

19 August 2019

COMMUNICATION ON THE WORKPLACE BASED LEARNING PROGRAMME

1. SETA Workplace Based Learning Programme Agreement Regulations

In November 2018, the Department of Higher Education and Technology published the Workplace Based Learning Programme Agreement Regulations, 2018 (WPBLP Regulations) in the Government Gazette No 42037 (<http://www.dhet.gov.za/gazetteTEST/Workplace%20Based%20learning%20Programme%20Agreement.pdf>). The regulations became effective on the 01 April 2019, replacing the Learnership Regulations, 2007.

The WPBLP Regulations define the Workplace based learning and work-based learning programme as:

Workplace based learning: An educational component of an occupational qualification that provides students with real life work experiences where they can apply academic and technical skills and increase prospects of employability

Workplace based learning programme: An intervention as contemplated in an occupational qualification through which a person internalizes knowledge, skills and competencies and gain insight through exposure to work by achieving specific outcomes to enhance employability.

The Workplace Based Learning Programme Agreement relates to the following learning programmes:

- Apprenticeship
- Learnership
- Candidacy
- Internship (TVET and UoT WIL)
- Internship (Diploma and certificates),
- Internship (professional designation)

All the programmes that fall under Workplace based learning need to comply with this regulation. INSETA templates and processes have already been aligned and so compliance with INSETA requirements will effect compliance with the WPBLP Regulations.

2. Use electronic signatures for Workplace Based Learning Agreements

Several employers have previously expressed a concern that manual submission of the Workplace Based Learning Agreements is administratively cumbersome and favour the use electronic signatures

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on these types of contracts, since such documents may be uploaded and printed whenever a need arises.

The Department of Higher Education and Training has since sought legal opinion on the matter in consideration of the following legal instruments:

- The Electronic Communication and Transactions Act, 2002 (Act No.25 of 2002)
- Workplace Based Learning Programme Agreement Regulations, 2018 (WPBLP Regulations)

The legal opinion received on 2 August 2019 is that in South Africa electronic signatures have the same legal standing as handwritten signatures and therefore both are acceptable and legally binding. This means that INSETA will henceforward also accept signed and scanned contracts from employers who prefer this option.

3. The Sector Education and Training Management Information System (SETMIS)

As at the 01 April 2019 INSETA has been using a new DHET reporting system called SETMIS. Please be aware the INSETA Business Information Tool (BI Tool) used for DHET reporting has therefore also changed. It has more columns and requires more information as compared to the previous one and stakeholders are urged to engage with the required information and submit as required to avoid unnecessary delays and funding withdrawals.