

https://dspace.org/

School principals' perception of the progressive discipline of educators in Johannesburg North District schools

Jaffer, Moefiedah

2012-10-08
http://hdl.handle.net/10539/12076

Downloaded from a DSpace repository. https://dspace.org/

Contents

Title i

Abstract ii

Declaration iii

Acknowledgement iv

Acknowledgement v

Glossary of Terms vi

Chapter 1: Introduction to the study 5

1.1 Introduction 5

1.2 Background and Context 7

1.2.1 Policy Framework 8

1.3 Problem Statement 9

1.4 Purpose Statement 11

1.5 Research Questions 11

1.6 Rationale 12

1.7 Chapter outline 13

1.8. Conclusion 14

Chapter 2: Literature Review 15

2.1 Introduction 15

2.2 Workplace discipline 16

2.3 Progressive Discipline 18

2.3.1 Objectives of Progressive Discipline 19

2.3.1.1 Correction 19

2.3.1.2 Compliance 20

2.3.1.3 Deterrence 20

2.3.1.4 Restoration 21

2.4 Factors influencing the effect and perceptions of Progressive Discipline 22

2.4.1 Organisational Justice Practices 23

2.4.1.1 Procedural Justice 23
2.4.1.2 Interactional Justice 27
2.4.1.3 Distributional Justice 28
2.5 Limitations of Progressive Discipline 30
2.5.1 Progressive Discipline as punishment 31
2.6 Alternative / Revisionist Discipline Models 32
2.7 Discipline Management Training 34
2.8 School Management Development and Progressive Discipline 35
2.8.1 The Context 35
2.8.2 School Management and Leadership Development 36
2.8.3 Obligations and Expectations of Teachers 38
2.9 Public Service Employee Discipline Management, Representation and Unionism 41
2.10 School principals' feedback on poor performance 45
2.11 Conclusion 48
Chapter 3: Research Methodology 52
3.1 Introduction 52
3.2 Paradigm 52
3.3 Research Design 54
3.3.1 The Design Choice 54
3.3.2 Reasons for the design 55
3.4 Data Collection 56
3.4.1 Primary Data 56
3.4.2 Secondary Data 57
3.4.3 Sampling 58
3.5 Data Analysis 61
3.6 Validity and reliability 62
3.7 Significance of research 63
3.8 Limitation 63
3.9 Conclusion 64

Chapter 4: Data Presentation 66
4.1 Introduction 66
4.2 Theme 1: Principals' perception of the consistent application of progressive discipline across schools in the district. 68
4.3 Theme 2 - Principals' perception of the effect of progressive discipline on educators' conduct 85
4.4 Theme 3 - Principals' experience of the progressive disciplinary process 96
4.5 Summary of findings 105
Chapter 5: Analysis of Findings 108
5.1 Introduction 108
5.2 Qualitative Data Analysis Process 108
5.3 Perceptions of the consistent application of progressive discipline in Johannesburg North Schools 109
5.3.1 Management of serious misconduct 110
5.3.1.1 Serious misconduct 110
5.3.1.2 Procedure for serious misconduct 113
5.3.2 Management of less serious misconduct 121
5.3.2.1 Less Serious Misconduct 122
5.3.2.2 Procedures for less serious misconduct 123
5.4 Perceptions of the effect of progressive discipline on educator conduct 130
5.4.1 Time delays 131
5.4.2 Harassment and/ or intimidation/ fear and threats 132
5.5 Principals' experiences of the implementation of progressive disciplinary procedure 135
5.5.1 Experiences 'around' the procedure 136
5.5.1.1 Noteworthy Incidents 137
5.5.2 Experiences during the procedure 140
5.5.2.1 Interesting findings 140
5.6 Conclusion 144
Chapter 6: Conclusions and Recommendations 146
6.1 Introduction 146

6.2 Conclusions 146
6.2.1 Serious acts of misconduct 146
6.2.2 Less serious offences 148
6.2.3 Perceptions of the effect of progressive discipline on educator conduct 150
6.2.4 Experiences in implementation of progressive discipline 151
6.3 Recommendations 152
6.3.1 Time Lapse 152
6.3.2 The Discipline Code and Bargaining Council 153
6.3.3 A less adversarial informal discipline policy 154
6.3.3.1 Delegating less serious misconduct 154
6.3.3.2 Discipline Management Skills 155
6.3.3.3 Relations with educator unions and union representatives 155
6.4 Implementation guidelines 155
6.5 Future Research 156
6.6 Limitations of this research 157

Reference ..... a

Appendices ..... f

Chapter 1: Introduction to the study

1.1 Introduction

The indiscipline of educators is a source of outrage and alarm for the profession, administrators and citizens alike. The condemnation that a teacher's sexual assault of an 8 year old or theft of school fees evoke places educators' disciplinary codes under serious scrutiny. Teacher trade unions on the other hand often lead outcries of unfair play against the education department's application of educator discipline in disciplinary or arbitration hearings. This and anecdotes like, "Teachers abandon pupils: Educators attend court case" (Sowetan, 2010, May, 18) highlight the controversies around the discipline management of educators.

In a country such as South Africa that is confronted with governance challenges and societal ills such as rampant corruption and sexual crimes against the young, the basic education sector is relied upon to champion values crucial to good societal function and responsible citizenship that will help combat those ills. Those entrusted with school curriculum delivery and the management thereof are held largely responsible for instilling them in the future citizenry and in so doing are charged with the observation of the highest standards of conduct. Educators and their managers are depended upon for the care and instruction of the young and the institutions that they serve are also generally regarded as the key to political, social and economic growth and development of country and continent. For those reasons anything in that sector that detracts from accepted norms, practices and conduct invites vociferous censure from society.

The consequences of educator misconduct are thus deeply felt at societal, institutional and even personal levels. It not only has the potential to derail effective teaching and learning in the classroom but it may ruin the management structures of entire schools and scuttle the trust and confidence

that the country had placed in a critical professional corps. Evidently educator misconduct is much more than a public policy matter; it attracts the interest of many and is often responded to in very emotive ways.

It stands to reason that good educator conduct and discipline is a key feature of well performing schools and that ‘poor performing schools’ may be associated with poor educator discipline. A school that can rely on a well disciplined educator staff is likely to find it far easier to improve and strengthen classroom curriculum delivery, learner achievement and overall school function and improvement. The monitoring and management of performance of which discipline management is an important part, is understandably a critical feature of what is generally regarded as a ‘good’ school.

To maintain trust and hold educators to the highest standards of conduct, structures such as The South African Council for Educators has been set up and has adopted measures to maintain and strengthen confidence in the education profession and its practitioners. To do the same at institutional level an educator disciplinary code has been developed and legislated. All public schools and provincial education departments across the country are compelled to apply it in cases of educator indiscipline. The manner in which the people responsible for such management at school level, school principals execute that function and the regard they have for the system they are required to use is an important start in the exploration of educator discipline management.

This study is an effort in investigating educator discipline management practice. It is situated in the Johannesburg North District of The Gauteng Department of Education and has used a qualitative, exploratory approach that focused on school principals’ perception of the progressive discipline of educators.

This chapter presents the background, problem and purpose statements of this research and provides the precise research questions that guided this study.

1.2 Background and Context

The Disciplinary Code and Procedures for Educators aims to maintain acceptable standards of conduct of educators employed by the state (Republic of South Africa, 1998). This code forms part of the administrative structures the ANC government put in place between 1994 and 1999 to reassert “control and work discipline in schools” (Fleisch and Christie, 2004:105) and to help schools become institutions of accomplished learning and teaching (November, et. al., 2010).

School principals are at the coalface of what some perceive as the erosion of discipline due to a human rights culture (Samuel et. al. cited in November et. al., 2010) and had to change from reactive managers to human resource leaders confronted with issues such as sexual violence in schools which is a severe impediment to the transformation of schools (November, et; al., 2010). At their side are Institutional and Development Support Officials and Discipline and Dispute Management Officers responsible for school managerial support and formal educator discipline management respectively.

Perusal of unpublished Gauteng Department of Education statistics on formal disciplinary cases conducted from 2007 to 2009 indicates that the number of cases of educator misconduct dealt with formally increased from 9.7 % to 34.3 %. Media reports have also recently revealed a number of serious and less serious allegations of misconduct committed by educators (Eyewitness News, 2010, October, 21).

Formal disciplinary enquiries and informal disciplinary meetings are integral parts of the GDE’s progressive discipline management system. The Gauteng

Department of Education regularly conducts formal disciplinary enquiries for educators employed at public schools to enquire into a range of allegations of serious misconduct. Most of these hearings have found educators guilty of misconduct and have imposed a range of sanctions that include final written warnings, suspensions without pay and fines on those educators. Several educators have also been dismissed from service.

1.2.1 Policy Framework

The legislation, policies and guidelines discussed below forms the framework within which the Gauteng Department of Education manages the discipline of educators. It forms some of the context of discipline management practice in which school principals' perspectives are assessed. It is therefore necessary to understand it.

The Code of Practice for the management of educator discipline at schools is published in The Employment of Educators Act, Act 76 of 1998. Guidelines for its interpretation were provided in Departmental Circular 65/2007 and a manual titled, "The Management of Performance of Public Schools" (Gauteng Department of Education, 2008) was issued to guide school principals across the province in the implementation progressive discipline practice. These documents provide the protocols for school principals on the disciplinary process and procedures for educators employed in state schools. This procedure outlines the types of infractions which may result in informal hearings which would be heard within the school by the principal, and ones which would be heard in a formal enquiry at departmental level. School principals are authorised to conduct disciplinary meetings for less serious misconduct regarded as informal disciplinary meetings and may issue final written warnings or lesser sanctions such as verbal and first written warnings(Gauteng Department of Education, 2007). The department had also trained many principals on the implementation of disciplinary procedures

(Gauteng Department of Education, 2008). The training course and circular detail all the procedural and substantive provisions of formal enquiries and informal disciplinary meetings conducted under the auspices of the Employment of Educators Act. All these documents provide substantial detail on the graduated system of sanctions that make up the progressive discipline system that contemplates correcting misconduct in a progressive way.

1.3 Problem Statement

The Gauteng Department of Education had between 1997 and 2010 disciplined several hundred educators in formal disciplinary hearings. The number of educators that had been subject to formal disciplinary hearings as well as their findings and sanctions are documented in departmental reports. The time taken to investigate and conclude formal disciplinary enquiries as well as the decisions of appeal applications of educators who disputed guilty findings and sanctions are also reported. It is however not known whether the conduct of educators had changed as a result of decisions taken at these formal enquiries. It is neither known whether schools report all or some known allegations of serious misconduct to Gauteng Department of Education offices nor is the extent to which school principals actually use the system of progressive discipline known as comprehensive reports are not available. It is not known how informal disciplinary hearings take place at the school and how misconduct is explored at school before the matter is escalated to the formal enquiry. Where school principals conduct informal hearings at schools it is also not known what the effect of its use is on educator conduct. The effect of formal disciplinary enquiry is also not known. The challenges and experiences of school principals that conduct informal disciplinary hearings are also not known or documented.

This research covers the period 2007 to 2010. Though progressive discipline of educators had been provided for in the Employment of Educators Act

since 1998, there are no records available of its first level of application at the school level. Since only statistical records of the formal discipline of educators are available, it can be reasonably assumed that prior to 2007 the process was only applied in part and only at the formal level. Furthermore the Gauteng Department of Education only provided detailed guidelines for school principals on the application of the progressive disciplinary process in a circular drafted in 2007(Gauteng Department of Education, 2007)and as earlier mentioned training for schools principals was only done in 2008. It can be concluded that presently the health of the progressive disciplinary system for educators in the Gauteng Department of Education is not known.

Basic Education Minister Angie Motshekga's address to the National Council of Provinces blamed poor teacher discipline for the education crises of black children (Motshekga blames poor teacher discipline: 2010, Oct, 21)and is indicative of the level of concern about teacher discipline. Consider also a Teachers' Trade Union's secretary's response to teachers' failure to invigilate a matric school examination to attend a court case: "If the department does not want education disrupted it has to convince the principal to drop the charges. Education will come to a standstill in future court cases" (Teachers abandon pupils: 2010, May, 18). In this case the principal of Senaoane Secondary School was allegedly assaulted by educators.

No doubt the Basic Education Minister is pressured to effectively deal with the teacher indiscipline she identified as the reason for black children's education crises. Martin (2005) conducted a study on teachers' perception of a section of the Educators' Disciplinary Code however; he did not enquire into its actual application, the effects of its use or experiences of the system. Research on the principals' perception of progressive discipline focusing on its application will help determine whether the measure and its underlying assumptions make a noteworthy contribution to teachers' conduct. A discovery of the school principals' use of and their experiences of

progressive discipline will help determine whether the system is in use and will indicate how strong, flawed or weak its implementation is.

1.4 Purpose Statement

The primary purpose of this research is to explore the Johannesburg North District school principals' perception of the implementation of progressive disciplinary procedures for educators in two areas namely: Its consistent application and the effect it has on educator discipline. School principals are primarily and directly responsible for the correction of less serious infractions amongst educators and for the maintenance of first level discipline of educators. This provides them with first-hand experience of the disciplinary code's successes and difficulties in its implementation. They are thus best placed to provide critical insights into the workings of progressive discipline as a means of dealing with educator misconduct and managing performance.

The study is specifically aimed at examining school principals' perception of progressive discipline by investigating the consistency of their practise and reasons therefore in the following areas:

a. The management of serious incidents of misconduct
b. The management of less serious misconduct
c. The effect of the process on educator conduct

A secondary purpose of this research is to document Johannesburg North school principals' experiences when using the progressive discipline management system.

1.5 Research Questions

1. Do principals think that the progressive disciplinary procedure is used consistently in schools in the Johannesburg North District in educator misconduct cases?
2. Do principals think that the use of progressive discipline has an effect on educator discipline at schools in the Johannesburg North District?
3. What are Johannesburg North District's school principals' experiences of the implementation of the disciplinary procedure?

1.6 Rationale

The success of the school improvement project rests on the implementation of curriculum reform but its key variables are the management and administrative structures that control and support those reform objectives. The progressive discipline practice is such a management and administrative instrument and understanding it in its school context will help point to ways in which it can serve effective operation of the school better.

As mentioned little is known about progressive discipline management practice least of all whether it promotes, delays or perhaps even thwarts the educator discipline and conduct needed to support effective school function. Since school principals are its implementers, studying it from their perspective will help harness the knowledge necessary to establish its usefulness as a human resource management tool in its current form. The study will also reveal which aspects hinder and/ or promote its effectiveness and how the practice and policy framework that guides it can best be improved in the Johannesburg North District and possibly in the province. Contributing to knowledge in this way will also inspire further research and deliberation on performance and discipline management that support better school function and improvement.

1.7 Chapter outline

This study is presented in 6 chapters.

Chapter 1 introduced the subject and provided an overview of the background, the research problem, purpose and rationale of the study.

Chapter 2 surveys some of the literature on progressive discipline management by focusing in the differing views on the practice, the factors that influence the effect that it has on workplace discipline and reviewing the practice in a school management and leadership context. It also discusses the implications of the literature surveyed on the current study.

Chapter 3: Research Methodology

The chapter encapsulates an explanation of the research approach and design, data collection and analysis together with thoughts on the research's significance and limitations.

Chapter 4**:** Data Presentation

This chapter presents the data collected from the individual interviews and focus group discussion in the themes that corresponds with the research questions. It is offered in narrative form and direct quotations used are italicised to give the presentation the texture and capture the richness obtained from the respondents' direct speech.

Chapter 5: Data Analysis

The chapter offers a methodical and rigorous analysis and interpretation of the data and presents the results. This presentation is presented in the three categories: The perception of the consistent implementation in its two

phases, the perceptions of its effects and principals' experiences when using the procedure.

Chapter 6: Summary, Conclusions and Recommendations

The conclusions of the data analysis and recommendations for the improvement of policy and practise are made in the final chapter.

1.8. Conclusion

The background, problem statement, purpose and rationale of this study on principals' perspectives of progressive discipline in the Johannesburg North District have been presented in the foregoing chapter. The following chapter surveys the literature relevant to the issues involved in progressive discipline in the workplace and also covers some of the research undertaken in the area.

Chapter 2: Literature Review

2.1 Introduction

This literature review examines some of the existing knowledge on the practice of progressive discipline management (Nueman, 2006). It captures the main arguments for and against the effectiveness of the practice, appraises international trends in the field and scans suggestions on managerial attitudes to the practice.

The review sheds light on a range of issues pertinent to discipline management practice in schools from school principals' perspective. Its exploration of responses to organisation justice practices, challenges to progressive discipline and school principal training and development provides insight into the ways organisations and their managers respond to employee misbehaviours. These focus areas in the literature review allows this researcher to gain an understanding of issues that shape school principals' perception of progressive discipline of teachers. Though the emphasis is on schools the review includes some observations and argument from the private sector as well as in the general public sector.

The literature surveyed expresses differing views on the approach that progressive discipline assumes. These views largely relate to whether progressive discipline adopts a punitive or corrective stance. On the one hand it is argued that progressive discipline corrects employee behaviour in a step by step manner (Basson, et.al., 2005; Grogan, 2001; Ikelegbe and Ofulue, 2006; van Jaarsveld & van Eck, 2005)While on the other hand it is held that it coerces employees into obedience through punishment (Eden, 1992; Grote, 2006; King &Wilcox, 2003; Reeves, 2010).

During this review the nomenclature 'school manager' is used interchangeably with the term 'school principal'. Official department

documents such as draft policy of South African school principalship use both terms when referring to heads of schools. Both terms view the school principal as the individual in immediate authority over all other employees at the school and who is among other things accountable for handling certain categories of employee misconduct.

2.2 Workplace discipline

This section briefly presents ideas on workplace discipline practice and its broad categorisations. It explains the concept of progressive discipline as used in the workplace and discusses its prevalence in workplaces internationally and locally.

There is little dispute that employee misbehaviour has become a costly predicament for organisations, has considerable negative consequence on and detracts from achieving organisational goals (Bharijoo,2008;de Lara & Verano-Tacoronte, 2007; Ikelegbe and Ofulue 2006; Vigode-Gadot,2006). Similarly there is general agreement that effort is required to address employee misbehaviour in ways that will benefit the organisation (Bharijoo, 2008; Cole, 2008; de Lara & Verano-Tacoronte, 2007; Gibson et. al., 2006). Discipline management, though a thorny feature of management practice is regarded as one of several tools to improve behaviours and attitudes (Cole, 2008; Reeves, 2010). Other tools used to change employee behaviours include the use of rewards and "alternative consequences" (Bharijoo, 2008:52) such as "positive reinforcement, negative reinforcement and extinction" (ibid).

Experiments to reduce negative behaviours such as teacher absenteeism reveal attempts to address counterproductive behaviours (Keller, 2008) using "alternative consequences" such as withholding sick pay. Workplace discipline management procedures however are far more established and

are in place in most organisations (Ewards cited in Fenley, 1998). These procedures are generally found in rules contained in employee codes of conduct or disciplinary codes that stipulate expected behaviour and consequences for the breech of these expectations. Codes present formal workplace discipline arrangements made known to all employees. Such arrangements are said to enhance sound employee relations and contribute to organisational effectiveness because it promotes perceptions of fairness by providing “a normative framework for identifying and dealing with problem areas” (Fenley, 1998:350).

Discipline practices have initially adopted one of two broad approaches namely, punitive or corrective. The former enforces sanctions with the view to punish employee misbehaviour while the latter seeks to improve and/ or correct behaviour (Fenley, 1998). The two approaches are respectively connected to what Fenley (1998) terms “hard management” and “soft management”. Proponents of the latter arrangement argue that punitive discipline models fail to persuade employees to change their behaviour voluntarily and are unlikely to bring about behaviours that attain organisational goals (Eden, 1992; Grote, 2006; King &Wilcox, 2003; Reeves, 2010). Punishment, Bharijoo (2008:53) argues “discourages undesirable behaviour but does not directly encourage any kind of desirable behaviour”. While some agree that punishment is often inadequate in modifying employee behaviour (Kerr and Slocum cited in Beyer and Harrison, 1984) it is nevertheless regarded as at times “necessary to discourage undesirable/negative behaviour” (Bharijoo, 2008:52). These views and the way they relate to progressive discipline will be discussed in greater depth later in this review.

I note however that the punitive and corrective discipline models do not necessarily present two entirely and mutually distinctive approaches to employee discipline. The two approaches also do not necessarily fit neatly in

the ‘hard’ and ‘soft’ management styles. This is apparent as the critique of the two approaches developed and as the framework from which the models are discussed is considered. This will be further discussed in the section on management development.

Fenley (1998) mentions that a third model, a “revisionist” approach to discipline developed as criticism of the punitive and corrective approaches extended. This method regards any form of punishment and threat as “counterproductive” and therefore does not use it. In the event of misbehaviour the “employee is enticed into adherence by the supervisor who seeks to obtain a reaffirmation by the employee to the rules and policies of the company” (ibid: 354). This approach will also receive more attention later in the review. Gibson (2006) simply regards this as “non punitive” with the crucial difference between it and a traditional progressive system being “paid decision making day off work” (ibid: 7) rather than suspension without pay.

2.3 Progressive Discipline

Progressive discipline was a “response to a call for a “just cause” method to terminating employees” (Gibson, 2006:6). It refers to the process used to manage employee discipline before dismissal is considered. It is defined as “incremental discipline” in which “penalties for misconduct get progressively harsh if the employee fails to meet the expectations of the employer” (Chelliah & Pitsis 2010:93). The employee conduct it sets out to address includes failure to “meet the performance standards and failure to behave in accordance with the organisation’s policy” (ibid). Key principles underlying its implementations are “consistency, warning, clarity and immediacy” (Gibson, 2006:5). This means that the problem must be made known to the employee as soon as it is known to have occurred, the wrong doing must be made clear, the discipline must be done quickly and similar measures must be taken for similar misdemeanours (ibid). These principles are adopted the

South African Labour Relations Act of 1995 as well as in the Code of Discipline for Educators contained in the Employment of Educators Act, Act 97 of 1998. The latter statute regulates employment conditions for educators at public schools in South Africa (Republic of South Africa, 1998).

2.3.1 Objectives of Progressive Discipline

Progressive discipline explicitly aims to correct employee infractions of rules or codes of conduct and to bring about compliance to rules. Other objectives such as deterrence are implicit while restoration as an objective features minimally and has little scope in the concept and practice. Each of these is briefly discussed in turn.

2.3.1.1 Correction

Progressive discipline management is regarded as an attempt to correct the behaviour of the employee subjected to the procedure and to deter other employees in the organisation from repeating misbehaviour (Eden, 1992; Gibson, 2006; Ikelegbe and Ofulue, 2006 ;). In so doing it provides "employees with an opportunity to remedy their shortcomings" (Chelliah and Pitsis, 2010:93).

Some of its corrective power lies in the graduated and ordered way in which the employer expresses dissatisfaction with the employee (Basson et.al. 2005; Grogan, 2001; van Jaarsveld & van Eck, 2005). By increasing the sanction in a graduated system of counselling and warnings with recurring misconduct and with the severity of the misconduct, the opportunities to correct behaviour is provided and an incentive to alter conduct contained is offered (Eden, 1992; Chelliah & Pitsis, 2010; Gibson, 2006; Reeves, 2010; Van Der Bank, et.al., 2010).

In South Africa progressive discipline is not only legislated but the view that progressive discipline is corrective is also the 'official' one. The Code of Good Practice: Dismissal contained in Schedule 8 of the Labour Relations Act, presents guidelines to all employers in dealing with disciplinary procedures at workplaces. It provides an endorsement of progressive discipline as an effort to "correct employee behaviour through a system of graduated disciplinary measures such as counselling and warnings" (http://www.labourguide.co.za/workplace-discipline/code-of-good-practice-dismissal-general-461).

2.3.1.2 Compliance

Progressive discipline primarily considers "whether rules or orders are reasonably related to the efficient and safe operation of company business" (Fenley, 1998:353). Disciplinary action is taken when managers are "willing and able to show that a violation has occurred" (ibid). The underlying assumption is that the rules and codes developed is in the interest of the organisation and where these rules are violated it threatens the well-being of the organisation necessitating immediate, consistent, clear and incremental action. In South Africa the efficiency of the organisation in employment legislation including affirmative action legislation is highly valued (Dupper & Garbers, 2004). The human resources functions of the organisation including disciplinary action, selection and recruitment, affirmative action etc. must guarantee and protect efficient operations. In so doing compliance with rules made to protect this ensures organisational survival and the advancement of efficiency. As has been pointed out progressive discipline is officially sanctioned in the Labour Relations Act. The employee's compliance with rules aimed at operational efficiency is paramount.

2.3.1.3 Deterrence

The deterrent effect of progressive discipline essentially lies in the social effect which some argue is directly related to its punitive nature (Eden, 1992). A sanction that is imposed on an employee is regarded as an obvious gesture to the misbehaving employee that his or her behaviour is unacceptable and serves as a disincentive for the same and other employees to commit misconduct. By enforcing an adverse consequence for unacceptable behaviour e.g. demotion, it "primarily discourages undesirable behaviour" (Bharijoo: 2008:53).

