

# LANGUAGE POLICY

Item A-SR (11-2007) CM 31/01/2008	LANGUAGE POLICY FOR THE EKURHULENI METROPOLITAN MUNICIPALITY
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## RESOLVED:

1. **That** the report on the Language Policy for the Ekurhuleni Metropolitan Municipality **BE NOTED**.
2. **That** Council **APPROVES** the Language Policy for the Ekurhuleni Metropolitan Municipality attached as **Annexure "A"** to the report.
3. **That** a Task Team consisting of the Department SRAC, Department Legal and Administrative Services, Directorate: Communications and Marketing, Office of the Speaker, Office of the City Manager and Office of the Executive Mayor **BE ESTABLISHED** to investigate the implementation process of the Language Policy.

**ANNEXURE A**



**Ekurhuleni**  
METROPOLITAN MUNICIPALITY

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***SPORT RECREATION ARTS AND CULTURE***  
**ARTS CULTURE AND HERITAGE**

**LANGUAGE POLICY FOR THE EKURHULENI**  
**METROPOLITAN MUNICIPALITY**

*(November 2007)*

**ARTS CULTURE AND HERITAGE****LANGUAGE POLICY DRAFT 1****1. INTRODUCTION**

***All people shall have the right to use their own language and develop their own folk customs and culture***

The Freedom Charter, 1955

- a. The Constitution of the Republic of South Africa provides for eleven official languages and recognizes the historically diminished use and status of the indigenous languages of the people of South Africa (Sec 6). The Constitution provides further that everyone has a right to use their language and to participate in the cultural life of their choice (Sec 30).
- b. The new dispensation that was established in 1994 brought about the Municipal Systems Act, 2000 (Act 32 of 2000) which emphasizes community participation in local government. It will have to serve its residents in the language they understand best.
- c. The National Language Policy Framework provides that upon determination of the language use and preference of communities, local government, in broad consultation with their communities, develop, publicize and implement a multilingual policy.
- d. The management of language policy in South Africa takes place at three levels of government against the backdrop of the enabling framework for all languages policy as entrenched in the Constitution. At *local government* level, which forms the broad base of the language management hierarchy, municipalities must develop language policies that are compatible with the relevant provincial policy, taking into account the *language usage and preferences of their residents*.

- d. To assist in determining the official languages of the Ekurhuleni Metropolitan Municipality the 2001 Census figures for Gauteng were used:

*This is the only census statistics available.*

IsiZulu	21,5%
Afrikaans	14,4%
Sesotho	13,1%
English	12,5%

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

- IsiZulu is the most commonly spoken language in both Gauteng (21, 5 %) and South Africa as a whole (23, 8%)
- In Gauteng , the next most spoken language is Afrikaans ( 14,4%) , and then Sesotho( 13.1%) , while in South Africa the next is isiXhosa ( 17,6%) and then Afrikaans (13,3%)

Furthermore, consideration must be given to information received from the survey conducted in 2004 by Sarah Associates in collaboration with Mark Data on behalf of Gauteng Department of Sport, Arts, Culture and Recreation regarding language preference. The results of the survey are as follows:

<b>EKURHULENI</b>	<b>IsiZulu, Afrikaans, Sepedi, Sesotho, English</b>
EMFULENI	Sesotho, IsiZulu, Afrikaans, isiXhosa, Setswana
JOHANNESBURG	IsiZulu, English, Sesotho, Setswana, Afrikaans
LESEDI	IsiZulu, Sesotho, Afrikaans, isiXhosa, English
MIDVAAL	Sesotho, Afrikaans, isiZulu, English, isiXhosa
MOGALE CITY	Setswana, Afrikaans, isiZulu, isiXhosa, English
NOKENG TSA TAEMANE	Sepedi, Afrikaans, isiZulu, Setswana, Xitsonga
RANDFONTEIN	Setswana, Afrikaans, isiXhosa, isiZulu, Sesotho
TSHWANE	Sepedi, Afrikaans, Setswana, Xitsonga, isiZulu
WESTONARIA	isiXhosa, Sesotho, Setswana, isiZulu, Xitsonga

The following categories are identified by DACT as option 1 for languages to be used in National, Provincial and Local Government:

