



CONFIDENTIAL

PRELIMINARY REPORT

25 March 2024

DISCLAIMER

The contents of this investigation report contain privileged information acquired during the interviewing of persons, attachments, and examination of confidential documentation. The information and documentation, which was to the writer's disposal and herein contained, save where stated to the contrary, within the writer's personal knowledge and are to the best of his/her belief both true and correct at the time. The contents of this report remain only for the persons that it is intended for, and the contents to remain confidential.

Investigation into allegations of alleged malpractice at Laerskool Helderkruijn

1. Mr. Andries Vorster from PRSS was appointed by the Laerskool Helderkruijn SGB to conduct enquiries into allegations made via a letter from an Attorney, Mr. Tienie Kapp (**attached Annexure "A"**), who set out a number of complaints and allegations, which he wanted to be investigated and dealt with. Mr. Tienie Kapp supplied Mr. Vorster with an Affidavit in which he highlights the same allegations and complainants as per his initial letter and he further adds additional allegations against individuals at Laerskool Helderkruijn. This Affidavit is not attached as evidence due to its protection under a Whistleblower's information. The SGB provided Mr. Vorster with relevant documents, details, and contact details of the individuals concerned. Mr. Vorster was introduced to the Laerskool Helderkruijn Educators and staff, and his number was provided to the school, should anyone wish to contact him. The SGB requested Mr. Vorster to indicate in specific color categories whether he suggests further investigation and or involvement by internal or external individuals, or to hand over to other concerned parties to further investigate a process. This was categorized as follows:

Green – No action
Yellow – Change in policies and procedures.
Red – Further Investigation required.



2. Mr. Vorster interviewed various individuals including Governing Body members (which were part of the SGB for last three years, ending March 2024), School personnel, other concerned individuals who wish to stay anonymous and Mr. Tienie Kapp. Through these interviews and the information received, Mr. Vorster also identified possible issues that needed further probing, which seems part of the complaints and allegations made by Mr. Tienie Kapp. Mr. Vorster therefore added points of discussion to clarify the existing allegations and added allegations made by other individuals.
3. In the letter attached **Annexure "A"** from Mr. Tienie Kapp, he made it clear that he represents his wife, Mrs. Linda Kapp and other individuals being educators in GDE and SGB positions, and parents.
4. Mr. Vorster used the following information/documentation as guideline for the investigations purpose and findings:
 - South African Schools Act, No 84 OF 1996 (In particular referring to the duties of the Governing Body and financial management)
 - Governing Body Regulations for Public Schools, 1997
 - Laerskool Helderkruijn SGB Financial and Audit Policy (In particular referring to the duties of the SGB and financial management, including the procurement process)
 - Various "Minutes of meetings" held by SGB members
 - Service/Product Contracts
 - Payment procedure documents – Mrs. Elena Smit has a document drafted with procedures (According to SGB minutes of meeting notes)
 - Evidence documentation presented by Mr. Tienie Kapp (which will remain for reference purposes until permission is granted to present as evidence, as these documents are "sub judice")
5. Mr. Vorster received the following information about SGB members and committees where they were involved in during the last 3 years:

List of office bearers 2021

- Cornelius Oosthuizen
- Desire Beukes
- Wilhelm Pauer
- Peet Badenhorst
- Linda Kapp (Secretary)
- J Breet, A Burger, E Van Zyl, J Lourens, A Henning, A Combrink

List of office bearers 2022

- Cornelius Oosthuizen
- Desire Beukes
- Wilhelm Pauer



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- Peet Badenhorst
- Linda Kapp (Secretary)
- J Breet, A Burger, E Van Zyl, J Lourens, A Henning, A Combrink

List of office bearers 2023

- Cornelius Oosthuizen
- Desire Beukes
- Wilhelm Pauer
- Peet Badenhorst
- Linda Kapp (Secretary)
- I Mitchley, J Breet, A Burger, E Van Zyl, J Lourens, A Henning, A Combrink

Day Management/Executive Committee

- Cornelius Oosthuizen
- Desire Beukes
- Wilhelm Pauer
- Peet Badenhorst
- Linda Kapp

Marketing

- Desire Beukes
- Cornelius Oosthuizen
- Jessica Courtney
- Peet Badenhorst
- Linda Kapp
- Isobel Mitchley
- Karen Lourens