2.3.1.4 Restoration

Progressive discipline does little to restore harm done as Salin (2009) contends. He suggests that disciplinary procedures taken against an offender in the workplace "may be important in restoring a victim's belief in justice" (Salin, 2009: 30). It also sets out to 'restore' conduct to acceptable standards but it only places in focus the misbehaving employee and does little for the victim (ibid) where one was harmed. The system apparently does not make an effort to heal the hurt that may have been caused other than to enforce a sanction against the offender. It neither allows "victims to express the impact of the crime [offence] on their lives" (Duncan, 2011:15) nor creates opportunities for "the offender to fully appreciate the impact and the effect his or her behaviour has on the victim" (ibid). This illustrates that in this sense it relies on traditional punitive measures that "rarely repairs loss of dignity" (Duncan, 2011: 20) in workplace misconduct such as for example bullying.

Progressive discipline has settled as a common system in handling discipline across public and private organisations. The practise now prevails across the Western world in service and production industries (Chelliah & Pitsis, 2010). It is however not limited to the western world. As has been shown, state departments and schools in South Africa have also adopted this workplace model of discipline. Legislation and Disciplinary Codes for Educators at

schools in Zimbabwe, Botswana also uses progressive disciplinary methods (Martin,2005).

The international, regional and local prevalence of the progressive discipline practice across workplaces may be indicative of the extent of its official acceptance. But neither its prescription in codes and legislation nor its endorsement in courts reveal much of the actual implementation, experiences and perceptions. Progressive discipline is an attempt to bind employees to the rules that guide their behaviour for the continued survival and success of the organisation. In a school context a corrective discipline approach is particularly important as the process may serve the development and protection of educators and learners. The latter could learn useful life's lessons from attempts to correct behaviour. However as a human resource practice and a "behaviour modification" technique progressive discipline is contested.

It is reasonable to assume that all players in school communities desire an ordered environment to support teaching and learning. It also stands to reason that various role players are more than likely to have differing experiences and perceptions of the procedure, the way it's implemented and its contribution to school management practice as well as the transformation effort in South African Basic Education. Regular and continued focus on educator misconduct in South African Schools raises serious questions about the success of the procedure.

2.4 Factors influencing the effect and perceptions of Progressive Discipline

Below the concept and features of organisational justice is explained and are considered in relation to progressive discipline. The section further explains

perceptions of and responses to the implementation of categories of organisational justice.

2.4.1 Organisational Justice Practices

The ethical and fair treatment of employees are regarded as crucial for effective and efficient organisations and is a fundamental theme in employee discipline

(Van der Bank et.al., 2010). These ideas and practices are expressed in the term “organisational justice”. This concept encompasses the customs and rules according to which decisions within the organisation is made. The terms procedural, distributive and interactional justice broadly represents the different categories of organisational justice, each representing various characteristics of the concept (Cole, 2008; Inayet & Karaman-Kepenekci, 2008; Van Der Bank, et. al.2010).

The process and method embarked upon to reach a decision particularly those that affect employees, is at the core of procedural justice. The rules and characteristics contained in procedural justice encompass impartiality, clear and accurate information and opportunity to correct procedures (Leventhal cited in Inayet & Karaman-Kepenekci, 2008). Interactional justice relates to the interpersonal treatment which is regarded as fair when courtesy, respect, reasonability and dignity is upheld when decisions are made and communicated (Cropanzano cited in Engelbrecht et. al., 2008**,** Greenberg cited in Inayet & Karaman-Kepenekci, 2008). Distributive justice involves an individual perception of the balance and fairness of an outcome or decision when compared to outcomes of other employees (Folger and Cropanzano cited in Inayet & Karaman-Kepenekci, 2008).

2.4.1.1 Procedural Justice

Progressive disciplinary procedures adopt an arbitral perspective to address misconduct and uses punitive measures of diverse degrees that some view as arguably corrective (Eden, 1992; Gibson, et. al, 2006; Grote, 2006; Ikelegbe & Ofulue 2006; King & Wilcox, 2003; Reeves.T.Z., 2010). Its effect on employee conduct is largely explained in its adoption and use of various forms of organisational justice in its administration. The system's reliance on procedural fairness in an arbitral process is said to contribute to employee 'compliance' (Basson, et.al., 2005; Eden, 1992; Grogan, 2001; van Jaarsveld & van Eck, 2005). Where procedures "embody certain types of normative accepted principles" (de Lara & Verano-Tacoronte, 2007:718) such as consistency, good information, the opportunity to correct a bad decision and ethics, people accept the outcome and avoid misconduct (Jahangir, et.al., 2005).

The procedures used in the progressive discipline practice also provide the employee with a chance to respond to allegations, gives an opportunity to the employee to defend and/ or provide mitigating circumstances for the commission of the offence. This chance to explain is an "opportunity for voice" which leads "to higher perceptions of procedural justice than no opportunity for voice" (Jahangir, et.al., 2005: 19).It does not place the employee in control of the decision but the opportunity to "voice" improves perceptions that a fair decision will or has been made (Lind, Kanfer and Earley cited in Jahangir, 2005) and enhances trust in the authority (ibid) that implements the practice. These procedural elements bode well for perceptions of fairness and perhaps even actual change that progressive discipline can deliver.

Progressive discipline practice's reliance on exacting procedures has been found by those cited above to have prevented misconduct and to have toned

down perceptions of unfairness. However teacher misconduct remains widely reported in the general South African media and public speak and this leaves little indication that misconduct in the fraternity has abated or that teachers avoid it for the above or any other reason. From school principals' perspective, the extent to which procedural or any other justice practice leads teachers to accept the outcome of disciplinary procedures and avoid misconduct is not known. An exploration of school principals' experience of progressive discipline will help fill this gap and help with the formulation of recommendations to strengthen discipline management practice that leads to the avoidance of misconduct.

Where reasons for decision are provided incidences of theft decreased (Victor cited in Jahangir et. al, 2005). In serious incidences of misconduct, "higher procedural justice result in less theft associated with inequitable underpayment"

(Greenberg cited in Jahangir, et.al 2005:20). Little certainty exist that this is the case as it relates to serious incidences such as theft in schools. The Gauteng Department of Education's record on formal charges of misconduct levelled against educators and principals show that numerous cases of financial mismanagement have been heard. The scant records of informal cases show attempts by some principals to handle such allegations internally and in some instances reveal what may be regarded as lenient decisions. In addition during 2007 and 2010 teachers participated in protracted public service strikes over salary demands. The salary disparity between executives and teachers featured prominently in the slogans and placards captured in the media. Whether it is procedural fairness that results in less theft in this context and or whether it is a lenient decision and a lack of formal procedures that is regarded as more fair remains to be discovered. This study may reveal whether or not the prescribed procedures are used in

schools where such allegations are made as well as the extent to which the context is considered and what leads to greater perception of fairness.

The point in the literature surveyed in this section is that the negative effect of disciplinary procedures can be mitigated by high levels of procedural justice (Cole, 2008; Jahangir et. al., 2005). This is explained by the trust that employees has in the authority that made the decision. This trust as found by Van de Bos. et al. (cited in Jahangir et.al., 2005) is brought about by the procedures that the authority had used and which were judged as trustworthy. Procedural justice therefore generates confidence in the authority and individuals were found to "react positively" to that authority they regard as trustworthy (ibid, 2005:18). This is supported by (Konovsky cited in Jahangir, et. al., 2005:20) that "procedural justice has strong effects on attitudes about institutions and authorities."

The procedures regarded as 'due process' embedded in progressive discipline, positively influence employee conduct as well as "reduces incidences of wrongful termination litigation into the disciplinary process" (Falcone, Mader-Clark Guerrin cited in Wilbur, 2010). However due process alone does not render the employer free of the risk of litigation. Disciplinary procedures often included in employee handbooks are viewed as "implied contracts" which restricts the employer's discretion to discipline employees. Employers must also show "good cause" to discipline employees resulting in a more onerous responsibility for employers in labour disputes and litigation conducted in terms of Labour Legislation (Reeves, 2010; Republic or South Africa, 1995; Parry, et.al cited in Wilbur, 2010). Good reason and fair procedure are therefore the dual pillars of fairness adopted in workplace discipline management.

The above discussion outlined that procedural fairness is "conceptualised in terms of structural elements such as organisational rules and policies"

(Greenberg & Lind &Tyler cited in Jahangir et. al., 2005: 19) and is a contributor to ‘good behaviour’ (de Lara & Verano-Tacornonte, 2007; Skarlicki & Folger, cited in Jahangir et.al., 2005). Employee responses to other organisational justice categories as contained in the literature are now explored.

2.4.1.2 Interactional Justice

Distributive and interactional justice has also been found to influence perceptions of fairness of disciplinary action and contribute to the corrective effect of the disciplinary process in the workplace (Ball cited in Cole, 2008). Each is used to manage and influence “employee perception of disciplinary fairness” and to “minimize the severity of negative responses” (Cole, 2008:108) hence facilitating behavioural change.

In a study of 1449 participants who were “randomly assigned to judge 72 scenarios” the explanations managers use for discipline imposed were found to “enhance perceptions of fairness in employee discipline” (Cole, 2008:115). It indirectly supports (Bies et.al. cited in Cole, 2008) that explanations temper employee anger and conflict however, its positive effect is not guaranteed. For the mitigating impact of the explanation to be significant, the employee must find the explanation adequate and view the manager as sincere. The impact is insignificant if explanations attempt to exonerate the manager or deny his/her responsibility to discipline (Cole, 2008). Since progressive discipline employs a graduated range of ‘punishments’ related to the type of misbehaviour, lesser misconduct should be met with lesser punishment. However employees’ perception only agree with serious outcomes for serious infractions but perceive decisions to discipline for less serious misconduct as less fair (ibid). Progressive discipline is thus only in part seen by some to be fair.

The key issue here is this: A fair procedure does not always lead to the acceptance of the outcome. A range of variables that include perceptions, culture, ideas on morality and values all which are beyond the process itself impact on it.

2.4.1.3 Distributional Justice

The distributive justice dimension of progressive discipline also involves its consistent application and decision making which can enhance the perception of fairness in disciplinary management and is a key component of substantive fairness (Cole, 2008; de Lara & Verano-Tacoronte, 2007; Jahangir et.al., 2005,Wilbur, 2010). Consistency requires supervisors to apply disciplinary measures in similar ways in circumstances that are akin and calls for sanctions to be consistent with both the nature of the undesired behaviour and the sanctions given to others (Cole, 2008, Jahangir et; al.; 2005, Wilbur, 2010).

Consistency is however juxtaposed with the 'opportunity for 'voice'. The latter may deliver greater flexibility in decisions and be more reasonable but could compromise consistency and reduce perceptions of fairness (Cole, 2008). Similarly, differing decisions between managers which given different circumstances may also be more sensible could also be viewed as arbitrary and unfair, placing the manager in an unenviable position (ibid) if challenged. For example a manager is less likely to issue a final written warning to a diligent worker who did not make a deadline than to a worker who is less conscientious and did not make a deadline. Supervisors were found to identify problem employees in differing ways and the varying sanctions that result have been significant (Cole, 2008). Her empirical exploration of disciplinary measures given similar incidents, found little consistency between supervisors, showed little evidence that supervisors adhere to

guidelines for specific sanctions and allowed employee 'voice' to contribute to the inconsistency.

Conditions such as impaired working relations and participative management style are suggested as possible reasons therefore (ibid). It is particularly noteworthy that in Gauteng public schools principals though guided by the same guidelines (Republic of South Africa, 1996; Republic of South Africa, 1998; Gauteng Department of Education, 2007) operate in different localities -schools and are virtually autonomous in their respective schools. This researcher regards this as significant and a possible contributor to inconsistency in disciplinary decisions. The study referred to in this section illustrates that absolute consistence is impossible but that striving for it must take into account the different circumstances that prevail in each case.

Progressive discipline systems allow employees several opportunities to improve and they are also beforehand fully informed on what the process involve and are aware of the gravity of recurring violations. It is this awareness and graduated character of progressive discipline that is generally regarded as reasons for its success in changing workplace behaviour (Bassoon, 2005; Grogan, 2001; Cole, 2008, Falconer, 2002, Geoffrey and Helms 2001, Hasting 2010c cited in Wilbur, 2010).Wilbur's study of the effect of progressive discipline in the contemporary workplace and its ability to change problematic behaviour confirms this. Her findings reveal that progressive discipline is more effective than predicted at improving and modifying employee behaviour in the surveyed organisations and also revealed that managers are satisfied with the progressive disciplinary process. However, since not all the organisations surveyed use progressive discipline, their satisfaction appear to be linked to "other factors related to the application of discipline" (Wilbur, 2010:41) .The implication thereof she suggests is that organisations apply various aspects of organisational justice in the administration of discipline (ibid). Evidently the

mitigating effect of progressive discipline may be attributed to the degree to which it implements dimensions of organisational justice rather than the progressive, graduated way in which its sanctions responds to misconduct.

The literature reviewed in this section provides some reasons progressive discipline is the preferred and established form of discipline management in the South African workplace. This writer is aware that much of the literature surveyed thus far largely draws from the private sector. It is reasonable to accept that similar arguments are applicable to discipline in the public sector. In the coming sections of this review some references are made to discipline in the public sector.

The progressive discipline practice has its foundation in the White Paper on Human Resource Management in the Public Service (Department of Public Sector Administration, 1995), maintains that the Labour Relations Act defends procedural and substantive fairness (Republic of South Africa, 1995) and that progressive disciplinary systems strictly apply these concepts.

2.5 Limitations of Progressive Discipline

The achievements of progressive discipline of employees may be ascribed to the organisational justice practices. However, some arguments suggest that the concept is not the panacea to employee discipline problems and that it does not present a shift from conventional thinking and practices on discipline.

Among the challenges levelled at progressive discipline are: (a) Despite its claim to correct it essentially enforces sanctions to punish employee misbehaviour permanently; (b) The series of graduated sanctions are applied mechanistically; (c) It fails to change behaviour; (d) It is an exercise in employee control and (e) It raises levels of anxiety and fear amongst employees.

2.5.1 Progressive Discipline as punishment

This critique presents that progressive discipline has a traditional understanding of discipline that relies on punishment for behaviour that does not conform to expectation. Critics argue that describing progressive discipline as 'corrective' discounts the system's use of punitive measures in its range of sanctions (Eden 1992, Grote, 2006, King & Wilcox, 2003). It is also charged that it "softens or disguises the pain of punishment by describing it more beneficially" (Adams cited in Eden 1992:514) and thus downplays the punitive elements of progressive discipline. Though a kinder, gentler form of disciplinary action it "is still punitive in practice and has no inherent effort to teach an employee the reasons his behaviour or performance should improve" (Reeves, 2010:6). Progressive discipline works only insofar as it "punishes people into compliance" (Grote, 2000:12) and conformity to workplace norms (Eden, 1992).

Some authors suggest that the fundamentals of progressive discipline "legitimises the punishment of behaviour" (Chelliah and Pitsis, 2010:97) and fails to bring about genuine commitment which is the "primary impetus that drives innovative public service" (Grote, 2000). These arguments thus fault the ineffective consequences of punishment and highlight disadvantageous effects (Bahrijoo, 2008; Grote, 2006, King & Wilcox, 2003).

The graduated nature of progressive discipline is viewed as meticulous and "calibrated punishment" only done to eventually get rid of an employee whose bad behaviour is recurring and for this approach it slated as mechanistic. Behaviour modification perspectives on the other hand are hailed for its organic approach that permanently changes behaviour through methods other than punishment. The changed behaviour brought about by punishment is likely to be short term and done only to meet management's expectations (Bharijoo, 2008; Eden, 1992; Grote, 2000; Reeves, 2010).

Furthermore, when viewed through a “power lens” it remains an overt form of punishment and a “simplistic extrinsic form of motivation” (Chelliah & Pitsis, 2010:98) which increases employee anxiety and dissatisfaction at work and is unlikely to succeed as a form of employee control.

Van Der Bank, et. al. (2010) in their study bear out the contention that progressive discipline measures evoke negative emotions. Respondents in their study of progressive disciplinary procedures in the South African Public Service expressed their experiences of the disciplinary procedure of their respective organisations as “traumatic”, “stressful” and “frustrating” (ibid:4). These sentiments were corroborated by respondents in their “experts” group. Progressive discipline also tends to be implemented in an uneven handed manner. Chelliah & Pitsis (2010) found in their exploratory study that “progressive discipline predominantly affects lower level occupational groups” (2010:106) and that knowledge workers whose skills are highly sought after may not respond to traditional progressive discipline.

These critiques ushered in ideas on what is billed as ‘alternative’ or “revisionist” (Fenley, 1998) approaches to deal with employee misconduct.

2.6 Alternative / Revisionist Discipline Models

Grote (2000) regards discipline management as another type of performance management system used “when Charlie and Jane drop the ball and creates problems on the job” (ibid: 2). This management of discipline like performance management endeavours to bring about “behaviour modification” i.e. the use of techniques “concerned with making employee behaviour productive and supportive by manipulating their consequences” (Bharijoo: 2008:51) using reinforcement theory. These alternative discipline systems also known as “revisionist models” (Fenley, 1998) are described as non punitive, positive, participative, less severe and have emerged out of

criticism “of corrective and punitive models (ibid: 354). They rely on positive and negative reinforcement to handle deficiencies in performance (Bharijoo,2008).

Some authors indicate that variants of these models such as employee proposed discipline systems are more likely to deliver organisational benefit as it “encourage workers to take responsibility for their actions and allows them to propose their own actions” (King & Wilcox, 2003:198). This process encourages integrity and “a belief in adequate self respect” (Fenley, 1998:354) rather than rely on punishment. Even the termination of service is not regarded as punishment but rather “recognition that the employee lacks self-respect and therefore that his future behaviour is going to be troublesome and contrary to the legitimate aims of the company” (Huberman cited in Fenley, 1998:354). Employee accountability and corrective counselling are cited as positive features of this method (Guffrey and Helms cited in Wilbur, 2010) and is lauded it for the empowerment and improvement effect on the employee. They add that a participatory approach allows for swift responses in dealing with problems and its focus on continuous improvement help create a responsible employee (ibid).

Likely consequences are that management and employees are less likely to avoid it, it is unlikely to cause negative sentiments, it does not rely on the use of authority and it is less likely to be abused (Eden, 1992; Grote, 2000 & 2006; King & Wilcox, 2003). In this way the manager protects the employee’s well being and conflict is less likely to arise (Fenley, 1998).

Contrasted with progressive discipline, variations of this model of discipline is said to address performance promptly, counsels rather than punishes to correct, treats the employee like an adult in its use of horizontal communication and is concerned with going forward rather than reactive (Eden, 1992; King & Wilcox, 2003).

Grote (2000) finds this approach compelling. He holds that though positive discipline and employee-proposed discipline disposes of the exacting procedure contained in progressive discipline it still passes the legal test since "it looks good to a jury " (ibid:15). Its adherents are particularly convinced that this way of maintaining discipline leads to employee commitment that is beyond mere compliance.

There is some indication that certain public services in the United States lead the way in its application of alternatives to the classical progressive discipline in their workplaces (Grote, 2006).

2.7 Discipline Management Training

Managers' skill in the application of disciplinary procedures is a constant theme in discipline management literature (Cole, 2008; Gibson, et. al., 2006; Nitsch et. al., 2005, Reeves, 2010). It is broadly accepted that managers can benefit from training that creates greater awareness and skill in handling the complexities of employee perceptions of the fairness of discipline. An exploration of organisational justice in schools concludes that the preparation of school principals requires greater emphasis to be placed on " the concept and practices of justice, the mechanisms, principles, rules of justice distribution and the aspects to be taken into consideration in rectificatory justice practice" (Aydin & Karaman-Kepenekci 2008:510). Since rectificatory justice incorporates the "practise of enforcement for actions against the law" (ibid:500) the principals' preparation therein is deemed important for organisational justice in general and discipline management in particular.

To assess the preparedness of Gauteng School principals' development and training specifically related to progressive discipline a close look at the effort and institutions is necessary. This is done in the next section.

2.8 School Management Development and Progressive Discipline

2.8.1 The Context

The Gauteng Department of Education's approach to training and development of school principals takes place in the context of New Public Management principles adopted in the South African Public Service where the devolution of authority to corresponding management responsibility and public accountability structures with an emphasis on "competitive public service administration" is sought. This usually involves cutting cost through downsizing staff (Department of Public Sector Administration, 1997). The Employment of Educators Act has devolved some authority to principals, authorising them to conduct disciplinary meetings for less serious misconduct (Republic of South Africa, 1998). It is reasonable to conclude that as occupational demands on school principals have increased the need for managerial training and development has intensified. There appears however to be general consensus that South African Provincial Education Department's training focus for school principals on policy changes did little to influence actual school management practice (Bush et. al., 2006). This seems to replicate international studies that found school management development programs as "little more than grab bag of survey courses" (Levine, cited in Cowie & Crawford, 2007:132) of questionable quality and relevance.

In 2002 the Gauteng Department of Education registered the Matthew Goniwe School of leadership and Governance a Section 21 company, which now serves as its "first option service provider" in the development of school management and governance (Routledge, Modise, Moss, & Morris, 2006). Principals that attended the school's Advanced Certificate in Management and Leadership program suggest that their expertise has grown in various areas and better relationships have been fostered within the school

community (Mestry & Singh, 2007). Organisational justice and discipline management however do not receive much emphasis in the course structure. This leaves discipline management training in the hands of officials of the Gauteng Department of Education.

In an evaluation of the outcome of labour relations training for school principals which included training in progressive discipline management, a significant number of respondents felt that educators are not disciplined in their institutions and that educator misbehaviour are not dealt with in their institutions (Matubatuba, 2008). The findings reflect significant dissatisfaction among educators with school principals' competence in the implementation of the Code of Discipline for Educators and most respondents felt that principals require formal training to gain knowledge and confidence in that area (Matubatuba, 2008). There is little indication that the Gauteng Department of Education's training and development, have equipped school principals with the conceptual knowledge in fair decision making or that their skills in the "mechanisms, principles and rules that are necessary for justice distribution" (Aydin & Karaman-Kepnekci, 2008:510) and rectificatory justice practices have improved.

2.8.2 School Management and Leadership Development

Discipline management approaches are according to Fenley (1998) associated with particular styles of management. This section continues the focus on the context in its brief survey on current approaches to school management and leadership and its implication for progressive discipline management of teachers in schools.

The South African Basic Education sector recognises the strategic importance of leadership development necessitated by various difficulties ranging from the lack of basic management competencies to poor

recruitment criteria for school principals (Bush, et.al. 2006). Added to this are the skills needed to adopt the wide ranging conceptual changes and approaches to school management. This include forms of management development that includes motivational approaches that allow individuals to foster "self-efficacy" through "positive feedback, role modelling, encouragement, support and good organisational ethos and personal ethic" propagated as critical elements of school management (Cook, 1997:289). This supports ideas that "interpersonal competence" is the decisive factor in successful management (ibid). The effective management of relationships is also amongst a list of critical imperatives of school management and the "competence empowerment" project (Cook, 1997:289).

This approach to leadership is a formulation that "tends toward collegiality and openness" (London, 2004, 481) embracing shared management that places in sharp focus human relations, democratic interaction, consultation and partnership that "define a new behavioural approach" (ibid). School principals no longer have fixed roles but are required to have integrated perspectives that "concentrate on the people and relationships in order to win cooperation and commitment" (Huber, 2008: 166). These conceptual changes extend to the school inspectorate representing a shift from the "inspection" of the earlier years on fault-finding missions out to discipline and punish which "generated an atmosphere of fear and apprehension leading to unjustified stress and anxiety among teachers" (London, 2004:481).

The approach to management clearly has implications for discipline management of teachers. The new behavioural approach outlined above is unlikely to be compatible with punitive disciplinary practices supported by "hard management" in which "employers enjoy a strong discretionary element" (Fenley, 1998:352). The new management movement is far more likely to require discipline practice that similarly values and reinforces relationships, is negotiated and shared and reaches "agreement on a viable

solution to problem behaviour" (Gibson, 2006:6). If progressive discipline is in essence punitive as some have argued and if Van der Bank et al (2010) findings that it causes anxiety and stress amongst employees are confirmed in schools, it may flow that progressive discipline is unlikely to be successful in an environment where cooperation and commitment of employees is won through relationships (Huber, 2008).

School principals in South Africa remain inadequately prepared in leadership and management (Mestry and Grobler 2002 cited in Bush, et. al. 2006). It holds that they are not sufficiently able to lead and manage schools using the new behavioural approaches for principals as defined in contemporary literature and as the sector envisages. Furthermore it is apparent that the Gauteng Department of Education itself has inadequately trained and do not sufficiently support principals in discipline management. Both are likely to severely affect principals' perceptions of the value of progressive discipline itself.

The next section considers teachers' formal duties and 'citizenship' duties they are required to perform. It argues that the drive to improve basic education increases the tension between the two and compounds the already difficult terrain of teacher discipline management

2.8.3 Obligations and Expectations of Teachers

A common definition of 'commitment' which Grote (2006) suggests is needed in a public service with pioneering characteristics, can be likened to an expression of 'good organisational citizenship behaviour'. It is regarded as employees' discretionary, spontaneous, voluntary, altruistic gestures valuable to the organisation but not obligatory since it is neither included in a formal job description nor compensated (Bateman and Organ cited in Vigoda-Gadot, 2006). In a school context these include "helping behaviours"

such as preparing special assignments for learners and working on improvement in pedagogical matters to lead to greater organisational success. (Belogolovsky & Somech, 2009; Vigoda-Gadot, 2006). Viewed from this positive perspective procedural and distributive justice practices as defined and earlier discussed have been found to lead to increased levels of 'good organisational behaviour '(Pugh cited in Vigoda-Gadot, 2006).

