1794]

By fostering stronger links between vocational and academic pathways, Germany seeks to harness the complementary strengths of both systems, fostering a more integrated, flexible, and responsive educational ecosystem capable of addressing evolving societal needs and industry demands.[1795] Recognizing the foundational importance of basic skills, Germany has prioritized initiatives aimed at enhancing

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[1790] Deissinger, T., 1994. The evolution of the modern vocational training systems in England and Germany: A comparative view. *Compare: A journal of comparative education*, *24*(1), pp.17-36.

[1791] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang.

[1792] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang.

[1793] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang."

[1794] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang."

[1795] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang.

foundational competencies, including literacy, numeracy, digital literacy, and soft skills, within the TVET system.[1796] This focus on basic skills serves as a catalyst for enhancing learner engagement, facilitating mastery of specialized vocational competencies, and promoting socio-economic inclusion.[1797]

Moreover, Germany has emphasized the importance of permeability within the TVET system, facilitating flexible pathways for learners to transition between different educational levels, programs, and institutions based on their evolving interests, aptitudes, and career aspirations.[1798] By fostering a permeable and inclusive TVET ecosystem, Germany endeavours to maximize individual potential, address skills mismatches, and promote equitable access to educational and career opportunities, thereby fostering social cohesion and economic prosperity.[1799] Germany has adopted a decentralized approach to vocational training, emphasizing the establishment of branch-specific regional initial and continuing training centres tailored to the unique needs, priorities, and industry dynamics of different sectors and regions.[1800]

This strategic focus on regional specialization and customization enables the alignment of training programs with local industry demands, fosters collaboration between educational institutions and enterprises, and facilitates the development of sector-specific competencies and expertise.[1801] By ensuring national coverage of

[1796] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang.
[1797] Maurer, M., 2011. *Skill formation regimes in South Asia: A comparative study on the path-dependent development of technical and vocational education and training for the garment industry* (Vol. 21). Peter Lang.
[1798] Linten, M., Prustel, S., Woll, C., Roth, U. and Wurdak, A., 2014. Attractiveness of Vocational Education and Training: Permeability Successful School-to-Work Transitions and International Mobility. Selected Bibliography. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1799] Linten, M., Prustel, S., Woll, C., Roth, U. and Wurdak, A., 2014. Attractiveness of Vocational Education and Training: Permeability Successful School-to-Work Transitions and International Mobility. Selected Bibliography. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1800] Linten, M., Prustel, S., Woll, C., Roth, U. and Wurdak, A., 2014. Attractiveness of Vocational Education and Training: Permeability Successful School-to-Work Transitions and International Mobility. Selected Bibliography. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1801] Linten, M., Prustel, S., Woll, C., Roth, U. and Wurdak, A., 2014. Attractiveness of Vocational Education and Training: Permeability Successful School-to-Work Transitions and International Mobility. Selected Bibliography. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.

branch-specific training centres, Germany aims to mitigate regional disparities, promote sectoral diversification, and foster the development of a resilient, adaptive, and responsive workforce capable of driving innovation, competitiveness, and sustainable growth across diverse industries and regions.[1802]

Recognizing the challenges and opportunities posed by an aging society, national authorities have prioritized high investment in lifelong education, emphasizing the continuous acquisition of knowledge, skills, and competencies across the lifespan.[1803] This strategic focus on lifelong learning aims to empower individuals to adapt to evolving societal needs, technological advancements, and labour market dynamics, thereby fostering resilience, employability, and active participation in society throughout various life stages.[1804] By fostering a culture of lifelong learning, national authorities seek to mitigate the socio-economic implications of an aging population, capitalize on the potential of experienced workers, and cultivate a skilled, knowledgeable, and adaptable workforce capable of driving sustainable development and societal progress.[1805]

National TVET policies underscore the importance of recognizing and valuing non-formal and informal learning experiences, which encompass valuable competencies acquired outside traditional educational settings.[1806] This recognition is envisaged to be realised through the reorientation of formal, certificate-based qualifications towards competence-based learning approaches, which emphasize the demonstration of specific skills, knowledge, and abilities relevant to diverse occupational fields and

[1802] Linten, M., Prustel, S., Woll, C., Roth, U. and Wurdak, A., 2014. Attractiveness of Vocational Education and Training: Permeability Successful School-to-Work Transitions and International Mobility. Selected Bibliography. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.

[1803] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.

[1804] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.

[1805] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.

[1806] "Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.

industry requirements.[1807] In alignment with this objective, national authorities are actively engaged in the development and implementation of a National Qualifications Framework, harmonized with the European framework, to facilitate the systematic classification, validation, and recognition of qualifications, competencies, and learning outcomes achieved through various pathways and modalities.[1808]

However, the TVET colleges in Germany serves as a cornerstone in the development of a skilled workforce and is fundamental to a nation's economic prosperity. The principles governing TVET are deeply rooted in its constitutional and legislative framework. The foundational principles of TVET in Germany are enshrined in the Grundgesetz, the country's Constitution.[1809] Specifically, Article 12 of the Grundgesetz emphasizes the freedom of choice and practice of an occupation, thereby recognizing the intrinsic value of vocational education as a means to ensure individual autonomy and economic self-determination.[1810] This constitutional provision underscores the importance of unfettered access to vocational training and emphasizes the state's obligation to facilitate such opportunities.[1811]

Furthermore, the federal structure of Germany's governance delineates the respective competencies between the Federation and the Länder (states). Articles 72(1), 72(2), and 74(1) of the Grundgesetz delineate the federal competence over out-of-school vocational training.[1812] These provisions confer upon the Federation the legislative authority to enact laws pertaining to vocational education and training, thereby establishing a unified regulatory framework across the nation.[1813]

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[1807] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.
[1808] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE.
[1809] Peake, S.J., 1991. *The politics of vocational education: a study of the introduction of the Basic Vocational Training Year in the Federal Republic of Germany* (Doctoral dissertation, Institute of Education, University of London).
[1810] Peake, S.J., 1991. *The politics of vocational education: a study of the introduction of the Basic Vocational Training Year in the Federal Republic of Germany* (Doctoral dissertation, Institute of Education, University of London).
[1811] Ueno, M., Kimura, T., Neudorfer, A. and Maclean, R., 2004, May. E-learning on TVET between Japan and Germany. In *Information Technology Based Proceedings of the FIfth International Conference onHigher Education and Training, 2004. ITHET 2004.* (pp. 117-120). IEEE."
[1812] "Basic Law for the Federal Republic of Germany
[1813] Basic Law for the Federal Republic of Germany

The Vocational Education and Training Act (BBiG) of 2005, was enacted in 2005, serves as the primary legislative instrument governing out-of-school vocational training in Germany.[1814] This statute delineates the organizational structure, content, and standards for vocational training programs, thereby ensuring a consistent and high-quality educational experience for trainees.[1815] These BBiG have further refined the regulatory landscape governing TVET. This policy acknowledges the increasing globalization of vocational training opportunities.[1816] By recognizing time-limited training periods abroad, the BBiG facilitates international mobility and enhances the competitiveness of German-trained professionals in the global labour market.[1817]

The Deutscher Qualifikationsrahmen (DQR), or the German Qualifications Framework, represents a pivotal development in the realm of lifelong learning in Germany.[1818] The framework was initiated in 2006 through a collaborative effort between the Federal Ministry of Education and Research (BMBF) and the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK), the DQR aims to establish a coherent system for recognizing and aligning qualifications based on learning outcomes.[1819] The impetus for developing the DQR emanated from the broader European discourse on qualifications frameworks.[1820]9In alignment with the recommendations of the European Parliament and the Council on the European Qualifications Framework (EQF), Germany embarked on the ambitious task of conceptualizing and implementing its national qualifications framework. The establishment of the Federal Government/Federal States Coordination Group for the DQR and the German Qualifications Framework Working Group (Arbeitskreis Deutscher Qualifikationsrahmen, AK DQR) laid the groundwork for this transformative initiative.[1821]

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[1814] The Vocational Education and Training Act (BBiG) of 2005.
[1815] The Vocational Education and Training Act (BBiG) of 2005
[1816] The Vocational Education and Training Act (BBiG) of 2005
[1817] The Vocational Education and Training Act (BBiG) of 2005"
[1818] Gehmlich, V., 2009. "Kompetenz" and "Beruf" in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.
[1819] "Gehmlich, V., 2009. "Kompetenz" and "Beruf" in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.
[1820] Gehmlich, V., 2009. "Kompetenz" and "Beruf" in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.
[1821] Gehmlich, V., 2009. "Kompetenz" and "Beruf" in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.

The DQR is conceptualized as a matrix comprising eight reference levels, each delineating the competences requisite for obtaining a qualification.[1822] This section encompasses the specialized knowledge, skills, and abilities pertinent to a specific occupation or field of study.[1823] It serves as a benchmark for assessing and validating professional expertise and proficiency. In addition to professional competences, the DQR acknowledges the significance of personal competences, including interpersonal skills, problem-solving abilities, and ethical considerations.[1824] These competences underscore the holistic development of individuals and their capacity to navigate diverse socio-cultural contexts.

The introduction of the DQR heralds a paradigm shift in the German education system, fostering greater flexibility and alignment with European standards.[1825] By delineating various educational pathways and facilitating the recognition of prior learning experiences, the DQR enhances mobility and inclusivity within the educational landscape.[1826] Moreover, it fosters a culture of lifelong learning by accommodating informal and non-formal learning trajectories, thereby enriching the educational tapestry and promoting continuous personal and professional development.[1827]

Since 2004, TVET providers in Germany have been mandated to implement internal and external quality assurance measures in accordance with criteria stipulated by the Federal Ministry for Economy and Labour.[1828] External assessment of TVET institutions and their training courses is entrusted to certification agencies or centres of expertise which are accredited by the Federal Agency.[1829] The accreditation of

[1822] Gehmlich, V., 2009. “Kompetenz” and “Beruf” in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.
[1823] Gehmlich, V., 2009. “Kompetenz” and “Beruf” in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.
[1824] Gehmlich, V., 2009. “Kompetenz” and “Beruf” in the context of the proposed German Qualifications Framework for Lifelong Learning. *Journal of European Industrial Training*, *33*(8/9), pp.736-754.”
[1825] “Keevy, J., Rein, V., Chakroun, B. and Foster, L.L., 2019. credentiaLing in the 21ST centurY. *Workforce Readiness and the Future of Work*, p.232.
[1826] Keevy, J., Rein, V., Chakroun, B. and Foster, L.L., 2019. credentiaLing in the 21ST centurY. *Workforce Readiness and the Future of Work*, p.232.
[1827] “Keevy, J., Rein, V., Chakroun, B. and Foster, L.L., 2019. credentiaLing in the 21ST centurY. *Workforce Readiness and the Future of Work*, p.232.
[1828] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.
[1829] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.

certification agencies is conferred for a period of three years and may encompass national or regional/sectoral scopes.[1830] Furthermore, an accreditation council has been instituted to advise and support the national accreditation body, thereby ensuring the robustness and integrity of the accreditation process.[1831]

Certification and licensing of TVET providers are pivotal mechanisms for ensuring compliance with quality standards.[1832] Private certification agencies, subject to accreditation by a national body, undertake the certification and licensing processes.[1833] These agencies play a crucial role in evaluating the adherence of TVET institutions to prescribed quality criteria, thereby fostering accountability and transparency within the TVET sector. TVET providers stand to benefit from public funding if their institutions are certified and their courses licensed by an accredited certification agency. TVET providers must demonstrate the capacity to facilitate the integration of trainees into gainful employment, thereby contributing to labour market outcomes and economic sustainability.[1834] The qualifications, professional experience, and participation in further training of teachers and trainers are integral factors determining funding eligibility.[1835]

### 8.3.3. Lessons for South Africa TVET from the German experience

Drawing lessons from Germany's legal and policy context in TVET can offer valuable insights for South Africa in shaping its legislative framework and policy initiatives. Germany's robust legal and policy framework for TVET has been instrumental in fostering a dual education system that effectively bridges the gap between theoretical knowledge and practical skills, thereby contributing to a highly skilled and adaptable workforce.