Buildings and grounds

- Peet Badenhorst
- Abri Henning
- Eddie du Plessis
- Jacques Breet
- Cornelius Oosthuizen

Financial Committee

- Wilhelm Pauer
- Cornelius Oosthuizen
- Desire Beukes

Directors: TH Van Schie, KWL. Weinzheimer
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- Peet Badenhorst
- Elena Smit
- Linda Kapp Secretary

Policies

- Johann Lourens
- Cornelius Oosthuizen
- Peet Badenhorst
- Isobel Mitchley
- Corrie Niemann
- Elsje Botha

6. Mr. Vorster will note the allegations/complaints beneath, in the order of which Mr. Tienie Kapp addressed it in his attached letter (**Annexure "A"**), and also include other similar related allegations, as follows:

6.1 The appointment of Mr. Peet Badenhorst

- It is alleged that Mr. Badenhorst's election process was not completely unanimous, in that the election panel at the time were not all in favour of Mr. Badenhorst being the number one candidate. It is alleged that the SGB who were part of the panel, were compromised as well, in that not all panel members agreed to sign off the documentation that had to be sent to the GDE. Mr. Tienie Kapp refers to documents pertaining to the process that were allegedly removed and teachers attending the GDE office to deal with this.
- It is alleged that the Chairperson at the time of the selection (Mr. Wynand Theunissen) knew Mr. Peet Badenhorst for many years.
- Mr. Vorster interviewed Mr. Wilhelm Pauer (Financial Officer for approximately 12 years and part of SGB). He volunteered that in his opinion, Mr. Badenhorst was the number one candidate during the selection process. He recalls some controversy during the time of the election and process that followed.
- Mr. Vorster interviewed Mrs. Isobel Mitchley. She volunteered that she and Mr. Breet who both served on the SGB were allegedly asked to NOT be part of the selection panel, as Mr. Wynand Theunissen said they knew Mr. Riaan Van Der Watt (who was deputy principal at the time) and who applied for the principal position. That they might be seen as biased during the selection. Two other teacher representatives were also not included in the selection panel, being Mr. Corne Swanepoel and Mr. Alwyn Burger
- Mr. Vorster interviewed Mr. Jacques Breet. He volunteered that he and Mrs. Mitchley who both served on the SGB were allegedly asked to NOT be part of the selection panel, as Mr. Wynand Theunissen said they knew Mr. Riaan Van Der Watt (who was deputy principal at the time) and who applied for the principal position. That they might be seen as biased during the selection.

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- Both, Mrs. Isobel Mitchley and Mr. Breet felt that there was no “teacher representation” in the selection panel. The only teacher part of the panel was Mrs. Linda Kapp, but she had no voting rights. This meant that the panel only consisted of “parent” representation.
- Mr. Vorster requested Mrs. Isobel Mitchley and Mr. Breet if they know who allegedly removed a document from a printer that allegedly indicated who the chosen Principal, (where Mr. Peet Badenhorst name appeared) and they said that it was neither of them that removed or reviewed the document. This document or information was allegedly shared by a female teacher and the information was shared with Mr. Riaan Van Der Watt.
- Mr. Tienie Kapp refers to “Petitions surfaced for the unhappiness of the appointment”.
- Mr. Vorster raises the question that, allegedly Mr. Wynand Theunissen also knew Mr. Peet Badenhorst, and he should have then also recused himself from the committee, if he felt other members should not be voting due to their relationship with a candidate, Mr. Riaan Vand Der Watt. It seems that the SGB at the time was compromised.
- Mr. Tienie Kapp says he will request further investigation through the GDE, and request through PAIA, access to all relevant documentation to the appointment from the GDE and to be reviewed.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation and that this should be referred to the GDE.**

6.2 Mr. Peet Badenhorst allegedly requested Mrs. Linda Kapp to forge the signature of the Chairperson of SGB (Mr. Cornelius Oosthuizen) on a document presented to Mrs. Kapp (Unknown time/date). If this is true, this is Fraud and a serious allegation.