Its direct opposite is "organisational misbehaviour in the form of intra and inter personal misbehaviour, production misbehaviour and property and political misbehaviour that harms the organisation" (Vardi and Weitz cited in Vigoda –Gadot, 2006:79). Some of the above categories are misconduct which in South African schools the principal is entrusted to deal. The causes of misconduct particularly that of teachers and by implication the way it is managed become more complex when 'organisational citizenship behaviour' is viewed from its 'darker' side.

It is increasingly seen as 'compulsory citizenship behaviour' which emerges as a consequence of managers' use of social persuasion theory as they succumb to market and social pressure to perform. These behaviours are no longer of the employees' choice but regarded as the consequences of abusive managerial behaviour which makes demands that the employee is unable to refuse (Vigoda-Gadot, 2006). Thus the boundaries of 'good organisational citizenship' behaviour have been blurred (Spector & Fox, 2010; Vigoda-Gadot, 2006) as organisations and their managers have widened "the definition of formal duties into the informal area of good will and put unfair pressure on subordinates to undertake heavier workloads" (Vigoda-Gadot, 2006:84). Economic recession and large scale unemployment increases unreasonable expectations which "fosters the culture of overwork with little regard for employees' work-life balance" (Petre cited in Chelliah & Pitsis, 2010:100). It also illustrates the inequality of power in the employment relationship that may give rise to sentiments of unfairness

and dissatisfaction among employees as managers use their powerful positions in the organisation to determine which aspects of a job is formal and enforceable and which not (Chelliah & Pitsis,2010; Spector & Fox, 2010;Vigoda-Gadot, 2006). In this instance interactional justice has been compromised and the likely consequence is “counter productive work behaviour” with negative consequences for the individual and the organisations.

The blurring of core duties and extra roles resonate particularly with teachers (Belogolovsky & Somech, 2010; Vigoda-Gadot, 2006). Though teacher organisational citizenship behaviour is largely a subjective construction determined by personal, organisational and leadership factors (Optlaka, 2006) a substantial amount is “ideally constructed to be part of a teacher’s extended role definition in large scale reforms of the 1990’s” (ibid, 2006:414) and may be considered compulsory organisational citizenship behaviour. This behaviour may therefore not only be initiated by the abusive manager phenomenon as suggested by Vigoda-Gadot (2006). In addition to class teaching and learner assessment, teachers are compelled to perform numerous ‘pastoral duties’, supervise learners during their breaks, organize school concerts, coach sports, participate in school governing bodies, etc. (Republic of South Africa, 1998).Failure to do so may be regarded as misbehaviour and leads to charges of misconduct with ‘corrective’ sanctions where progressive discipline management is preferred.

The Gauteng Department of Education’s teacher disciplinary records show that a range of sanctions have been issued against teachers that have failed to perform ‘pastoral’ and similar duties. For example disciplinary action has been taken against educators for failing to keep proper record of money collected from learners or for failing to perform break or scholar patrol duty. Though research on discipline has broadened to include contextual factors that impacts on discipline decisions (Cole, 2008), literature on discipline

management in the context of teacher “compulsory citizenship behaviour” is extremely difficult to find. The two types of behaviour - formal tasks and citizenship are different and face different research issues. Though this study is limited to the formal task behaviour it may reveal the extent to which citizenship behaviour has become embedded in the task behaviour and show attempts to enforce them through progressive disciplinary measures.

In the South African school context principals are under enormous social and political pressure to deliver ‘success’ in the form of improved learner pass rates. To this end teacher pastoral duties and various Gauteng Department of Education ‘interventions’ such as ‘school improvement’, school readiness and planning programmes that require compulsory teacher and principal participation are underway (Creecy,2011). In considering the effect of progressive discipline it is useful to explore whether the decision to discipline and responses to disciplinary measures are influenced by these ‘duties’.

It may be concluded that in a schooling context where as some has observed there is little regard for work-life balance and where there is increased employee dissatisfaction with job load, counter- productive behaviour presents a particular challenge to any employee discipline management system.

2.9 Public Service Employee Discipline Management, Representation and Unionism

The South African Labour Relations Act accords rights and sets up structures for employees and employers to “co- determine” workplace decision making and operations and attempts to minimise confrontation as it accords legitimate roles and rights to union representatives (Republic of South Africa, 1995). The intention of the progressive discipline system endorsed in the legislation and the procedural and substantive justice ideas and practices

built into it in may contribute to discipline management as a collaborative effort.

Unlike the private sector, progressive discipline management procedures in the public service in the United Kingdom are markedly more formal, complex and quasi judicial (Saundrey et. al., 2011) and have important consequences. Similar sentiments have been expressed about the procedures prescribed to discipline public servants in South Africa. In a study on the perceived fairness of disciplinary procedures in the South African Public Service, respondents experienced the procedures as “unnecessarily complicated” and “difficult” and complained that no distinction is made between minor and major misconduct. The same respondents also indicated that “charges could have been dealt with differently” (Van Der Bank et.al., 2010:4).

Similar studies for educators in the Gauteng Department of Education are not available, however an assessment of the written Disciplinary Code of Conduct for Educators in the Employment of Educators Act shows that the process for educators may be regarded similarly. Disciplinary procedures for educators including ‘informal’ ones conducted at school level are highly regulated in the Code. In cases of minor misconduct where school principals consider the issuing of verbal warnings, counselling or first written warnings, they are compelled to issue a formal notice that accords the right to union or employee representation, inspect documents and cross examine witnesses where applicable. This is particularly complex given that the most serious sanction the school principal may issue is a final writing warning (Republic of South Africa, 1998 as amended; Gauteng Department of Education, 2007). It is however worth mentioning that this is not a position adopted in the South African Labour Relations Act of 1995. The Act does not require a formal hearing in every instance of misconduct (Republic of South Africa, 1995). In this respect the internal disciplinary process used for educators differs from

the rest of the Public Service. The Code applicable for the Public Service generally allows for the range of warnings to be issued without formal procedures (Public Service Co-ordinating Bargaining Council Collective Agreement 1, 2003).

Formal procedures are however considered as necessary for disciplinary proceedings to be conducted in a consistent and procedurally fair way and for the rules of natural justice to be respected and as a way of guarding against possible litigation (Saundrey, et. al., 2011; Van Der Bank, et.al. 2010, Wilbur, 2010). In a strong culture of performance, procedures are more formal and the formality in larger organisations is more pronounced as Human Resource staff is remote from the issue. Where managers are inexperienced they tend to defer to the expertise of Human Resource advisors which is a further impetus for formalising the process (Saundrey, et. al., 2011). The Gauteng Department of Education is such a large organisation that manages remote institutions i.e. schools via several sub directorates in district offices. In exploring managers' perceptions of progressive discipline this research also sets out to discover whether school principals use the procedure consistently and it should reveal patterns on the extent to which the process is deferred.

The South African public education sector is a highly unionised environment where there is recognition that teacher unions give teachers a greater voice in public education policy making, implementation (http://www.naptosa.org.za/objectives.html) and the planning of education development and transformation (http://www.sadtu.org.za/what-sadtu/constitution). They also consolidate, defend and support "institutions that hire them and with whom they bargain" (Cooper & Sureau, 2008: 93) through their support for development efforts. However in the classic struggle between workers and management fear is regarded as universal. Such anxiety about unionisation and employee relations is more overt with

teachers as they are entrusted to nurture the future citizenry (Cooper & Sureau, 2008). A disciplinary hearing including one that applies a graduated system of punishment as in progressive discipline is by nature adversarial as a manager is required “to impose a settlement on the disputants” (Van Der Bank, et.al., 2010:1). Unions in turn tend to ensure that managers adhered to formal procedures (Saundrey et.al. 2011).

Interestingly organisations with “broad and robust union structures” (Saundrey, et.al. 2011: 202) that represent the members presents fertile ground for more informal handling of disputes. While managers believed that the informal route encouraged harmonious union-employer relationships which warned of emerging disputes, unions perceive it as an opportunity to settle disputes and prevent dismissals. Similarly trade union representation in a hearing itself was seen as supporting a well run hearing and a fair procedure as it provided the employees opportunity to answer their cases thoroughly (Saundrey, et. al., 2011). Union representatives not only affected the outcomes in both the formal and informal disciplinary processes but enjoy the confidence of members which enable them to help modify behaviours (ibid). Saundrey (2011) also submits that union representatives are more likely to encourage their member to admit to transgressions and argue in mitigation of sanction. Key factors that influence the effect of representation in disciplinary hearings are: The individual attributes of the representative, the relationship with management, experience and competence. Of these trust is seen as the “crucial ingredient between individual union representatives and managers” (Saundrey,et.al., 2011:206).

I recognise this and view the union representative’s conduct during as well as after the hearing as equally crucial in determining the course and impact of the disciplinary process. The relationship between the Senior Management of the Education Department and perhaps even the political relationship between state and union can be regarded as extensions of the principal –

union relations at the school. These may influence the principal's experience in the hearing itself as well as the consistency and effect of discipline application. Furthermore, the severity of the sanction and the principal's own union membership may well influence the effect of the process. It is also understood that these factors are not peculiar to progressive discipline.

2.10 School principals' feedback on poor performance

In the Gauteng Department of Education discipline management officers are involved in functions that are in the managerial domain. During conversations with these officials they viewed this as a reason some managers and school principals do not accept responsibility for the management of educator discipline. There is however other reasons managers generally avoid disciplining employees attributed in part to negative emotions evoked against management when disciplinary procedures are implemented (Eden, 1992; Gibson, et.al., 2006; Grote, 2000 & 2006; Ikelegbe & Ofulue, 2006.; King &Wilcox, 2003).

Addressing misconduct essentially involves negative feedback as managers 'sanction' the misbehaving or poorly performing employee. Earlier references were made to studies that found that progressive discipline measures in the South African Public Service evoke negative emotions amongst employees that were disciplined. This was found to be no different for schools principals charged with providing feedback to poor performing / misbehaving educators. Problematic educators present one of the most difficult duties that the school principal is confronted with, taking much of the principal's time, distracting them from positive tasks (Yariv, 2006). The latter's exploratory study focused on principals' thoughts and action tendencies when confronted with poor performance. The results revealed that principals dealt with poor performance in stages each of which was "dependent on the outcomes of the

previous intervention" (ibid, 2006:538). The first stage revealed unwillingness to address the poor performance trading "high professional standards with maintaining good relations" (ibid: 535). The "avoidance" tactic may also be the result of inadequate personal skill rather than merely a desire for good relations. When performance did not improve, principals adopt a "considerate and polite" approach in offering advice and support. When the performance still falls short of the desired standard, oral criticism is expressed this is followed by a formal "criticising letter". This may then lead to proceedings to discharge the teacher which according to Yariv's respondents is only "followed in extreme cases when the teachers neglect their duties" (2006:54). These extreme cases can be likened to particular misconduct which so irreparably harms the trust relationship with the employer that graduated discipline is not necessary and that validate dismissal (Eden, 1992). In the main these findings reveal that principals use the avoidance method when confronted with unacceptable behaviour that does not violate "vital rules" (Yariv, 2006:542). This sentiment does intimate that should the teachers behaviour be intolerable or "when pressed by an external threat" (ibid) or the principal's performance rating is dependent on the teachers' performance negative sanction is likely to be necessary, urgent and regular (Yariv, 2006). Respondents in that study however expressed their frustration that criticising letters are met with little response from the education authorities (ibid). This is unlikely to develop confidence in the graduated effort of handling poor performance.

The failure to report indiscipline however appears to be a widespread phenomenon and is likely to contribute to principals' failure to address teacher misconduct. Where sexual misconduct by school employees that involves school children is alleged and a prison sentence was likely and the accused is well known to employees, they found it difficult to report (Rhay, 2009). Even if a code compels employees to report violations many including

those employees that believed that such an obligation is proper did not wish to report (ibid). It is also apparent that the application of progressive discipline influences the decision to report misconduct since a prior warning issued to a perpetrator was one of a range of aspects employees consider when deciding whether or not to report code violation (Nitsch et al., 2005).

Progressive discipline management may add to resentment as managers are perceived as ensuring that they maintain power over subordinates and as just going through the motions to meet the demands of the law but aims to eventually dismiss the employee (Eden, 1992). In this way they improve their chances of favourable arbitration awards in case of unfair dismissal disputes (Chellia & Pitsis, 2010). The latter authors suggest that managers often use progressive discipline as a tool to coerce employees through penalties “however progressive they may be” (Chellia & Pitsis, 2010:99). It also grants managers by virtue of their position the ‘qualifications’ to assess improper habits, weaknesses and misdeeds and the right to decide on the extent to which employees have improved (ibid). It is also argued that progressive discipline has been designed with good intentions that aim to provide employees an opportunity to improve performance/conduct (Chellia & Pitsis, 2010) but implies more than managerial control. Managers however find it difficult to perform roles of motivator and punisher as the system implies. Managing discipline in the progressive way is also said to lead to grievances and conflict and is perceived as “non humanitarian” (Gibson, et. al., 2006; Eden, 1992; Ikeglegbe & Ofulue, 2006).

The less than desirable effects of progressive discipline are also attributed to its reactionary character and to managers’ responses. Supervisors may be pressured to respond to disciplinary issues and thus apply measures inconsistently. The focus on an individual overlooks the good of the group, it places emphasis on past behaviour, negatively affects the manager-subordinate relationship, reveals a top down approach to the employment

relationship and often confuses misconduct with poor performance (Guffrey and Helms, 2001 cited in Wilbur 2010; Chelliah and Pitsis, 2008).

Managers maintain discretion over the outcome of disciplinary procedures since it essentially remains a form of managerial control and a way of handling employee conduct that falls short of the employer's performance standard. The various dimension of organisational justice have been shown to temper the manager's discretion however an important issue to consider in the manager's perception and experience in the employee discipline process is the way relations between key participants in the procedures are played out and how the context shaped them (Saundry, et. al., 2011). "Micro relations" between union participants and managers and the balance of workplace shapes the role unions representation play in formal and informal disciplinary procedures and in the way "order is negotiated"(ibid:208).

It is also asserted that because of insufficient training in the applications of the procedures managers often look the other way when the supervisor realizes that he/she had not noticed other violations and that they have gone addressed (Gibson, et. al., 2006; Nitsch et. al., 2005; Yariv, 2006).

2.11 Conclusion

A range of theoretical concepts related to organisational structure, management practice and behaviours specifically related to discipline management has been considered in this literature review. Each was discussed in the basic education context and reflections on various issues demonstrated the impact of influential debates and considerations related to progressive discipline practice. This section presents and incorporates the major issues raised and offer some thought on the way they would shape the current study.

Concerted effort is required to address educator misbehaviour which if left unattended would impact greatly on learning and the institutions that facilitate it. To this effect the structured management of employee discipline has become necessary. The management of teacher discipline in a graduated and progressive manner is prescribed in highly formalised rules and the authority to the handle “less serious” misconduct do is delegated to the school principal (Republic of South Africa 1998).

The literature suggests that organisational justice practices are central to the successful application of progressive discipline. Their procedural, distributive and interactional facets diminish the negativity associated with disciplinary sanctions in that they uphold the employee’s dignity and adopt sound communication principles and consistency in decision making as cornerstones. The progressive discipline management system is however contested terrain. It is accepted by some as deterrent and corrective providing several opportunities for the employee to improve his/her conduct. Its critics view it as punitive, open to abuse and unable to deliver lasting behaviour change and commitment to the organisation.

The South African Basic Education enterprise is confronted with the social complexities in school communities and vast inherited inequalities in society. Teacher discipline management procedures are contextualised in a transformation endeavour that brought wide ranging policy changes in an effort to develop and improve schools and education. It copes with intense and robust teacher union activity in most schools and with legislation that insist on co-operative efforts in the workplace. The pressure on teachers and principals to improve learner exam results yet requiring them to participate in numerous administration, planning and budgetary processes at schools further complicates the context. Management concepts and leadership styles that promote human relations, democratic interaction, consultation and partnership in schools are advocated as the critical ingredients for the

successful management of performance and the school improvement project. Some of the literature reviewed points out that many managers find it difficult to perform roles of motivator and punisher as the new approach implies. This and the matters mentioned below particularly resonate with issues such training and trade union involvement identified in the problem statement.

Research referred to contend that few school principals have been successfully trained in these approaches. Educators have expressed dissatisfaction that school principals including those with some training in the disciplinary procedure do not deal with rule violations in their schools and many writers point to managers' reluctance to discipline employees. On the other hand failure to report misconduct to managers even where vital rules have been broken may suggest some 'cover up' hence instances of the procedure actually being put to use may be too few to make the study conclusive.

Yet another common thread in the literature is the ambivalence toward sticking too strictly to the discipline procedures out of fear that relations at the workplace will be damaged. The literature suggests that in the handling of misconduct enforcement of rules is done through a compromise and negotiation process rather than by the rules contained in the disciplinary code. Likewise in workplaces with rigorous union activity, informal processes are preferred in an effort to preserve harmonious relationships. Where essential rules are overstepped the formal stage is evoked (Yariv, 2006) however department officials have been found to fail to respond timely.

The implication of this for the current study is that: (1) School principals implement the progressive discipline procedures poorly (2) Principals do not use the procedure at all due to lack of skill and defer to a different more informal process (3) School principals use the procedure selectively for those with whom they have poor relations. Each of these will make it difficult

to reach definitive conclusions of principals' perceptions of the effect of the prescribed procedure as the perceptions that would be offered could be those of the effect of the procedure that they have selected and not progressive discipline.

One possible conclusion is that teacher indiscipline is handled at school level but that the school principal takes great care in deciding when and how the prescribed disciplinary procedure shall be implemented. The level of union activity, managerial style and skill which informs justice practices, the type of violations as well as relations with staff the literature suggests, are key considerations in the decision to discipline through negotiation or formal procedure.

Indiscipline amongst teachers at schools is a reality and threatens the educational and economic transformation effort. Each of the issues raised in this literature survey resonates with this study. Exploring the school principals' perception of the consistent application of progressive discipline will ultimate help discover whether or not there is confidence in the progressive discipline effort's to effect change in conduct. Knowing more about their experiences in its implementation will provide some indication whether or not their efforts are worth the endeavour.

The next chapter presents the qualitative research methodology the study will rely on.

Chapter 3: Research Methodology

3.1 Introduction

Social science knowledge contributes to an understanding of the way things are and why they are that way (Babbie, 1998:25). Its cornerstones involves "the logic of science, data collection and analysis" (ibid, 1998:24) of social phenomena. It helps determine what is of value and significant through agreement on a set of criteria (ibid). Social scientific research is conducted in an endeavour to develop and aid understanding of phenomena and to "communicate what we have discovered to the larger scientific community" (Leedy & Ormrod, 2005:2). This type of research according to Babbie *op cit*, differs from other ways of seeing things in its consideration of:

(a)Theory i.e. "a system of interconnected ideas that condenses and organises knowledge about the social world" (Nueman, 2011:50)

(a) Patterns of social regularity.

(b) Aggregated behaviour providing an understanding of the system.

(c) The "associations logically expected between particular attributes of different variables" (Babbie, 1998:34).

This project is an endeavour to use social scientific research methods to gain an understanding of school principals' perception of progressive disciplinary procedures of educators in schools. This chapter sets out the research approach and design employed in this study. It shares thoughts on the project's sampling type, data collection and analysis method regarded as appropriate to fulfil the purpose of the study. The chapter also details thoughts on the study's significance and limitations.

3.2 Paradigm

Research is generally conducted within broad frameworks presented as "paradigms for understanding social behaviour" (Babbie, 1998:42) that incorporates "basic assumptions, key issues, models of quality research and methods for seeking answers" (Neuman, 2011:81).

A study in school principals' perception of progressive disciplinary procedures for educators involves school principals as "social actors". This is an endeavour to learn how these actors experience the phenomenon in their daily interaction with educators and how they experience educators' responses to disciplinary action. I view this as "social action" for as the literature reviewed points out, the disciplinary action and the reasons therefore involves ongoing "communication and negotiation" (ibid) to which school principals construct "subjective meaning". In my exploration I take into account school principals' i.e. the social actors' "reasons as well as the context of the action" (Nueman, 2011:88).The literature reviewed also provides ample reasoning for the critical importance and significance of context which includes other social factors such as trade unions in the practice of progressive discipline.

In planning the study, I paid attention to what Leedy and Ormrod *op cit* regard as imperative for any researcher, namely the availability and variety of data that would be necessary, the manner in it would be collected as well as how it would be interpreted.

I considered the feasibility of the qualitative and quantitative approaches to research design. The two approaches are often regarded as complementary as a quantitative study "confirms or disconfirms" a hypothesis while a qualitative study provides "tentative answers about what was observed" (Leedy & Ormrod, 2005:95). It thus suggests that the two can be used together and that "quantitative data can be incorporated into qualitative data" (Silverman, 2003:35) allowing quantification to tie in with the logic of

qualitative research (ibid: 36). Mixed method research allows the researcher to harness their strengths, reinforce validity and corroborate using different sources and help eliminate single method weaknesses e.g. biases through the use of diverse sources (Creswell, 2003). However the time required to collect extensive data and analyse and interpret different forms of data involved in a mix methods approach (ibid) exceeds the scope and depth of a twenty five percent research report such as this one.

3.3 Research Design

3.3.1 The Design Choice

The choice of design is largely determined by the nature of the enquiry which according to Henning means that "the purpose of the research has the most influence on the method of data collection and particularly analysis" (Henning 2010:1). Likewise Silverman (2001) suggests that the choice of design should be motivated by what a researcher sets out to discover and argues that if the research project aims to "explore" then qualitative methods is preferred. Leedy and Ormrod (2005) similarly indicate that qualitative research is typically used when the researcher sets out to "describe and understand phenomena from the participants of view" (ibid: 94).

Considering that the one of the purposes of my research project is to explore school principals' perception of the effect of progressive disciplinary procedures of educators as one of its themes, it is imperative to understand "the motivations, their reasons, their actions and the context for their beliefs and actions in an in depth way" (Meyers, 2009:6). It would be exceedingly difficult to gain such an understanding without "talking to people about it" (ibid). In this case a qualitative approach that relies on in depth interviews that serve to "describe and understand the phenomenon" (Leedy & Ormrod, 2005:94) of the progressive discipline of educators from school principals'

point of view is more appropriate. I submit that a quantitative measurement in the positivist tradition is less suited in this instance as I neither wish to test a hypothesis nor confirm a cause that can be used to predict behaviour (Nueman, 2011).

Questions from a set questionnaire were used to enlist descriptive narrative responses through probing questions to respondents. These in-depth interviews produce “soft data” that provide the words, impressions and images that relayed interviewees’ constructions (Nueman, 2011) of their experiences of a workplace disciplinary system. The topic “school principals perception of progressive discipline of educators” is on the face of it a formulation of a general research problem that looks at “only general questions about the phenomenon” (Leedy & Ormrod, 2005:134) of progressive educator discipline. I have however garnered a comprehensive understanding of the issues involved in progressive discipline of employees in the literature review and therefore have a good idea of “what to look for and separate important information from unimportant details” (ibid:134) in the data collected.

3.3.2 Reasons for the design

I regard this approach as particularly suitable in gathering data for the primary and secondary purposes of the research as respondents’ expressions and reflections will help reach the meanings that they wish to convey. The experiences that I documented relied on respondents’ perceptions and exposures to incidents. Their experiences related to disciplinary measures are best conveyed through narrative responses to in-depth interviews. Since this study explores perception, I would err to “place the study in the boundaries of an instrument designed beforehand because it would limit the data to those boundaries” (Henning, 2010:4) as would be the

case in a structured survey questionnaire of the quantitative approach. It would also rob the study of the "freedom and natural development of action and representation" (ibid: 3). To allow participants to freely express themselves without constraints assist in adequately capturing experiences, perceptions and even emotions evoked in the disciplinary procedures.

The exercise is of course not entirely free of boundaries. All the questions were related to the progressive discipline of educators and where structured around the particular themes that I set out to explore. They were also designed to obtain both direct and indirect data about principals' discipline management practice. The questions though open ended, helped manage respondents' expression of their perception within the identified themes of the topic.

3.4 Data Collection

3.4.1 Primary Data

After having obtained the Gauteng Department of Education's permission to conduct the research and agreement from respondents to be interviewed, a schedule of interviews was drafted. I have selected interviews as the data gathering technique of choice for it allows the gathering of "rich data." These were done at venues sufficiently convenient and comfortable for a lengthy conversation.

Nine in-depth, individual interviews and a focus group discussion that consisted of five participants were conducted. The focus group was made of a group of school principals with experience in informal and / or formal disciplinary procedures as contained in the Educators Code of Discipline.

The collective views of the focus group were sought to provide greater "richness" to the data as participants expressed themselves openly and

freely and to “provide a window into how people talk about survey topics” (Nueman, 2011:412). In these discussions I was able to “elicit opinions, attitudes and beliefs” and was able to allow ideas to “build as people worked to explain” (Meyers, 2009:125) their thoughts. The data was captured on a digital recorder and permission sought to take notes. To facilitate data analysis, accurate collation and cross checking of data and transcriptions were made.