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[1830] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.
[1831] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.
[1832] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.
[1833] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27."
[1834] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27."
[1835] Porcher, C. and Trampe, K., 2024. The The typology of initial TVET Teacher Education in Germany. *Actualidades Investigativas en Educación*, *24*(1), pp.1-27.

Germany's clear and comprehensive legislative framework for TVET provides a solid foundation for the governance, regulation, and quality assurance of vocational education and training programs. South Africa could benefit from establishing a clear and coherent legislative framework for TVET that delineates roles, responsibilities, standards, and accountability mechanisms, thereby fostering transparency, consistency, and compliance within the TVET sector. Germany's legal and policy framework facilitates the implementation of a dual education system characterized by close collaboration between TVET institutions, private sector entities, and industry associations. South Africa could explore legislative provisions and policy incentives to promote public-private partnerships, facilitate industry participation in curriculum development and delivery, and foster alignment between TVET programs and industry needs, thereby enhancing the relevance, applicability, and employability of vocational education and training graduates.

Germany's legal and policy framework incorporates robust quality assurance mechanisms, accreditation processes, and regulatory oversight to ensure the credibility, consistency, and comparability of TVET qualifications. South Africa could strengthen its quality assurance frameworks, establish rigorous accreditation processes, and enhance regulatory oversight to safeguard the integrity of TVET qualifications, promote stakeholder confidence, and facilitate recognition and portability of vocational credentials within the national and international contexts.

Germany's legal and policy context promotes flexibility, modularity, and the provision of lifelong learning opportunities within the TVET system, facilitating skills development, career progression, and adaptability in response to changing industry demands. South Africa could incorporate legislative provisions and policy initiatives to promote flexible learning pathways, modularized programs, and lifelong learning opportunities within the TVET sector, thereby enhancing learner flexibility, facilitating skills upgrading, and fostering continuous adaptation to evolving industry needs and technological advancements.

Germany's legal and policy framework incorporates provisions to promote inclusive access, equity, and participation in TVET, encompassing targeted support for

disadvantaged groups, gender equality, and accessibility considerations. South Africa could enact legislation and formulate policies to promote inclusive access, address equity gaps, and ensure that TVET programs are accessible, equitable, and responsive to the diverse needs and aspirations of all learners, thereby fostering social cohesion, reducing inequalities, and promoting inclusive development within the TVET.

## 8.4. TVET IN UNITED KINGDOM

### 8.4.1. Historical Overview

TVETs in the United Kingdom has a rich and varied history, reflecting the nation's industrial heritage, educational reforms, and socio-economic developments. The 19th century marked the height of the Industrial Revolution in the United Kingdom, leading to a growing demand for skilled workers in various industries such as manufacturing, mining, and engineering.[1836] Apprenticeships have a long history in the UK, dating back centuries. However, the 19th century saw a formalization of apprenticeship programs, particularly in industrial sectors, where young individuals would learn specific trades through hands-on training under experienced craftsmen.[1837] The Vocational Education Act of 1920 laid the groundwork for modern vocational education in the UK, emphasizing the importance of technical and vocational training alongside traditional academic education.[1838]

The mid-20th century witnessed the expansion of technical colleges and institutions offering vocational courses, catering to the diverse needs of the industrial workforce and fostering skills development in various trades and professions.[1839] The latter half of the 20th century saw significant economic shifts in the UK, with a decline in traditional industries and a growing emphasis on service-based sectors. This period

[1836] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1837] "Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1838] The Vocational Education Act of 1920
[1839] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.

witnessed various reforms aimed at modernizing and adapting the TVET system to meet the evolving needs of the labour market.[1840] The National Vocational Qualifications (NVQs) was introduced in the 1980s and it represented a shift towards competency-based qualifications, focusing on the practical skills and knowledge required in specific occupations.[1841] NVQs played a pivotal role in shaping the modern UK TVET landscape.

The 21st century has seen a resurgence of interest in apprenticeships, with the government introducing initiatives to expand apprenticeship opportunities across various sectors and professions, including higher-level apprenticeships and degree apprenticeships.[1842] The establishment of T-levels, a new technical qualification in the Technical and Further Education (TAFE), aims to provide a distinct pathway for students pursuing technical and vocational education, offering a blend of classroom learning and practical training.[1843] The UK's TVET system continues to evolve, facing challenges such as skills gaps, technological advancements, and the impact of global trends.[1844]

### 8.4.2. Legal and Policy Development

TVET colleges plays a pivotal role in bridging the gap between education and the world of work. Recognizing its importance, the United Kingdom government has been proactive in formulating and implementing policies to bolster the TVET industry both domestically and internationally. The UK government has consistently allocated funds to enhance the quality of TVET, ensuring that institutions have the necessary resources, equipment, and infrastructure to deliver high-quality training.[1845] In 2017, a levy was introduced which requires large employers to invest in apprenticeships. The

[1840] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1841] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1842] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1843] Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge."
[1844] "Berg, M., 2005. *The age of manufactures, 1700-1820: Industry, innovation and work in Britain*. Routledge.
[1845] Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*.

funds collected are then used to support apprenticeship training, ensuring a steady influx of skilled workers into various industries.

The National Occupational Standards (NOS) was introduced to benchmarks performance of individuals in their workplace when carrying out functions in the workplace.[1846] The government, in collaboration with industry experts, regularly updates these standards to reflect the evolving needs of the industry. Regardless of these interventions, the Office of Qualifications and Examinations Regulation (Ofqual) oversees the quality and standards of qualifications. Awarding bodies, recognized by Ofqual, design and develop qualifications that meet the specific needs of different sectors, ensuring relevance and rigor.[1847]

The government encourages collaboration between TVET providers and industry stakeholders.[1848] This ensures that training programs align with industry requirements, leading to better employability outcomes for learners. Recognizing the global nature of many industries, the UK government promotes international partnerships and collaborations in TVET. This facilitates knowledge exchange, best practice sharing, and the development of globally recognized qualifications.

The UK government promotes multiple entry and exit points within the TVET system, catering to individuals with varied learning needs and aspirations.[1849] This includes flexible learning options, recognition of prior learning, and opportunities for lifelong learning. Efforts were made to ensure that TVET opportunities are accessible to all, irrespective of socio-economic background, age, gender, or disability. This is achieved through targeted initiatives, financial support, and inclusive curriculum design.

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[18461846] Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*.

[1847] Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*."

[1848] "Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*.

[1849] Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*.

The government establishes robust feedback mechanisms involving stakeholders from the industry, academia, and the community. This ensures that TVET policies and programs remain relevant, effective, and responsive to changing needs. Investing in research and innovation is crucial for the continuous improvement of TVET. The government supports research initiatives, pilot projects, and innovative teaching methodologies to enhance the quality and relevance of TVET provision.[1850]

Funding stands as a cornerstone for the sustenance and advancement of the TVET industry.[1851] In the United Kingdom, governmental support plays a pivotal role in shaping the trajectory of this sector. Among the various policies influencing the TVET landscape, funding emerges as a critical determinant of its quality and accessibility. The UK government, cognizant of the significance of TVET, has instituted several funding avenues to bolster its growth and efficacy.[1852] The Education and Training Foundation (ETF), is a foundation primarily focusing on enhancing the quality of further education and training.[1853] By providing targeted funding, the ETF aids institutions in innovating their curricula, adopting modern pedagogical practices, and ensuring alignment with industry standards.[1854]

The Skills Funding Agency (SFA), plays a pivotal role in financing and regulating adult further education and skills training in England.[1855] Through its funding mechanisms, the SFA ensures that TVET institutions have the requisite resources to deliver high-calibre training programs that meet the dynamic demands of the industry.[1856] This

[1850] Gyimah, N., 2020. Assessment of Technical and Vocational Education and Training (TVET) on the development of the World's Economy: Perspective of Africa, Asia and Europe. *Asia and Europe (February 19, 2020)*.
[1851] Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing."
[1852] "Marope, P.T.M., Chakroun, B. and Holmes, K.P., 2015. *Unleashing the potential: Transforming technical and vocational education and training*. UNESCO Publishing.
[1853] Viertel, E., 2010. Vocational education for sustainable development: An obligation for the European Training Foundation. *European Journal of Education*, *45*(2), pp.217-235.
[1854] Viertel, E., 2010. Vocational education for sustainable development: An obligation for the European Training Foundation. *European Journal of Education*, *45*(2), pp.217-235.
[1855] Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71.
[1856] Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71.

financial support enables institutions to design and introduce new courses that are relevant, contemporary, and aligned with emerging industry trends.[1857]

Ensuring the proficiency of educators is paramount. Therefore, a portion of the funds is allocated to train teachers, equipping them with the necessary skills and knowledge to deliver quality education. To facilitate effective learning experiences, funds are directed towards the acquisition of state-of-the-art equipment and the enhancement of facilities, creating a conducive environment for hands-on training.[1858]

Despite the evident importance of funding, the TVET industry in the UK has encountered challenges in recent times. The overarching economic landscape has compelled the government to implement budget cuts across various sectors, including education. Consequently, TVET institutions have experienced a reduction in the funding allocation, limiting their capacity to sustain quality standards and expand their offerings.[1859] The curtailed funding has precipitated a decline in the quality of TVET education, as institutions grapple with resource constraints. Furthermore, the reduced availability of courses and training programs has potentially hindered individuals' access to skill development opportunities, thereby affecting employability prospects.[1860]

The Education Act 1996, was enacted in the United Kingdom and serves as a seminal piece of legislation that delineates the legal parameters governing education, encompassing both general and vocational domains, within England.[1861] This Act embodies the government's vision for an inclusive, equitable, and quality-centric education system, outlining the roles, responsibilities, and obligations of various stakeholders, including local education authorities and educational institutions.[1862] The Act underscores the right of every child to access education, emphasizing inclusivity

[1857] Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71.
[1858] Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71."
[1859] "Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71.
[1860] Lyall, C., Bruce, A., Marsden, W. and Meagher, L., 2013. The role of funding agencies in creating interdisciplinary knowledge. *Science and Public Policy*, *40*(1), pp.62-71.
[1861] The Education Act 1996.
[1862] The Education Act 1996.

and equal opportunities for all, irrespective of socio-economic background, abilities, or other potential barriers.[1863] The Act, further mandates the provision of compulsory education for children within specified age brackets, ensuring that foundational learning remains accessible and universal.[1864]

The Education Act 1996 acknowledges the significance of vocational education, positioning it as an integral component of the broader educational landscape. It mandates the inclusion and recognition of vocational pathways within the educational framework, fostering diverse and multi-faceted learning opportunities.[1865] The Act delineates the powers and duties of local education authorities in overseeing and facilitating vocational education initiatives.[1866] It empowers these authorities to collaborate with schools, businesses, and other stakeholders to design and implement vocational programs aligned with regional needs and industry demands.[1867] This Act elucidates the roles and responsibilities of educational institutions, emphasizing their duty to provide comprehensive, balanced, and relevant educational experiences encompassing both academic and vocational domains.[1868] It underscores the imperative for schools to collaborate with local authorities, businesses, and training providers to optimize vocational education outcomes.[1869]

Local Education Authorities (LEAs), are positioned as pivotal entities within the educational ecosystem, LEAs are vested with overarching responsibilities, including strategic planning, resource allocation, and quality assurance for vocational education initiatives.[1870] The Act empowers LEAs to foster partnerships, leverage resources, and champion vocational education as a catalyst for socio-economic advancement and workforce development.[1871] The Education Act 1996, has catalysed the proliferation of diverse vocational pathways, empowering learners to explore and pursue careers

[1863] The Education Act 1996.
[1864] The Education Act 1996.
[1865] The Education Act 1996.
[1866] The Education Act 1996.
[1867] The Education Act 1996.
[1868] The Education Act 1996.
[1869] The Education Act 1996.
[1870] Durrant, J.E., 2003. *An analysis of the policy process in a local education authority: a study of micropolitical activity* (Doctoral dissertation, Institute of Education, University of London).
[1871] The Education Act 1996.

aligned with their interests, aptitudes, and aspirations by institutionalizing vocational education within the legal framework.[1872]

The Act's emphasis on collaboration between schools, local authorities, businesses, and training providers has fostered synergistic partnerships, driving the co-creation of vocational programs tailored to meet regional skills gaps and industry requirements.[1873] While granting schools and local authorities' autonomy in curricular design and program implementation, the Act embeds mechanisms for accountability, ensuring adherence to stipulated standards, and fostering a culture of continuous improvement within the vocational education landscape.[1874]