- Mr. Tienie Kapp suggested that if this happened once, he is uncertain if such illegal actions suggested by Mr. Badenhorst happened before, but it should be investigated.
- Mr. Vorster noticed minutes of meetings with handwritten changes and signed, which probably should be looked at as possible documents as referred to by Mr. Tienie Kapp
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation internally at the school. Mr. Vorster suggests that all documents including contracts, minutes of meetings etc. should be compiled for the period of the last three years, and Mr. Cornelius Oosthuizen should scrutinize the places where his signature appears to verify if it was his signature. If evidence should be found, this constitutes possible criminal charges.**

6.3 Alleged attempts for “constructive dismissal” on Mrs. Linda Kapp’s end of 2023

- Mr. Tienie Kapp alleges that Mrs. Linda Kapp and “other personnel” close to her are victimized due to their unwillingness to participate in the activities which the principal and his management are party to.
- Mr. Tienie Kapp referred to allegations that Mrs. Isobel Mitchley and Mr. Jacques Breet were the individuals responsible for initiating the “dismissal” of Mrs. Linda Kapp, but later Mrs. Isobel Mitchley said that it was Mr. Peet Badenhorst who initiated and pushed for the actions.



- Mrs. Isobel Mitchley allegedly interviewed a “replacement” for Mrs. Linda Kapp before Mrs. Linda Kapp was informed of the “dismissal”, which led Mr. Tienie Kapp to believe that the Principal and his Management team, which may have included the SGB, were already thinking that Mrs. Linda Kapp would for certain be removed or that she would leave.
- Mr. Vorster interviewed Mrs. Isobel Mitchley. She volunteered the following:
 - Allegedly, Mrs. Marthia Smit suggested to Mr. Peet Badenhorst that they should search for a replacement for Mrs. Linda Kapp, due to them knowing that she said she wanted to retire or resign.
 - Allegedly, Mrs. Marthia Smit suggested Me. Lelanie Van Dyk as a person to be considered for the position, should Mrs. Linda Kapp leave.
 - Although it is common knowledge that any person considered for a position would be subjected to an application process and submission of a CV.
 - Mrs. Isobel Mitchley said she did not conduct an “interview” as was alleged, she merely met Me. Lelanie Van Dyk for coffee and they discussed the possibilities if the position would open.
- Mr. Tienie Kapp said that the meetings he attended to resolve the issues, that Mr. Peet Badenhorst said he would resolve the issue, but that never realised, and the matter is still unresolved. Mr. Tienie Kapp indicated that he lodged a grievance against Mr. Badenhorst, Mrs Mitchley and Mr. Breet at the GDE.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, and that this should be referred to the GDE.**

6.4 Mr. Peet Badenhorst alleged involvement in having a “ghost employee” on the books within the Department of Education, and such salary is drawn against state funds?

- Mr. Tienie Kapp alleged that Mr. Peet Badenhorst acknowledged that he knows about the “ghost” and that he uses this benefit for his school.
- Mr. Vorster interviewed Mr. Peet Badenhorst in respect of this allegation. He denied such allegations.
- Mr. Vorster viewed SGB “minutes of meetings” which addressed the issue. The SGB have investigated this and have in conjunction with Mr. Peet Badenhorst sent a request and concern to the GDE. Mr. Peet Badenhorst confirmed on 20 March 2023, that he is in communication with the GDE and that they are still busy with an investigation (e-mails as proof if requested, as it is GDE related). He awaits feedback.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, and that this should be referred to the GDE. These are serious allegations and if true, someone is possibly committing fraud, and if such allegations are linked to the school, this could cause reputational harm. If evidence should be found, this constitutes possible Criminal charges against the guilty party. Omission to report a possible crime, is also a crime in itself.**



6.5 Mr. Peet Badenhorst alleged involvement in family/friends who supplied services or products to the school. Mr. Vorster reviewed several documents – policies, contracts/payments in respect of procedures, for when services or product was rendered, to establish if correct procedures were followed by the involved individuals, and concluded the following: (In general, Mr. Vorster refer to minutes of a SGB meeting dated 24 March 2021 where it was noted and agreed who were authorised to do the following:

- Signatories for the bank – P Badenhorst, W Pauer, C Oosthuizen, E Smit (Two of the four may authorise payment)
- Electronic payments - P Badenhorst, W Pauer, E Smit (E Smit loads the payments at the bank and P Badenhorst authorise and release the payment)
- Contracts must be co-signed by the Principal and the SGB Chairperson

Mr. Vorster understands that the Chairperson, Mr. C Oosthuizen allegedly, NEVER had access to the bank as a signatory.