3.4.2 Secondary Data

Secondary data on the implementation of progressive discipline of educators were obtained as follows:

Document Type	**Where obtained**	**What was looked for**	**Question posed**
Department Reports	Head Office	Statistical reports on disciplinary enquiries	Nature of misconduct, decisions. Recurrence
School Reports	District Office	Minutes and decisions of disciplinary meetings held at Johannesburg North Schools	Type of misconduct, Number of hearings held at school, recurred?
Training Material/ Manual on	District Office	Training focus	Who is targeted for training? What

discipline			content was covered?
Training Assessment	District Office	Principals' thoughts on training quality	Requests about further training
Audit Report on Discipline Management	Head Office	Audit findings of Informal and Formal enquiries	What were the successes and shortcomings?

The secondary data was organized in priority order that provides the best information and from which conclusions on progressive discipline and teacher conduct could be drawn.

3.4.3 Sampling

This is an exploratory study aimed at gathering data on the progressive disciplinary procedure used in Johannesburg North schools. It is based on the principals' perceptions to gauge consistent application of and the effectiveness of the process. The Head of the Gauteng Department of Education had delegated the authority to deal with less serious misconduct to the head of the institution i.e. the schools where educators are employed. The school principal is required to implement progressive discipline where less serious infractions occur (Republic of South Africa, 1998). When more serious misconduct occurs school principals' are required to report it to the district and head office for formal investigation and where appropriate, a formal enquiry is conducted. The school principal shall also testify at the enquiry and is on an ongoing basis responsible for the performance management of educators. In these ways school principals are at the centre of the progressive discipline process.

As mentioned in a previous chapter a Public Service Commission audit of the Discipline and Dispute Management Directorate found no record on the implementation of progressive discipline at school level in Gauteng. The audit itself however did not study the value of progressive disciplinary proceedings but merely reported on the number of hearings conducted, the types of sanctions handed down and the time taken to complete the formal disciplinary enquiries (Public Service Commission, 2009). This research therefore will add to the Public Service Commission's report in that it will explore and reveal the value that those who are responsible for its implementation place on progressive discipline. Furthermore by investigating the application and the experiences of these managers when using the system, important contextual issues that contribute or detract from the system's value were identified. Recommendations contained in this study thus go beyond the narrow remedies that Public Service Commission identified in studying statistics and conducting superficial interviews with high level managers within the Gauteng Department of Education.

Though it is required of school principals to report on their handling of educator infractions at schools, such information is sparse and generally limited to the finding and sanction issues. The information that is required is largely statistical thus if it were to be made available its statistical nature or a copy of the sanction or decision that the principal has handed down after the hearing would not provide any insight into its effect. Similarly statistical information that is available on the formal implementation of progressive discipline of educators is of little value when considering the effect of the decision a presiding officer has taken. In the absence of detailed information on the disciplining of educators a valuable first step in researching this area of school management is a study of the perception of school principals' who are directly responsible for its implementation at its first level. They are also at the coalface of the intended or unintended consequences of the process.

How principals perceive the progressive discipline and more particularly the way it affects the principal's management of the school, his/her authority over individuals that were disciplined and relationships at the school would give profound insight into the value of the process and its contribution to overall school management. Principals' first hand experiences of the implementation of the process and their observations of its effect are crucial and valuable indicators of the effect of progressive discipline. From these could flow critical recommendations for the process' review and improvement.

Random, purposeful sampling was used to conduct interviews with those most likely to provide information needed. This will enable the location of " as many cases as possible... to gain deeper understanding of types" (Nueman, 2011: 222) and to include as many circumstance as possible to generate " insights, anomalies and paradoxes which later may be formalised into hypothesis" (Hochschild cited in Nueman,2011:222). To this end I made judgments on the categories (Nueman, 2011) and circumstances that may show the effect of progressive discipline differently.

The sample is not statistically representative given the nature of the study, but the information is exploratory to gather data on the complex area of progressive discipline in schools, an area that has not yet been researched.

I interviewed nine school principals from the identified categories in the table below.

No.	**Sex**	**Location**	**School Type**
1	Female	Cosmo City	Primary
2	Female	Diepsloot	Secondary

3	Male	Randburg	Secondary
4	Female	Randburg	School for learners with special needs
5	Male	Johannesburg Central	Secondary
6	Female	Soweto	Primary
7	Male	Soweto	Secondary
8	Male	Soweto	Secondary
9	Female	Northwold	Primary
10	**Focus Group** : School principals with experience in formal and / informal disciplinary procedures		2 Secondary and 3 Primary Schools

The selection is based on the individual principals' exposure to progressive discipline. It includes principals from a range of schools from differing backgrounds and contexts within the Johannesburg North District. The selection of principals is most likely to reveal differing perceptions. The focus group discussion was held with principals from across the districts that had direct experience in progressive disciplinary procedures.

3.5 Data Analysis

This activity starts during data collection and stretches throughout and involves searching for patterns in the narrative data in a logical and meticulous manner to organise it into accurate depictions. It is "often inductive" (Nueman, 2011:458), examining for comparisons leading to likely

explanations and movement from portrayals to broad interpretations (Nueman, 2011).

School principals' responses to probing questions about their perceived effects of progressive discipline on teacher conduct, the consistent application thereof and the principal's experiences of the process in were read thoroughly several times. The data was examined, sorted and categorised. Relationships among themes were linked and critical questions asked of the data to arrive at plausibility and general interpretation. Secondary data was analysed by looking for the identified content and posing the questions referred to in the table on secondary data collected.

3.6 Validity and reliability

The purposeful sampling method described and secondary data listed are means to arrive at dependability and truthfulness of the data. The in-depth interviews and documents as data sources should highlight different sides of the issues (Nueman, 2011) and enhance reliability. For validity a frank, detailed exposé was enlisted through probing, precise questions without losing "the subjective essence" (Nueman, Social Research Methods 6th Edition, 2011). I observed strict ethical research practice and reassured the respondents' of their anonymity. The respondents are referred to as A B C and my supervisor was informed of their names and positions.

An additional manner in which to ensure that the data obtained is credible or a "true position" was by approaching it "from various points or angles" (Henning, 2010:103). This validation technique is known as triangulation. Respondents in the individual interviews as well as participants in the focus group come from different backgrounds, geographical and social settings and thus provide differing perspectives. This "triangulation of observers" helped

build a more credible and inclusive picture hence reducing the study's limitation (Nueman, 2011:150).

However, triangulation in this study is also found in the various ways in which the data is sourced and the reasoning that is applied in its interpretation (Henning, 2010). In order to obtain their perspectives on progressive discipline participants were requested to relate how they applied the procedure and to motivate their choices. In this way indirect data on their perceptions were obtained. The focus group was directly asked to provide their perceptions of the procedure. By cross checking the direct data with the indirect data, patterns could be recognised and "a measured position" arrived at (Henning: 2010:103). The information obtained could then be cross checked with the documentary data listed in a further process of verification.

3.7 Significance of research

This research will help shed light on the many unknowns about the perceptions of effect of progressive discipline on teacher conduct. It endeavours to contribute to an understanding of its influence on teacher conduct, the application of procedures and the school principals' challenges and experiences in its use. Meaningful conclusions could be reached on the overall health of the progressive disciplinary system for educators in Johannesburg North District and possibly in the Gauteng Department of Education.

3.8 Limitation

This study focuses on the perceptions of a specific group's involved in the progressive discipline practice at schools. Their perceptions are likely to be very different from those of other groups and /or individuals at schools. Furthermore these perceptions are likely to change as circumstances change.

Schools in the Johannesburg North District are mainly in urban settings hence the research findings may not be generalized to rural schools. However many schools across districts in the province have many similar features and the findings may be generalised to schools in other districts of Gauteng.

My involvement with formal disciplinary enquiries in the Gauteng Department of Education may have made school principals reluctant to frankly narrate their views on progressive discipline or to withhold some information. I addressed this by observing strict ethical practice, reminding them of the purpose of the research and reassuring them of their anonymity. My experience as a practitioner in the field may influence my interpretation and I had to strongly guard against this by accurate data collection and rigorous analysis.

3.9 Conclusion

Teacher indiscipline seldom escapes public attention and evokes the ire of many. Research into the effect of disciplinary procedures on teachers' conduct is undoubtedly of value. The study adopts a qualitative approach and used in depth interviews as a method of data collection. Purposive random sampling that incorporates the many different types of schools within the Johannesburg North District was used. The research approach and design is viable and feasible and made meaningful conclusions and recommendations possible.

The methodology that guided this study incorporated qualitative research theory and included in-depth interviews as tools for data collection. In organising the sample, the researcher utilised purposive sampling; which provided the basis for identifying and selecting the appropriate type and number of participants.

The data is presented and summarised in the next chapter and the analysis follows thereafter.

Chapter 4: Data Presentation

4.1 Introduction

In this chapter I present the data obtained from interviews conducted as described and explained in the chapter on research methodology. All respondents that participated in this study are appointed as principals across schools in the Johannesburg North District of the Gauteng Department of Education. For practical purposes the district had divided the area into four regions: Soweto - consisting of the Pimville, Diepkloof, Orlando East townships; the 'Central' area - covering residential areas immediately west of the city centre; the Randburg area, consisting of suburbs north of Johannesburg, and the 'far north' which covers the suburbs of Fourways, Northwold, the township of Diepsloot as well the recently established Cosmo City and Zandspruit townships.

Respondents in the individual interviews are principals of primary and secondary schools in the areas indicated above and one of the respondents heads a school for learners with special education needs. The focus group consisted of school principals from across the four regions. The average number of years that the respondents have served as school principals is ten years and their years of service as principal range from four to eighteen years. The average age of the respondents is fifty one years and range between thirty seven and fifty nine years. Seven of the respondents are male and seven are female.

To ensure respondents' complete anonymity all school principals interviewed individually are referred to as respondents A to I while focus groups participants are numerically identified from numbers 1 to 5. The supervisor has seen the list of respondents' names coupled to the symbols as well their biographical data and had approved this approach.

The data is presented in the broad sections that correspond with the primary research questions, namely:

1. Whether school principals think that the progressive disciplinary process is used consistently in schools and in the required manner.
2. Whether principals think that progressive discipline measures have changed educator conduct in Johannesburg North District schools since its implementation.

The data that explore the District's school principals' experiences of the implementation of the disciplinary procedure are also presented but given that it's a secondary purpose of this project received less attention than the primary themes.

Though data is presented in these broad themes however the responses to questions in particular themes are not exclusive to the theme in which it is presented. As the interviews unfolded some of the responses to questions that were included in one theme also provide indirect data to questions in a different theme. A response to a particular question at times either provided data for a different question under another theme or a part of a response was a better fit to another question in the same or a different theme. The data was at times therefore arranged to create some order for analysis.

The questions posed to respondents serve as headings to signpost the data presented and the essence of responses were paraphrased in the text. Throughout this and the following chapter direct responses used are italicised and used to illustrate the richness and depth of the responses and support the analysis.

The individual interviews obtained indirect data about principals' perceptions by posing open ended questions about their discipline management practices and their motivations therefore. To obtain direct data on the perception of

school principals a focus group discussion was conducted. Instead of enquiring about the group's actual use of the progressive disciplinary procedure each question in the focus group discussion was prefaced with the phrase "do you think" to ensure that the responses are the participants' own thoughts, opinions, awareness and ideas. In this way the focus group directly covered the issues in a manner that explored principals' perception of progressive discipline's consistent use and their perception of behavioural change rather than a measurement of actual behavioural change. This served to supplement the indirect data obtained from individual interviews and would reinforce the reliability of the data obtained through the individual interviews. The group's responses are integrated in each theme.

4.2 Theme 1: Principals' perception of the consistent application of progressive discipline across schools in the district.

4.2.1 How have you dealt with serious incidents of misconduct?

The broad purpose of this question was to determine the extent to which school principals actually implement progressive discipline prescribed for this category of offences as prescribed. This question encouraged respondents to think about specific incidents that they have dealt with and around which they could "peg" this and subsequent answers (Henning, 2004).It is particularly useful as it helped avoid broad responses that might be indistinct and unhelpful for data analysis. More importantly the responses would also provide indirect data on their perceived consistent use of progressive discipline at schools, a primary theme in this project.

Respondent A judged misconduct as serious by considering the act's repercussions. She referred to playground duty as an example and felt that teachers felt secure that the union would protect them in their wrong doing. She consulted department circulars and used the progressive disciplinary procedure but also considered "human aspects" in doing so. She also

consulted staff members when dealing with certain incidents and uses an 'innovative' method to discipline which she explained as follows:

Abuse, screaming whatever, I've discovered that the best way to deal with that kind of thing is actually to and I don't know if it is right, whether it is ethical, what I do know is that it works. I would call a meeting with the entire grade and I would have those teachers tell that teacher how she has made their lives difficult, essentially. And what generally happens and yes, there is shame, there is anger but there is also the realisation that, 'look I am not the only person that's being affected here. If I'm not working as a team then I'm not contributing and then the whole team is going to fall apart.' So it's worked more often than not except on the one teacher, but it has worked. In fact every single time it has worked except for her. But I just believe it's about people keeping each other accountable. For me that is what it's about. (Interview, 18 December 2010)

Respondent B regarded matters to do with learner safety as serious and named an example of a male educator on her staff that had visited a girl learner's home to hand her a birthday gift. The respondent conducted an internal disciplinary meeting on the day the parents arrived at school to complain and issued a warning to the educator the following day. She explained the matter as follows:

I am very, very serious about issues of safety in my school. I handle them personally, anything that has to do with safety [such as] break duties. When the kids leave the school, or when a child gets injured then I take responsibility because the child was supposed to be safe in the school. And I think the way I handled it has taught everybody to say we are responsible for the children. Let me cite an example: [At the] beginning of the year a parent came to the school to say my male teacher bought a present for a girl child, a birthday present and his been telling the child: 'I have your present and I'll

deliver it.' So the parents became very, very worried and they work at the South African Athletics, quite learned and would really want to protect their children. Their concern was legitimate to me and I could identify with it. I called the teacher and I found that he had bought a present for the child. I asked him if he was in the habit of buying a present for every child that celebrates a birthday in my school. [I asked]: 'Have you bought [a gift] *for every child or only this one.' The teachers said, 'only this child. I asked him: 'why, what are you expecting in return? Because this is a different language, you are talking to the child differently.' I said to him: 'this is very serious so be careful for whatever you are saying you must know I am noting it down.' This was in the presence of the parents because when the parents came they were so furious, they wanted to go to the department of education, they wouldn't allow me to talk to the teacher, they wanted find and see this teacher who wanted to sort of abuse their child.* (Interview, 29 December 2011)

Respondent C indicated that during her 14 years as principal at a primary school in that Johannesburg suburb she had not dealt with any serious misconduct. She recalled that she had talked to teachers on the important matter of meeting deadlines and explained as follows:

The one thing that we've had to talk to teachers with has been about meeting deadlines. We need test papers in by a certain time or need exam papers and we need marks in and that's important because one set of marks outstanding in a grade is not just about you it affects seven others. So we might have had to speak to somebody about it but it never got to a stage where we had to follow a disciplinary process. (Interview, 12 December 2011)

Respondent D cited the example of an educator's inappropriate *befriending* a girl learner as serious. The respondent conducted a disciplinary hearing at

school using the prescribed internal procedures and issued a warning. She had also referred two cases to the department to formally discipline the educators after her efforts to discipline those educators over a 3 year period had failed.

Respondent E regarded *physical violence toward a learner* as serious. He dealt with it by interviewing the parties to *calm the situation down* and thereafter conducted disciplinary hearings at school using the prescribed format.

Respondent F said that he referred the continuous, unauthorized absenteeism of an educator to the department when his *unofficial, man to man* talks proved unsuccessful. He also referred another serious matter involving an educator's inappropriate relationship with a learner to the department for formal disciplinary action.

Respondent G cited two 'serious' incidents. In one matter a male educator impregnated a girl learner and in another a temporary teacher continuously absented himself. The respondent informed that she reported the former to the department and allowed the contract of the latter to expire. She explained the consequences of dealing with the two cases as follows:

It became ugly and I remember one of the district individuals said, 'for this poor teacher not to suffer the consequences, I am going to ask him to jump ship, to hand in a 24 hour notice and leave.' So you report matters but the very people who have to apply the sanction, are the ones who defeat the ends of justice.

and

After having decided not renew his contract, I informed him of my decision. An individual in my district then reported to the union that I have a habit of

making teachers lose their jobs and that the union should not allow me to do that. So somebody in the district who overheard this individual speaking to union members phoned me and alerted me as to what was happening. So I confronted the individual and said, 'I believe you have reported me to the unions because I did not renew so and so's contract, because of drunkenness.' I even phoned the individual to say, 'I heard I was reported to you that I did X, Y, Z, but let me take you through it. These are the procedures I followed and having followed those procedures, I am legally protected.' So I think in that instance, I won the case from them because I was not attacked. I confronted them; I did not wait for them to confront me. (Interview, 12 December 2010*)*

Respondent H recollected two serious cases; one a continual absence matter that included examination fraud and the other examination fraud only. The first matter was referred to the department and in the other he confronted the educator with the seriousness of the deed and provided her with the option to resign. She selected the latter. The respondent was subsequently approached by a delegation from the staff requesting him to reconsider the matter which he refused to do. He explained his reason as follows:

I said it is examination fraud and it is a dismissible offence and I can't, because she is my sister, sweep it under the carpet. No I'm not prepared to do that. I also looked at the bigger picture that if I should agree to sweep it under the carpet, when I should reprimand someone for coming late what is going to be repercussion? (Interview, 19 December 2011)

Respondent I called a district facilitator to report a matter involving an educator's failure to submit documents, failure to teach as required and absenteeism and the facilitator *spoke to the person*. The respondent

indicated that looked forward to his *Plan B*, i.e. the educator transferring to another school.

The majority of principals have been confronted with an array of infractions they regarded as serious. Most principals have dealt with those internally and some of those cases were referred for formal enquires after their efforts to correct the conduct have been unsuccessful. Few immediately referred serious incidences of misconduct to the Gauteng Department of Education's district office for formal enquiries.

4.2.2 Explain what motivated your decision to handle the serious matter it in the way that you have.

The earlier question was aimed at obtaining data on the procedure school principals followed when confronted with serious misconduct and whether they followed prescribed formal progressive discipline. Exploring principals' reasons for handling serious misconduct matters in the way they described will help to shed light on their confidence or lack thereof in the progressive discipline effort to effect change in conduct.

Respondent A said she used counselling and warnings to discipline as prescribed in the schedules on discipline issued to schools. She also used a method that she knows deviates from the prescribed procedure but thinks that a different approach is sometimes warranted. She explained it thus:

If only the boss talks to me I'm going to think, 'ag you know, so what?' But, if I'm being told by everybody else in the team, my peers who are saying to me, 'you know what you are actually messing up, you are jeopardising what we are working for, we actually think you are a blooming disgrace.' On a more personal human level I think it hits a lot harder. I just feel that hearing it from people that she will have to deal with on a daily basis, because the contact there is a lot more frequent than with me for example and she would

have to face them. So the shame of what she's done is going to stay there and hopefully that is going to prevent that behaviour from occurring. So I don't know whether it is psychologically correct or whatever, I could just go to hell for this but it works." (Interview, 18 December 2010)

Respondent B stated that she took responsibility for learner safety and dealt with those types of matters personally. She conducted a disciplinary meeting after receiving a complaint from a parent that the educator was 'grooming' a learner at school knowing that she did not have the authority to deal with a matter of that nature. However given that the parents were angry she had believed the situation to be urgent and felt that she needed to address it immediately.

Respondent C pointed out that she had not dealt with serious matters and said that because she so seldom uses it she is fearful of not following the procedure correctly.

Respondent D's answer implied that her use of a 'formal' disciplinary meeting at school using the prescribed procedure was because it had *nothing to do with academics* but also indicated that the formality of the meeting with the union representative present would convey its seriousness and ensure compliance. She had also referred two serious matters to the department after her own attempts to correct an educator's behaviour over 3 - 4 years were unsuccessful. She related her experience in one of corrective efforts as follows:

When you call her in, she shouts at the top of her voice that I'm evil, that God eventually will know what is happening, that I'm possessed because she knows that it is only evil devils that would make a person target one person

like that. I didn't get any joy from any intervention. I am covering for the school and the children all the time. (Interview, 25 November 2011)

Respondent E explained that he conducted disciplinary hearings for serious matters at school on the advice of discipline management officials at the department's district offices. He said that he dealt with all incidences *severe or mild,* according to the *legal framework* and does not make a distinction except in the sanction that he issues.

When an incident happens, whether it is physical violence, a teacher slaps a learner or whatever, I try and hold it according to the regulations. I deal with it with the two parties involved immediately. I inform the parents about the situation and get them in as quickly as possible. Whatever the conflict is, one tries to resolve that. The teacher has to leave the premises and the kid goes with the parents to get some distance. (Interview 8 December, 2011)

According to Respondent F in the serious matter he dealt with him used *ubuntu* and *other ways of saving the person* but *could not knock sense into his ways of thinking*. This principal implied that his *ubuntu* failed and that he was left with no choice but to refer a serious matter to the department.

Respondent G's answers to the question implied that she reported a matter at her school to the department because she regarded it as serious and that she had sufficient evidence to pursue the matter formally. In another matter an educator that was temporarily employed regularly absented himself. As a way of dealing with the problem the respondent did not renew his contract.

Respondent H said that he *followed the book* when he referred serious matters to the department for formal action in one matter but in another similar matter with another educator he explained to her that formal

disciplinary action would be taken against her and offered the option to resign which she took. He did not provide an explicit reason for his action but during his response he had mentioned that this educator was his sister.

Respondents offered various reasons for having dealt with their serious misconduct internally. Many felt that an internal procedure was best suited to the offence and the situation with which they were confronted. They did so either because the internal procedure was serious enough to deal with it or the urgency of the situation required that it be dealt with immediately. A few used other innovative methods because they felt that it worked best. Some referred serious matters for formal enquiries only after internal measures were unsuccessful while only a few directly referred their serious cases for formal investigations because the rules prescribed it for the nature of the cases that confronted them.

4.2.3 How do principals deal with less serious incidences?

The procedure that school principals' are required to use in less serious offences is prescribed. Like the previous question this one would provide data on the actual implementation of progressive discipline at school level for these types of infractions and would also provide indirect data on the consistency of its application.

Respondent A indicated that she experienced difficulty in identifying less serious misconduct as most acts of misconduct at schools have serious consequences for learners. She accepted though that the consequences thereof are aggravated if the act is committed frequently. She initially would remind the educator that the act is unacceptable and if it recurs would deal with it as serious. This is how she explained her thinking:

You know I understand the need to categorise that kind of behaviour to be able to ensure that different measures are applied for different infractions. I

don't know; if I have to choose between a teacher coming late everyday and not doing playground duty everyday, which would be the most serious offence? If she's coming late every day apart from the fact that she's not observing what she is supposed to do, a class is without a teacher, children are losing out on teaching, there may even be incidences of children getting hurt because she's not there. But the same applies to someone who doesn't do playground duty. Because now you have larger number of children who are scattered over a wider area and there is nobody to observe them and watch that they don't get up to mischief and hurt each other etc. etc. So to say perhaps lesser offences - I don't know. I don't know how they decide this and perhaps if you …maybe in terms of frequency rather than the actual offence. (Interview, 12 December, 2010)

Respondent B said that she had written to educators to provide them with an opportunity to state reasons for their misconduct but on an occasion she had to address six educators in her office after they provided exactly the same reasons for their misconduct. Sometimes she would merely file the written responses in anticipation that *sooner or later something will happen*. She would then use those letters to further enquire into the *real* reason for example their late coming.

Respondent C used the *first stages in the discipline procedure* for minor offences before she reprimanded educators. She might also place *friendly reminders* in the pigeon hole. She counselled by explaining what she is unhappy with, asked for reasons for the failure and had offered assistance to correct the conduct.

Respondent D used her first *level managers* to issue *friendly reminders*, had conversations during which she stated what was expected from the educator and had on occasion reminded a teacher of those conversations after it

recurred. More serious matters for example corporal punishment matters come directly to her office.

According to Respondent E the incidences he had dealt with mainly involved classroom discipline where teachers' *frustration levels get out of control* and when *learners push the wrong buttons*. He uses a *proactive and educational* process during which the Heads of Departments or teachers in charge deal with a matter before he took disciplinary steps at school.

Respondent F said that he *resolved* incidents like leaving the school premises without permission through discussion, written comments on a form and/ or warning a teacher in the presence of a Head of Department that the Education Department would *deal with him should anything serious happen in classroom.* To obtain outstanding matric portfolio marks from an educator who had not been reporting for duty, this respondent sent two colleagues including a union representative to collect marks from the educator's home. In another matter when an immediate supervisor failed in an attempt to get an educator to submit a preparation file, the respondent met her and *asked her when she wanted to submit.*

Respondent G indicated that she talked to people who committed 'less serious offences.' However she also related that on a couple of occasions she was unsuccessful in convincing educators to comply and she subsequently sought assistance from the department but had after two years still not received help. The matter was only finally resolved when the educator died. In the other matter compliance was obtained when the respondent sent colleagues to an educator's home to collect marked exam scripts. The respondent planned to pursue the misconduct in the new school term.

Respondent H issued reminders of acts that constituted misconduct, counselled teachers in matters such as corporal punishment where parents

complained, recorded the misconduct in the log book and warned of ‘formal’ action if it recurred. Deadlines were extended when not met and reasons were requested. He had however been offered very *interesting* reasons for this failure.