The Technical and Further Education Act 2017 (TAFE Act 2017) stands as a pivotal legislative milestone in England's education landscape, particularly in the realms of apprenticeships and technical education.[1875] This Act was enacted to address the evolving needs of the economy and industry, this Act instituted transformative measures aimed at enhancing the quality, relevance, and accessibility of technical education and apprenticeship frameworks.[1876] The cornerstone provision of the TAFE Act 2017 was the establishment of the Institute for Apprenticeships and Technical Education (IFATE).[1877] The IFATE was entrusted with a mandate of paramount significance, IFATE is tasked with setting rigorous standards for apprenticeships and technical education qualifications, ensuring alignment with industry requirements and global benchmarks.[1878]

Beyond mere standard-setting, IFATE plays a pivotal role in quality assurance, scrutinizing and validating apprenticeship and technical education frameworks to ascertain their relevance, efficacy, and alignment with contemporary industry demands.[1879] IFATE spearheads the development and refinement of apprenticeship

[1872] The Education Act 1996.
[1873] The Education Act 1996.
[1874] The Education Act 1996.
[1875] The Technical and Further Education Act 2017.
[1876] The Technical and Further Education Act 2017.
[1877] The Technical and Further Education Act 2017.
[1878] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.
[1879] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.

standards and technical education qualifications, leveraging industry insights, stakeholder feedback, and pedagogical expertise to craft frameworks that resonate with real-world applications and emerging industry paradigms.[1880]

Recognizing the interdependence of education and industry, IFATE fosters robust collaborations with employers, educational institutions, training providers, and other stakeholders.[1881] These engagements facilitate knowledge exchange, curriculum alignment, and the co-creation of apprenticeship and technical education pathways tailored to meet evolving socio-economic imperatives.[1882] IFATE adopted a dynamic, iterative approach, continuously reviewing and refining apprenticeship and technical education standards to reflect technological advancements, industry shifts, and emerging skill requirements.[1883] This proactive stance ensures that educational offerings remain relevant, responsive, and aligned with the rapidly evolving global landscape.

The establishment of IFATE, empowered by the TAFE Act 2017, heralded a new era of elevated standards and enhanced relevance in apprenticeships and technical education. By fostering closer collaboration between academia and industry, IFATE's frameworks resonate with real-world applications, ensuring learners are equipped with skills that meet contemporary industry demands.[1884] The Act's emphasis on standardization and quality assurance has catalysed the proliferation of diverse, high-quality apprenticeship and technical education pathways.[1885] These pathways, recognized for their rigour and relevance, have expanded opportunities for learners,

[1880] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.
[1881] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.
[1882] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798."
[1883] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.
[1884] Rowe, L., Moore, N. and McKie, P., 2020. The reflective practitioner: the challenges of supporting public sector senior leaders as they engage in reflective practice. *Higher Education, Skills and Work-Based Learning*, *10*(5), pp.783-798.
[1885] The Technical and Further Education Act 2017.

fostering seamless transitions between education and employment and nurturing a skilled, adaptive, and industry-ready workforce.[1886]

The TAFE Act 2017, through its institutional provisions, has fostered a culture of excellence, innovation, and continuous improvement within the apprenticeship and technical education landscape.[1887] By institutionalizing mechanisms for curriculum alignment, stakeholder engagement, and quality enhancement, the act has positioned England at the forefront of technical and vocational education, driving economic growth, and fostering societal advancement.[1888] The Technical and Further Education Act 2017 stands as a testament to England's commitment to reimagining and revitalizing its apprenticeship and technical education landscape.[1889] By creating the Institute for Apprenticeships and Technical Education and delineating a robust framework for standardization and quality assurance, the Act has laid a formidable foundation for nurturing a skilled, resilient, and future-ready workforce, poised to navigate and catalyse the evolving socio-economic landscape with competence, creativity, and conviction.[1890]

The Equality Act 2010 stands as a seminal piece of legislation in the United Kingdom, championing the cause of equality, inclusivity, and non-discrimination across various spheres of public life, including education and training.[1891] This Act was enacted to consolidate and strengthen previous anti-discrimination laws, this Act embodies the nation's commitment to fostering a society where every individual is accorded dignity, respect, and equitable opportunities, irrespective of their background or characteristics.[1892] The Equality Act 2010 provides a comprehensive legal framework, encompassing various domains of public life, including employment, education, provision of goods and services, and public functions.[1893] This overarching ambit ensures that protection against discrimination is universally applicable, fostering a cohesive, inclusive, and equitable society.[1894]

[1886] The Technical and Further Education Act 2017.
[1887] The Technical and Further Education Act 2017.
[1888] The Technical and Further Education Act 2017.
[1889] The Technical and Further Education Act 2017.
[1890] The Technical and Further Education Act 2017.
[1891] The Equality Act 2010.
[1892] The Equality Act 2010.
[1893] The Equality Act 2010.
[1894] The Equality Act 2010.

Central to the Act's provisions is the unequivocal prohibition of discrimination on the grounds of specified 'protected characteristics'. These characteristics serve as pillars of identity and diversity, warranting heightened protection against discriminatory practices. The Act safeguards individuals from discrimination based on age, ensuring that age-related biases or stereotypes do not impede opportunities or engender inequality in various sectors, including education and training.[1895] Recognizing the unique challenges faced by individuals with disabilities, the Act mandates reasonable adjustments and prohibits direct and indirect discrimination, ensuring equitable access to education, training, and other societal opportunities.[1896]

The Act champions' gender equality, prohibiting discrimination based on sex or gender, ensuring that individuals are accorded equal opportunities, remuneration, and treatment, irrespective of their gender identity or expression.[1897] Furthermore, the Act also uphold the principles of racial equality and non-discrimination, the Act prohibits discrimination on racial or ethnic grounds, fostering an environment where individuals are valued for their contributions and character, rather than their racial or ethnic affiliations.[1898] In addition to the aforementioned characteristics, the Act extends protection against discrimination based on religion or belief, sexual orientation, gender reassignment, marriage or civil partnership, ensuring a comprehensive and inclusive protective framework.

The Equality Act 2010 mandates educational institutions, including Technical and Vocational Education and Training (TVET) providers, to foster an inclusive environment, ensuring equitable access, participation, and opportunities for all learners, irrespective of their protected characteristics.[1899] The Act underscores the importance of inclusive curricula and pedagogical practices, fostering a learning environment that celebrates diversity, challenges stereotypes, and promotes understanding, empathy, and respect among learners.[1900] The Act further necessitates

[1895] The Equality Act 2010.
[1896] The Equality Act 2010.
[1897] The Equality Act 2010.
[1898] The Equality Act 2010.
[1899] The Equality Act 2010.
[1900] The Equality Act 2010

the formulation and implementation of robust policies and mechanisms to identify, address, and eradicate discriminatory practices within educational settings, fostering a culture of inclusivity, fairness, and equity.[1901]

Educational institutions and TVET providers are held accountable for ensuring compliance with the Act's provisions, fostering a culture of responsibility, transparency, and continuous improvement in promoting equality and inclusivity. The Equality Act 2010 stands as a beacon of progress, embodying the United Kingdom's commitment to fostering a society rooted in principles of equality, inclusivity, and respect for diversity. By prohibiting discrimination on the grounds of protected characteristics and fostering a culture of inclusivity within education and training sectors, including TVET, the Act lays a formidable foundation for nurturing a society where every individual can realise their potentials, contribute meaningfully to societal progress, and thrive in a climate of equity, justice, and mutual respect.

### 8.4.3. Lessons for South Africa TVET from the United Kingdom experience

The legal and policy landscape forms the bedrock of any effective TVET system, delineating the roles, responsibilities, and regulatory frameworks that govern its operations. Drawing insights from the United Kingdom's (UK) experience, South Africa can discern valuable lessons to inform its legal and policy context for TVET, fostering an enabling environment for growth, quality assurance, and continuous improvement.

The UK's enactment of comprehensive legislation, such as the Technical and Further Education Act 2017, illustrates the importance of establishing clear legal frameworks and dedicated institutions to oversee, regulate, and advance the TVET sector. A well-defined legislative landscape provides clarity, coherence, and direction, facilitating effective governance, implementation, and stakeholder engagement. South Africa can prioritize the formulation and enactment of dedicated legislation for TVET, encompassing provisions for governance structures, quality assurance mechanisms, stakeholder engagement frameworks, and policy alignment, fostering a conducive environment for TVET development and sustainability.

[1901] The Equality Act 2010

The UK's emphasis on setting rigorous standards, underpinned by robust quality assurance mechanisms and regulatory oversight, underscores the importance of maintaining and upholding the integrity, relevance, and effectiveness of TVET provisions. Standardization and regulation foster credibility, consistency, and excellence within the TVET sector, ensuring alignment with industry requirements and societal expectations. South Africa can prioritize establishing a comprehensive quality assurance and regulatory framework for TVET, encompassing curriculum standards, educator qualifications, infrastructure norms, assessment criteria, and accreditation processes, to uphold and enhance the quality, relevance, and impact of TVET provisions.

The UK's emphasis on fostering collaboration, partnership, and multi-stakeholder engagement in shaping and advancing its TVET landscape exemplifies the importance of collective action, shared responsibility, and synergy in driving policy development, implementation, and continuous improvement. South Africa can prioritize cultivating a culture of collaboration, partnership, and stakeholder engagement among government agencies, educational institutions, industry bodies, community organizations, and civil society stakeholders, fostering shared ownership, collective innovation, and holistic development within the TVET sector.

The UK's commitment to promoting inclusivity, equity, and access within its TVET landscape, evidenced by policies championing diversity, addressing barriers to participation, and fostering equitable opportunities for all learners, underscores the imperative of fostering an inclusive, accessible, and responsive TVET ecosystem. South Africa can prioritize implementing policies and initiatives that dismantle barriers to TVET participation, promote inclusivity, address systemic inequalities, and ensure equitable access to high-quality TVET provisions for all individuals, irrespective of their background, circumstances, or characteristics.

Drawing upon the United Kingdom's legal and policy context for TVET, South Africa has a unique opportunity to glean valuable insights, strategies, and best practices to inform and refine its legislative and policy landscape. By prioritizing comprehensive legislation, fostering standardization and quality assurance, cultivating collaboration

and stakeholder engagement, and championing inclusivity and equity, South Africa can cultivate a robust, responsive, and future-ready TVET ecosystem, poised to drive socio-economic development, nurture talent, and foster innovation in the evolving global landscape.

## 8.5. TVET IN CANADA

### 8.5.1. Historical Overview

TVET colleges in Canada have evolved over the years, reflecting the nation's commitment to fostering skill development, innovation, and economic prosperity.[1902] The historical trajectory of Canada's TVET colleges reveals a dynamic interplay of policy shifts, socio-economic imperatives, and educational advancements, culminating in a robust and responsive TVET system admired globally.[1903]

The origins of TVET in Canada can be traced back to the 19th century when the nation began emphasizing vocational training to meet the demands of emerging industries and skilled trades.[1904] Apprenticeship programs, technical schools, and vocational institutes emerged, offering specialized training in trades such as carpentry, blacksmithing, and machining, laying the foundation for Canada's industrial growth.[1905]

The 20th century witnessed significant expansion and diversification of Canada's TVET sector in response to evolving socio-economic dynamics and technological advancements.[1906] The post-war era, characterized by rapid industrialization and technological innovation, necessitated a skilled workforce proficient in emerging

[1902] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1903] "Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1904] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1905] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1906] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.

technologies and specialized trades.[1907] The establishment of community colleges in the mid-20th century marked a pivotal moment in Canada's TVET landscape. TVET colleges were designed to bridge the gap between secondary education and university, community colleges offered a diverse range of vocational programs, diplomas, and certificates, catering to the diverse needs of learners and industries.[1908]

The late 20th century and early 21st century witnessed concerted efforts to modernize and integrate Canada's TVET colleges within the broader post-secondary education landscape. Recognizing the integral role of TVET in fostering innovation, competitiveness, and economic diversification, Canada prioritized enhancing the quality, relevance, and accessibility of TVET programs.[1909] Canada's TVET colleges increasingly aligned their programs with industry needs, fostering partnerships with employers, industry associations, and sector councils to develop curricula, facilitate work-integrated learning, and ensure graduates possess the skills and competencies required in the labor market.[1910] The modernization of Canada's TVET colleges also underscored the importance of lifelong learning, adaptability, and continuous skill development in an era characterized by rapid technological advancements, globalization, and economic transformation.[1911] TVET colleges evolved to offer flexible, modular, and innovative programs catering to diverse learners, industries, and societal needs.