- ❖ Minutes of the meeting dated 24 March 2021 attached (**Annexure "B"**), for reference to the above-mentioned arrangements.
- ❖ SGB Financial Policies attached (**Annexure "C"**), for reference to the protocols in management of finances in respect of procurement, ordering, requests, contracts, payment authorisation.
- ❖ For further reference to the protocols in management of finances in respect of procurement, ordering, requests, contracts, payment, etc. Minutes of meetings are attached:
 - Dated 12 April 2021 attached (**Annexure "D1"**)
 - Dated 20 April 2021 attached (**Annexure "D2"**) – Decisions are made at Day Management and Finkom and then discussed at SGB (BL) for approval. First line is Finkom. It will rely on good judgement by the Chairperson of Finkom, the principal (Mr. Peet Badenhorst) and Mrs. E Smit in respect of debtors. Any other decisions by Finkom must be discussed with Day Management within their mandate or discussed for approval with the SGB. Day Management may approve up to R 50 000.00, IF it is within the budget and the correct procedures were followed. Mr. Peet Badenhorst may approve up to R 10 000.00 for day-to day management, IF it is within the budget and the correct procedures were followed. An e-mail must be forwarded to Day Management for acknowledgment. Larger projects and also tender processes must be referred to SGB for approval.
 - Dated 26 April 2021 attached (**Annexure "D3"**) – It is highlighted that if any member is linked to any supplier to the school, they must declare such relationship.



- 6.5.1 "Wi-Fi and IT networks" maintained by "Reino Kruger" – Cloudways, who is Mr. Peet Badenhorst's daughter's boyfriend.
- It is unknown to Mr. Vorster, since when Cloudways was delivering services and products to the school
 - Mr. Vorster requested Mr. Peet Badenhorst whether he declared his relationship with Mr. Reino Kruger from Cloudways in which he said "yes he did declare it possibly to the SGB and Mrs. Elena Smit"
 - Mr. Vorster could however not find any mention of the declaration in any "minutes of meetings" that were to Mr. Vorster's disposal.
 - Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that Mr. Peet Badenhorst did not declare his relationship with the supplier or with Mr. Reino Kruger.
 - **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB for possible amendments or changes to the policies.**
- 6.5.2 Shade/carports installed by Mr. Peet Badenhorst brother Mr. Dawie Badenhorst – Sun Projects
- Mr. Vorster requested Mr. Peet Badenhorst whether he declared that the supplier was his brother Mr. Dawie Badenhorst, in which he said "yes he did declare it to certain SGB members". Mr. Vorster confirmed that Mr. Peet Badenhorst declared his interest with the supplier during the quotation process of shade netting at Lego Park, but his brother's business conducted a few other installations during the time, which might not have been declared.
 - Mr. Vorster could however not find any mention of the declaration in any "minutes of meetings" that were to Mr. Vorster's disposal.
 - **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB for possible amendments or changes to the policies.**
 - **Mr. Peet Badenhorst did not recuse himself from the process.**
 - **Mr. Vorster suggests that all the transactions related to Sun Projects should be investigated if due process was followed**
- 6.5.3 Solar system installed by Solarium Energy, where Mr. Peet Badenhorst's daughter's boyfriend's (Mr. Reino Kruger) father Mr. Chris Kruger who was the broker on behalf of Solarium Energy
- Mr. Vorster requested Mr. Peet Badenhorst whether he declared his relationship with Mr. Chris Kruger who was the broker for Solarium, in which he said "yes he did declare it to SGB members". Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that Mr. Peet



Badenhorst did not declare his interest with Mr. Chris Kruger. The SGB members only later established the relationship after the tender was already rewarded.