Respondent I talked to errant educators informally and reminded them of *how people are looking at them.* He also requested for reasons for the misconduct and reminded them of the need to comply. If the misconduct recurred he went up a level in the process.

The classification of some infractions as ‘less serious’ was contentious for a few school principals who felt that many infractions categorised as such actually had huge repercussions on learners, learning and school activities. However, most principals dealt with ‘less serious’ matters through some form of counselling. Strong features of these conversations were requests for reasons for the misconduct, issuing *friendly reminders and* cautioning that formal procedure might have to follow. Many principals do so with the assistance of other managers or colleagues at the school.

4.2.4 Motivate your decision to handle less serious matters in the way you did.

Respondents would in the previous question have related the extent to which they followed the prescribed disciplinary procedure for less serious offences. This question aims to obtain indirect data on principals’ perception of teachers’ response to this phase of progressive discipline procedure implemented.

Respondent B wrote letters to educators that committed less serious offences and drafted detailed management plans to ensure compliance. She suggested that her discipline methods for ‘less serious’ offences reaped the benefit of good human relations. It also allowed her to find the cause of the

misconduct rather than deal with the effects only. She believed that it also helped prevent recurrences. She explained:

I'm struggling with teachers that were not willing to render services voluntarily. The only way I get them to participate over and above the love letters that I write to them, I will make a point that for the next activity there is a management plan. Then I can say, 'you got into the hall, there was no decoration, no water on the table, you were not at school. Some would say it's not my job, my job is to teach.'

Respondent C indicated that she considered some misbehaving teachers' background and understood why they behave in a particular manner. She had not followed formal procedures and felt that at times she might have taken the easy route by not confronting an educator directly. This respondent also expressed the need for good human relations at school hence she preferred to resolve a matter *slightly kinder, not threatening, peacefully and amicably*. She puts it down to her dislike of conflict.

Respondent D said that she avoided dealing with less serious misdemeanours at its earliest stages to avoid being regarded as *this ogre*. She allowed first level managers to handle those matters as counselling because at that stage no punitive measures are handed down and she had found that it empowered those managers and serves as in-service-training.

Similarly Respondent E found favour with the *non-threatening, very encouraging and positive approach* that he used for dealing with less serious misconduct. He believed that it presented him in a better light and promoted teamwork. He explained:

I don't want people to fear me when I come down the passage that is not what we are about, we are in this job together and we need to make it work.

Respondent F felt that his disciplinary method broker peace and did not want *have a person charged [with misconduct] for nothing.* He believed that he prevented a breakdown in the relations.

Explicit in Respondent G's response was her belief that she helped to correct behaviour through discipline with humanity and treating an errant educator with respect even when being *harsh*. She thought that she supported her method by generally keeping strict work relations with staff.

Respondent H indicated that misconduct is not a regular occurrence but when it does happen he dealt with it in a way that reminded people of their humanity. He elaborated:

We are human and we can't throw the book at people at every transgression. It does not work that way. We also have to look at the human side of things.

Respondent I indicated that his approach is motivated by the desire to help his staff grow and gain new understanding. He believed that giving people an opportunity to be listened to as more valuable than following the prescribed rules related to charges of misconduct.

Most school principals apply extensive counselling to incidences of less serious misconduct. At the heart of this exercise is its non punitive nature. Principals prefer this method of discipline because it is not confrontational, does not generate conflict and is a positive method that encourages cooperation rather than threaten people into compliance. Most principals also found counselling to be a peaceful means that allows for discipline with humanity and believes that it causes errant educators to grow and develop.

This method is often applied with the help of others at the school hence removing the view of the principal as a fiend.

4.2.5 Do principals think that progressive discipline is consistently applied across schools in the district?

Some respondents were asked this question to obtain more direct responses to this primary purpose of the study. This would help strengthen the reliability of the indirect data regarding consistent application embedded in responses to other questions. The direct and indirect responses considered together would provide a greater sense of principals' perception of progressive disciplinary endeavours of educators.

Respondent A did not think that progressive discipline is consistently applied across schools. In addition to her having heard her principal colleagues expressing *that it's just too much paper work,* she had on occasion followed the prescribed progressive discipline procedure for an insubordinate educator but knows that the principal of a neighbouring school had for a similar offence requested *the union* to address the educator. She knew of instances where a principal had suggested that an educator transfers rather than taking disciplinary steps against that educator. She also puts the lack of consistent application down to *human* considerations and the general dislike of confrontation.

Respondent F concurred with A. He too had similar experiences involving a neighbouring school's principal that had not taken similar progressive disciplinary action against an educator as he did.

Respondent G also concurred that progressive discipline was not consistently used at schools. She indicated that uncertainty, fear and department officials contributed to this. According to her, principals required

further training. She also intimated that department officials discourage principals from the strict following of disciplinary procedure. She elaborated on principals' fear to discipline by saying:

The union, it is this big, ugly giant out there who teachers run to and tell. They will then come and sing at your school and toyi-toyi, don't come and confront you in a civil way. They will come as a mob and sing at your school. It did not happen here, but it happened to two of my neighbours, if not three. No, they went to six schools. You are now aware that principals are scared to be decisive knowing whatever they do, the union members are going to report outside the school and the mob is then sent through to intimidate the individual.

Direct data on this theme was also obtained from the focus group discussion. The purpose of that discussion was to obtain more direct data that reflected the perception of school principals on the consistent application of progressive disciplinary procedures at schools. The responses to the question are captured below:

4.2.5.1 Do you think Progressive Discipline is consistently applied at schools?

Participant 1 and 2 thought that progressive discipline is consistently applied only in serious cases. Participant 1 applied corporal punishment only in some cases because it *threatens my job* and he did so irrespective *of their standing in the school.* He also exercised discretion in dealing with matters. In minor incidences after having spoken to the educators he referred it to their direct supervisors to *help him build a case* and to keep other managers involved. Participant 2 acted consistently in serious cases but does not discipline in cases where he *gets the desired* effect from having spoken to the person. He

thus not have to go through the procedures in that case. He is aware that colleagues in his area / cluster acted similarly.

Participant 4 and 5 were fearful of acting inconsistently. Participant 5 did so for *peace sake* and to help along her relations with the *very difficult people on staff. She explained: They are vocal, they are bullies, and they are rude. So if I do this they would challenge me openly and disrespectfully*. She expressed concern for the difficulty this created for staff members who are have generally displayed commitment and dedication but had erred on occasion. She considered consistent application of discipline unfair in the latter case. Participant 4 echoed the view, she also had to deal with *difficult people* and thus was *forced* to be consistent in disciplinary steps taken.

Participant 3 treated a person with a *sudden behaviour change* differently from those whose behaviour is often contrary. She was aware that she might have to explain her actions but considered her action more humane under the circumstances she mentioned.

Some respondents expressed that they disciplined educators inconsistently only in part, some said that they are fearful of acting inconsistently and few expressly indicated that they do not take disciplinary steps consistently. Those respondents who said they disciplined educators consistently do not appear to desire to do so and believed that consistency is not always fair.

The data on the consistent application of progressive discipline obtained from the focus group confirms the data acquired from the individual interviews. Most principals do not apply progressive discipline consistently and also perceive their colleagues as acting inconsistently. Some had direct experiences of their colleagues not disciplining educators in similar matters that they [the respondents] have disciplined educators. Reasons provided for inconsistent action include uncertainty of the procedure, fear and *human* considerations. The few who said they discipline educators consistently did

not believe that it always served justice and also cited fear as a reason for their action.

4.3 Theme 2 - Principals' perception of the effect of progressive discipline on educators' conduct

Responses to the above questions would also feed into this theme albeit indirectly as had been mentioned earlier in this chapter.

4.3.1 What is your overall assessment of educator discipline at your school?

This question served to obtain information on educator discipline at the school and would reveal the nature of misdemeanours school principals have to deal with if any. Since the question is open ended, responses substantiating the respondents' declarations would also help provide a sense of staff discipline challenges and/ or achievement. From the responses I would be able to gather information on the contribution progressive disciplinary measures make toward educator conduct at schools in the district. The latter is the primary purpose of this research project.

Respondent A indicated that educators generally obey the school's rules however she had to *nip* negative behaviour *in the bud*. She also felt that at times those that do not behave well get away with it and she held the MEC, *the union* and poor *work ethic* responsible for this. She related that she had been waiting for more than six months for the Member of the Executive Council to respond to an appeal that an educator had referred to that office after a formal disciplinary hearing and complained that the educator continued to misbehave.

Respondent B felt that staff performed their duties diligently but she was not happy with the educator discipline at her school. She related that those who recently joined the staff found the school's rules too demanding and attempt to influence others to disregard them. Her efforts to maintain discipline are

like I'm holding, you know if you have a horse, you've got be holding it forever somehow. (Interview, 29 December 2011)

Respondent C indicated that she felt *blessed* and is generally *happy with staff discipline as a whole.* She had only handled minor issues and had *formally counselled* educators twice in her fifteen years as principal.

Respondent D experienced teacher discipline as *quite good* but had to *put systems in place* to deal with staff disciplinary problems she inherited from her predecessor and to maintain it. She experienced young teachers as particularly prone to *taking chances* and she had to check on staff regularly.

Respondent E highlighted that teachers' levels of accountability and commitment had *changed* and implied that low levels of motivation and teacher *quality* are responsible. According to him educators require his constant supervision which he elaborated upon thus:

It is becoming a lot more of a monitoring function where you constantly have to remind people that this is expected, this is what your contract says. Obviously linked to that I almost sometimes feel that with the quality of teachers we have, we are over legislating, because that is the only way we can hold the people to ransom is to enforce some kind of disciplinary structure. Where you used to have the situation where teachers felt this is what is expected of me - teaching was considered a calling- it is no longer that. It is simply a job. (Interview, 8 December 2011)

Respondent F described discipline amongst educator staff as *good* with only a few transgressions. He experienced some educators as a bad influence on others and found that the weaker were easily persuaded to do wrong.

Respondent G pointed out that she initially enjoyed a well disciplined staff but now found that this had *changed*. She expanded as follows:

I'm sorry to be saying this; unions play a major role in the lack of discipline of teachers. Teachers misuse, and I think some leaders too, unions. The union is there to protect the labour rights of individuals, including myself. However I have seen in our area that the issues of discipline have really been abused, misused and because of lack of knowledge of people, individuals they are misusing the unions to bring indiscipline into the schools. This element of unionism that says, 'you will be reported to union.' Either the teacher will be reporting the head of department or deputy principal to the union, so there is that fear element reigning and because of that fear and intimidation element, people are afraid to act. You find that when you as principal come to act, most of the evidence you don't have or if you follow a thing through it is taken as if you either hate the person or you dislike the person or you want to get rid of an individual. Also, when the so-called union leaders are in their union meetings addressing the teachers, they would then refer to incidents which took place in schools. (Interview, 21 December 2010)

Respondent H experienced educators at his school as fairly well behaved while respondent I indicated that he dealt only with small issues. He had however learnt that if *systems are not in place* teachers *would take advantage* and *find a loophole,* he thus had to be *on guard* constantly. He also indicated that staff tends to take small things to their union and that an appreciation for union matters is necessary to prevent issues from becoming *complicated*.

Most principals are generally satisfied with educator conduct but work hard to ensure that it stays that way believing that there are always detractors that *take chances*. Some felt that teacher conduct has worsened holding teacher *quality* and *the union* responsible.

4.3.2 Do principals think educator conduct changed since the implementation of progressive discipline?

This question sought to directly explore principals' perception of the effect of progressive discipline. Responses helped to give insight into the success or otherwise of progressive discipline as a human resource management tool.

Respondent A stated that teacher behaviour had improved but expressed her frustration with the slowness of the formal department process and feared that as a result educators developed little respect for it. She also expressed disquiet that positive change in behaviour is impeded by the role of some players.

Respondent B's gave a firm vote of confidence to the disciplinary process she uses in serious misconduct cases describing her teachers as sought after as *hot, fat cakes*. She indicated that new recruits often join her staff and that she is always training because her teachers are regularly recruited to promotion posts. She added:

And you know from my school it's not SADTU recommendation, it is a principal, a teacher, a deputy who applies and pushes the right button where that school would feel you are the right candidate.(Interview, 29 December 2011)

Respondent C said she experienced no change in conduct after she had handled a serious matter. She related that she had handed a serious matter

over to the department for action but two school terms [6 months] later they had still not conducted a disciplinary enquiry.

Respondent D expressed that the change that his disciplinary method brought about might have been to made educators *think twice*. He indicated that he had not had any *repeat offenders* but also ascribed it to *his visible policing* and *prison warden* management methods. He also attributed a change in conduct to his numerous reminders and support that he found particularly necessary for newly qualified teachers.

Respondent E indicated that serious misconduct of similar nature had recurred at his school and teachers are still *taking chances*. The respondent mentioned that an educator had resigned in the face of convincing evidence of sexual molestation that he the respondent, had collected and that women educators who are at times aware of incidences were fearful of speaking out thus hindering the disciplinary process.

According to Respondent G conduct changed to *a certain extent in a positive way.* She added that she experienced negative sentiments from *union members* and *union leaders.* The respondent echoed the opinion of Respondent E that the reluctance of some teachers to report misconduct that they knew about impeded the application of disciplinary measures.

Respondent H felt that the action taken helped teachers understand that though he tolerated small things he would not hesitate to take action when serious misconduct is committed.

For respondent I the change in educator conduct had not been satisfactory. He added that he had to cope with the *stigma of an underperforming school* and had to tackle departmental officials who approached his teachers *as if they are coming to give us a hiding.*

Responses to this question were mixed and ambiguous. Some principals perceived that progressive discipline had a positive effect on educators conduct in a very limited way and identified lengthy delays and union reaction as contributing factors. A few gave non committal responses suggesting that it may have made educators *think twice*. Others found the change in conduct unsatisfactory blaming officials' unhelpful attitude and fear of reporting incidences. In some cases misconduct recurred with the same educators after the procedure was applied. The minority expressed that progressive disciplinary procedures had a positive effect on educator conduct.

4.3.2.1 What do you think about progressive discipline?

Responses to this question helped provide insight whether principals thought the use of progressive discipline is worth the effort and help garner information on their perception of its contribution to educators' conduct.

Respondent A thought that the strength of progressive discipline process is that *it tries to be fair*. However she also found that it is *flawed* and that the department's delay in concluding formal enquiries diminished the seriousness of misconduct and led to teachers' lack of respect for the process. She thought that principals are often not sure of what to do and that the latter accounted for the inconsistency in its application and may also be a reason it is sometimes not used. She ventured that progressive discipline should be *friendlier to use* and that principals are provided an *idiot's guide* to help them implement it. She did not regard counselling as part of a discipline process and argued for school principals to be given the authority to hand down more serious sanctions than final written warnings. This respondent explained her position this way:

Principals and I'm including myself, need to be better equipped to deal with it. It's not about training it's about real understanding of what happens and very

often it's about implementing an idiot's guide; if this happens, this is what you do. That is what principals want.

And

If a teacher hasn't done playground duty and I call her in and I talk to her and it's recorded and that is called counselling then what? Have I disciplined or have I simply followed one step in the process? Because the next time it happens what then? It becomes a verbal warning then a written warning and then the district office becomes involved. I don't think that the principals are disciplining. They are the ones implementing the department's discipline but they are not doling their discipline. They are not saying you are now suspended for a week. (Interview, 18 December 2011)

Respondent B expressed confidence in the system for the opportunity it provides to employees to change their conduct. She appealed for the consistent implementation across all schools but however *confessed* that she did not report all the serious cases such as corporal punishment for formal disciplinary action though she had informed educators that she would. She believed that teachers serve the learner's interest when they administer corporal punishment.

Respondent C viewed the discipline procedure with mixed feelings. She worked at finding the middle ground between the staff's expectation that she *comes down hard* and her own difficulty with making certain decisions. She relied on her understanding of staff members' personal circumstances and allowed some latitude for minor incidents with the expectation that staff would deliver their *pound of flesh*, referring to the after school duties.

Respondent D pointed out that her literal understanding and application of progressive discipline initially caused her to deal with several disciplinary

cases without much success. It took a several years to understand the process correctly. She was fearful of teachers' threats to sue when she disciplined them but found protection in her reading of regulations and laws that govern the process.

Respondent E found that people respond positively to progressive discipline but acknowledged that he is *creative* in its application. He builds into it several reminders to ensure that he is *one step ahead* and often points out consequences of certain actions.

Respondent F also expressed mixed feelings. He felt that principals are left on their own after training had been completed and urged for greater support from the department. He also wished that fellow school principals would support each other in a more formal and regular manner.

Respondent G blamed *nepotism* for impeding the establishment of a disciplined teacher corps. She viewed teachers as generally *ruthless* and not upholding the *dignity of the profession*. She felt that she did not fit in amidst the *lawlessness* that is prevalent amongst educators and is likely to leave the school and/ or profession.

Respondent H expressed frustration with the department's delay in conducting the formal disciplinary enquiry. However he felt that the process successfully deterred recurrences when used internally. He explained:

One would neither get the same type of incident happening again nor would someone complain about the same thing. You get the sense that because you told the teacher you are recording it, although it is informal, it works. (Interview, 19 December 2011)

Respondent I concurred that the referral of a disciplinary matter to the department for formal steps to be taken is *a waiting game*. He stressed the importance of dealing with a matter at school since the various groups expected something to be done. He expressed his satisfaction with the way he had dealt with discipline matters at school.

Many respondents found progressive discipline a reasonable but defective way of establishing discipline and expressed their concern about departmental delays in dealing with educator misconduct cases. Many also found it difficult to implement and required more support from the Gauteng Department of Education. Few felt that it is a good system but appealed for its consistent application across schools. The minority found educators to be uncontrollable and lacked confidence in the department for its preferential treatment of educators.

4.3.2.2 Do you think that progressive discipline contributes to the maintenance of educator discipline at school?

The focus groups discussion on this theme is captured below.

Participant 1 indicated that educators know that a warning would stay on file for only six months, they would wait the period out and their misconduct would recur. Participant 5 agreed that *the teacher will calm down for a few months and then start all over again*. Participant 1 also felt that the process of progressive discipline is ineffective to deal with the cumulative and serious impact 'petty' offences have on the school and preferred that charges of misconduct to be levelled immediately for lesser offences. Participant 5 concurred: *It is too lenient. You have to give verbal and written warnings. It is not working and makes us look like counsellors; people who must be sympathetic all the time*.

Most participants cited the *dragging out* of the process as a reason for its failure. Participants offered one or more consequences of this. Participant 3 said that the impact of the *dragging out* of the disciplinary process is felt by children, the broader school atmosphere amongst the staff as well as her management of the school. She explained:

At school level when it drags out, the children suffer immensely. If there is a situation with one person the teachers become involved in stoep talk about another teacher's problem. Now not only one teacher's class is influenced but the school environment is affected. Now I have to constantly monitor to get them back into class.

Participant 4 agreed that educators are disillusioned with the department for taking months to take formal action. Educators also lost their respect towards the principal as errant educators *become heroes and don't even come to the office when I call them*. Participant 5 also concurred that the duration of the process caused it *to lose its meaning along the way.*

All participants agreed that principals and even other educators who implemented the progressive discipline procedures that failed so dismally paid the heavy price of damaged personal relationships and emotional stress.

Participant 3 indicated that she suffered *emotional trauma* when she and her family were threatened during the course of the disciplinary process. Participant 4 pointed out that she was *emotionally drained* after dealing with disciplinary issues at school and that teachers at her school needed help. She elaborated :

Even the drop of a tea spoon scares them after what happened in the school and I expect those teachers to teach as if nothing happened. No one came to

offer a service. They [department officials] just came into the school and said,' we expect you to do better' as if nothing happened.

Participant 1 and 5 respectively felt emotionally *drained* and *torn* while participant 2 was concerned about the time and effort it took to restore relations that were initially good.

This question elicited sentiments of powerlessness amongst some respondents. Participant 2 expressed that *principals have no clout, only a letter that goes on file. It does not work.* Participant 5 agreed and directly argued against progressive discipline when she said: *Let's do it once so that everybody knows we mean business*.

Most participants blamed progressive discipline's failure on its exacting and administrative demands. Participant 1 found it an *administrative burden* while Participant 5 said it was *cumbersome*. Participant 3 worried that *one mistake made me do the procedure over again*. Some respondents supported the latter's call for legal experts to be assigned to schools or area to *do things correctly*.

Some respondents like participant 5 felt that the process detracted from the running of the school and *deviated* from her *focus*. Participant 3 agreed and submitted that she wanted to *concentrate* on what she was *trained to do.*

In exploring this theme most participants felt that progressive discipline for educators failed to make a substantial contribution to discipline amongst educators. A number of respondents thought that it *works to a degree* while many others thought that it worsened the discipline amongst educators. Participants offered several reasons with many concurring on the department's delays and leniency as reasons for the failure.

4.4 Theme 3 - Principals' experience of the progressive disciplinary process

4.4.1 What stood out for you in the application of the progressive disciplinary procedure?

This question is aimed at looking at principals' experience of the entire discipline process. It is assumed that the experience helped shape their overall impressions and perception of progressive disciplinary procedure. Incidents beyond the 'usual' procedural aspects of disciplinary steps would also help provide a sense of the depth of the overall experience (Henning, 2004).

Respondent A said that though she knew that she had done the right thing when using the procedure, she found it *unpleasant*. At times she understood an educator's personal circumstances as a valid reason for an offence like e.g. late coming, though she could not condone it. She was also racked with uncertainty about the correctness of the procedure she followed and expressed fear her disciplinary efforts could be used against her or not stand up to scrutiny.

Respondent B found the disciplinary procedure a valuable learning experience in the area of human behaviour. It had helped her develop sympathy and empathy and had her to resolve problems. She described the education department's handling of misconduct cases as *slow in administering what needs to be done* and accused it of *negotiating the non negotiable especially with the union and its deferring the education that is sad of a black child.*

Respondent C indicated that she had and initial fear for the *formal counselling* procedure she had to conduct but was surprised that it was *pleasantly resolved*.

Respondent D said she found that educators that are disciplined *fixate* on the principal and that she had been accused of not liking that person and of *being on her case.* She also told how upset she was by an educator‘s *ranting and raving* before and during the disciplinary hearing held at school and provided the following detail:

When you call her in, she shouts at the top of her voice that I'm evil, that God eventually will know what is happening, that I'm possessed because she knows that it is only evil devils that would make a person target one person like that. I didn't get any joy from any intervention. I am covering for the school and the children all the time. (Interview, 25 November 2011)

Respondent E related that he conducted the disciplinary procedure as prescribed and that his procedures have been incident free.

What respondent F found surprising is that during a house visit to an educator in an informal attempt to obtain an educator's co-operation, a family member instead of supporting his effort, blamed him for the educator's misdemeanour and requested that he desist from visiting her home to speak to her husband [the educator].

The words *unpleasant* and *uncomfortable* featured in Respondent's G answer. She found that educators that are disciplined *sulk* and that they are not *emotionally intelligent*. She ensured that *the union* was present in a hearing at school and also sought assistance to gain compliance outside the hearing.

Respondent H's experience related to incidents subsequent to the disciplinary steps taken. He had in one instance a *venomous* response in the form of accusations about him made to the union and the department. He felt that this extended to attempts to exclude him from a selection panel set up to

help fill a vacant deputy principal's post that at the school. He perceived this as efforts to discredit him.

Most respondents experienced the progressive disciplinary procedure negatively. Of these some were particularly concerned about following the steps correctly, found that individuals' conducted themselves poorly during the procedure and even efforts to address misconduct informally were met with hostility from educators' family members. Of the minority that did not experience the procedure negatively a few found that it addressed a matter with ease and without incident, while the minority benefited indicating that it helped problem solving.

4.4.2 How have teachers and other education stakeholders, like parents, learners, trade unions, school governing bodies , the department and other principals reacted to the progressive disciplinary procedures that you have used?

It is unlikely that principals' experience of the disciplinary procedure end after a sanction had been handed down in a hearing. The nature of various parties' response to disciplinary action is part of the respondents' experience of the process. This question was precisely aimed at delving into that and to help provide further insight into the experience.