In the 21st century, Canada's TVET colleges garnered international acclaim for their quality, relevance, and responsiveness. Embracing a global perspective, Canadian TVET colleges fostered international collaborations, partnerships, and exchanges,

[1907] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1908] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1909] "Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1910] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.
[1911] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.

enriching educational experiences, fostering cross-cultural understanding, and facilitating knowledge transfer and innovation on a global scale.[1912] This historical journey of Canada's TVET colleges encapsulates a journey marked by innovation, adaptation, and excellence. From its early beginnings focused on vocational training to its modern incarnation characterized by integration, alignment with industry needs, and global engagement, Canada's TVET system stands as a testament to the nation's commitment to fostering skill development, innovation, and socio-economic prosperity.[1913] As Canada continues to navigate the evolving landscape of the 21st century, its TVET colleges remain pivotal in shaping a skilled, adaptive, and globally competitive workforce poised to meet the challenges and opportunities of an interconnected world.[1914]

### 8.5.2. Legal and Policy Development

The legal and policy framework governing TVET colleges in Canada is robust, dynamic, and responsive, reflecting the nation's commitment to fostering a skilled, innovative, and competitive workforce. The legal and policy context provides the foundation for the governance, operation, quality assurance, and continuous enhancement of TVET colleges across the country.

In Canada, education falls under provincial jurisdiction, resulting in a decentralized approach to TVET governance. Each province and territory has the autonomy to develop, implement, and regulate TVET policies and programs tailored to its unique socio-economic context, labour market demands, and educational priorities.[1915] The provinces enact legislation, such as the Colleges Act or Technical Institutes Acts, which delineate the roles, responsibilities, and regulatory parameters for TVET

[1912] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.

[1913] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.

[1914] Legusov, O., Raby, R.L., Mou, L., Gómez-Gajardo, F. and Zhou, Y., 2022. How community colleges and other TVET institutions contribute to the United Nations sustainable development goals. *Journal of Further and Higher Education*, *46*(1), pp.89-106.

[1915] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.

colleges.[1916] These statutes empower provincial ministries or departments of education to oversee and regulate TVET colleges, ensuring compliance with established standards, accountability measures, and quality assurance protocols.[1917]

TVET colleges operate under a defined mission and set of objectives, emphasizing skill development, industry relevance, community engagement, and student success. Institutional mandates reflect a commitment to meeting labour market needs, fostering innovation, supporting economic development, and promoting lifelong learning within their respective regions.[1918]

TVET colleges offer a diverse array of programs, ranging from certificates and diplomas to post-diploma and applied degrees, aligned with industry needs and educational pathways.[1919] Programs undergo rigorous approval and accreditation processes, ensuring alignment with provincial standards, industry requirements, and national frameworks, such as the Canadian Council of Technicians and Technologists (CCTT).[1920]

Quality assurance is paramount in Canada's TVET sector, underpinned by robust frameworks, standards, and evaluation processes. Provincial quality assurance mechanisms encompass curriculum design, program delivery, instructor qualifications, student assessments, and institutional reviews, fostering excellence, consistency, and continuous improvement across TVET colleges.[1921] TVET colleges undergo regular accreditation and program review cycles, conducted by provincial

[1916] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1917] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1918] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1919] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1920] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1921] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.

quality assurance agencies or designated bodies.[1922] These processes ensure adherence to established standards, promote best practices, facilitate knowledge sharing, and drive innovation within the TVET sector.[1923]

Collaboration with industry stakeholders is integral to Canada's TVET colleges, informing program development, facilitating work-integrated learning, and ensuring relevance and responsiveness to evolving labour market demands. Industry advisory committees, comprising employers, industry associations, and sector experts, play a pivotal role in shaping curriculum, fostering partnerships, and enhancing the employability of graduates.[1924] TVET colleges actively engage with communities, indigenous groups, non-profit organizations, and other stakeholders to address local needs, promote social inclusion, and contribute to regional development initiatives.[1925] Community partnerships enrich educational experiences, foster civic participation, and enhance the societal impact of TVET colleges.

Canada's commitment to TVET emphasizes its recognition of the pivotal role of skills development in fostering economic growth, innovation, and social inclusion. The legal and policy landscape reflects a cohesive, yet diverse, approach, emphasizing quality, relevance, accessibility, and lifelong learning within the TVET sector. The National Vision and Framework (Learn Canada 2020), serves as a strategic vision and framework, guiding the evolution and enhancement of Canada's education system, including TVET. This framework was released in April 2008 and reaffirmed in 2010 by the Council of Ministers of Education, Canada (CMEC), and it encapsulates the collective aspirations, priorities, and commitments of provincial and territorial ministers of education towards advancing educational excellence and equity across the

[1922] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1923] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1924] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.
[1925] Loveder, P., 2021. TVET Governance: Steering Collective Action. New Qualifications and Competencies for Future-Oriented TVET. Volume 1. *UNESCO-UNEVOC International Centre for Technical and Vocational Education and Training*.

nation.[1926] The strategy emphasizes the alignment of TVET programs with the evolving needs of the labour market, fostering a skilled, adaptable, and resilient workforce capable of navigating the complexities of a knowledge-based economy.[1927]

The Ministers of Education, drawing upon this framework, have articulated ambitious goals for TVET, envisioning an accessible, diversified, and integrated system that caters to the diverse needs, aspirations, and circumstances of Canadians across various stages of their lives and careers.[1928] While the framework provides a national vision and framework, the implementation and governance of TVET predominantly lie within the purview of individual provinces and territories.[1929] This decentralized approach acknowledges the diverse regional contexts, priorities, and challenges, enabling tailored strategies, programs, and initiatives aligned with local needs and aspirations.[1930] Each Canadian jurisdiction crafts its distinct strategies, policies, or legislation pertaining to TVET, facilitated through respective ministries responsible for education.[1931] These jurisdictional frameworks are often interwoven with broader cross-ministry strategies, poverty-reduction initiatives, or specialized skills-development strategies, reflecting an integrated and holistic approach to fostering human capital development and socio-economic progress.[1932]

Governments across Canada prioritize engaging directly with adult learners, stakeholders, and communities in shaping TVET policies, ensuring that diverse voices, perspectives, and experiences inform decision-making processes.[1933] This inclusive approach fosters ownership, responsiveness, and relevance within the TVET sector,

[1926] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1927] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1928] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1929] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1930] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1931] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1932] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1933] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).

nurturing a culture of shared responsibility and collaborative action.[1934] Recognizing the value and diversity of learning pathways, several provinces and territories have instituted policies and mechanisms to recognize, validate, and accredit non-formal and experiential learning.[1935] These initiatives enhance accessibility, facilitate lifelong learning, and acknowledge the diverse avenues through which individuals acquire and demonstrate skills, knowledge, and competencies relevant to the labour market and societal needs.[1936]

### 8.5.3. Lessons for South Africa TVET from the United Kingdom experience

Canada, renowned for its progressive approach to education and vocational training, offers valuable insights for South Africa as it seeks to refine its TVET system. Delving into the legal and policy framework of Canada's TVET landscape reveals several key lessons that South Africa can consider bolstering its own system. Canada's federal structure necessitates collaboration between federal and provincial governments in shaping educational policies. While the federal government provides overarching frameworks and funding, provinces have significant autonomy in tailoring TVET programs to local needs. This duality ensures flexibility, responsiveness, and contextual relevance in TVET delivery. Given South Africa's diverse socio-economic landscape, a collaborative approach between national and provincial governments could enhance the adaptability and effectiveness of TVET policies. Balancing national standards with provincial flexibility can foster innovation and address regional disparities, ensuring a more inclusive and responsive TVET system.

Lesson from Canada: Canada emphasizes collaboration between educational institutions and industries to align TVET programs with labour market demands. Through apprenticeships, co-op programs, and work-integrated learning initiatives, students gain practical experience and industry-relevant skills, enhancing their employability and facilitating smoother transitions into the workforce. South Africa can

[1934] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1935] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).
[1936] Vizina, Y.N., 2010. *Métis traditional environmental knowledge and science education* (Doctoral dissertation).

leverage partnerships between TVET institutions, industries, and sectoral bodies to develop curricula that reflect current industry trends and demands. Emphasizing work-integrated learning opportunities, such as internships, apprenticeships, and industry placements, can equip students with practical skills, industry exposure, and a deeper understanding of workplace dynamics, enhancing their readiness for employment.

Canada's TVET system prioritizes curriculum flexibility and responsiveness to evolving industry needs. Regular consultations with industry stakeholders, curriculum reviews, and updates ensure that TVET programs remain relevant, current, and aligned with technological advancements and industry innovations. South Africa can adopt a proactive approach to curriculum development, incorporating regular industry consultations, technological advancements, and labour market insights into TVET program design and review processes. Fostering agility and responsiveness in curriculum development can ensure that TVET graduates possess skills that meet industry requirements and align with emerging socio-economic trends.

Canada emphasizes rigorous quality assurance mechanisms and accreditation processes to uphold the integrity and credibility of its TVET programs. Standardized assessment criteria, educator qualifications, and institutional evaluations ensure consistent quality across TVET offerings, fostering trust among stakeholders and enhancing the global recognition of Canadian TVET qualifications. South Africa can prioritize strengthening its quality assurance frameworks, encompassing robust accreditation processes, standardized assessment criteria, and stringent institutional evaluations. By upholding and enhancing the quality and credibility of TVET provisions, South Africa can foster trust, attract investments, and enhance the global competitiveness of its TVET graduates.

Drawing upon Canada's experience in shaping its TVET legal and policy landscape, South Africa has a valuable opportunity to glean insights, strategies, and best practices to inform and refine its own system. By fostering collaborative governance, nurturing industry partnerships, embracing curriculum flexibility, and prioritizing quality assurance, South Africa can cultivate a vibrant, responsive, and globally competitive TVET ecosystem, poised to drive socio-economic development, nurture talent, and foster innovation in an increasingly interconnected and dynamic world.

## 8.6. TVET IN SOUTH AFRICA

### 8.6.1. Historical Overview

As indicated in Chapters two and three, TVET colleges in South Africa has evolved significantly over the years, reflecting the nation's socio-political transformations, economic imperatives, and educational aspirations. The historical trajectory of TVET in South Africa is characterized by a complex interplay of apartheid-era legacies, post-apartheid reforms, and ongoing efforts to foster inclusive, responsive, and high-quality vocational education and training for all.[1937] During the apartheid era (1948-1994), South Africa's education system was systematically structured along racial lines, perpetuating inequalities and disparities in access to quality education and training.[1938] TVET institutions were predominantly established for black South Africans, focusing on vocational and technical skills deemed necessary for labour-intensive industries and the apartheid regime's economic agenda.[1939]

The apartheid government's policy of 'separate development' restricted opportunities for black South Africans to access higher education and pursue careers in professional fields.[1940] TVET colleges, characterized by inadequate funding, resources, and infrastructure, primarily offered basic vocational and technical training, reinforcing socio-economic inequalities and labour market segmentation.[1941] With the advent of democracy in 1994, South Africa embarked on a transformative journey to redress historical injustices, dismantle apartheid-era structures, and build an inclusive,

[1937] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1938] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1939] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1940] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1941] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).

equitable, and democratic society.[1942] The post-apartheid era witnessed significant policy shifts and reforms aimed at restructuring and revitalizing the TVET sector to meet the diverse needs of a rapidly evolving economy and society.