- Mr. Vorster could however not find any mention of the declaration in any "minutes of meetings" that were to Mr. Vorster's disposal.
- **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB for possible amendments or changes to the policies.**

6.6 Mr. Peet Badenhorst overseeing projects/contracts

6.6.1 MTN/IHS Holdings Limited

- Mr. Vorster interviewed Mr. Peet Badenhorst and Mrs. Elena Smit in respect of the queries on this contract and the alleged use (alleged "misuse of electricity" linked to the tower) in which the following was established:
 - ❖ According to Mrs. Elena Smit the contract with MTN was already in place since 2000 and it was renewed in 2010 and again in 2020 – Unsigned contract attached ("**Annexure "E"**")
 - ❖ These dates of renewals are all long before Mr. Peet Badenhorst was appointed as Principal, and he can only comment on the status of affairs since his appointment.
 - ❖ Mrs. Elena Smit further provided e-mails during 2019 and documentation relating to MTN renewing the contract in 2020. At that time, the monthly fee that the school received was approximately R 60 000.00 per month. MTN offered that they could no longer afford those amounts and offered a new fee of R30 000.00 per month. After numerous discussions and negotiations, MTN allegedly agreed to an amount of R 40 000.00 per month. This was not seen in any document by Mr. Vorster (not requested at the time)
 - ❖ Mrs. Elena Smit provided e-mails which refer to the SGB during 2019 agreeing to the lower fee from R 60 000.00 down to R 30 000.00, which is evident in the attached e-mails, attached ("**Annexure "F"**")
 - ❖ In 2019, an Addendum to Agreement of Lease was signed between MTN and Laerskool Helderkrui in which the new terms were agreed upon, ("**Annexure "G"**").
 - ❖ After the last negotiation, Mrs. Elena Smit said that MTN just notified the school, (herself, as she was the contact throughout the years), that they (MTN) sold the tower to a new company named "IHS Holdings Limited" and that IHS would in the future be paying the agreed monthly fees. Mrs. Elena Smit later received correspondence from IHS notifying the school of the banking details to confirm their partnership with the school.



- ❖ Mr. Vorster did not receive such documents or correspondence yet (not requested at the time). **Mrs. Elena Smit said that the school has no new contract between the school and IHS on record.**
- Mrs. Elena Smit further explained that she had more knowledge of the power/electricity issue reported by Mr. Tienie Kapp, and both she and Mr. Peet Badenhorst explained their knowledge of the “possible misunderstanding that the school steal electricity from the tower”.
 - ❖ Allegedly the school grounds are serviced by two mini electrical substations.
 - ❖ The school receives electricity from the one that covers most of the school grounds.
 - ❖ When MTN installed the tower on the school grounds, they had a choice of installing their own cable for connection from the second substation, or they had to put in a meter that would feed their tower. MTN allegedly opted to take over the complete substation for their usage and fortunately or unfortunately there were certain areas (2 or 3 buildings) from the school that is fed by the second substation. In effect the school allegedly receives “free” electricity from the tower. Whether this is or was known by MTN at the time or known now by IHS, is unknown.
 - ❖ During interviews with certain SGB members, Mr. Vorster was informed that they established after the solar system installation, that certain areas on the school grounds were not covered by the solar system.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB.**
- **Mr. Vorster further suggests the following:**
 - **That the school was not completely covered by the solar system as was anticipated.**
 - **That the contract between the School and IHS should be traced and reviewed who signed etc.**
 - **That all documents including contracts should be reviewed for legality of the change-over in ownership from MTN to IHS.**
 - **After this is concluded, a legal decision should be made how to continue the arrangement and contract.**
 - **A qualified Electrician should evaluate the power/electricity usage to determine which legal route to follow with suggestions if the current arrangement stays in place or to split the supply with extra cabling or meters for each own’s usage.**
- **This issue could raise serious concerns and legal issues for the current SGB and school, which falls under the Department of Education, as possible claims and legal battles could ruin the school financially.**
- **Mr. Tienie Kapp indicated that IHS is allegedly one of his clients and he would have access to contracts and supported documentation if required.**



6.6.2 Absolute Security Contract

- Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion of the following:
 - ❖ That Mr. Peet Badenhorst wanted to manipulate the system to allow the contract agreement with Absolute Security to continue without consultation with the SGB, but eventually the SGB agreed to sign after changes had to be made in the contract terms. The SGB did not ever see any other quotations and the process followed to procure the security contract.
 - ❖ That Mr. Wilhelm Pauer is allegedly friends with the owner of Absolute Security, and he did not declare his relationship.
- Mr. Vorster observed the signed contract dated 08 July 2021
- **Mr. Vorster identifies this (Absolute Security) as a Red category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB**
- Mr. Peet Badenhorst volunteered that **HELP24 SECURE** is allegedly currently appointed as the Security provider for the school after a tender process was followed, but their contract is not signed yet, due to it to be discussed after the official appointment of the new 2024 SGB.
- **Mr. Vorster identifies this as a Green category and suggests that this investigation should not continue**