Respondent A found that the *mutterings* and *camps* amongst staff after a formal disciplinary hearing upset the school's harmony. This took long to restore and with a conscious managerial effort. She believed that though parents had strong opinions they would not overtly support the action she had taken but rather require that she be more patient and gave consideration to *cultural things* such as her age compared to those she manages. She attributed this attitude to low education levels of parents at her school. *The union's* response led to her recognition that the group is very significant and

she had adapted her overall management to accommodate this. She explained:

The only people that have really tried to intervene have been the unions. They came in, threatened me at my school. There was the belief that I was being unfair and intractable and difficult and this was before all the facts were known. So they came and they were toyi toying outside the school, it was very unpleasant. I got pushed around and basically called the most awful names etc. And told, we know where you live and we know where your children go to school and you better watch out.' It was ugly. At first I was very disgusted at the behaviour. I thought that, 'they don't know what you are doing etc.' But I have come to realize that that they are more powerful than we realize. You have to try and establish some sort of relationship with the union whether you like it or not. (Interview, 18 December 2010)

Respondent B considered teachers untruthful when they told others about disciplinary conversations held in the office but found parents generally happy with the way issues have been dealt with. She indicated that she last had reaction from the union after she reported a matter to the department about 2 – 3 years earlier. On that occasion *the union* had subsequently *attacked* her and *warned* her husband who is also a school principal in the same district. She provided the details of the incident as follows:

A *teacher was absent for about 3 – 4 weeks and children were without a teacher. I tried to get in touch with her but I couldn't. I even went to her home on a Sunday to find her. I reported it to the department and they issued a letter to her and instructed her to report for duty. Then I got a nasty unexpected visitation from the union. Amazingly, they started at my husband's school. They had gone to warn him to stop him from 'harassing their membership.' They arrived at my school around 9am. They left their posts to come and disrupt us. They demanded to know why I did not accept*

a letter from the priest. I told them that I needed a medical certificate to appoint a substitute teacher. They never sat down, stood in the foyer, all spoke almost at the same time, pointing at me saying they are going to deal with me because I think I am the employer, etc. I reported the matter to the District, The South African Council for Educators and the police. The district never gave me a response, The South African Council for Educators acknowledged my letter but the police dealt with the matter. I have peace till now, it was the last. I never heard from the teacher union again, probably I made them realize.(Interview, 29 December 2011)

Respondent C said she had mixed reaction to disciplinary matters. On the one hand teachers expresses negative attitude because they perceived that disciplinary steps were not taken. On the other hand most parents found the action taken satisfactory. Yet other parents had reported her to the MEC's office claiming that she failed to attend to an issue when she had actually done so. Some parents she said, *threaten you with the district, they threaten you with the media, lawyers or the department. I now say, 'can I give you the names of the people you can talk to in the department?' (Interview, 12 December 2011)*

Respondent D stated that teachers had difficulty in accepting that the school principal had two roles assigned during an internal disciplinary hearing at the school. She shared their sentiment and felt that playing both roles reduced the hearing to a mere formality. She felt let down by the department for their long delay in dealing with disciplinary issues she reported. Elsewhere she noted that the union representative in an internal hearing she conducted was helpful in keeping the educator co-operative during the hearing

Respondent E indicated that he had little or no involvement from the union in disciplinary procedures. Parental involvement was largely restricted to those who had a direct interest in the teacher misconduct. This respondent

believed that teachers expected him to take action when necessary but felt that they were largely disappointed when *I don't blow my top* over an incident. He mentioned that he is fortunate in his ability to be at his calmest in those situations.

Respondent F pointed out that comments teachers make in the wake of a disciplinary hearing show their sympathy for the educator that had been disciplined. In anticipation of this sentiment he had invited their colleagues to handle misconduct and *negotiate* with the errant educator *on behalf of the school;* however no one had taken up the offer. In an internal matter some staff members had expressed their gratitude that the respondent had dealt with a disciplinary matter. He indicated that the union had played its role in defending an educator's misconduct but had refused to do so when the misconduct recurred and accepted the outcome.

Respondent G experienced some support from educators in some of her efforts to discipline an educator and had a request to discipline a particular colleague. In an instance the wife of a member of staff informed her that her husband had obtained a fraudulent sick note to cover his absence from work. She was supported by a *highly politicized and unpopular* governing body chairperson who at intervals had addressed the staff warning then that he would not let teachers *destroy the school's reputation and children's future*. The respondent now ensured that *the union* is part of disciplinary proceedings.

Respondent H informed that teachers had in the main supported his decisions in disciplinary matters. The *community* had asked questions after the resignation of an educator that had committed misconduct. He had also earlier told of a delegation of educators who felt that he had been too harsh in his dealing with the misconduct. This respondent also contacted a South

African Democratic Teacher Union leader to help organize the site structure at the school. He also encouraged staff members that are members of unions to actively participate in their union's activities.

Respondent I indicated that he too sought *the union's* help in addressing serious disciplinary matters and that *the union* had not opposed him. Like the previous respondent he engages with *the union's* site representatives although *diplomatically*. He would at times enquire about their awareness of certain matters and offer to contact their leaders where they are unable to respond to questions. At times a union delegation would come to see him as *a crew to discuss simple things.* Parents are informed about disciplinary issues and are satisfied with his handling thereof.

A few respondents indicated that colleagues of the disciplined educator responded positively while in some cases disharmony resulted amongst the staff as individuals *took sides.* A few respondents said that educators principal's role as 'judge and prosecutor' in internal disciplinary proceedings were unfair. This coupled with the delay in the department's response to misconduct reports intensified the respondent's negative experience. Most respondents had negative reaction from the union after disciplinary steps were taken and as a result respondents attempted to develop a less adversarial relationship with *the union* in disciplinary matters. Some even took initiatives to broaden overall union activity in the school.

4.4.2 Describe your experience of the progressive discipline process.

Respondents were unanimous in their responses that the progressive discipline experience evoked strong and intense emotions including fear. All used similar emotive terms to describe what they had gone through. Some

related incidences to illustrate their experiences. Participant 2 in the focus groups described his experience as follows:

The two words that come to mind are 'traumatic and stressful.' It is an emotional burden to do this. One's heart strings are ripped because you are dealing with a colleague. It is killing and takes every ounce of fun out of being a principal.

Participant 1 found the process difficult too, more so because most of his staff are older than he. He explained:

It is stressful. I sigh heavily when the person walks out the door. If I had it my way I would strangle the person (*gently). My management is afraid to burn their fingers. The deputy and principal don't want to be a witness to the principal. I take two witnesses when I have an incident. You have to plan and be strategic.*

In his response to the above, Participant 2 added that he felt *betrayed.* He added: *Even after having completed the disciplinary procedure in goodness, you still have to keep your guard up and still have watched your back. They are coming to get you and then you have to prove.*

Participant 3 added the words *abused and distraught* to describe her experience and also added: *Apart from being stressful it's very scary sometimes especially where people are aggressive. I've had aggressive meetings in the progressive procedures that had I followed. I've had union members jump up and threatened me, 'we know where you live, we have your address, and we even know where your children go to school.' In these situations you are brave, you face up to it but you are scared, you are only human, you don't know what will happen next.*

And

I once had a male teacher. He did not tell me that he would shoot me; he is too clever for that. He would tell me: 'Did you know that I once shot someone? I have a friend; actually I have a few friends. One evening he told me, 'my one friend shot someone from behind and through the head while he was driving away.' Then he would walk out and come back into my office and say, 'nobody messes with me and my children and what they will eat tomorrow.'

Participant 5 related a similar incident and indicated that she *wanted to run away* because of the progressive discipline procedure. She found it *draining, scary and demoralising*. She related an incident that occurred after she attempted to discipline a group that had expressed that *they would not be ruled by a woman*. When she was in the office with her deputy who is a friend of this group, two *dirty, scary gentlemen* entered her office. One showed her a bullet and told her to *stop messing around with our friend* and mentioned the name of a teacher at the school. She related that the group continued to misbehave *with the backing of the union* and that she feared going back to work with them.

In her account Participant 4 said that she had to deal with *arrogant, disrespectful, bullies who try to reduce you to nothing.* She had questioned her own worth and worried about having to continue to work with the persons as if nothing is going on. She continued: *they disrespect you with their union representative and hide behind the union, using the union. The guys that are problematic at school are on the union site committees and put themselves in the school governing body, strategically. They own everything in the school*. She felt unprotected and felt as if someone may shoot her and had got *other people* to check if things are safe at school. She related that some at school objected to being led by a woman. She often felt like crying but manages to put up a brave face.

Responded 5 related two further incidences that helped her develop *nerves of steel*. In one incident she was locked out of school *by teachers wearing their red t-shirts as if they were at war* and in another she was warned by an educator's wife. The woman threatened to *put her head through the burglar bars* after she [the respondent] reprimanded a male educator to correct his behaviour.

Some educators in individual interviews related the responses of organized labour and individual educators that have been disciplined that were similar to those of the focus group. The direct data obtained from the focus group centred around three main themes that largely confirmed the indirect data collected in the individual interviews. The focus group added to the data in that it offered some new information. The focus group experienced the progressive disciplinary process in far more negative and emotional terms than the respondents in individual interviews. Most had experienced threats, intimidation and harassment from either union representatives, the educator subjected to disciplinary measures and/ or their representative in and/ or outside the disciplinary hearing.

Like those respondents in individual interviews most participants felt that the consistent application of progressive discipline is limited and that consistent application was in some instances neither desirable nor fair. Similarly many participants felt that progressive discipline for educators failed to make significant changes to educator conduct when applied at schools and most offer similar reasons therefore.

4.5 Summary of findings

Most respondents expressed a degree of satisfaction with the manner in which educators conducted themselves and few felt that disciplined had worsened. Most submitted that it took great effort to maintain discipline

amongst educators. Some respondents indicated that the role of teacher unions, delays by the department, low morale amongst educators and bad influence as reasons for lapses in educator discipline. Some also identified poor work ethic and quality of educators as underlying causes of worsening discipline.

Responses revealed differing interpretations of serious misconduct but most respondents use some form of progressive discipline at school. Some combine it with innovative methods and many involve members of their school management team to assist in disciplining errant educators. They did so because the internal procedure was sufficiently serious or the urgency of the situation called for immediate action. A few used innovative methods which they felt worked best. Some requested formal enquiries only after internal measures were unsuccessful and few directly referred their serious matters for formal enquiries because the rules prescribed it.

The classification of some infractions as ‘less serious’ was contentious for a few school principals. They believed that many such infractions categorised had huge repercussions on the school’s functioning. Less serious matters were dealt with by most respondents through reminders, disciplinary conversations and requests for reasons for less serious misconduct. Many involved their management team to handle minor misdemeanours before they step in, while some sought assistance from others rather than taking formal disciplinary steps.

Most respondents expressed it necessary to preserve good human relations amongst staff members and indicated that peaceful, non threatening ways of the counselling phase of progressive discipline served this purpose. Many believe that listening to reasons and understanding them reduced the conflict of formal disciplinary procedures. Most principals also found counselling to

be a peaceful method that allowed errant educators to grow and develop. This method is often applied with the help of others at the school.

Most principals do not apply progressive discipline consistently and also perceived colleagues to do the same. Some had direct experiences of their colleagues opting not to discipline educators for similar matters that they, the respondents have disciplined educators. This was largely because of uncertainty of the procedure, fear and human considerations. The few that disciplined educators consistently felt that justice was not always served by consistency.

Respondents were ambiguous about the effect of disciplinary steps in 'serious' cases. Some principals perceived that progressive discipline had very limited effect on educator conduct. A few thought that it may have made educators *think twice*. Some thought that it *works to a degree* while others thought that it worsened the discipline amongst educators. Many respondents were concerned about departmental delays in dealing with educator misconduct cases. The minority felt that progressive disciplinary procedures made a positive contribution to educator discipline

Most respondents had emotional and negative experiences of the disciplinary procedure. Most had experienced threats, intimidation and harassment from either union representatives, the educators who were disciplined and/ or their representative during or outside the disciplinary hearing. A few respondents indicated that colleagues of the disciplined educator responded positively while in some cases disharmony resulted amongst the staff as individuals formed groups and took sides. The department's delay in responding to misconduct reports worsened the experience. Many respondents developed less adversarial ways of relating to *the union* both in disciplinary matters and a few made general overtures to the union.

Chapter 5: Analysis of Findings

5.1 Introduction

In order to extract meaning from the data collected, a process of thorough, systematic reasoning and analysis is required. In this chapter the data interpretation and analysis is presented. The concepts and major issues contained in the literature survey presented in chapter 2 are weaved in throughout the analysis offered. In so doing the analysis of school principals' perceptions of progressive discipline is arranged consistent with the research questions that guided the data collection. This is done to ensure that analysis is guided by the objectives of the research.

5.2 Qualitative Data Analysis Process

Qualitative data analysis is not exclusive to a particular phase of a study but extends over more than one phase of a study. Many qualitative researchers analyse their data early on in the data collection process (Henning, 2004; Nueman, 2003). Hence throughout the individual in-depth interviews as well as during the focus group discussion I continually considered the range of responses and formulated various impressions as I made connections between them.

The more structured analysis process presented here used comparisons and contrasts "to define conceptual similarities" and differences "to discover patterns" (Henning, 2004: 127). In the main this follows an inductive course "that begins with concrete empirical evidence and worked towards more abstract concepts and theoretical relationships" (Nueman, 2003:60). The analytical process also used elements of the method explained in Nueman *op cit* which "pursues generalizations by making comparisons across social situations" all the while remaining "faithful to the evidence" as it mirrors strictly the research participants' views and opinions.

According to Henning (2004), the qualitative data analysis process is also "context dependent." The particular milieu and context from within which each respondent acts was crucial in this qualitative data analysis endeavour. In this study it was essential to consider the organisational and community contexts within which the schools are located and within which each school principal managed educator discipline. The data analysis therefore contains some information about the context of individual respondents including some biographical data that may provide meaning to the action beyond the narrative responses and the motivations they offered for their actions. This was also done to isolate possible attempts to distort actions, motivations and behaviours (Henning, 2004:128). I was particularly aware of this because I am a practitioner in the educator discipline management field and work in the district in which the study is located. Thus I had to analyse the data consciously and rigorously to isolate possible misrepresentation due to "obsequiousness toward power, pressure to conform, and fear of embarrassment" (Henning, 2004:128) on the part of some respondents, many of whom I have contact with in the course and scope of my work as a discipline and dispute management practitioner, the risks and their management of which were discussed in an earlier chapter.

5.3 Perceptions of the consistent application of progressive discipline in Johannesburg North Schools

This section is presented by focusing on the two areas that are integral parts of the progressive discipline process, namely the implementation of the disciplinary procedure for 'serious' misconduct and 'less serious' misconduct. Firstly I present an analysis of the kinds of misdeeds that principals submit as 'serious' misconduct and then proceed to analyse the principals' account of the procedure they use in such instances.

5.3.1 Management of serious misconduct

Section 17 of the Educators' Disciplinary Code contained in the Employment of Educators Act determines serious misconduct which carries dismissal as mandatory sanction if an educator is found guilty. These include sexual relationships with learners and acts of fraud or corruption regarding learners' promotional reports or examination. Gauteng Department of Education's administrative procedures requires that a district office's director must prepare a written submission to the Discipline Management Directorate at its head office requesting authorisation for formal charges of misconduct to be levelled against an educator who faces such allegations. This submission is then sent along a line management hierarchy that includes a director, chief director and deputy director general before final approval or not by the head of department. Once approved, a formal disciplinary enquiry must be conducted. Section 18 of the same statute defines other misconduct for which formal disciplinary procedures may be followed. Importantly, definitions of statutory offences contained in other statutes such as the Sexual Offences Act may also determine which acts must be formally dealt with educator misconduct.

This is consistent with the literature asserting that the establishment of discipline management procedures provide "a normative framework for identifying and dealing with problem areas" (Fenley, 1998:350).

5.3.1.1 Serious misconduct

Data obtained from the responses of principals to the overall assessment of discipline at their schools was considered before the method used for dealing with serious misconduct. This allowed me to explore whether principals are making a distinction between serious and other misdeeds. The assumption

here was that school principals would first mention those incidents that are serious and bother them most and impact the school most negatively.

The study revealed that matters related to educator timekeeping and attendance received first mention in many principals' assessment of educator discipline and as mentioned I assumed those matters impact most on school management. Alongside late coming, most principals in their initial assessment of teacher discipline mentioned educators' failure to meet deadlines, leaving school without the principal's permission and absence without authorization while some added poor classroom discipline, dress code and defiance as regular forms of educator ill-discipline. A few used the terms *work ethic* and *commitment* when presenting their assessment of teacher (ill) discipline. Some specifically mentioned that those incidents referred to are serious because they negatively impact on the daily running of the school and *place learners at risk*.

At the offset it was evident that in some cases what school principals perceive as serious misconduct are those that the Gauteng Department of Education suggests should be dealt with at school through a series of counselling, verbal warnings and written warnings (Gauteng Department of Education, 2007). The Department's document, however, also suggests that lesser or harsher sanction can be imposed depending on the circumstances and gravity. Apparently the administrators do not regard these deeds as seriously as school principals. A further indication of this is that the document limits the most serious sanction that the principal may use in such and all other instances. Secondary data in the form of unpublished district case logs indicate that the district dispute management unit had insisted that the procedure for 'less serious' misconduct be exhausted at school when cases involving late coming, failure to meet deadlines and leaving school without

permission are referred to the district office. However, in the Johannesburg North District no formal disciplinary action had been taken in such instances which mean that sanctions more serious than a final written warning may not have been handed down. It is likely that in instances of misconduct that principals regard as serious, the progressive disciplinary process is not used to its logical end. It is unlikely that educators would be dismissed for misconduct that principals regard as seriously disruptive to the school's function; evidently this is a perverse outcome of rules that prevent appropriate action to correct problematic behaviour.

Additional and more direct indications of what school principals understand and experience as serious misconduct of educators were also obtained. Some incidents specifically expressed as serious and which the school principal had dealt with as such include educators failing to do playground duty, failure to submit work plans and other documents, poor interaction with other staff members, slapping learners, absence without authorisation - some related to substance abuse and fraudulent learner examination scores. Many principals were also confronted with inappropriate advances of educators toward learners; some in the form of "grooming" of learners and others as sexual relationships with learners.

Principals' acceptance of some incidents as serious like failure to do playground duty and failure to submit work plans can be regarded as surprising while others are consistent with what the literature suggests are intolerable actions that violates "vital rules" and present external threats that simply cannot be ignored or treated lightly (Yare, 2006:542).

Given the importance of these types of rules and the serious consequences of an educator's violation thereof at societal, institutional and even political levels, these incidents if exposed as Yariv *op cit* suggests, can affect the principal's performance rating. Serious regard and action are likely to be

necessary, urgent and regular. Nevertheless the latter is neither the only nor the overwhelming consideration for school principals when confronted with 'serious' misconduct as some of the data analysed below suggests. This type of educator misconduct and the handling thereof place focus on the principals' performance rating and politicises the discipline management process. The decisions that principals make in these instances have critical consequences on many levels.

It was apparent at an early stage of the study that school principals have differing notions of the classification of misconduct as 'serious.' While the study confirms the standard acceptance of 'serious' educator misconduct as the contravention of important societal norms and critical school rules it is also evident that principals also regard as serious those 'little things' that seriously affect the day to day management of the school. This was emphasized by a respondent as follows, *a teacher not doing playground duty; the simple truth is that the repercussions of something going wrong on the playground is just huge … So how do they determine that this is a serious infraction and this is not?* (Interview, 18 December 2010).The implication thereof is that school principals prefer greater discretion when deciding on the categorization of misconduct and would not want to be bound by a prescribed list that the department have issued. Similar implications exist for the data analysed in the next section.

5.3.1.2 Procedure for serious misconduct

In this study school principals were requested to relate how they dealt with serious misconduct. Their responses provided examples of what they felt were serious cases and gave an account of the procedure they followed in dealing with those. As indicated in the previous chapter, respondents could then "peg" their answers and avoid broad statements. The rationale of this approach is that principals' account of their application of progressive

discipline and their motivations reveal their perception of the procedure. It also discloses the validity of their responses to a direct open-ended question about their perceptions of the process. Principals' practices of progressive discipline are thus verified against their responses to the question about perceptions, hence improving the reliability of this study.

In the introduction to this theme I indicated that the Educators' Discipline Code prescribes formal disciplinary hearings in allegations of serious misconduct. The Code compels school principals to report serious allegations levelled against educators to the district office. The findings however indicate that many school principals do not follow the same procedures when dealing with serious misconduct and that in many cases formal prescribed disciplinary steps are not their first choice even where the infractions were of "vital rules." It is evident that several factors are at play in the procedures that principals follow. They are:

(a) 'Informal' procedure for serious misconduct
(b) Co-management and compliance
(c) Response time to reports

(a) <u>'Informal' procedure for serious misconduct</u>

The data indicate that in serious cases of misconduct for which formal disciplinary enquiries and dismissal are mandatory if found guilty, many were managed through 'less formal' and some through other means. These are best illustrated through examples in the data obtained.

Some incidents involving educators' sexual relations with learners were not at the offset dealt with formally but when reported even for formal action, alternatives to dismissals were implemented. Respondent G indicated that in such a matter that she referred to the district office, a department official responded with: *for this*

poor teacher not to suffer the consequences, I am going to ask him to jump ship, to hand in twenty four hours notice and leave (Interview, 21 December 2010). The educator thus resigned.

In a few cases where respondents were convinced that respective male educators were involved in the serious offence of *grooming* girl learners, 'less formal' disciplinary meetings were conducted at school. The way Respondent D dealt with cases of grooming is reflective of her comment that the *conduct had nothing to do with academics* implying that the internal procedures was a suitable way of dealing with it and she thus convened a disciplinary meeting at school. In another similar matter Respondent C dealt with it 'informally' at school and even informed the educator that she was not authorised to do so. She, however, felt pressured to deal with the matter *urgently* because the parents who laid a complaint arrived at school angry. She also believed that in so doing she acted in the interest of her employer. Respondent H had two similar serious cases in which educators submitted false examination scores for learners. One case he referred to the district office and the educator was dismissed. In the other case he discussed an alternative option with the educator which she opted for. Respondent D dealt internally for 3- 4 years with two matters she regarded as serious before reporting it for formal action. All these examples illustrate both tacit and direct acknowledgement that school principals dealt with serious matters differently and in many instances deviate from the prescribed procedure.

The South African School's Act declared corporal punishment an assault and determined that an educator convicted is liable for a sentence for a criminal offence (Republic of South Africa, 1996). However several corporal punishment matters do not reach the department for formal disciplinary enquiries.

Respondent E said he dealt with a corporal punishment matter at school *on the advice of the district office's labour relations unit* (Interview, 8 December 2011) A

most telling comment came from respondent C who also dealt with corporal punishment matters at school*: Somewhere I am torn between; I want a highly disciplined school and when they do this type of disciplinary measures [*corporal punishment of learners]*. I know it's for the benefit of the learners but at the same time I know it's against the department's laws. So I am not very quick to be honest. I try and reason and find solutions to stop it. This is a confession I've made to you. I never brought it to the department. It's with the intention to say we want our children to write homework, to learn and here they (the learners) don't write [homework]. (*Interview, 29 December 2011)

It is reasonable to conclude from the above accounts that some have applied progressive discipline inconsistently and some even arbitrarily. The motivations for their actions revealed their perceptions of the procedure: That the formal disciplinary enquiry procedures were in many instances, neither appropriate in the circumstances they faced nor in the interest of the learners and that that validated their deviation.

A few respondents' view about the 'informal' method and the reason it was used for serious misconduct such as grooming was interesting. Respondent D indicated that the *formality* of the disciplinary meeting at school and the presence of the union representative conveyed the seriousness of the deed and would ensure *compliance*. Evidently the 'informal' procedure delegated to school principals and the role assigned to the union representative is perceived by some as a sufficiently serious and a formal way of dealing with 'serious' misconduct.

The data shows that in many instances less serious procedures are used for serious cases because principals felt that less serious procedures are too formal and the consequences thereof too serious. On the other hand less serious methods for serious misconduct are used because they have all the elements of a formal disciplinary enquiry and would correct the misconduct. What this

illustrates is that many principals exercise their discretion in dealing with serious misconduct. This is made possible by the remoteness of the school from the Human Resources functionaries in head office that are responsible for formal disciplinary proceedings for serious misconduct. A further implication thereof is that the head office of the Gauteng Department of Education has little actual control over the management of serious discipline and can only deal with those matters that are handed over to them. Furthermore using less serious processes for serious offences also result in a speedier resolution because the procedure is conducted by the principal at the school.

Also interesting were the few instances in which Gauteng Department of Education's official(s) contributed to some of the inconsistent applications. This was done either by asking errant educators to *jump ship* or an appeal attributed to a district official made the same respondent to be *flexib*le and *streetwise*. That Respondent had this to say: *the very people who have to apply the sanctions are the ones who defeat the ends of justice* (Interview, 21 December 2010). Much more data is however required to make general findings in this regard.

(b) Co-management and compliance

In an unpublished "delegations" document, the Head of Department of the Gauteng Department of Education had delegated the management of serious incidents of ill-discipline to the discipline management directorate. The handing down of a sanction may only be done by the presiding officer in a formal disciplinary enquiry (Republic of South Africa, 1998). The function may not be delegated to lower levels of management. The data showed however that in many instances school principals made deliberate efforts to ensure that their management teams as well as other parties assist when they handle 'serious' misconduct.

Respondent A regarded the non-submission of work plans as serious dereliction of duty but followed an internal procedure for 'less serious' offences and conducted *peer accountability* sessions with that educator's colleagues instead of reporting it to the district office. Respondent F who regarded the continuous absenteeism of an educator as serious, had *unofficial discussions, man to man, not recording them, where we did not at the end say this is the sanction* (Interview, 13 December 2010). He also went to the educator's home, asked the SGB to *talk to him and to help* and wrote letters to him, all before the matter was referred for formal action. Respondent G has spoken to a drunken educator *pastorally,* had a *semi hearing* and *sent people to his place just to find him in a shebeen.* Respondent I requested the help of a facilitator after a Head of Department at school had attempted to deal with educator's continuous absenteeism, and non-submission of documents. He also requested the staff *to reach out to this person*. Many principals appear to use *other ways of saving a person* which Respondent F had described as *ubuntu* (Interview, 15 December 2011). The methods also included its contrast i.e. the ostracism that is built into the *peer counselling* to handle 'serious' misconduct.

What these methods show is that most principals do not perceive the prescribed formal disciplinary enquiry as the panacea to educator ill-discipline and that many respondents attempt other lengthy, exhaustive methods to convince educators to comply. A few respondents had however elected not to follow this trend. Respondent H *placed the interest of the kids first* and *followed the book*. Respondent E also said that he *followed all the regulations* (Interviews, 2011). The actions of many however revealed the perceptions that progressive discipline was at times not appropriate in the circumstances faced by school principals which validated their deviation. A common feature in the preferred method however is the involvement of other parties at school.