The White Paper on Education and Training (1995) laid the foundation for the restructuring of South Africa's education and training system, emphasizing the importance of a unified, flexible, and integrated TVET system that promotes lifelong learning, skills development, and sustainable socio-economic development.[1943] The policy framework prioritized expanding access, enhancing quality, and fostering collaboration between TVET institutions, industry stakeholders, and communities.[1944]

The post-apartheid era witnessed a significant expansion and diversification of the TVET college sector, with the establishment of new institutions, campuses, and program offerings across the country.[1945] This expansion aimed to increase access, address skills shortages, and foster regional development, particularly in historically marginalized and underserved communities.[1946] Efforts were intensified to develop and align TVET curricula with industry needs, technological advancements, and labour market trends. Collaboration between TVET colleges, sector education and training authorities (SETAs), industry associations, and employers facilitated the development of relevant, responsive, and high-quality programs that equip graduates with the skills, competencies, and knowledge required for employment and entrepreneurship.[1947]

Despite progress, the TVET sector in South Africa faces various challenges, including inadequate infrastructure, funding constraints, curriculum relevance, skills

[1942] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1943] The White Paper on Education and Training, 1995
[1944] The White Paper on Education and Training (1995
[1945] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1946] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1947] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).

mismatches, and low completion rates.[1948] Recognizing these challenges, ongoing reforms, initiatives, and investments are being undertaken to strengthen governance, enhance institutional capacity, improve teaching and learning environments, and align TVET provisions with national development priorities.[1949] The future of TVET in South Africa is envisaged as a critical pillar of the country's human capital development strategy, innovation ecosystem, and inclusive economic growth.[1950] Emphasizing quality, relevance, equity, and lifelong learning, South Africa is committed to fostering a vibrant, responsive, and globally competitive TVET sector that empowers individuals, enriches communities, and contributes to the realisation of a prosperous and equitable society.[1951]

### 8.6.2. Legal and Policy Development

The legal and policy basis informing TVET colleges in South Africa is underpinned by a combination of legislation, policy documents, and constitutional imperatives that collectively shape the governance, management, funding, and operation of TVET colleges within the country. The Constitution of the Republic of South Africa, 1996, serves as the supreme law of the land, providing the foundational principles, values, and rights that underpin the nation's democratic governance, social cohesion, and developmental aspirations.[1952] Within the Constitution, specific sections articulate the fundamental rights and principles governing education and training in South Africa, shaping the legal and policy framework within which educational institutions, including TVET colleges, operate and evolve.[1953]

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[1948] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1949] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1950] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1951] Daniels, L., 2018. *An exploration of how discourses of efficiency and social justice shaped the technical and vocational education and training (TVET) sector with special reference to TVET colleges* (Doctoral dissertation).
[1952] The Constitution of the Republic of South Africa, 1996
[1953] The Constitution of the Republic of South Africa, 1996

Section 29 of the Constitution enshrines the right to education as a fundamental human right, affirming the state's obligation to respect, protect, promote, and fulfill this right for all individuals within South Africa's jurisdiction.[1954] Section 29 adopts a holistic approach to education, encompassing various domains and stages of learning, including basic and adult education.[1955] To realise the value of lifelong learning and giving individuals the chance to improve or get the fundamental life skills of reading, math, and writing is to recognise various routes and chances for post-basic education learning, skill development, career training, and professional growth.

Section 29 emphasizes the importance of ensuring equitable access to education and training opportunities for all individuals, irrespective of race, gender, class, disability, or socio-economic status.[1956] It underscores the state's duty to eliminate barriers, expand educational infrastructure, and facilitate participation in learning throughout the lifespan.[1957] The Constitution emphasizes the principle of equity, advocating for targeted interventions, inclusive policies, and differentiated support mechanisms to address historical inequalities, disparities, and systemic barriers within the education system.[1958] Section 29 further underscores the imperative of maintaining and enhancing the quality of education and training, emphasizing the importance of effective teaching, relevant curricula, supportive learning environments, and continuous improvement mechanisms that foster excellence, innovation, and relevance in education provisioning.[1959] The Constitution promotes inclusivity within the education system, advocating for diverse, responsive, and flexible educational provisions that accommodate the diverse needs, backgrounds, and aspirations of all learners, including those with disabilities, special needs, or marginalized experiences.[1960]

Section 32 of the Constitution affirms the right of access to information, recognizing the integral role of transparency, openness, and accountability in democratic governance, public administration, and institutional operations, including TVET

[1954] See Section 29 of the Constitution.
[1955] See Section 29 of the Constitution.
[1956] See Section 29 of the Constitution.
[1957] See Section 29 of the Constitution.
[1958] See Section 29 of the Constitution.
[1959] See Section 29 of the Constitution.
[1960] The Constitution of the Republic of South Africa, 1996

colleges.[1961] Section 32 empowers stakeholders, including students, educators, parents, communities, and the broader public, by facilitating access to relevant, accurate, and timely information that informs decision-making, fosters participation, and enhances accountability within the education sector.[1962] The right to information promotes transparency within the TVET sector, facilitating access to institutional policies, procedures, performance data, governance structures, financial records, and other pertinent information that enables stakeholders to engage meaningfully, monitor progress, and hold institutions accountable for their mandates, responsibilities, and outcomes.[1963]

The governance of TVET colleges in South Africa is underpinned by a comprehensive legal and policy framework aimed at ensuring quality, relevance, access, and equity within the TVET sector. This framework reflects the nation's commitment to fostering skills development, enhancing employability, and promoting socio-economic development in alignment with national development priorities and global best practices.

The Continuing Education and Training Act serves as a foundational legal instrument governing the establishment, governance, funding, and operation of TVET colleges in South Africa.[1964] The Act outlines the roles, responsibilities, and functions of TVET colleges, emphasizing collaboration, coordination, and alignment with national and provincial educational objectives.[1965] The Act provides for the establishment of governing bodies for TVET colleges, comprising representatives from various stakeholders, including college management, staff, students, and community members.[1966] These governing bodies are entrusted with ensuring effective institutional management, strategic planning, quality assurance, and stakeholder engagement within the framework of the Act and related policies.[1967]

[1961] Section 32 of the Constitution.
[1962] Section 32 of the Constitution.
[1963] Section 32 of the Constitution.
[1964] The Continuing Education and Training Act No. 16 of 2006.
[1965] The Continuing Education and Training Act No. 16 of 2006.
[1966] The Continuing Education and Training Act No. 16 of 2006.
[1967] The Continuing Education and Training Act No. 16 of 2006.

The White Paper on Post-School Education and Training (2013) articulates the policy direction, strategic priorities, and reform initiatives for the TVET sector in South Africa. The policy framework emphasizes the importance of TVET in addressing skills shortages, promoting inclusive growth, and fostering innovation within the context of a diversified post-school education and training landscape.[1968] The White Paper underscores the imperative of enhancing quality assurance mechanisms, promoting excellence in teaching and learning, and fostering collaboration between TVET colleges, industry stakeholders, and professional bodies.[1969] It advocates for the development and implementation of robust quality assurance systems, accreditation processes, and programmatic reviews to uphold academic standards and enhance institutional effectiveness.[1970]

The Skills Development Act and the associated SETAs play a pivotal role in facilitating collaboration between TVET colleges, employers, industry associations, and sectoral bodies.[1971] These legislative instruments promote skills development, workplace-based learning, and industry-relevant training initiatives aligned with sectoral skills plans and national priorities.[1972] The Skills Development Act and SETAs facilitate the implementation of workplace-based learning programs, apprenticeships, learnerships, and skills programs that integrate theoretical knowledge with practical experience, enhance employability, and address skills gaps within key economic sectors.[1973]

The National Qualifications Framework (NQF) Act provides the overarching framework for the development, implementation, and quality assurance of qualifications, including those within the TVET sector.[1974] The Act ensures that qualifications are nationally recognized, comparable, and aligned with the needs of the labour market and higher education pathways.[1975] The NQF Act emphasizes the importance of maintaining and enhancing the quality, relevance, and currency of qualifications within the TVET sector. It facilitates the development of qualification

[1968] The White Paper on Post-School Education and Training (2013).
[1969] The White Paper on Post-School Education and Training (2013).
[1970] "The White Paper on Post-School Education and Training (2013).
[1971] The Skills Development Act No. 97 of 1998.
[1972] The Skills Development Act No. 97 of 1998.
[1973] The Skills Development Act No. 97 of 1998.
[1974] National Qualifications Framework Act No. 67 of 2008.
[1975] National Qualifications Framework Act No. 67 of 2008.

standards, assessment criteria, and quality assurance mechanisms that promote consistency, transparency, and credibility in TVET provisions.[1976]

### 8.6.3. Lessons for South Africa TVET from China, Germany, United Kingdom and Canada experiences

TVET colleges plays a crucial role in preparing individuals for the world of work, promoting economic development, and addressing skills shortages. Various countries, including China, Germany, the United Kingdom (UK), and Canada, have developed distinct TVET systems with unique legal and policy contexts. Drawing lessons from these countries can offer valuable insights for South Africa as it seeks to strengthen its TVET system.

China has heavily invested in TVET to support its rapid industrialization and economic growth. The country has established numerous vocational schools and colleges that collaborate closely with industries. South Africa could benefit from a stronger collaboration between TVET institutions and industries. Establishing partnerships can ensure that training programs are aligned with industry needs, leading to better employment opportunities for graduates.

Germany is renowned for its dual education system, which combines company-based training with school-based education. This system is supported by a robust legal framework that mandates the involvement of employers and trade unions in curriculum development and certification. South Africa could consider adopting elements of the German dual education system. Engaging employers in the training process can help ensure that TVET graduates possess the skills that are in demand in the labour market.

The UK has a diverse TVET landscape, with various pathways for vocational education and apprenticeships. The government has introduced reforms to enhance the quality and relevance of vocational qualifications. South Africa could learn from the

[1976] National Qualifications Framework Act No. 67 of 2008.

UK's focus on quality assurance and continuous improvement in TVET. Establishing rigorous quality assurance mechanisms can help enhance the credibility and effectiveness of TVET programs.

Canada's TVET system is characterized by strong collaboration between the federal government, provincial governments, and industry stakeholders. The country has established sector councils and partnership programs to address skills gaps and promote innovation in TVET. South Africa could benefit from a more coordinated approach to TVET policy and governance. Establishing partnerships between government, industry, and other stakeholders can help ensure that TVET programs are responsive to evolving labour market needs.

Comparatively, all four countries have established legal frameworks that provide a foundation for their TVET systems. South Africa may need to review and update its legal framework to address current challenges and align with international best practices. Collaboration with industry is a common theme across the countries. Engaging employers in curriculum development, work-integrated learning, and apprenticeship programs can enhance the relevance and effectiveness of TVET programs. Ensuring quality in TVET is a priority across the countries. South Africa could benefit from establishing robust quality assurance mechanisms, including accreditation, monitoring, and evaluation processes. In essence, South Africa can draw valuable lessons from China, Germany, the UK, and Canada in strengthening its TVET system. By considering the legal and policy contexts of these countries and adapting relevant strategies and practices, South Africa can enhance the quality, relevance, and effectiveness of its TVET programs to better meet the needs of its economy and society.

## 8.7. CONCLUSIONS

The comparative analysis reveals that China, Germany, the United Kingdom (UK), Canada, and South Africa have developed diverse approaches to TVET, shaped by their unique socio-economic contexts, historical developments, and priorities. All the countries under study have established legal frameworks to govern their TVET

systems. These legal frameworks provide the foundation for the establishment, operation, and quality assurance of TVET colleges. However, the specific provisions, regulations, and enforcement mechanisms vary across countries.

A common theme across the countries is the emphasis on collaboration between TVET colleges and industries. China, Germany, the UK, and Canada have established mechanisms to engage employers in curriculum development, work-integrated learning, apprenticeship programs, and partnerships. In contrast, South Africa could enhance its industry collaboration to ensure that TVET programs are aligned with the needs of the labour market. Quality assurance is a priority across all countries, with varying mechanisms and approaches. Germany's dual education system emphasizes the role of employers and trade unions in ensuring quality, while the UK focuses on reforms to enhance the quality and relevance of vocational qualifications. South Africa could strengthen its quality assurance mechanisms by adopting best practices from these countries.

Canada stands out for its coordinated approach to TVET policy and governance, involving collaboration between the federal government, provincial governments, and industry stakeholders. In contrast, South Africa may benefit from a more coordinated and integrated approach to TVET policy, involving collaboration between government departments, industry, and other stakeholders.