Option1

Nguni Group	isiNdebele, isiZulu, siSwati, isiXhosa
Sotho Group	Sepedi, Sesotho, Setswana
Tshivenda/ Xitsonga	Grouped together
English / Afrikaans	Grouped together

Language Policy and Plan for South Africa, DACT, 2000

The following categories are identified by DACT as option 2 for languages to be used in National, Provincial and Local Government:

Option2

Nguni Group	One language from Nguni Group
Sotho Group	One language from Sotho Group
Tshivenda	Ungrouped
Xitsonga	Ungrouped
Afrikaans	Ungrouped
English	Ungrouped

Language Policy and Plan for South Africa, DACT, 2000

**Recommendation**

That option 1 of the DACT proposal is used in the Ekurhuleni Metropolitan Municipality with the only difference that Afrikaans and English be ungrouped. The following is therefore proposed: one language from Nguni Group-*Isizulu*, one language from Sotho Group – *Sesotho* and then *Xisonga* , *Afrikaans* and *English*. That English be approved as the working language and the language of record for the EMM.

- e. The draft Language Policy of the Ekurhuleni Metropolitan Municipality is therefore aimed at providing guidelines on how the Municipality should implement multilingualism in its communication processes to ensure that all residents have access to municipal services in the language they understand best.

## 2. DEFENITIONS

**Administration:** refers to the administration arm of the Ekurhuleni Metropolitan Municipality;

**Committees:** refers to the Mayoral Committee and Portfolio Committee and any other committee established by Council;

**Constitution:** means the Constitution of the Republic of South Africa, 1996.

**Council:** means Council or Municipality as well as the full council meetings of the Ekurhuleni Metropolitan Municipality;

**functional multilinguism:** means an approach in which the demographic, economic and additional factors contemplated in section 6(3) of the Constitution are taken into account in language planning and policy development so as to ensure effective communication and participatory democracy ;

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

**interpreting:** in relation to oral utterances , means the transporting of utterances of one language into utterances of another language and , in relation to signed utterances, means the transporting of sign language signs into spoken language and the other way around;

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

**Language rights:** means the linguistic human right that is established by legislation, which rights determine the situations in which residents can choose to use their home language;

**Language unit:** is an entity that will ensure the implementation of a language policy and will be responsible for translation, interpreting and production of documents in official languages

**Liaison interpreting:** means the process whereby an interpreter interprets from one language into another and back, most often in a short consecutive interpreting mode;

**Multilinguism:** means the use of several of the official languages of the Municipality in the written or oral communication of the Municipality;

**Municipality:** means the Ekurhuleni Metropolitan Municipality established by Gauteng Provincial Notice 6770 of 1 October 2000;

**Official language:** means an official language in terms of section 6(1) of the Constitution;

**PanSalb:** means the Pan South African Language Board, established by the Pan South African Language Board Act, 1995 (act 59 of 1995);

**TISSA:** means the Telephone Interpreting Service of South Africa;

**Translation:** means the transposing of a text from one language into another, with “**translate**” having a correspondence meaning; and

**Working language:** means an official language chosen by the Municipality as the language most practicable to use in a communication event.

### 3. LEGISLATIVE CONTEXT

a. Chapter 2 of the Constitution of South Africa: Bill of Rights;

*Equality:* The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, **language** and birth

*Section 30* : Everyone has the right to use the language and participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights “

- b. Section 3(1)(f) of the guiding principles of the South African Language Bill, 2000 which states that there must be intergovernmental co-ordination and harmonizing of policies, legislation and actions relating to the entrenchment and promotion of Multilingualism;
- c. Section 1.2.4 of the Implementation Plan: National Language Policy Framework, 2003, which states that local government, will determine the languages use and preferences of their communities within an enabling provincial language policy framework. Upon determination of a language use and preference of communities, local government must , in broad consultation with their communities , develop , publicize and implement a multilingual policy;
- d. Section 3 of the Language Policy Framework of the Gauteng Provincial Government ( August 2005 ) , which sets out the objectives of the policy framework as follows
  - a. “To support, develop and sustain multilingualism within provincial and local government and their communication and interaction with the public.
  - b. To protect language diversity and promote respect for multilingualism and unity “
- e. The Promotion of Access to Information Act, 2000 (Act2 of 2000)  
Freedom to receive or impart information or ideas. A requester whose request for access to a record of a public body has been granted must if the record-  
Exist in the language that the requester prefers; be given access in that language
- f. The Reconstruction and Development Programme (RDP) also charges government with the responsibility of establishing and



implementing “a language policy that encourages and supports, financially and otherwise, the utilization of all languages of South Africa” (par. 3.4.3.7)