6.7 Mr. Peet Badenhorst has/had an alleged extra marital affair with an educator from a previous school

- Mr. Tienie Kapp referred to a potential issue in the past, when Mr. Peet Badenhorst allegedly wanted to employ his alleged "girlfriend educator" at Laerskool Helderkruijn, but circumstances did not allow the appointment at that time.
- Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that Mr. Peet Badenhorst wanted to manipulate the system to allow the appointment.
- **Mr. Vorster identifies this as a Green category and suggests that this investigation should be referred to the GDE for their knowledge. It should stay on record for future concern to monitor the behaviour of Mr. Peet Badenhorst. His actions possibly compromised the SGB and divided the member's support.**

6.8 Communication to Parents

- Mr. Vorster awaits information from Mr. Tienie Kapp to assess the importance of the allegations that "communication to parents" is not up to standard.
- **Mr. Vorster identifies this as a Green category.**



6.9 Unlawful payment of monies to an Educator not properly accounted for

- Mr. Tienie Kapp alleges that Mrs. Karen Lourens, employed by the SGB was involved in a few incidents where she did not follow prescribed “financial managements procedures” and even disregarded certain lawful instructions/requests. **The allegations are as follows:**
 - Mrs Karen Lourens allegedly convinced parents to make payments directly into her own private account for school outings.
 - Mrs Karen Lourens allegedly allows cash purchases at fundraising events, instead of the arrangement that only “Kruienermunte” coins must be used.
 - Mr. Tienie Kapp alleges that Mrs. Karen Lourens has or is still supplying certain services/product through friends and their businesses, and a particular business name is mentioned as “Signum”
- Mr. Vorster noted in SGB minutes of meetings that certain enquiries were conducted where Mrs. Karen Lourens was responsible for questionable financial and procedural transactions as follows:
 - 11 May 2021 refers to a “disciplinary action” that is finalised – No disciplinary hearing was held. According to reliable information received and notes from the minutes of meeting, Mr. Wilhelm Pauer and Mrs. Elena Smit did not want to proceed with any actions and further investigation against Mrs. Karen Lourens. This certainly compromised the SGB, if the committee could not agree on an amicable solution.
 - At the end 2022, Mrs. Karen Lourens allegedly signed and acknowledged a financial procedure undertaking.
 - 18 April 2023 refers to netball outings to Klerksdorp and Ermelo where the SGB requested detailed expenses for these outings, as it is alleged that the school paid for teachers and their partner’s accommodation and other expenses. It was also instructed that the school must no longer make payments to “Signum” - Reason not stipulated, but it forms part of Mr. Tienie Kapp’s concerns.
 - 15 August 2023 refers again to Signum and Mrs. Karen Lourens’s involvement.
 - 08 May 2023 refers to questionable invoices that needs to be discussed.
- Mr. Vorster noted a minute of meeting held between Mr. Peet Badenhorst, Mrs. Elena Smit and Mrs. Karen Lourens where the financial procedures were discussed with Mrs. Karen Lourens
- Mr. Vorster received reliable information from a person who wishes to stay anonymous, that Mrs. Karen Lourens still continues with illegal actions involving finances and the procedures as follows:
 - Mrs. Karen Lourens allegedly is known to “keep for her own benefit” product which was procured (bought by school/donated by parents) supposed to be sold at fundraisers or school functions, i.e. sweets and cooldrink’s.