Each country faces unique challenges and opportunities in its TVET sector, such as addressing skills shortages, improving the quality and relevance of programs, enhancing access and equity, and promoting innovation. By learning from the experiences of other countries, South Africa can identify strategies and approaches to address its specific challenges and leverage opportunities to strengthen its TVET system.

While South Africa can draw valuable lessons from China, Germany, the UK, and Canada, it is essential to adapt and innovate within the local context. Tailoring strategies and practices to address the country's unique challenges, needs, and priorities can help ensure the relevance and effectiveness of the TVET system in South Africa. The comparative analysis highlights the importance of a strong legal and

policy framework, industry collaboration, quality assurance, policy coherence, and adaptation to local contexts in shaping effective TVET systems. By learning from the experiences of other countries and leveraging best practices, South Africa can strengthen its TVET system and contribute to the country's socio-economic development.

# CHAPTER NINE: FINDINGS AND CONCLUSIONS

## 9.1. INTRODUCTION

The journey through the multifaceted landscape of TVET colleges reveals a rich tapestry of challenges, transformations, and insights that shape its role in the socio-economic fabric of nations. This comprehensive exploration, spanning from the right to access high-quality TVET education to a comparative analysis with global counterparts, offers a nuanced understanding of the dynamics at play.

Beginning with an exploration of the right to access high-quality TVET education, the dissertation emphasizes the intrinsic value of equitable educational opportunities. Within the South African context, a deep dive into the legal and policy frameworks governing TVET colleges illuminates the foundational pillars and potential avenues for enhancement.

As we pivot to the role of TVET colleges in development and growth, the narrative expands to recognize these institutions as pivotal agents of change. Their potential to catalyse socio-economic advancement is undeniable, yet the journey is fraught with challenges. Identifying and addressing these impediments becomes paramount, leading to an in-depth analysis of the hurdles faced by TVET colleges and pragmatic strategies to surmount them.

The transformation of TVET colleges in South Africa emerges as a central theme, reflecting the nation's evolving aspirations and commitments. This transformative journey is not merely structural but embodies a paradigm shift in perception, pedagogy, and purpose. A critical evaluation of how TVET colleges are fostering beneficial education and catalysing social and socio-economic development offers a testament to their pivotal role. Their contribution extends beyond the realms of academia, resonating deeply with the broader developmental agenda of South Africa.

Lastly, the comparative analysis juxtaposes the South African TVET landscape with global exemplars, China, Germany, the United Kingdom, and Canada. The

comparative lens provided a holistic perspective, drawing parallels, distinctions, and invaluable lessons that enrich the discourse on TVET excellence. As we navigate these conclusions, we are invited to reflect, reimagine, and reaffirm our collective commitment to harnessing the transformative power of TVET in sculpting a prosperous, inclusive, and equitable future for South Africa and beyond.

## 9.2. FINDINGS OF THE STUDY

### 9.2.1. To ascertain the extent of accessibility to TVET education

The right to access high-quality TVET education is a fundamental aspect of ensuring equitable and inclusive educational opportunities. Many countries have established legal frameworks and policies that recognize the right to education, including TVET. These frameworks often emphasize the importance of accessible, affordable, and quality TVET programs for all individuals, regardless of their background, gender, socioeconomic status, or location. Despite the recognition of the right to access TVET education, disparities often exist in terms of equitable access. Factors such as geographical location, financial barriers, societal perceptions, and cultural norms can hinder access to high-quality TVET programs for certain groups, including marginalized communities, women, and persons with disabilities.

Ensuring the quality of TVET programs is crucial for realising the right to access high-quality education. Quality assurance mechanisms, such as accreditation, curriculum standards, teacher training, and monitoring and evaluation systems, play a vital role in maintaining and improving the quality of TVET education. The relevance of TVET programs in relation to labour market needs is essential for ensuring that graduates are equipped with the necessary skills and competencies to secure decent and productive employment. Collaboration between TVET institutions, industry stakeholders, and policymakers are crucial for aligning TVET programs with current and future labour market demands.

To enhance access to high-quality TVET education, there is a growing recognition of the need for inclusive and flexible learning opportunities. This includes the

development of tailored programs, flexible delivery modes (e.g., online and blended learning), recognition of prior learning, and support services to address the diverse needs and circumstances of learners. Furthermore, adequate investment in infrastructure, facilities, equipment, and resources is essential for delivering high-quality TVET education. However, many countries face challenges related to insufficient funding, outdated infrastructure, and limited resources, which can impact the accessibility and quality of TVET programs.

Enhancing awareness and promoting the value and benefits of TVET education is crucial for changing societal perceptions, addressing stigma, and attracting more individuals to TVET pathways. This includes targeted campaigns, outreach initiatives, career guidance, and counselling services to raise awareness about the opportunities available through TVET. In essence, while significant strides have been made in recognizing and promoting the right to access high-quality TVET education, there remain challenges and disparities that need to be addressed. Ensuring equitable access, enhancing the quality and relevance of TVET programs, investing in infrastructure and resources, and raising awareness about the value of TVET are essential steps towards realising this fundamental right for all individuals.

### 9.2.2. To assess the effectiveness of the existing legal and policy interventions concerning TVET colleges in South Africa

Assessing the effectiveness of existing legal and policy interventions concerning TVET colleges in South Africa reveals several findings that shed light on the strengths, weaknesses, and areas for improvement within the TVET sector. South Africa has established comprehensive policy frameworks and legislation to guide the development and governance of TVET colleges. However, there is a need for greater alignment, coordination, and clarity among the various policies, strategies, and implementing bodies to ensure coherence and effectiveness.

While quality assurance mechanisms, such as accreditation, monitoring, and evaluation, are in place, there are concerns about the consistency, rigour, and transparency of these processes. Enhancing the capacity, resources, and expertise of

quality assurance bodies can strengthen the effectiveness of these mechanisms and promote continuous improvement in TVET colleges. The relevance, responsiveness, and alignment of TVET curricula with industry needs, technological advancements, and changing labour market demands are crucial for enhancing the employability and competitiveness of graduates. There is a need for more agile, flexible, and industry-driven curriculum development processes that foster innovation, collaboration, and adaptability within TVET colleges.

Engaging and collaborating with stakeholders, including government agencies, industry partners, employers, trade unions, and communities, is essential for informing policy development, promoting accountability, and enhancing the relevance and impact of TVET colleges. Strengthening partnerships, communication channels, and collaborative initiatives can foster a more integrated and cohesive TVET ecosystem in South Africa. Despite efforts to expand access to TVET colleges and promote inclusivity, disparities persist among different population groups, regions, and sectors. Addressing barriers to access, such as financial constraints, geographical limitations, cultural perceptions, and systemic inequalities, is crucial for ensuring equitable opportunities and outcomes within the TVET sector.

Adequate investment in infrastructure, facilities, equipment, and human resources is essential for delivering high-quality TVET education and training. However, there are challenges related to insufficient funding, outdated infrastructure, skills shortages, and uneven distribution of resources, which can impact the capacity, efficiency, and effectiveness of TVET colleges. Establishing robust monitoring, evaluation, and accountability mechanisms is crucial for assessing the performance, impact, and compliance of TVET colleges with legal and policy requirements. Enhancing data collection, analysis, reporting, and feedback mechanisms can support evidence-based decision-making, continuous improvement, and accountability within the TVET sector.

While South Africa has made significant strides in developing legal and policy interventions to support TVET colleges, there are areas where effectiveness can be enhanced through targeted reforms, investments, collaborations, and innovations. Addressing the identified findings and leveraging opportunities for improvement can contribute to strengthening the TVET sector, enhancing the quality and relevance of

education and training, and fostering socio-economic development and growth in South Africa.

### 9.2.3. To identify and analyse the challenges, gaps, and potential shortcomings within the current legal and policy frameworks governing TVET colleges.

One of the significant challenges is the fragmentation and inconsistency of policies governing TVET colleges. There is a need for greater alignment, integration, and coherence among the various policies, strategies, and regulations to create a unified and effective governance framework for the TVET sector. The current legal and policy frameworks often lack clarity, specificity, and detail in certain areas, leading to ambiguity and interpretation challenges. Clear guidelines, standards, and criteria are needed to provide direction, guidance, and certainty for stakeholders, including TVET colleges, students, employers, and policymakers.

The limited engagement and consultation with key stakeholders, such as TVET colleges, industry partners, employers, trade unions, and communities, in the development, implementation, and review of policies can result in gaps, disconnects, and inefficiencies. Enhancing participatory processes, collaboration, and communication can foster more inclusive, responsive, and effective policy development and implementation. Insufficient funding, resources, infrastructure, and capacity within TVET colleges can constrain their ability to deliver quality education and training, meet industry needs, and support student success. Adequate investment, support, and development initiatives are essential to address these challenges and strengthen the capacity and capabilities of TVET colleges.

The current legal and policy frameworks may not adequately address the diverse needs, circumstances, and challenges faced by different population groups, regions, and sectors within the TVET sector. Addressing systemic inequalities, barriers to access, and disparities in outcomes is crucial for promoting equity, inclusivity, and social justice within the TVET system. The curricula, programs, and qualifications offered by TVET colleges may not always align with current industry needs, technological advancements, and evolving labour market demands. Regular review,

update, and alignment of curricula with industry standards, trends, and innovations are essential to ensure relevance, competitiveness, and employability for graduates.

The current legal and policy frameworks may not provide robust mechanisms for accountability, monitoring, evaluation, and quality assurance within TVET colleges. Strengthening governance structures, performance indicators, evaluation criteria, and quality assurance mechanisms can enhance accountability, transparency, and continuous improvement in the TVET sector. The findings highlight several challenges, gaps, and potential shortcomings within the current legal and policy frameworks governing TVET colleges in South Africa. Addressing these issues through targeted reforms, investments, collaborations, and innovations is essential to strengthen the TVET sector, enhance the quality and relevance of education and training, and foster socio-economic development and growth.

### 9.2.4. To gauge the impact of legislative and policy interventions on the capacity-building and skill development of TVET students

Legislative and policy interventions have contributed to the development and implementation of more relevant, responsive, and industry-aligned curricula and training programs within TVET colleges. These interventions have facilitated the integration of practical skills, technical competencies, and employability skills, enhancing the capacity-building and skill development of students. Legislative and policy interventions aimed at expanding access, promoting inclusivity, and reducing barriers to TVET education and training have contributed to increased enrolment, participation, and diversity among students. These interventions have enhanced opportunities for individuals from diverse backgrounds, including marginalized communities, women, and persons with disabilities, to access and benefit from TVET programs.

Legislative and policy interventions have fostered greater collaboration, partnerships, and engagement between TVET colleges, industry stakeholders, employers, and other relevant institutions. These partnerships have facilitated work-integrated learning, apprenticeships, internship opportunities, and industry-relevant training,

enhancing the capacity-building and skill development of students through real-world experiences and exposure. Legislative and policy interventions focused on strengthening quality assurance mechanisms, accreditation processes, and curriculum standards have contributed to the enhancement of teaching and learning quality within TVET colleges. These interventions have promoted continuous improvement, accountability, and excellence in TVET education and training, ensuring that students acquire relevant and high-quality skills and competencies.

Legislative and policy interventions have supported the development and implementation of comprehensive student support services, guidance, counselling, and career development programs within TVET colleges. These interventions have facilitated holistic development, well-being, and success among students, addressing their diverse needs, challenges, and aspirations. Furthermore, the Legislative and policy interventions have emphasized the importance of lifelong learning, continuous development, and skills upgrading within the TVET sector. These interventions have encouraged students to pursue further education, training, and professional development opportunities, enhancing their adaptability, versatility, and competitiveness in the evolving labour market.

Overall, legislative and policy interventions have played a vital role in enhancing human capital development through TVET education and training. By equipping students with relevant, high-quality skills, competencies, and qualifications, these interventions have contributed to the development of a skilled, productive, and innovative workforce that drives economic growth, competitiveness, and sustainable development. In essence, the findings highlight the significant impact of legislative and policy interventions on capacity-building and skill development within the TVET sector. However, there is a need for continued investment, innovation, collaboration, and adaptation to address emerging challenges, harness new opportunities, and further enhance the role of TVET in human capital development and socio-economic advancement.