The policy should also be in line with the constitutional provisions (Constitution of the Republic of South Africa, 1996, Act No.108 of 1996) on multilingualism, and the Key Performance indicators of the Municipality should aim at ensuring:

- a. The translation of the language rights enshrined in the Constitution into a coherent and effective approach to multilingualism in the EMM; (Section 6(1) declares that the official languages of South Africa are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiXhosa and isiZulu.
- b. The promotion of the equitable use of the official languages of the EMM; (Section 6(2) recognizes the historically diminished use and status of the indigenous of South Africa.)
- c. The facilitation of equitable access to municipal services and information ;( Section 6(3 ) specifies that national and provincial governments must use at least two of the official languages for the purposes of government subject to considerations of practicality, expense, regional usage and circumstances, and the needs and preference of public as a whole )
- d. The redress of the linguistic inequalities of the past which resulted in the underdevelopment of the African languages in particular; and ( Refers to Section 6(2) of the Constitution )
- e. The protection of language diversity and the promotion of respect for multilingualism and unity in diversity. ( Section 9 (3 ) protects citizens unfair discrimination on the grounds of language )

#### 4. OBJECTIVES

This policy is in line with the constitutional provisions on multilingualism as well as the strategic objectives of the Ekurhuleni Metropolitan Municipality. This policy is aimed to ensure -

To promote the equitable use of the five official languages spoken in the Ekurhuleni Area: - isiZulu, English, Afrikaans, Sesotho and Tshivenda. In order to promote multilingualism and the use of languages the following is suggested:

- a. To facilitate access to equitable government services, knowledge and information;
- b. To ensure redress of the imbalances of the past in the use of languages;
- c. The protection of language diversity and the promotion of respect for multilingualism and unity in diversity ; and
- d. To implement and give effect to the provisions of Section 6 of the Constitution as well as the Batho Pele Principles and related service charters;
- e. To support economic development through the promotion of multilingualism.
- f. Upon request to make provision for the usage of Sign Language if and when considered necessary.

#### 5. GUIDING PRINCIPLES

The policy is based on the following principles:

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

- b. ***Language equity***  
To ensure the equal treatment of the official languages of the Municipality;
- c. ***Redress***  
To enhance the status and roles of previously marginalized languages;
- d. ***Non-discrimination***  
To prevent the use of language for the purposes of exploitation, domination and discrimination;
- e. ***People-centeredness***  
To address the needs, aspirations and interests of language communities in the spirit of Batho Pele;
- f. ***Partnerships***  
To collaborate with public and private language institutions and agencies to promote multilingualism;
- g. ***Good governance***  
To use all the official languages of the Municipality to ensure transparent, accountable local government that is responsive to the linguistic needs of its constituency.

## **6. SCOPE**

The provisions of this policy shall apply to all employees of the Municipality including entities.

## **7. POLICY RECOMMENDATIONS**

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

### **7.1 Internal spoken communication**

- a. English is recommended as the working language in spoken Intra-departmental and interdepartmental communication if another official language of the Municipality is not understood by all in the communication event, provided that the principles of functional multilingualism dictate the choice of language in each situation.
- b. In Portfolio Committee Meetings and Mayoral Committee Meetings the working language (English) will be used.
- c. Any of the recommended official languages of the Municipality may be used in any debates or proceedings of Council Meetings. The Municipality must therefore provide for simultaneous interpreting services from and into the official languages of the Municipality.
- d. In general, disciplinary hearings, job interviews and performance Assessments in the Municipality will be conducted in the working language (English) provided that translation and interpreting services are made available for those who cannot speak or understand English.
- e. Sign language must be readily available if and when required.