- Mrs. Karen Lourens allegedly during several fundraising/sports days takes cash for purchases of foodstuff instead of "Kruinermunte" coins, and then no-one would know how much cash was paid in at the school, or only the "coins".
- Mrs. Karen Lourens allegedly gathered invoices generated by parents/businesses involved at the school, and to present such invoices as the legit invoices for a procurement that was made at example "China mall". Allegedly Mrs. Elena Smit will not except China mall slips, and when purchases were made by Mrs. Karen Lourens at allegedly the China mall, she would hand in factitious invoices that she received from parents or businesses. The product was bought, but no one would be able to say whether the correct amount was even quoted or claimed? **This constitutes as fraud.**
- Thie following is EXTREMELY confidential information, as not many persons has knowledge of this incident, so the person who supplied the information might be exposed then – Mrs. Karen Lourens recently (March 2024) allegedly wanted to buy Netball skirts and suggested to not use the current supplier, but to rather use her husband Mr. Johan Lourens to procure the skirts and then she would just obtain an invoice through "someone else" for the purchase, that it would not be traced back to her and Mr. Johan Lourens. This deal did not proceed, and she followed the correct procedure in procurement of the skirts.
- Mr. Vorster interviewed Mrs. Karen Lourens and she volunteered the following:
 - ❖ She confirmed that she was involved during 2021 in monies that she excepted from parents and that it was paid to her (she did not say into her account or received in person), but that the monies were later paid into the school's account.
 - ❖ She was remanded for it, but never on a disciplinary hearing for her actions. She cannot remember if she received a written warning, and she could also not remember if she did sign a document to acknowledge such a warning.
 - ❖ She confirmed that she was involved during 2023 in monies that she received in cash during a fundraiser day, that she did not manage that in the prescribed way, and again she was remanded, but never on a disciplinary hearing for her actions.
 - ❖ She confirmed that she had authorised for cash to be used on fundraising days, instead of "Kruinermunte" coins. She acknowledged that this was against the prescribed rules.
- Mr. Vorster received further information from Mr. Tienie Kapp that Mrs. Karen Lourens is connected to individuals and businesses who might be in cahoots with supplying product or service to the school, or to assist when creative invoicing is needed. This is exactly similar to the anonymous person's concerns/allegations. Signum was mentioned again.
- **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB for possible amendments or changes to the policies.**



- Mr. Vorster further suggests that all transactions, documents, invoices where Mrs. Karen Lourens was involved to be investigated, in that the invoices supplied by any other person or business that is not a normal supplier at the school, must be authenticated. All Signum invoices should also be investigated. Possible fraud is committed if invoices are created by someone not supplying a product and service. These are serious allegations.

6.10 Alcohol Abuse – Minor Children

- Mr. Tienie Kapp alleges that on certain occasions of which he mentioned the school activities, that Educators are misusing alcohol during such school events that it causes embarrassment to the school.
- Mr. Vorster viewed “minutes of meetings” where the issues were raised with the relevant parties involved and it was dealt with. Newly suggested dealing with such issues were discussed and noted.
- Mr. Vorster identifies this as a Green and Yellow category and that the investigation should not continue. The issue should still be referred to the SGB.
- The SGB should possibly amend or change policies and individuals should be warned that if such behaviour prevails again, that steps would be taken with disciplinary actions to follow.
- A code of conduct should be adopted for Educators, SGB members, parents and children in respect of alcohol usage or possession of such

6.11 Supply/Procurement to Laerskool Helderkruijn

- Mr. Tienie Kapp alleges that Mrs. Isobel Mitchley has or is still supplying certain services to the school.
 - Mr. Vorster interviewed Mrs. Isobel Mitchley in which she volunteered that her husband’s business, named Bobwire Trading supplied buckets to the school, once off. She further said that she declared to Mr. Peet Badenhorst that it was her husband that is providing product to the school.
 - Mr. Vorster requested the documents for the said request and payment thereof and Mrs. Elena Smit explained that according to her the process was followed. The amount was NOT above R 10 000.00 when it is necessary for requesting three quotations, ALTHOUGH she did ask on the request document that three quotations should rather be gathered, due to a teacher’s husband that is the supplier.
 - Mr. Peet Badenhorst allegedly informed Mrs. Elena Smit that he requested another teacher to obtain verbal quotes in which Me. Courtney said that Bobwire Trading was the cheapest quote.
 - The request for payment and payment documents are attached (Annexure “H”)
 - Mr. Vorster findings are as follows: (According the requirements of procedures as discussed in Annexure’s C, D1, D2 and D3)