### 9.2.5. To provide recommendations for improvements, adjustments, or reforms in the legal and policy framework governing TVET colleges

Developed countries often emphasize the alignment of TVET education with industry needs, technological advancements, and economic priorities. In contrast, South Africa's TVET policies may also focus on addressing historical inequalities, promoting social inclusion, and fostering regional development. Balancing these objectives requires a nuanced approach that considers the unique context, challenges, and aspirations of each country. Developed countries typically have well-established governance structures, coordination mechanisms, and regulatory frameworks for TVET education. South Africa may benefit from strengthening institutional capacities, enhancing inter-agency collaboration, and streamlining governance structures to ensure coherence, effectiveness, and responsiveness within the TVET sector.

Quality assurance mechanisms, accreditation processes, and standards for TVET education vary across countries, reflecting different approaches, priorities, and practices. South Africa could consider adopting best practices, benchmarks, and quality assurance frameworks from developed countries to enhance the quality, relevance, and credibility of its TVET programs. Developed countries often emphasize partnerships, collaboration, and engagement between TVET institutions, industry stakeholders, employers, and other relevant actors. South Africa could strengthen stakeholder engagement, foster public-private partnerships, and promote industry-relevant training and apprenticeship programs to enhance the employability and competitiveness of TVET graduates.

Developed countries typically allocate significant resources, funding, and investments to TVET education, reflecting its importance for economic development, innovation, and competitiveness. South Africa may need to explore diversified funding mechanisms, public-private partnerships, and innovative financing models to address funding gaps, infrastructure needs, and capacity-building initiatives within the TVET sector. Developed countries often emphasize flexible, adaptable, and innovative curriculum development processes that respond to changing industry needs, technological advancements, and emerging trends. South Africa could promote curriculum innovation, modernization, and alignment with industry standards, best

practices, and global trends to enhance the relevance, responsiveness, and competitiveness of its TVET programs.

The emphasis on lifelong learning, continuous development, and skills upgrading varies across countries, reflecting different priorities, incentives, and opportunities. South Africa could foster a culture of lifelong learning, promote skills development initiatives, and facilitate pathways for further education, training, and professional development within the TVET sector. The comparative analysis highlights the importance of drawing parallels and distinctions between the legislative and policy interventions about TVET education in South Africa and those implemented in developed countries. By learning from international experiences, best practices, and innovative approaches, South Africa can identify strategies, opportunities, and reforms to strengthen its TVET sector, enhance human capital development, and foster socio-economic advancement in a globally competitive landscape.

## 9.3. CONCLUSIONS

In South Africa, TVET colleges have a great deal of potential as a practical means of advancing the national development goal. The importance of these institutions in tackling the nation's numerous socioeconomic problems was underlined in the introduction. By providing students with the skills needed by the labour market, TVET colleges help to reduce inequality, unemployment, and poverty. They do this by providing practical and skills-oriented education. These TVET colleges must represent a flexible and responsive road to a better future for South Africa. In line with the completely the government's developmental plan, they have the power to liberate people, strengthen communities, and propel the nation toward prosperity, social equity, and overall growth.

TVET colleges play a significant role in assisting South Africans in developing practical and career-relevant skills. Fighting underemployment and unemployment, especially among young people, requires this. The development of practical, hands-on skills is the main focus of the programmes and courses offered by TVET institutes. These courses are created to give students the specialised skills and knowledge required to

succeed in a variety of crafts and professions, including plumbing, electrical work, auto repair, nursing, and computer technology. Because it immediately prepares people for the demands of the labour market, this practical training is very beneficial. To keep their programmes current and relevant to the needs of the labour market, TVET colleges frequently work with businesses and industry partners. As a result, graduates are more appealing to prospective employers because the skills and competencies taught at TVET colleges are directly relevant to the demands of companies today. The talents that job seekers possess and the skills that businesses demand differ in various nations, including South Africa. By generating graduates with the abilities that companies are actively seeking, TVET colleges close this skill gap. As a result, TVET graduates frequently have a greater chance of finding meaningful employment and are more employable. Significant issues include youth unemployment and underemployment in South Africa and many other nations. Due to the fact that they provide a means for young people to swiftly pick up useful skills and enter the workforce, TVET colleges are particularly helpful in tackling these issues. By giving them options for secure and long-term employment, this can lower the rate of youth unemployment.

The right to access TVET education is an essential element of human rights and educational fairness. It is a fundamental right that, as was mentioned in the beginning, equips people with useful knowledge and skills and opens doors to chances for employment and personal growth. Given its critical role in tackling unemployment, decreasing inequality, and promoting sustainable economic growth, access to TVET education is not only a necessity but also a privilege. The Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights both recognise and uphold the right to education as a fundamental human right. These agreements reaffirm that,apart from special circumstances, everyone has the right to an education. Access to education for all people, regardless of their background, is a crucial component of human rights. Access to TVET education is a part of this TVET programmes must provide practical, skill-based education, which is crucial for an individual's personal and professional growth.

The legislative and policy frameworks for TVET colleges in South Africa are a crucial and well-organized tool for advancing the country's development objectives. These

frameworks show a strong commitment to tackling significant socioeconomic problems and furthering the country's development objectives. TVET institutions have a strong legal foundation because of the constitutional commitment to education as a fundamental right and the comprehensive National Skills Development Strategy. Legislation such as the Further Education and Training Colleges Act and the Skills Development Act also create transparent governance structures, collaborations with industry, and quality assurance mechanisms all of which are crucial for TVET programmes to be successful. TVET qualifications are made nationally recognised by the National Qualifications Framework, which raises their legitimacy and employability. Furthermore, strategies for enhancing the finance, facilities, and quality of TVET colleges are laid out in documents like the White Paper for Post-School Education and Training.

However, problems including a lack of money, a lack of adequate infrastructure, and the requirement for ongoing upgrades still exist. It will need consistent work to solve these issues, guarantee fair access, and improve programme quality if TVET institutions are to reach their full potential as a development instrument. The legislative and policy foundations for TVET colleges in South Africa offer a solid and organised approach to vocational education and training that is closely aligned with the national development objective. These frameworks provide a way to boost economic growth and social advancement while lowering unemployment, inequality, and skill shortages. South Africa is well-positioned to leverage the potential of TVET colleges in fulfilling its developmental ambitions by fostering and improving these policies and committed to their efficient execution.

TVET colleges are regarded as effective economic growth catalysts. Their emphasis on transferable skills and industry relevance gives people the tools they need to actively contribute to economic growth, job creation, and innovation. Divergent viewpoints agree that TVET colleges are essential to solving the skills gap. By generating a workforce with the skills required by industry, these institutions close the gap between education and employment, providing a more effective and competitive labour market. TVET colleges have the ability to encourage diversity and lessen inequality. They give people from various origins avenues to wealth by delivering accessible and inexpensive education and training opportunities. TVET colleges

commonly collaborate with businesses and industry partners to maintain their curriculum up-to-date and pertinent to the demands of the labour market. Therefore, graduates are more desirable to potential employers because the competencies and abilities they learn at TVET colleges are directly related to the requirements of companies.

Wadee and Padayachee further contend that TVET colleges frequently act as pillars for local and regional growth.[1977] Programmes that are tailored to local needs help to improve communities, boost small businesses, and address particular area issues. The importance of TVET colleges to a country's ability to compete internationally is highlighted by a global viewpoint. To maintain workforce competitiveness in the global market, attract foreign investment, and support export industries, education must be in line with industry requirements. Numerous viewpoints highlight the value of TVET colleges in promoting a culture of lifelong learning. In recognition of the importance of ongoing education in the face of technological and economic change, these institutions provide possibilities for upskilling and reskilling. There is agreement on the critical importance of TVET colleges in development and growth. TVET colleges are important engines of growth that promote economic resilience, social fairness, and individual empowerment in addition to being academic institutions. Governments, businesses, and educational stakeholders must encourage TVET colleges to meet the changing demands of society and economies in order for them to reach their full potential.

To realise TVET colleges' potential for national growth and development requires a comprehensive strategy to resolve these challenges. TVET institutions frequently struggle with a lack of financing, which affects their capacity to deliver high-quality instruction and training. TVET programmes face a huge problem in maintaining and assuring consistency in quality, which has an effect on graduates' employability. The skills taught at TVET colleges frequently do not match the requirements of the labour market. There are still issues with poor inclusion of marginalised groups and restricted access to TVET courses, especially in rural areas. Many TVET colleges have outdated infrastructure and limited access to cutting-edge tools and technology. The provision

[1977] Wadee, A.A. and Padayachee, A., 2017. Higher Education: catalysts for the development of an entrepreneurial ecosystem, or… are we the weakest link?. *Science, Technology and Society*, *22*(2), pp.284-309.

of high-quality education is hampered by a lack of competent teachers and insufficient teacher preparation. Inefficiencies may result from a lack of cooperation across TVET institutions and fragmented governance systems.

In order to fulfil the government's developmental agenda, the transformation of TVET colleges in South Africa is a dynamic and crucial process. By empowering individuals, supporting social progress, fostering economic growth, and eliminating inequality, these institutions have the power to influence the future. For TVET colleges to continue to develop and adapt to the ever-changing needs of South African society and the economy, it is essential to make ongoing efforts to solve issues and put policies into place. It is critical to admit that obstacles like limited finance, inadequate facilities, and problems with quality assurance still exist and need to be fixed for TVET colleges to reach their full potential.
As a result of TVET programmes' congruence with industry demands and the National Qualifications Framework, graduates are more employable because they have the skills that employers are looking for. Prioritising accessibility and diversity while addressing historical inequalities and extending opportunities to underserved communities should be a priority in the development of TVET colleges.

TVET colleges in South Africa have emerged as vital contributors to the nation's educational, social, and economic advancement. Through their specialized programs, TVET colleges are producing education that is directly aligned with the evolving needs of various industries, ensuring that graduates are equipped with relevant skills and competencies. From a social perspective, TVET colleges are fostering inclusivity by providing opportunities for diverse groups, including historically marginalized communities, to access quality education. This inclusivity promotes social cohesion and equity, bridging educational disparities and empowering individuals to actively participate in the socio-cultural fabric of the nation.

Economically, the impact of TVET colleges is profound. By producing a skilled workforce, these institutions are addressing critical skills shortages, stimulating productivity, and driving innovation across various sectors. The emphasis on practical training and industry-relevant skills ensures that graduates are not only employable but also capable of contributing meaningfully to economic growth and development.

Furthermore, TVET colleges play a pivotal role in addressing unemployment challenges by offering targeted training programs that align with labour market demands. This strategic alignment between education and employment opportunities enhances the employability of graduates, thereby reducing dependency on welfare systems and fostering economic self-sufficiency. Additionally, the socio-economic development fostered by TVET colleges extends beyond individual empowerment to community upliftment. Through partnerships with local industries, community engagement initiatives, and entrepreneurship development programs, TVET colleges are catalysts for local economic development, job creation, and sustainable growth.

However, the full potential of TVET colleges in South Africa is yet to be realised, as challenges such as infrastructural constraints, curriculum relevance, and funding limitations persist. Addressing these challenges requires a collaborative approach involving policymakers, industry stakeholders, educational institutions, and the broader community to ensure that TVET colleges remain at the forefront of fostering social, and socio-economic development, and growth in South Africa. Moreover, the socio-economic benefits emanating from TVET education are manifold. By equipping students with tangible skills and competencies, these colleges empower individuals to actively participate in the economy, either as skilled employees or entrepreneurs. This, in turn, stimulates local industries, attracts investments, and creates a conducive environment for innovation and enterprise development.

Furthermore, TVET colleges have been pivotal in fostering social development by promoting inclusivity and addressing historical disparities in access to quality education. Through targeted interventions and support mechanisms, these institutions have enabled marginalized communities, particularly in rural areas, to access opportunities that were previously inaccessible, thereby promoting social cohesion and equity. However, it is imperative to acknowledge and address the existing challenges, including infrastructural deficits, funding constraints, and mismatches between training programs and market demands. A holistic approach that integrates policy reforms, stakeholder collaboration, and continuous monitoring is crucial to optimizing the impact of TVET colleges on social and socio-economic development in South Africa.