The shared management of discipline is consistent with overall management and leadership styles according London (2004) and tend toward "collegiality and

openness" and embraces shared management that values human relations, democratic interaction, consultation and partnership that "define a new behavioural approach" (ibid:481). These relationships are regarded as imperatives of school management and empowerment (Cook, 1997). The literature on school management and leadership suggest that "concentrating on people and relationships in order to win cooperation and commitment" (Huber, 2008:166) is a formula for success.

It seems however that in addition to the democratic management approach of home visits by principals to educators to collect outstanding learner exam scripts, tracing and pursuing an absent educator to a shebeen and requesting SGB members to *talk to* a continually absent educator were quests for educators' immediate and necessary compliance. Notions of educator commitment seemed of very little use to respondents confronted with these serious offences that needed immediate correction. It is also indicative that many school principals perceive the formal disciplinary procedure as punitive and unable to deliver the required compliance when needed. Thus many resort to co-managing educator discipline in certain instances to coerce educators into compliance rather than the punishment through the formal disciplinary procedure. This approach concurs with the view that punishment "discourages undesirable behaviour but does not directly encourage any kind of desirable behaviour" (Bharijoo, 2008:53).This may however also imply that many are simply avoiding the formal procedure.

(c) <u>Response time to reports on serious misconduct</u>

The Gauteng Department of Education's delegations document provides that in serious misconduct cases a District Director shall request permission from the Head of Department through line management for a formal disciplinary enquiry to take place if the required evidence is available. Once approved a formal disciplinary enquiry takes place at the Department's offices. In event of a guilty finding the educator may appeal to the Member of the Executive Council against the finding and/ or sanction (Republic of South Africa,1998).

At the time of the interview respondent A had been waiting for the outcome to an appeal of an educator from the Member of the Executive Council for six months. An educator at the respondent's school had been found guilty and sanctioned at a formal disciplinary enquiry at which she and members of the school management team appeared as witnesses. The respondent complained that the educator continued to misbehave and that educators had little respect for the formal procedure. At the time of writing, one year and eight months had lapsed since the hearing was concluded and the Member had still not responded to the appeal. Respondent D was still waiting for a formal disciplinary hearing to convene 6 months after she had reported a matter to the Johannesburg North District office. Respondent B complained that a matter reported for a formal enquiry *took quite some time*. Another respondent indicated that *if you refer a matter to the district or head office it's a waiting game* (Respondent I, 18 December 2011) and therefore he *tries to stay away from unnecessary, prolonged disciplinary hearings.* Respondent F complained after he referred a matter an educator continued to receive his salary after four months of unauthorised absence. Respondent H expressed his frustration with the time delay before it gets to a disciplinary hearing and added: *When you speak to colleagues you also get the sense that it's not just you that have experienced this ... it's frustrating in the sense that you know someone is still on the roll and is earning salary.* (Interview, 19 December 2011)

Respondents in the focus group where directly requested to discuss their perceptions of the progressive discipline process and most complained about the *dragging out* and of *waiting for the department to take action.* This finding is consistent with those of Yariv (2006) that found respondents' frustration that "criticizing letters" were met with little response from the education authorities and "principals stressed their disbelief in written letters due to the lack of any response from the Ministry of Education"(Yariv,2006: 542).

Data obtained through direct open ended questions and indirect data from principals' account of their dealings in serious cases of educator misconduct concur. The categories discussed offer important contextual factors that explain principals' actions. Discipline management choices are influenced by the time it takes for the district office to respond, procedural justice elements contained in less serious procedures and the need for immediate compliance rather than deferred punishment built into progressive discipline. Evidently in the context many principals find themselves progressive discipline is unable to meet the need when required.

The 'informal' disciplinary hearing conducted at school has the same features of a formal enquiry. It requires that a notice of the hearing is issued, that a trade union representative is invited and that the educator be heard. These are all procedural elements that enhance perceptions of the fairness of disciplinary procedures (Jahangir, 2005). The presence of a trade union representative that supports a well run hearing (Saundrey, Jones, & Antcliff, 2011) is a particular reason a few principals gave for using this 'informal' hearing for serious matters. It is fairly clear that in managing serious cases through less serious procedure principals carefully considered the context, the available procedures and expectation that they manage their schools with "openness and collegiality" London (2004:481)

5.3.2 Management of less serious misconduct

Some of the definitions of misconduct in Section 18 of the Employment of Educators Act are sufficiently broad to include those acts of misconduct that may also be regarded as 'less serious' and that may be dealt with at school level (Republic of South Africa, 1998). The Gauteng Department of Education Circular 65/2007 clarifies the procedures to school principals. It delegated the authority for dealing with 'less serious' educator misconduct to the school principal, provides that no formal enquiry shall be held for such offences but prescribes

that the offenses “is dealt with in terms of paragraph 4, schedule 2 of the Employment of Educators Act (Gauteng Department of Education, 2007:6).

As sanctions principals may hand down counselling up to a maximum of a final written warning. Ironically the actual procedure in this ‘informal enquiry’ involves written notices to the employee and representative, hearing the other side, making a finding and handing down a sanction after mitigation and aggravation have been submitted (Gauteng Department of Education, 2007). Evidently there is very little difference between a formal enquiry for serious offences and a ‘no formal enquiry’ for less serious offences in the basic education sector’s version of workplace progressive discipline except in the parties to whom authority to conduct the procedure has been conducted. As mentioned the circular provides a guideline to appropriate sanctions for less serious offences which includes absence from work, abusive language, threat of assault, fighting, insolence and insubordination, sleeping on duty. It does however qualify that the “trust relationship” and “circumstances surrounding the offence” are essential considerations in these sanctions (ibid, 2007).

The guidelines thus provide school principals with some discretion however these are limited for even after having considered the circumstances, they may only hand down a final written warning as the most serious sanction. Where their decision making power is limited in that manner schools principals are likely to either opt out of the procedure and use methods that would give them more room to manoeuvre.

5.3.2.1 Less Serious Misconduct

Some of the data gathered in this research indicates that many school principals regard less serious misconduct as such instances as educators’ non attendance of parent meetings and occasional late coming without informing the principal. It is apparent from many responses that some less serious instances are also

those involving disciplining learners when teachers' *frustration levels get out of control* (Interviews, 2010 & 2011). These include sending learners out of the classroom and pinching them. Some respondents included leaving the premises without permission in this category as well which serves to confirm some of the mixed perception that exists on what is serious and what is less serious as the latter was also regarded by some as serious.

This disagreement on the categorisation of certain instances of misconduct as less serious will undoubtedly lead to differences about the procedures that are best suited to address less serious misconduct and would lead to principals' exercising their discretion when selecting appropriate disciplinary methods.

5.3.2.2 Procedures for less serious misconduct

A similar approach to that of serious misconduct had been followed in collecting and analysing the data. Respondents related how they dealt with less serious misconduct and were requested to motivate their choices. This served as indirect data on the perceptions of the consistent implementation of progressive discipline at schools in the Johannesburg North District.

During the analysis of the data it became evident that in serious incidences the procedure that principals used to deal with this category of offences also has a number of features some of which are not strictly speaking part of the prescribed progressive procedure. These features reveal very important perceptions of the 'less serious' procedure as contained in the Gauteng Department of Education's policy documents. The categories listed below help describe these elements:

(a) Counselling
(b) Progressive series of warnings
(c) Human Relations

(d) Co-management

(e) Fear of incorrect application of procedure

(f) Administration and Monitoring

a. Counselling

The data shows that counselling – the first stage of the progressive discipline process is the most often used 'disciplinary' step that principals take in less serious incidents of misconduct. All respondents indicated that they have used disciplinary counselling and at this first stage they have talked to the educator, asked for reasons for the misconduct, written letters and reminded that the action is not acceptable. A few indicated that during this phase they felt that they dealt with educators' *vulnerability* when for example learners *push the wrong buttons*. Many indicated that in this step they did not punish but rather advised and used their reputation with the rest of the staff as leverage, when telling the errant educator to *remember the rest of the staff is watching you coming late*. (Interview, 13 December 2011) Some respondents recorded this and a minority placed it on an educator's file. The data indirectly revealed principals' perception that through talking and advising, less serious misbehaviour could be corrected and that this belief resulted in the regular application of disciplinary counselling. However its implementation is partial as few keep record of this procedure as is required .This implies that counselling is applied inconsistently even though it is a preferred and popular way of discipline management.

b. Progressive Series of Warnings

After having conducted the 'informal' procedure described earlier a school principal may hand down any one of the prescribed types of warnings provided for in the Disciplinary Code.

The data shows that some school principals do convene the 'informal' disciplinary hearing at school before issuing a warning. Those who do convene the disciplinary meeting stressed that they have ensured that the Code had been distributed and understood. A few only suggested or implied that they convene disciplinary meetings while a few issue general warnings to staff as a collective as a way of stressing the importance of compliance rather than a consequence of an individual's misconduct. The minority indicated that they have not had reason to convene a 'formal' meeting to discipline an educator.

The variety of ways in which respondents issue 'warnings' evidently do not conform to the Code's prescripts. Where there is conformity great care is taken prior to the procedure apparently because principals wish to ensure that educators are aware of the rules and that principals' action are seen as following the rules rather than arbitrary action. Issuing general 'warnings' to staff is evidently a way of avoiding convening meetings with individuals to censure individual misdemeanours. The consequences are undoubtedly the inconsistent application of 'informal' procedures.

c. Co-management

It was evident that many principals share the responsibility of managing the discipline of less serious matters with others. The involvement of either the rest of the school management or *the union* is explicit and/ or implied in the data on school principals' implementation of the disciplinary procedures of less serious offences. Others are involved by:

1. Delegating disciplinary counselling to the deputy principal or heads of departments at the school.

2. Requesting *the union* to *speak to their member*

The measures taken appear to either share the burden, lessen the perception of the seriousness of the action taken or avoiding taking sole responsibility for informal discipline or delegating the responsibility. Many have an additional 'internal procedure' to manage educator discipline where the school's head of department or deputy principal counsels educators before they do. This practise is viewed by the many who use it as *pro-active*, *educational, and empowering to lower management* and *in-service training.* This of course has important implications for the consistent application of informal disciplinary measures.

d. Uncertainty of correct application

Some principals' were uncertain of the correct application of the informal measures. They feared that failure to use the method correctly would result in the referral of matters to arbitration. This fear led to respondents' calls for legal experts to be assigned to schools, the development of idiot's *guides* and *check lists* as well as more training on the implementation of the 'informal' procedures. Respondents also complained that the 'formality' distracts from what some principals in the study believe is their core business - curriculum management. It is also evident that many perceive the informal disciplinary process as *an administrative burden* and like its formal counterpart took too much time. The few that were certain that they are *quite capable of doing it* also agonised over its correct implication for fear of litigation.

e. Administration and Monitoring

An interesting finding is the precursor to the use of the disciplinary procedure and its effect on perceptions of school management. It is abundantly clear that most school principals' use extensive administrative and monitoring measures in attempts to prevent misconduct or to ensure that they have the 'evidence' they need should it be necessary to use the procedure. Many managed the school by

walking around, doing what they expect teachers to do, *highlighting names of latecomers in the attendance register*, *putting systems in place*, holding *bad influences* at bay through regular discussions, *keeping a tight reign,* distributing circulars that explain the rules. Some demanded the completion of special forms for late arrival and early departure. A respondent put it this way *it* [school management] *is becoming a lot more of a monitoring function when you constantly have to remind people on what is expected* and added that he felt *a bit like a prison warden* in doing so. (Interview, 18 December 2011)

f. Human Relations

In motivating their choice of disciplinary method in 'less serious' offences respondents were unanimous that *humanity, human relations , brokering peace, understanding, living happily ever after, non threatening ways and encouragement* were their prime considerations. Respondent B's expression: *I believe that human beings are the most important asset in education and that fairly good human relations make your school grow* (Interview, 29 December 2011) aired this sentiment. Evidently school principals considered very seriously the effect that the disciplinary steps they take may have on relationships at school. From the data it appears as if that was the first consideration rather than the 'punishment' of an individual. It also revealed that the implementation of progressive disciplinary measures is 'tailored' or selectively applied to suit their need to *broker peace* and *live happily ever after*.

These findings show that school principals prefer to go to great lengths to avoid punishing educators even in 'less serious' incidents of misconduct and would rather invest much time and energy to prevent having to do so. Where principals do address 'less serious' misconduct directly they shared the responsibility and use disciplinary counselling as the preferred method apparently for its innocuous manner and the way in which it allows for relations at the workplace to remain

unharmed. It is evidently a perception that much of the procedure is punitive and harmful to school harmony.

This finding of principals' perception is consistent with the view in the literature that progressive discipline is a form of punishment that "whips the workforce into shape" (Glasbeek in Eden, 1992). Many principals' anxiety about its correct application is supported in the literature that contends that it is difficult for supervisors to administer (Chelliah & Pitsis, 2010) and that its use has detrimental consequences, one of which is adverse relations between the punisher and the punished (Gibson, Cotterman, & Johnson, 2006).

The individual interviews obtained direct data about principals' discipline management practise and provided indirect data about their perceptions thereof. Direct data on the perception of school principals was obtained in a focus group discussion. The group was requested to provide their thoughts, opinions and ideas on the consistent application, the effect of progressive discipline and to reflection on their experiences of its implementation. The direct data of the focus group and indirect data obtained through individual interviews are different ways of sourcing data and are also regarded as a form of triangulation (Henning, 2010). The process of cross checking these forms of data reinforces the validity and reliability of the patterns that emerge and the findings that are arrived at.

I now consider principals' practices of progressive discipline as analysed against their responses to the direct question about their perception of its consistent application in schools.

The focus group was split two ways in their responses: The majority group's view was that they were consistent in some instances and inconsistent in others. Their key consideration was an educator's overall conduct and attitude toward work and authority. Others were *afraid* to be inconsistent for fear of being challenged by *the very terrible groups that you find in our schools* (Participant 5, Focus group, 27 January 2012). While a few in the focus group implied that they acted

consistently they did not do so to improve perceptions of fairness but did so out of fear of negative reaction. This group wished to act inconsistently for the same reasons as the other participants in the focus group. Evidently those respondents who said they disciplined educators consistently did not desire to do so believing that consistency in many cases was not fair. Clearly participants believe that justice is not always served by consistency.

Some respondents in individual interviews were also asked this direct question and all answered with an immediate and emphatic negative, each comparing their own practices with those of their colleagues. Respondent F handed a written warning to a regular absentee who *disappeared with a person from school B*. However, the principal of school B told him that did not take action for fear of the educator losing his job (Interview, 15 December 2011). Another knew that some principals use transfers rather than the disciplinary procedure to remove misbehaving educators. In another instance she had handed down a written warning to an insubordinate educator whilst the principal of the school next door when dealing with similar insubordination*: Went to the union and asked them to talk to their member* (Respondent A, 2011). She also felt that inconsistencies result because of the human fear of confrontation and the consideration of human factors such as educators' general conduct. Respondent G blamed principals' inconsistent application of discipline on fear of the union. She said: *It is this big, ugly giant out there who teachers run to tell. They will come and sing at your school and toyi-toyi. ....It did not happen here but happened at six neighbouring schools* (Respondent G, 21 December 2010). She also included principals' uncertainty of the procedure and the *authority's* appeal for flexibility and their admonishment*: Who do you think you are to stand against that giant tsunami?* (ibid)

Most respondents' account of their individual discipline management practices revealed that they act inconsistently. The focus group's perception that

progressive discipline is inconsistently used in schools in the district is thus reliable.

The finding that some principals are fearful of acting inconsistently because of the reaction that it will evoke is particularly interesting.

The literature surveyed suggests that the consistent application of discipline is necessary to enhance the perception that justice is distributed fairly (Cole, 2008). If they were not afraid and the circumstances were different they would like those supervisors in the Cole (2008) study, have issued varying punishment to employees with whom relations are impaired. The *terrible groups in schools* who instil fear in principals are ironically protecting the distributional justice elements of discipline.

5.4 Perceptions of the effect of progressive discipline on educator conduct

The available data on this theme points toward a great deal of ambiguity on this research question. Many respondents during the individual interviews indicated that progressive discipline in both its phases worked *to an extent* or it worked *in some cases*, which means of course that in other cases or to the other extent it failed. This is as ambiguous as the view of a few others that thought it might have made *people think twice*. A minority either gave it a vote of confidence or firmly indicated that conduct had not improved in any way. The focus group however, was unanimous in its view that the progressive disciplinary measures had not made a positive difference in teacher conduct.

To find some clarity in respondent' views on this theme I worked through the data in an attempt to locate a pattern in their responses. The detail provided in their explanations gave a much better picture and allowed me to make some important inferences.

I noted that far more extensive reasons were offered for the progressive discipline's failure to deliver a positive change in conduct or discipline than those put forward for its success even amongst those who said it worked *to an extent.* Furthermore the language used to motivate for the failure was firm, clear and certain and when substantiating their views for the procedure's failure respondents often made references to specific cases. When making an argument in favour of the extent to which it was successful however, little or nothing was offered in support. In the latter instances respondents used broad, general and sometimes vague terms to substantiate their contention.

The reasons offered for progressive discipline's failure to restore conduct are categorised below and extensive reference is made to the data to substantiate the argument above.

5.4.1 Time delays

This was a recurring reason offered for progressive discipline's failure both in the serious and less serious procedures. It does however not stand on its own as a reason but in some cases a litany of its negative consequences were recited.

Those in the focus group blamed the delays in concluding the process for creating an impression amongst educators that nothing is being done about misconduct and caused them to see the procedure as *a joke*. They believed that delays are responsible for increased disrespect toward the principal, create opportunity for the recurrences of offences by the same person and cause other teachers to take time off to gossip about the problem *on the stoep.*

The data showed that principals felt that the latter caused further problems for principals who have to increase their monitoring of staff to ensure that classes are not neglected. They also have to cope with the emotional distress of increased disrespect toward them and the negative effect the latter had on new

recruits, all of which distracted them from managing educators' curriculum delivery in the classroom.

In the individual interviews it was no less a problem. A respondent dealt with a couple of matters internally for three – four years and after referring it for formal action was six months later, still confronted with the same conduct, causing the same damage to learning. She could not reveal to parents all the effort she has made to correct the same educator for fear of causing a *riot* amongst them. Another expressed that the time delay created the impression that nothing would happen to her *fat, fat files on everybody*. She punctuated her sentiment as follows: *They have so little respect for the process, it's quite shocking. I suppose in a way they are entitled to feel this way. It takes forever and a day to accomplish something*. (Interview, 18 December 2010)

Time delays did not feature as prominently in most of the data obtained from other individual responses to this question however it has been captured fairly extensively in responses to another theme earlier in this chapter and it is reasonable to infer that it is equally applicable here.

5.4.2 Harassment and/ or intimidation/ fear and threats

Clear reasons offered for progressive discipline's failure to positively change educator conduct were harassment, intimidation and/ threats. This the data shows, either led to misconduct not reported or cause misconduct to recur even after disciplinary measures had been applied.

Respondent F had several cases of *child abuse* recur at this school even after dismissals or resignations when the evidence was too overwhelming to defend. Female staff members' commented: *Hey, at last this man had left, he had been causing problems throughout* indicated an awareness of that and other incidents of *child abuse* by the same educator but the respondent explained: *they are a bit afraid to honestly speak against affairs between the male educators and the*

girls (Interview, 15 December 2011). This is supported in Rhay (2009) whose study into sexual misconduct of school employees found that code violations are often not reported even where reporting was the right thing to do .This has however only been evident in a minority of respondents in the current study and it is difficult to determine how widespread this phenomenon is in the Johannesburg North District.

The union was at the forefront of references to intimidation and harassment identified as a cause of progressive discipline's failure to contribute to good conduct. A respondent replied: *The problem is that the union is put there as a scarecrow* and *you can say that the conduct has changed to a certain extent in a positive way but … the union members and the union leadership are extremely antagonistic towards me*. (Interview, 21 December 2010) Note how the indication that conduct had improved is not substantiated directly and how it was followed by *but* which immediately detracts from the positive consequence. This was echoed in the statement of another respondent: *They* [the educators] *also feel very strongly that the union will protect them against everything …. There is an underlying sense that 'I'll do what is expected but if I do mess up its ok because I'm going to be taken care of' and in the process destabilize the school to upset the structure and the routine. (Interview, 12 December 2010)*

The threats against and harassment of many principals who take disciplinary action against errant educators and the prevailing sense among some educators that they would be safe from censure if they misbehave present the context of the discipline management practice. It is not a response to progressive discipline *per se* but is a response to any effort or intention to correct or discipline educators that have committed misconduct. It is this situation rather than the system of discipline management that prevent a positive change in conduct. Changes in the situation or environment will in all likelihood change the effect the discipline management system has on educator behaviour.

Of the responses that claimed that the procedure worked *to a certain extent* or *for better and for worse* or *in some cases* little was offered to illustrate the extent to which the progressive disciplinary procedure has been successful. A respondent indicated, *yes, I think people realise they can get away with a few things but some issues you are going to be taken to account*. (Interview, 19 December 2011). Another said: *The conduct of educators had changed in some cases, in others it did not* and proceeded to relate the type of incident on which the measure had no effect yet offered no example where it had worked. Another is far more indecisive and said *if it had* [worked], *it had made people think twice and I think it is because they are constantly reminded. (Interviews*,8 and 12 December 2011). The latter respondent immediately qualified that he did not think that progressive discipline had positively changed the conduct but that some other measure, namely his reminders had a positive influence on teacher conduct. Yet another expressed that educator conduct had not improved to the extent that he would have liked but still thought that there had been *substantial improvement* however instead of indicating how the measure had brought about improvement he related that learners' overall performance had improved and that educators found that rewarding. Yet again no mention was made of how progressive discipline had contributed to that *substantial change*.

A respondent who claimed her staff is sought after by other schools implied that this is the case because progressive discipline has shaped their conduct. However she offered nothing specifically related to the progressive discipline practice to explain her statement but merely gave a broad explanation that educators on her staff are regularly headhunted or recruited to promotion positions elsewhere and that they did so on their own steam.

Evidently the responses that provide support for the extent to which progressive discipline did not work are much clearer than those explaining the extent to which it worked. The former evidence was easily enumerated and confidently submitted. It is however significant that progressive discipline was not declared

as entirely useless. When taking into consideration the earlier views on less serious misconduct measures particularly the non punitive approach of its early counselling phase and the importance that the restoration and maintenance of relationships in the workplace, it makes sense that respondents do not entirely reject progressive discipline as a way of correcting ill-discipline.

It can thus be argued that principals perceive the counselling phase of progressive discipline as useful however; the available data on other phases of the procedure for less serious misconduct indicate that the progressive disciplinary effort delivers positive change in conduct in a very limited way.

Many participants felt that progressive discipline *works to a degree* yet offered much stronger motivations for those incidents that they felt it had not worked well and submitted little substantiation in support of instances that they perceived it as having improved conduct. It was evident that principals perceived that progressive discipline only made a very limited contribution to improved educator discipline but failed to change conduct in a meaningful or permanent manner. Most respondents concurred on the reasons that the procedure failed in making a positive contribution with time delays and threats, harassment and intimidation topping the list.

5.5 Principals' experiences of the implementation of progressive disciplinary procedure

Participants in this study came from schools that varied in their circumstances. Some were located in older, well established townships, others from recently established townships and others in suburbs north of Johannesburg. To obtain data in this theme participants were encouraged to think of incidents which during their progressive disciplinary procedure "stood out most in their minds" (Henning, 2010:72). This was done to ensure that respondents relate their answers to actual events which could be compared and contrasted to generate

patterns during the interpretation process. Occasional reference is made to data in other themes against which it was checked.

The exploration of research respondents' experiences of the progressive discipline process is a secondary purpose of this study. It is assumed that the experience of the process did not end after a sanction was handed down or the response to an appeal received but that the experience went beyond and included the reaction subsequent to the implementation of the procedure.

Distinction is therefore made between principals' experience "around" and "during" the disciplinary procedure. It is assumed that noteworthy incidents that happened during the disciplinary hearing are related to the actual procedure and the roles the parties play in it. It is also assumed that what happened "around" the procedure is in reaction to the procedure but has considerable impact on the outcome as well as future attempts to discipline educators. Most likely these experiences have considerable influence on the effect progressive discipline has on educator conduct and it is therefore essential to include it in this chapter. The data in this subsection is analysed in these two categories in order to identify patterns of experiences that developed around and during the disciplinary procedure.

5.5.1 Experiences 'around' the procedure

The data shows that most of the respondents in the individual interviews as well as those in the focus group experienced the disciplinary proceedings in very negative terms. Those in the focus group described their experiences in intense emotional terms that included *fear, trauma* and *emotionally draining.* For some when the procedure was over, a period of *watching your back* started for *they would come to get you*.

In all cases the focus group members had more extensive and in-depth experiences of the disciplinary procedure than most respondents in the individual

interviews. Members of the focus group were specifically selected because each had formal and/ or less formal disciplinary experiences. Some were at the time of the group discussion involved in a formal disciplinary procedure as witnesses, some had recently emerged from serious cases where adverse decisions were made against them and some had findings and decisions disputed and heard at arbitration. This might help explain the intensity of the emotive terms used in describing their experiences.