### **7.2 Internal spoken communication**

- a. The Municipality must, in its spoken communication, strive to serve the community in the language of their choice.
- b. If staff members are not available at a customer care centre, pay point, clinics or other public venue of the Municipality to assist clients orally in their language of choice, liaison interpreters must be used to assist them. Where necessary, every effort must be made to utilize interpreting service (consecutive, simultaneous, telephone and whispered) where practicable.

- c. The Municipality must provide liaison interpreters if important or strategic information is to be conveyed orally to groups of multilingual residents at public events organized by the Municipality, for example IDP Meetings.

### 7.3 Internal written communication

- a. The working language of the Municipality will be used for written communication regarding intradepartmental and interdepartmental administration, provided that English is understood by everyone in the communication event
- b. Translation services must be made available on request to translation translate motions presented at the Council Meetings into any of the official languages of the Municipality.
- c. The Municipality's policies, procedures, conditions of service, strategic circulars, important human resource information, health and safety information and other strategic documents must be made available in all the official languages of the Municipality where **practical and financially viable** .
- d. The Municipality must provide multilingual liaison interpreters from among its own staff to assist illiterate staff in gaining access to municipal information. Liaison interpreting should be seen as a mechanism to support written communication.
- e. All municipal documents that need to be archived must, for practical administrative reasons, be available in the original language and English as the working language and the language of record.

#### 7.4 External written communication

- a. All official notices, statements, tariffs, by-laws, regulations, policies, advertisements, etc, issued or published by the Municipality for public. Consumption must be made available in all the official languages of the Municipality, ***where practicable and financially viable***.
- b. The Municipality must provide multilingual liaison interpreters from among its own staff as a mechanism to supplement written communication and assist illiterate clients in gaining access to municipal services and information. The liaison interpreters must be used for liaison interpreting at customer care centres, pay points, clinics or other public venues of the Municipality if multilingual staff members are not available for this purpose.
- c. The Municipality must make every effort to promote multilingualism on its web site and in its external publications by using all the official languages of the Municipality.
- d. All external correspondence of the Municipality must be translated into the official language in which the original communication was received, provided that an English translation of the document is archived for municipal record purposes and possible legal proceedings. The Municipality must inform the client that the English text will be used in all legal proceedings.
- e. All external documents of the Municipality (and especially letters) must carry a sentence at the foot of the page stating that the document can be made available in any of the official languages of the Municipality.
- f. All municipal documents that need to be archived must, for practical administrative reasons, be available in English as the language of record.
- g. Citizens have a right to communicate in the language of their choice.

## **7.5 Municipal signage**

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

## **7.8 Training at the Municipality**

- a. The medium of instruction for municipal training will be in the working language (English), provided that the principle of functional multilingualism is applied where practicable. A presenter may, for instance, use any of the Municipality's other official languages, depending that notice will be given of the language of training so that students can choose the language of preference. In all circumstances, consideration must be given to the desired outcome, and to effective training.
  
- b. The oral component of any municipal programme or campaign directed at improving the wellbeing of employees must be conducted in the entire official Languages of the Municipality, for example videos for the internal information channel.
  
- c. If a municipal employee must be trained and if that employee is hearing impaired the service of sign language must be made available by the Municipality to ensure proper understanding of the course content.

- d. The Municipality must organize training programmes and refresher courses for its employees to assist in the development of their skills in using the official languages of the Municipality, so that they can render an effective and efficient service to communities.
- e. Translation services must be made available to translate internal training course material into any official language of the Municipality at the request of trainees.

## 8. IMPLEMENTATION STRATEGY

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

- a. The Ekurhuleni Metropolitan Municipality must establish a Language Unit under the auspices of the Executive Director: Corporate and Legal Services as the driving engine for implementing the language policy;
- b. Professional and specialized translators and interpreters must be appointed in such a unit;
- c. The Municipality must establish a panel of interpreters within the Ekurhuleni Metropolitan Municipality to give effect to functional multilingualism.



- d. In designing and building booths for simultaneous Interpretation considering must be given to the International Standards: *International Association of Conference Interpreters: Designing and Building Booths for Simultaneous Interpretation, Guidelines for architects, designers, planners and builders of conference facilities.*
- e. The Ekurhuleni Metropolitan Municipality Language Unit must liaise with PanSALB as well as with:
- The *National Language Forum* , a collaborating network of representatives from government and non-government structures , to assist in the implementation of language policies under the leadership of DACT and ;

## **9 LANGUAGE UNIT**

### **9.1 Background**

The establishment of a Language Services Unit in the Municipality is a core strategy to implement the Language Policy as the implementation of the language policy will result in a substantial increase in the volume of translation, interpreting and production of documents in all official languages. The Language Units will be required to manage the increased volume of work.