The comparative research highlights the fact that, despite the fact that each nation's TVET system is distinct, South Africa may learn important lessons and best practices to improve the efficiency and effectiveness of its TVET colleges. To fully realise the potential of TVET education in South Africa for socioeconomic development and progress, critical measures had to be made which include; strengthening regulatory frameworks, creating industrial partnerships, enhancing quality assurance, and promoting diversity. South Africa faces difficulties with funding, ensuring the quality of, and gaining access to TVET education. For the country's TVET colleges to operate and be effective, these issues must be addressed through regulatory changes, more funding, and industry cooperation. The comparison shows how diverse TVET systems are around the world, with each nation using different strategies to meet its own needs and priorities.

Researchers and policymakers (particularly UNESCO) have recognized the need to broaden current TVET provisioning to include economic, equity, and transformative lenses. This includes discussions about incorporating concepts such as sustainable development, lifelong learning, and sustainable livelihoods. Empirical literature demonstrating high levels of employment among TVET graduates, particularly in China, Germany, Canada, the United Kingdom, and other countries, demonstrates that the TVET system is based on strong state intervention (developmental state), a strong correlation between TVET offerings and the country's economic development phase, and the development of a holistic learner. This is a model for the SA TVET system that is also consistent with the National Development Plan (2012), the New Growth Path (2011), the Industrial Policy Action Plan 2 (2011), and the Human Resource Development Strategy for South Africa 2010-2030 of (2009). At an operational level, the proposed South African TVET system is a developmentally driven TVET college sector comprised of various institutional types in a differentiated PSET system. The sector will collaborate with a variety of social partners, including business, labor, civic organizations, rural communities, and marginalized groups.

The sector would provide a diverse range of responsive general (matric to NQF 6), vocational, occupational (learnerships and apprenticeships), and short skills programs with a strong technical focus, as well as an appropriate balance of institution-based

and work-integrated learning. This will be accomplished through a variety of delivery platforms for grade 9-12 graduates from formal schools, out-of-school youths (NEET), unemployed adults, and employed workers from across the urban-rural and socioeconomic divide who want to access education and training for employment, self-employment, social mobility, and life-long learning in a supportive institutional environment that is fiscally, administratively, pedagogically sound, and responsive to socioeconomic challenges. TVET Colleges will be able to provide education and training programs up to NQF 6 to graduates of NCV 4, Grade 12 and other equivalent qualifications seeking higher education and training qualifications. Learners who complete NQF 6 programs at a TVET College will receive two years of credits toward a nested professional degree, which must be completed at an awarding higher education and training institution.

South Africa's National Skills Development Strategy (NSDS) is a critical policy framework created to direct and coordinate the nation's efforts in skills development. Over the years, it has undergone several revisions, with each one seeking to satisfy the shifting demands of the labour market and society. Regarding inequality, unemployment, and poverty, the NSDS is crucial in promoting TVET. It was initially put into place to better align the nation's system for developing skills with its larger goals for economic and development. One of the key objectives of the NSDS is to match training and education programmes, especially those provided by TVET institutions, with the precise skills and competencies required by the labour market. There must be this congruence for graduates to be equipped with the abilities that can lead to meaningful employment opportunities.

According to the NSDS, all South Africans should have equal access to top-notch TVET programmes, regardless of their socioeconomic situation. The policies and practises of the NSDS framework are designed to improve access to and affordability of TVET education. SETAs, which oversee specific economic sectors, are established through a joint effort between the NSDS and Skills Development Act. The implementation of skills development programmes requires the SETAs. SETAs work with TVET colleges, companies, and other stakeholders to identify the skills requirements for specific industries and develop training programmes properly.

TVET colleges must help to build this kind of workforce that is highly skilled and adaptable for promoting innovation, economic growth, and sustainable development. The government's must dedicate to develop infrastructure, increasing programme relevance, and increasing access to high-quality TVET education to demonstrate their understanding of these institutions' critical role in accomplishing overall national development objectives. TVET colleges act as catalysts for social emancipation by giving people from various backgrounds access to an inclusive education, TVET colleges provide a way out of poverty and inequality by providing a road to financial freedom. This inclusive culture of TVET colleges ensures that historically underrepresented groups have access to education and training opportunities by resolving historical gaps in access to education to encourage more equity and social cohesiveness. These institutions make a substantial contribution to socioeconomic growth by giving graduates real-world knowledge and abilities that are immediately marketable. This raises income levels and lowers unemployment, raising both individual and community living standards. TVET colleges play a crucial role in promoting economic growth by addressing the need of skilled workers, encouraging entrepreneurship, and promoting innovation. An educated workforce increases productivity and competitiveness, luring capital and spurring economic growth.

TVET colleges should hire lecturers who have the required academic credentials in their fields. Teachers ought to be passionate about what they do and motivated to see their pupils succeed. The degree of training and expertise of teachers should be at least as high as what is needed to teach the courses they do. Instructors must have professional experience in the real world in addition to academic qualifications. Real-world experience is essential for students to comprehend the actual job circumstances they will encounter in their professions. Success as a teacher does not always follow from subject-matter expertise. Teachers should have pedagogical training or experience, as well as the ability to explain complex concepts clearly and understandably.

TVET colleges need to offer competitive pay and benefits in order to recruit and retain outstanding talent. Competitive pay packages may aid in retaining professors who have real-world industrial expertise and may be in high demand. Give instructors the chance to advance their careers inside the college by giving them opportunities for

promotions, leadership roles, or participation in curriculum production. Create a friendly work environment where instructors' contributions are valued. Encourage faculty cooperation and open communication. In order to stay current on trends and developments in the industry, encourage instructors to attend conferences, workshops, and seminars. This makes it possible for them to bring the most up-to-date knowledge and skills to the classroom.

To recognise and protecting the right to attend TVET education is a strategic investment in people's well-being and the development of nations. It is also a question of justice. It provides a road to a better future by enabling people to learn the skills necessary to prosper in a world that is changing quickly and to make contributions to the advancement of society as a whole. Individuals from all socioeconomic and racial categories should be welcomed and included in TVET institutions. A person's social standing or financial means should not determine their capacity to pursue a high-quality education. According to the idea of equitable access, every South African, regardless of background, should have an equal opportunity to pursue vocational and technical education that is in line with their career ambitions. A significant barrier to education for many people, especially those from lower-income homes, is price. The cost of living, books, transportation, and tuition may be exorbitant. In South Africa, there are significant income differences, making it challenging for many families to afford their children's education. There may be restrictions on the educational opportunities available to students and potential students. As a result, there may be limitations on the educational opportunities available to current and prospective students. Bursaries are assistance packages that often use a need-based approach.

The practical application of theory is a requirement of vocational education. Students can apply what they have learned in the classroom to real-world scenarios by working directly with corporate partners. Students get the practical skills and competencies necessary for their future careers through this hands-on learning. Students can acquire real-world work experience while still in school through internships, apprenticeships, and job placements made available through corporate partnerships. Their move from college to the workforce is aided and facilitated by this exposure. Students have the chance to network through collaborating with businesses. They can establish relationships and network with other experts in their field, which might result

in job offers or recommendations for potential future employment. Employers often favour college graduates with TVET experience. Because they are seen as being prepared for the workforce and able to contribute right away, their employability increases. Employers can serve as a student's mentor, offer guidance, and offer insight. They can provide enlightening feedbacks on the skills and qualities that are most in-demand on the job market, helping universities adjust their curricula accordingly. Businesses stand to benefit from their partnership with TVET colleges by helping them achieve their workforce needs. Future employers can be identified among students who have demonstrated their skills and commitment during internships and apprenticeships.

For TVET institutions, creating a conducive atmosphere for high-quality practical training that complies with industry needs should be a major priority. TVET institutions must invest in modern infrastructure, tools, and technology as well as enough funding to ensure that colleges have the resources they need. All of the facilities at TVET colleges, including the classrooms, labs, workshops, and training centres, should be modern and well-maintained. These facilities should be created to give students an immersive learning experience by simulating real-world working environments. Colleges should invest in state-of-the-art, market-relevant equipment to give practical instructions that meets industry standards. To reflect the most recent developments in technology and research approaches used in the relevant domains, this equipment has to be updated. The creation and upkeep of technology infrastructure, such as computer laboratories, internet access, and digital learning materials, should be adequately funded. Students can learn digital literacy skills, which are more crucial in the modern workforce.

According to Essop, the right to high-quality education is a fundamental right that cannot be seen in isolation. It is linked to the equality clause, which highlights how crucial it is to provide education free from prejudice. In other words, everyone should be able to access their right to an education, regardless of their background, colour, gender, or any other trait. This proclamation also supports UNESCO's aim to ending historical marginalisation in education. This commitment reflects the global efforts to ensure that those who have been marginalised or excluded in the past have access to high-quality education. The foundation for lifelong learning is laid out by the right to

a great education, which goes beyond fundamental educational access. This implies that education should provide students with the knowledge and abilities required for ongoing personal and professional development.

Tadeg, emphasises that having access to a high-quality education is both a fundamental human right and a right to development. This indicates that it is thought to be essential for social and individual development. As a result, it places duties on governments and individuals to maintain its principles. The government has a duty to make sure that all educational legislation and programmes, including the right to access high-quality education, are following international human rights law. This highlights the state's responsibility for ensuring that its citizens have access to this fundamental right.

To improve the quality of education and skill development, TVET colleges must use a strategic approach that considers several criteria. However, to put these ideas into action, governments, educational institutions, corporations, and communities must collaborate. The following recommendations are made for introduction and intervention in TVET colleges as a viable tool for achieving the developmental agenda of the South African government:

## 9.4. RECOMMENDATIONS

The challenges faced by the TVET colleges sector are multifaceted and require concerted efforts to effectively address them. The following are major recommendations about TVET college education as a viable tool for achieving the developmental agenda of the South African government:

1. The Constitution of the Republic of South Africa, should explicitly recognizes the right to quality education, including vocational and technical training and emphasize the importance of accessibility and affordability of TVET programs for all citizens.

2. The Constitution should further specify the government's commitment to the development and support of TVET colleges by outlining the allocation of sufficient funds for infrastructure, faculty training, and curriculum development to enhance the quality of vocational education.

3. We should encourage underrepresented and marginalised populations to participate equally in TVET programmes, including women, minorities, and those with disabilities.

4. TVET colleges must ensure that qualifications are closely aligned with the South Africa's national development goals, economic priorities, and industry needs, especially the current and future needs of industries and the labour market, by establishing mechanisms for regular consultations with industry stakeholders to identify emerging skill requirements.

5. TVET colleges should regularly review and update their curriculum to align it with the evolving needs of industries and the job market. This requires establishment of a strong partnerships with industry stakeholders to ensure that the curriculum reflects current industry trends and demands.

6. Strengthen partnerships with local industries to facilitate work-integrated learning, internships, and apprenticeships. This require TVET colleges to establish advisory boards comprising industry experts to guide curriculum development and ensure relevance.

7. TVET colleges should provide professional development opportunities for instructors to enhance their skills and keep them updated on the latest industry practices. This requires TVET to foster a culture of continuous improvement by encouraging feedbacks from students, industry partners, and instructors.

8. TVET colleges should implement robust career guidance programs to help students make informed decisions about their educational and career paths. This requires collaboration between schools, community organizations, and industry partners to promote awareness about the value of TVET education.

9. Change societal perceptions about TVET by promoting the value of technical and vocational skills in contributing to economic development.

10. Launch awareness campaigns highlighting success stories of individuals who have excelled through TVET education.

11. Ensure that TVET education is accessible to all, including marginalized and underrepresented groups by implementing measures that addresses barriers such as transportation, affordability, and gender disparities.

12. Invest in modern facilities and equipment to ensure that TVET colleges have the necessary infrastructure to deliver high-quality technical and vocational education. This requires improvement and maintenance of workshops, laboratories, and classrooms to meet industry standards.

13. Increase funding for TVET colleges to address resource shortages, improve facilities, and attract qualified instructors.

14. TVET colleges must offer competitive pay and benefits in order to recruit and retain outstanding talents.

15. Collaborate with nations and international organisations to exchange best practises and gain access to tools for TVET development. This should happen in organising continuous study tour to developed countries.

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