Respondents in individual interviews used less emotive terms to describe their experiences. Terms like *extremely unpleasant, upsetting, never pleasant, really difficult* were commonly used by many respondents to describe what the procedure was like to them. Yet it's a respondent from the latter group who commented, *I think that we are very often poorly prepared for the emotional whiplash that comes with it.* (Interview 18 December, 2010)

Few experienced incident-free disciplinary procedures while a minority was *pleasantly surprised* that the procedure was easier than initially anticipated. The data however show that those that did not express emotional reaction either did not do more than *formal counselling* or had adapted the procedure to include *problem solving* and worked at creating a *comfortable* atmosphere not akin to a disciplinary hearing. This is indicative that the less formal elements of disciplinary procedures provoked less unease and unpleasantness.

5.5.1.1 Noteworthy Incidents

These incidents formed part of most principals' educator disciplinary experience and the data discloses some interesting features of the procedure and individuals and groups involved in the procedure.

Fear, threats and intimidation

Most principals were subjected to threats to self and family by either the individuals that were disciplined and/ or individual who claimed to act in the interest of the latter and/ or by *the union.* In some cases respondents omitted to identify *the union* in others *the union* was identified as The South African Democratic Teachers Union. I assumed that in incidents where threats and intimidation were related references to *the union* referred to the above. District records show that most staff members of the schools headed by participants in the focus group as well as individual respondents who related incidents of threats and intimidation are members of the South African Democratic Teachers Union. Focus group participants also made references to site committees and red t-shirts which are the well known structures and colours of the South African Democratic Teachers Union. Individual respondents related that they were talked about at mass meetings or had visits from *toyi-toying* groups and *union leaders*. The South African Democratic Teachers Union is known to conduct regular mass meetings with its members. Most of principals that were subjected to threats and intimidation are principals in schools in townships in the Johannesburg North District and the incidents happened at schools. Most incidents of threats occurred outside of the actual hearing but after the disciplinary procedures have commenced or reports referred to the Johannesburg North District. The data shows that threats and intimidation from members or *leadership* of the South African Democratic teachers Union took place in a few forms:

'Visits' by *union leadership*

So they came and they were toyi-toying outside the school, it was very unpleasant. I got pushed around and basically called the most awful names etc. And [was] told: 'We know where you live and we know where your children go to school and you better watch out.' It was ugly. (Interview, 18 December 2010)

Reports at union mass meetings

When the so-called union leaders are in their union meetings they would refer to incidents at schools. In my case it was a deputy principal who acted correctly in disciplining a teacher related to curriculum issues ... the incident became public knowledge at a union meeting (Interview 21 December 2010*)*

Lock-outs

I was locked out of school by teachers with their red t-shirts as if they are at war and I had to go back as if nothing had happened. (Focus group, 27 January, 2012)

The data shows that threats by individuals take similar forms but had in instances been more aggressive.

Direct threats

I once had a male teacher, he wouldn't tell me that he would shoot me, he is too clever for that. He would tell me, 'do you know that I once shot someone?' And '*I have a friend actually I have a few friends.' One evening he told me: 'My one friend shot someone from behind through the head while he was driving away.' And he would walk out and come back into my office and say, 'nobody messes with me and my children and what they will eat tomorrow.'* (Focus Group, 27 January, 2012)

Collective disrespect toward Principal

I have no words to describe it. People reduce you to nothing ... I feel abused ... All the wrong doers are on the Union site [committee]. (Focus Group, 27 January, 2012)

The data shows that some responses also took the form of *staff delegations* to influence the outcome of a disciplinary matter or staff members that grouped and *took sides* for or against the disciplinary action taken or in a more mild expression of discontent at disciplinary action taken educators *sulked*.

5.5.2 Experiences during the procedure

The data indicates that some individual responses were disruptive to the procedure and apparently intended to intimidate:

When you call her in, she shouts at the top of her voice that I'm evil, that God eventually will know what is happening, that I'm possessed because she knows that it is only evil devils that would make a person target one person like that. (Interview, 25 November 2011)

And

I've had aggressive meetings in the progressive procedures that I had followed. I've had union members jump up and threatened me, 'we know where you live, we have your address, and we even know where your children go to school.' (Focus Group, 27 January 2011*)*

5.5.2.1 Interesting findings

Some of the emotional reaction included the anxiety to follow the procedure correctly. This was the case across the focus group and individual interviews including those that had conducted incident-free procedures. Those who related no noteworthy incidents some of whom found it *easier than anticipated* where not entirely free of the fear that others experienced, though some felt it more than others. In their case the fear was related to the anticipation of not implementing the rules correctly than what had actually happened. It was interesting how respondents in this group coped with this anticipation.

Most in this group adapted the procedure to include 'problem solving.' During the hearing principals requested proposal / ideas on measures to prevent the incident from recurring, and exercised a keen need to *stick to issues*. The context of these schools is important in this analysis. Most in this group are principals of

schools in the Northern suburbs of Johannesburg where most educators are either not unionised or are members of The National Professional Teachers Organisation. These schools are also not known for the kind of robust union activity as experienced in many township schools. Union activities in schools in the suburbs involve extensive and regular professional development of educators as well as representation at grievance or disciplinary hearings.

The reaction of many respondents that were intimidated, received delegations or had grievances in the form of *venomous letters* from a disciplined educator was particularly interesting.

A respondent related that she and her husband were *visited* by *the union* who threatened to *deal with her* for the manner in which she handled the case of unauthorised absenteeism of an educator at her school. She explained: *They never sat down, stood in the foyer, all spoke almost at the same time, pointing at me saying they are going to deal with me because I think I am the employer, etc.* (Interview, 29 December 2011) Her husband also a principal in the same township had a similar 'visit' on the same day. Their response to the incident was to report it to the South African Police Service, the South African Council for Educators and the District office. The latter did not react to the report but the former conducted investigations. Reporting the intimidation to structures responsible for criminal prosecution and implementation of the professional Code of Ethics and the successful 'prosecution' of those responsible brought an end to such incidents at the school. Neither she nor her husband had similar 'visits' though she had since disciplined errant educators. Structures other than the Gauteng Department of Education that form part of the school and societal environment played the more decisive role in a matter that was also within the department's domain.

This reveals a particular 'attitude' and approach to industrial relations within the Johannesburg North District Office and the Gauteng Department of Education

that needs further enquiry. In a study of public sector industrial relations in the context of alliance politics it is argued that "the traditional roles in the employment relationship at the workplace have been affected by certain alliances" (Makwembere, 2007:2). Referring to the education sector Garson cited in Makwembere discovered that relationships between former South African Teacher Union officials in government and the South African Democratic Teachers Union had increased suspicions that the union was "cuddling up to government." The existence of similar relations between officials in the Gauteng Department of Education and unions and the impact on discipline handling in the department requires further investigation.

None of the other respondents who had been intimidated and threatened during such 'visits' chose to respond in this manner. The data shows that most who had experienced similar threats and intimidation had in the words of respondent A, *come to realise that they are more powerful that we realize* and *establish a relationship with the union whether you like it or not (Interview, 18 December 2011).* Respondents then even prior to taking disciplinary action *called in the site stewards and said, 'please talk to your member' or used them to discipline their members* (Interview, 21 December 2010). This suggests an informal way of handling cases of misconduct.

Some respondents have forged a relationship with *the union* in a different manner. They encouraged staff members to improve their contact and interaction with their unions going so far as to contact the union's leadership themselves to visit and address their members at school. This researcher views the implication of this initiative in a similar light as principals' efforts to use the union to help discipline their members. Though the former is a broader approach to help improve the overall relations with trade unions and prevent adversarial relations. These approaches are consistent with the findings of Saundrey, et.al. (2011) that managers believed that the informal route encouraged harmonious union-employer relationships.

Little in the literature surveyed as part of this study had found anything similar to the widespread threats, intimidation or harassment of Johannesburg North school principals by individuals or groups. It may however be argued that 'visits' by *union leadership, toyi-toying* in protest of a principal's decision to discipline and reports about disciplinary action against educators at union mass meetings are 'robust' union activities that caused principals to seek less adversarial relationships with *the union* . With this understanding of "robust" union activity, principals' attempt to include the union in disciplining educators is consistent with the findings of Saundrey, et.al. (2011), that organisations with "broad and robust union structures" and that represent the members, presents fertile ground for more informal handling of disputes. In addition this study found that most principals' responses to direct intimidation is also aimed at developing more harmonious union-employer relations and is a recognition that *the union* enjoys the confidence of their members and can help to modify behaviours. (Saundry, et.al, 2011). The latter authors also noted that experienced, competent union representatives are more likely to encourage their member to admit to transgressions and argue in mitigation of sanction (ibid). In this study this was the case in only an isolated instance; most principals' experiences in disciplining educators were marred with fear, intimidation and harassment. The few that did not have similar experiences were working in school contexts and areas where union activity is less "robust" but more focused on playing by the rules.

Instances in the data where *the union's* help is sought and "order is negotiated" (Saundrey, 2011:208) may present possible best practice that bring about more harmonious relationships at school. However dealing with misconduct in this informal manner implies withdrawing from disciplinary proceedings and may remove managerial discretion over the outcome of disciplinary procedures and affect overall managerial decisions making.

Experiences in the use of progressive disciplinary procedures are in the main negative and only less unpleasant in its counselling phase – the very first phase

where principal is only expected to in instances of less serious misconduct communicate the expected standard and offer assistance to the errant educator. The data show that few in this study that did not experience harassment and intimidation during the procedure incorporated informal elements in the prescribed disciplinary procedure and/ or most operated in schools with “less robust” union activity.

5.6 Conclusion

This chapter presented an analysis and interpretation of the qualitative data collected during in-depth individual interviews and a focus group discussion presented in the previous chapter. It analysed the data in the broad themes corresponding with the primary objective of school principals’ perceptions of the progressive discipline of educators and the secondary objective of documenting the experiences of principals in this process.

The Code of Discipline for Educators had established a system of progressive discipline management procedures that provide a framework for identifying and dealing with misconduct (Fenley, 1998:350) and the Gauteng Department of Education distributed a circular that helps clarify and guide its implementation.

This study revealed at an early stage that school principals have differing views of serious misconduct with those in the guidelines. It was also apparent that many principals used less serious disciplinary procedures to manage ‘serious offences’.

Most school principals perceived that progressive discipline is not consistently implemented across schools in the Johannesburg North District. The time that the District Office took to respond to reports of serious misconduct as well as circumstances that prevailed leads some principals to believe that the formal disciplinary enquiry procedures were in many instances not appropriate. Most

principals deviated from the prescribed formal procedure by enlisting the assistance of other managers in the management of serious misconduct.

These findings also show that some school principals prefer to avoid issuing warnings for less serious offenses .Where principals' address 'less serious' misconduct they prefer to counsel to prevent relationships at work from souring. This illustrates that principals perceive elements of progressive discipline as punitive and damaging to relationships.

Many participants felt that progressive discipline is effective *to an extent* in bringing about positive changes in educator conduct but provide stronger supporting arguments in instances that it fails to positively change conduct than incidences that succeeds. This in part led to the study's conclusion that most principals perceived that progressive discipline only made a very limited contribution to improved educator discipline and failed to make permanent positive changes. Contextual factors such as time delays, threats and harassment contribute to this perception that it failed to contribute to discipline amongst educators.

Experiences in the use of progressive disciplinary procedures are in the main negative and less unpleasant in its counselling phase – the very first phase of progressive discipline. The data show that the few in this study who did not experience harassment and intimidation during the procedure are schools with "less robust" union activity and could easily incorporate informal elements in the prescribed disciplinary procedure. Attempts to improve the discipline procedure, principals' experiences thereof and its effect on educator conduct are essential.

Chapter 6 will present some recommendations for the improvement of the educator discipline process.

Chapter 6: Conclusions and Recommendations

6.1 Introduction

This chapter summarises and discusses the findings of this study and offer some proposals on educator discipline practice in schools in the Johannesburg North District and Gauteng Department of Education. The significance of this research is aimed at improving the perception and management practice of educator discipline in schools and suggests areas for future research to address critical issues.

6.2 Conclusions

Progressive discipline in the workplace rests on the differentiation of types of misconduct that determines the procedures followed to deal with them and the graduated decisions made to censure misconduct. The literature surveyed reflects differing views of the concept; some consider it as a deterrent and corrective measure while others criticised its punitive nature and failure to bring about good conduct permanently. This study's findings confirm that school principals share some of the above views but since progressive disciplinary procedures are prescribed they have adapted elements of the procedures they have control over to cope better with the context in which they find themselves. These 'coping mechanisms' are evident in the procedures they follow for serious and less serious misconduct.

6.2.1 Serious acts of misconduct

The study revealed no disagreement that educators' violation of "vital rules" is serious however most principals also listed several other incidents of misconduct such as those related to punctuality and attendance as serious. The logical expectation was that school principal's deal with all serious

incidents through the procedure prescribed for serious misconduct that is they refer these cases to the Education District Office for formal disciplinary enquiries. The study however, reveals that many principals deal with many instances of serious misconduct at school using procedures prescribed for 'less serious' educator misconduct and have handed down sanctions such as final written warnings or less. It is inferred that school principals prefer greater discretion in the categorization of misconduct and do not wish to be bound by a prescribed categorisation and procedures for serious misconduct.

The principals' handling of serious misconduct also places focus on their performance rating and politicises the discipline management process. It complicates further the task of the school principal. When they enforce the rules they become unpopular however, when they don't they receive low performance rating scores which leads to no promotion or salary notch increase. Indeed school principals are damned if they do and damned if they don't.

A closer look at the discipline management practices of school principals also reveal that in many instances the informal methods that principals use to discipline educators for 'serious' misconduct are extensive. Their methods often included enlisting the assistance of other parties at school in disciplinary 'interventions' that sometimes span over years for a single educator. These practices revealed the perception of school principals' that prescribed formal procedures for serious misconduct were in many instances not appropriate in the circumstances they faced and were also not considered in the interest of the learners or the school. Educators meting out corporal punishment to learners are a good example revealed in this study.

Most principals in the study complained about the Gauteng Department of Education's excessive delay in convening and completing the formal disciplinary enquiry for serious misconduct. All complained that the lengthy

delays are counterproductive and detracts from the purpose of the Educators Disciplinary Code and Procedures. Some indicated that they did not wish to participate in *the waiting game* and preferred to handle cases at school, thus avoiding referring matters to the Discipline Management Unit at the district or head office. However there is no evidence that any of the respondents seriously lobbied for the more urgent handling of their cases of misconduct even after waiting for more than one and a half years for an appeal decision from the Member of the Executive Council. They all merely expressed their frustration and dissatisfaction with the delays. This is indicative of underlying perceptions of progressive discipline emphasized in the data, all of which validate principals' deviation from prescribed progressive discipline:

a. Principals prefer sharing the discipline management function so that they do not take sole responsibility for any of its negative consequences that may occur.
b. Principals prefer a less formal procedure even for serious misconduct with a less serious decision and less serious impact on educators.
c. In a few instances the formality of the 'informal procedures' and the roles assigned to union representatives were sufficiently serious to deal with certain 'serious' misconduct.

This brief summary allows for the inference that school principals perceive progressive discipline as punitive in nature and that they wish to avoid meeting out serious punishment to educators. This inference is strengthened when considering the summary in the next section.

6.2.2 Less serious offences

The prescribed progressive disciplinary procedure dealing with less serious offences is the responsibility only of the school principal rather than the responsibility of the educator's direct supervisors – the heads of departments.

The data shows that counselling – the first stage of the progressive discipline process is the most often used 'disciplinary' step that principals take in less serious incidents of misconduct. This step does not involve punishment but is conducted by offering advice and reminders of the desired standard of conduct. The data also revealed that this procedure is mostly unrecorded which creates the perception that counselling is not punitive.

The issuing of a series of written warnings, the pillars of progressive discipline is practiced much less often. Most school principals are far more cautious before convening a disciplinary hearing and prefer to do extensive monitoring and administrative efforts to ensure compliance rather than to issue a warning. Evidently this is to prevent violations or to ensure that the required 'evidence' is available should it be necessary to convene a disciplinary hearing at school. In many instances warnings are only handed down after heads of departments or deputy principals who are the direct supervisors of educators had conducted their own counselling and 'cautions.' These are further indications of the extensive informal measures that principals had built into an already informal disciplinary measure.

Most respondents expressed anxiety over the correct application of the procedures in the 'informal' disciplinary hearing and were concerned that good relationships at school were threatened when disciplinary measures were taken against individual educators. The combination of fear for the informal procedures, fear for the consequences on relationships and the great lengths principals go to avoid the informal disciplinary process further leads to the inference that most principals prefer not to take firm disciplinary

steps even in its early ‘informal’ and progressive stages. They prefer instead to counsel and practice in a non-punitive manner.

The implication of the above does not bode well for educator discipline in schools in the district and possibly in the province but may prepare the ground for rampant ill- discipline. This situation contributes to a severely strained school principal that spends much time monitoring, performing mundane administrative tasks such as *highlighting names in the attendance register* and practicing avoidance methods. These responses to misconduct may however also be attributed to a lack of skill and confidence in the application of the procedures.

The discussion in the next section reinforces the inferences already drawn that the more serious phases of progressive discipline is avoided.

6.2.3 Perceptions of the effect of progressive discipline on educator conduct

School principals are ambivalent on this question but closer analysis revealed much greater negative perceptions of the effect of progressive discipline than most principals were prepared to admit. While many respondents indicated that it succeeded to improve educator conduct to *an extent* they cited little in support of the positive change in conduct that they claim was as a result of progressive discipline. Their language was also much less confident when explaining the extent to which it worked. On the other hand the instances in which it was not effective was far more extensive and detailed. Primary reasons cited for the failure of progressive discipline to improve conduct included time delays, threats and harassment. However, in some instances it was evident that the practices of many principals contributed to the delays; selecting to spend a great deal of time on less formal and extensive attempts to correct misconduct.

The above strengthens the inference in the earlier sections that principals avoid using even the less formal disciplinary though this time largely as a result of the perceived limited contribution it makes toward 'good' conduct. This perception is brought about by the context in which the process is applied such as the Department of Education's time delays, threats and harassment by groups and individuals. These are not inherent features of the actual progressive disciplinary process which if regarded seriously can be addressed through managerial initiatives.

The following discussion presents a much greater fear of the fully fledged application of progressive discipline, namely threats and intimidation.

6.2.4 Experiences in implementation of progressive discipline

The experiences of principals "around" and "during" the implementation of progressive discipline were expressed in emotional and largely negative terms but in least disagreeable terms during its counselling phase. The data however show that those that did not have strong emotional reactions either used only *formal counselling* to discipline educators or had included *problem solving* techniques in the 'formal' procedure.

Noteworthy incidents during the disciplinary procedure have been aimed at derailing the procedure through individuals' or their representatives' verbal attacks on the integrity of principals and threats to their persons .

Other incidents occurred 'around' disciplinary attempts that did not specifically involve actual disciplinary procedures but included requests for explanations for absences or supporting documents to confirm the stated reasons for absenteeism. Some of the common experiences of principals who addressed educator ill-discipline included reporting the principal at union mass meetings, *visits* by union leadership, group disrespect toward principals, grievance letters and even lock-outs from their schools.

Significantly, principals' response to these occurrences was to involve union site committees or representatives to encourage their members to comply rather than taking disciplinary action. Others included problem solving attempts as part of their disciplinary proceedings. Clearly these practices are aimed at making disciplinary attempts less adversarial and to negotiate order.

On the one hand, the responses of parties during and around disciplinary efforts can be specifically attributed to the taking of progressive disciplinary steps. However, many responses prior to or after the actual procedures were negative, indicating that it is the outcome or intention to use the procedure and not the concept of progressive discipline itself. This conclusion holds far more serious implications for the general management of educators than mere discipline management.

Attempts to improve the discipline procedure, principals' experiences thereof and its effect on educator conduct are essential. What follows are some recommendations for the improvement of the educator discipline process. These are informed by the perceptions and experiences found in this study.

6.3 Recommendations

Principals' perceptions, practices and experiences of progressive discipline are found in the adversarial nature of the procedures, the impact on their emotional wellbeing and the context in which it is applied. The recommendations for improved policy and practice are aimed at addressing those elements.

6.3.1 Time Lapse

A particular weakness in the system is the separation of the formal and informal procedures between structures far removed from each other such as

the school and head office. The centralisation of discipline management functions at the head office of the Gauteng Department of Education and having to request authorisation for a disciplinary enquiry from the Head of Department is a lengthy process. Delays can be avoided by delegating to District Directors the function to approve charges of misconduct. This way the long managerial line through which a written submission currently travels is obviated. The decision can then be made much quicker. Furthermore, District Directors are much closer to school principals and their schools and experience the effect of poor discipline far more directly than do those further removed. Those directly affected should treat it with a greater a sense of urgency. The function to appoint educators is delegated to the District Director, delegating the discipline management function downward to the same office is thus a sensible step.

Furthermore, district discipline management officials responsible for investigation incidents of misconduct report directly to the district director. Should the delay be as a result of the tardiness of officials then the official will be held directly accountable through the performance management measures that are in place.

Rather than the Member of Executive Council, the head of department should serve as the appeal authority.

6.3.2 The Discipline Code and Bargaining Council

The Disciplinary Code is a product of a collective agreement which was later included in the Employment of Educators Act thus if a school's context requires adjustment to the code then it becomes exceptionally difficult as is asserted, "to make amendments to the Code at workplace level is virtually impossible as the Department and not the institution must formally apply to the council for modification of the agreement" (Ambursley, 2002:9).

Given that the department's classification of acts of misconduct are at odds with conditions that obtain at schools it is desirable that a Code of Discipline is adopted at school level through a consensus-based approach. The general code must however be used as a framework within which principals and educators can work to develop their own code that can accommodate the school's context. It will also allow for greater discretion in the categorisation of misconduct.

6.3.3 A less adversarial informal discipline policy

This set of recommendations is aimed at assisting school principals to take the edge off the formality of the disciplinary procedure at school and include efforts to negotiate compliance. It proposes the legitimate accommodation of middle managers in the process.

6.3.3.1 Delegating less serious misconduct

Informal discipline such as counselling, verbal and first written warnings should be delegated down to middle managers, the direct supervisors of educators with a less formal procedure than the one currently prescribed. The presence of a union representative at these levels should be omitted while still providing the educator with an opportunity to be heard. This is already the case in the Disciplinary Code and Procedures for Public Servants (Public Service Co-ordinating Bargaining Council, 2003). This practice satisfies the Labour Relations Act's fairness provisions and its stipulation that a formal disciplinary procedure is not required for every act of misconduct (Republic of South Africa, 1995). This will release the school principal to deal with misconduct that require higher levels of sanction and share the responsibility of managing discipline.

6.3.3.2 Discipline Management Skills

Well-constructed discipline management training programmes that include the ‘soft’ human resource elements such as emotional intelligence, negotiation skills and conflict management must be a regular feature of in-service training programmes for middle managers and school principals. This should also be included in the formal preparation programmes for school heads. This will promote consistent implementation and help build confidence and decrease avoidance of disciplinary measures.

6.3.3.3 Relations with educator unions and union representatives

This can in part be addressed through soft skills training for principals as suggested earlier although the individual attributes, skills of the union representative and the trust relationship are equally crucial in discipline management. It must also be given attention in existing forums where employer and employee parties meet to engage each other on issues of mutual interest. The Education Labour Relations Council plays an important role in this although its discussions remain removed from schools and school principals, its role in skilling union and employee representatives in joint training sessions is important. It should also make concerted efforts to roll out programmes to popularise its dispute resolution work to create opportunities for school principals and union representatives to meet and discuss on ‘friendlier’ terms rather than as adversaries across a table in a disciplinary hearing.

6.4 Implementation guidelines

The guidelines that are proposed are largely in the form of principles to guide the implementation of the recommendations that have been made.

- The Gauteng Department of Education must commit firmly to support the supervisors and principals that it tasked to manage educator discipline.
- Place teacher discipline as a priority alongside learner and curriculum support programmes.
- Develop and implement a major communication campaign that focuses regular attention on both statistic and case study reporting on workplace discipline matters in schools.
- Ensure that educator discipline management is a standard feature in all induction programmes for all levels of management as well as new recruits.
- Disciplinary procedures must be subjected to quality assurance processes that checks for procedural and substantive justice practices.
- Commit to and popularise Bargaining Council and Education Council initiatives on Educator Conduct.

6.5 Future Research

Educator discipline in South Africa is the subject of numerous anecdotes of condemnation in presidential and ministerial speeches yet scholarly work on the subject is minimal. An exploration of educator discipline from different perspectives is necessary for a deeper understanding of its nature and its contributions to learner performance and school improvement.

A few questions in this area that can be explored are:

Alternatives to progressive discipline management practice for educators.

The effect of dispute resolution structures on educator discipline practice.

6.6 Limitations of this research

This study focuses on the perceptions of school principals who are directly responsible for performance and discipline management practice at schools. Their perceptions are likely to be very different from those of other groups such as educators or trade unions. Furthermore these perceptions are likely to change as circumstances change.

Schools in the Johannesburg North District are mainly in urban settings hence the research findings may not be generalised to rural schools. However schools across districts in the Gauteng province have many similar features as the province covers a relatively small geographical area. The findings may be generalised to schools in other areas of Gauteng and possibly areas in other provinces that share similar social and economic settings.