### **9.2 Correct placement of language unit**

Nineteen national departments do not have language units although the majority of these departments did have between one and six staff members dealing with language matters. The placement of these language practitioners are according to the "Discussion Document: *Establishing Language Units: The Nuts and Bolts, PanSALB*", as follows:

- Out of the 16 Departments listed, language practitioners in 9 x departments are placed under Communications , 1 x across all departments, 1 x in the office of the DG , 2 x in Human Resources and 3 x in Communications and Corporate and Legal

At Local Government level, Language Units are placed as follows:

<b>Local Government</b>	<b>Department</b>
City of Tshwane	Corporate Services Department: Language Services Section
Ethekewini Municipality	Parks Recreation and Culture
City of Cape Town	Corporate Administration

### **Recommendation**

The Ekurhuleni Metropolitan Municipality establishes a Language Unit under the auspices of the Executive Director: Corporate and Legal Services as per the practice of the City of Tshwane and City of Cape Town.

### **9.3 Functions**

The functions of a Language Unit will primarily consist out implementing multilinguism in the EMM by:-

- a. intra and interdepartmental oral communication in the Municipality;
- b. intra and interdepartmental written communication in the Municipality;
- c. oral communication with the public;
- d. Written communication with the public; and international communication, where applicable.
- e. Facilitating the use of simultaneous and consecutive interpreting services in the official languages;
- f. Advising the municipality on language use (oral and written);
- g. Providing internal translation and editing services;
- h. Drafting, implementing and monitoring an institutional language policy and language code of conduct;
- i. Raising awareness of municipal language policy; and
- j. Establish collaborative partnerships to ensure the successful implementation of the municipal language policy.
- k. conduct regular language surveys and audits to assess the appropriateness of the existing policy and practices of the Municipality and make recommendations for the improvement of the policy and practices;

- k. raise awareness of the policy to ensure compliance;
- l. report annually to the relevant language control bodies, e.g. the National Language Forum and PanSALB, on progress with the implementation of the policy;
  - o monitor the use of the official languages of the Municipality in all municipal departments;
  - o monitor the implementation of the policy;
  - o initiate and sustain a vibrant discourse on multilingualism in all communities;
  - o Initiate studies and research on –
    - the development of the official languages of the Municipality;
    - the attitude of municipal employees and Ekurhuleni residents towards Multilingualism;
    - the acquisition and use of the official languages in the Municipality;
    - the promotion of multilingualism in Ekurhuleni; and
    - the optimization of the use of the language resources of the Municipality and;
- m. Raise awareness among municipal employees and residents of the role of PanSALB as the official watchdog and protector of their language rights, and among departmental and divisional heads of the need to avoid using one language at the expense of the other official languages.

## **10. POLICY REVIEW**

- a. The Municipality must conduct regular internal and external language preference and proficiency audits to determine the linguistic needs and linguistic capabilities of municipal officials and of Ekurhuleni residents.
- b. The Language Unit Section must use the results of these audits to revise and update the policy.
- c. The Language Unit Section will regularly assess the implementation of the policy and effect the required changes.

**11. RESOURCES**

1. Draft Language Policy for the City of Tshwane Metropolitan Municipality, August 2006
2. Establishing Language Units: The Nuts and Bolts
3. Final Draft: Language Policy and Plan for South Africa, Minister of Arts Culture and Heritage, November 2000
4. The First Ten Years of Democracy: Language Policy in South Africa, Department of Linguistics and Literary Science, University of Johannesburg.
5. Language Policy Framework of the Gauteng Provincial Government, Department of Sport, Recreation, Arts and Culture, 14 September 2005
6. Language Policy, 27 November 2002, City of Cape Town .
7. Implementation Plan: Tshwane Language Policy, 2006.
8. Designing and Building Booths for Simultaneous Interpretation, Guidelines for Architects, Designers, Planners and builders of conference facilities, International Association of Conference Interpreters .