

Question for SGB at SAC – Jacko Maree and secretary of the SGB

For clarity, Jacko Maree is the Chairman of the St Andrew's College Council

1. As outlined in last week's letter to the Andrean community, was the board aware of the two formal and two informal complaints against David Mackenzie?

Staff disciplinary matters are handled by the Headmaster, and where necessary escalated to the Chairman of Council. Alan Thompson kept me updated about these complaints and we agreed to institute an enquiry by an independent HR Consultant. I also met with one of the complainants, Mrs McNutt in March 2018, as she was not satisfied with the outcome of the enquiry. Importantly she raised many concerns about David Mackenzie, but did not make allegations about sexual misconduct. Following that meeting I agreed with Alan Thompson that all efforts should be made to monitor David Mackenzie's behaviour. Disciplinary action was subsequently taken 3 months later.

2. What did the SGB do when/if it became aware of complaints about Mackenzie's behaviour?

See 1 above

3. Does the current crisis around Mackenzie's alleged behaviour reveal institutional failures at SAC?

As each weekly podcast and article is released, new information, cell phone clips and allegations, of which the school was previously unaware, continue to emerge. Once all relevant information has been released, I will ensure that Council conducts a full review of the school's actions in this matter.

4. As the SGB comprises parents of current pupils, did the board wrestle with whether to flag the allegations against Mackenzie with the South African Council of Educators even though he had resigned before facing a disciplinary hearing? This could have served to protect other pupils should he have gone on to teach at another school (which was indeed the case when he was employed by Grey College in Bloemfontein a month later).

The allegations brought against Mackenzie did not comprise sexual misconduct or the abuse of learners, which are reportable events, as detailed in Section 110 of the Childrens Act 85 of 2005 and of the Disciplinary Procedure as read with Section 3 of SACE's Code of Professional Ethics for Educators. I was also advised by the head that no-one at Grey did a reference check on Mackenzie by telephoning

him, or anyone else at College. It only came to College's knowledge after the Police investigation in March 2019 that Mackenzie was then employed at Grey College. On the advice of experienced senior counsel and an advocate specialising in labour law that one employer cannot contact another employer relating to a disciplinary hearing unless it is a reportable offense in terms of the Childrens Act and SACE. Nothing precluded the South African Police Services and/or the State Advocate that dealt with the enquiry to contact Grey College as part of their investigation.

At the outset we took a decision that we would be transparent with schools seeking references from us, and we disclosed factual information with regards to the disciplinary hearing when schools did contact us. Other schools have approached College for references, and the school shared all that it was able to. Because of the number of unsubstantiated allegations, we were advised to carefully walk the line between disclosure of that which was necessary, and defamation.

5. Does Alan Thompson continue to enjoy the support of the School Governing Body after revelations of how Mackenzie's conduct was handled by the school's management?

As referred to in 3 above, once all relevant information has been released, Council will conduct a full review of the school's actions in this matter, and that would include the response of the school's management and the Headmaster.

- 6 During our interactions with Mr Thompson he responded via text claiming "You [I, Sesona Ngqakamba] and Deon are the real paedos!". What is your comment to this? Do you condone such a response concerning the nature of the allegations underpinning this story?

This is totally inappropriate language. To put this in context, Alan Thompson has informed me that this exchange took place after he had asked News24 to contact Jennifer Stein with all media inquiries and was in response to his extreme frustration and anger with News24's approach of gradually releasing sensational information which resulted in this outburst. He informed me that later he did send an unsolicited apology, which apology was accepted.

- 7 Is there anything else you'd like to add?

I do not intend to answer any further questions until the review described in 3 above has been completed.