- ❖ Mrs. Isobel Mitchley allegedly declared to Mr. Peet Badenhorst that her husband was the supplier. Mr. Vorster could not see such declaration noted in any minutes of meetings to his disposal.
 - ❖ According to the policies, it was not required that three quotations should have been requested.
 - ❖ Mr. Peet Badenhorst is supposed to send an e-mail notifying the Day Management or Finkom and SGB if he is making such payments. Mr. Vorster did not request Mr. Peet Badenhorst if he did send such mail (It could be followed up with him)
 - ❖ **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation internally at the school and referred to the SGB for possible amendments or changes to the policies.**
- Mr. Tienie Kapp alleges that **Mr. Peet Badenhorst** bought expensive gifts/liquor that he took to the GDE offices
 - Mr. Vorster interviewed Mr. Peet Badenhorst and Mrs. Elena Smit in which the following was explained:
 - Mr. Peet Badenhorst volunteered that he bought liquor and delivered it at the GDE offices to an amount of approximately R 1000.00. There is no proof that the liquor was delivered.
 - Mrs. Elena Smit volunteered that according to her, it was within the budget and process was followed with permission of the SGB
 - Mrs. Elena Smit further volunteered that the SGB during the time also requested for functions/expenses to be paid, which was approved by the SGB in their meetings.
 - The request for payment and payment documents are attached (**Annexure "I"**) for the liquor dated 2023/12/04.
 - Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that such request to buy liquor as a gift is not within the SGB policies
 - Mr. Vorster findings are as follows: (According the requirements of procedures as discussed in Annexure's C, D1, D2 and D3)
 - ❖ Mr. Vorster could not confirm if any mention is specifically made in the policies in respect of liquor may, or may not be bought as a "gift"
 - ❖ Mr. Vorster could not confirm if any mention is specifically made in the policies in respect of permission to be requested to procure gifts and payable out of the budget.
 - ❖ Mr. Vorster could not find any mention in minutes of meetings (to his disposal) that permission was requested to procure gifts in the form of liquor but could also not find any mention that the type of gift was ever discussed.



- ❖ Mr. Vorster found discussions in minutes of meetings dated 27 October 2021 that suggestions for corporate gifts must be made to Day Management and Finkom (**Annexure "J1"**) and another minutes of meeting dated 18 January 2022, it was decided that "Memory Sticks" are the chosen cooperate gift (**Annexure "J2"**)
- ❖ Mr. Vorster however confirm that the payment request documents are questionable in that the "Betselvorm" indicates Checkers, the "receipt" indicates from Checkers, but the "intent of payment" from Nedbank reference indicates "P Badenhorst/LEROY MERLIN" – (**Annexure "I"**) above
- ❖ **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation, internally at the school and referred to the SGB for possible amendments or changes to the policies.**

6.13 Tracksuits

- Mr. Tienie Kapp alleges that tracksuits to an estimated value of R 100 000 to R 300 000 (it was later established by Mr. Vorster that the amount is only approximately R 100 000.00), were procured by the school without due process followed. These tracksuits are still lying in a storeroom for years now and not being used due to unknown reasons.
- Mr. Vorster interviewed Mr. Wilhelm Pauer in which he volunteered the following:
 - He was the Financial officer for the SGB/school during the time of the procurement of the tracksuits
 - He recalls that School/SGB decided that the school wanted to change the tracksuits and manufacture a large batch to create consistency in material and colour and the process started allegedly in April 2021
 - The school would have informed the current suppliers of these changes.
 - Mr. Vorster viewed many SGB minutes of meetings and other relevant correspondence in respect of tracksuit discussions., attached (**Annexure "K"**)
 - Whilst perusing the documentation to Mr. Vorster's disposal, he could not find the procurement process, quotations, minutes of meetings for discussing the procurement and who were involved and responsible for the authorisation of the procurement.
 - The tracksuits were ordered from Mrs. Karen Kotze – Westrand Promotions
 - Payment was requested during May 2021 to the amount of R 97 660.49 attached (**Annexure "L"**). Mr. Vorster reviewed the documents and interviewed Mrs. Elena Smit about the payment. She wrote "3 kwotasies kort?", requested by "Klerebank", but Mrs. Elena said that it was Mrs. Sharon Pauer, Mrs. Desire Beukes and Mrs. Linda Kapp that were requesting the payment, although no-one of their names appear on the request form.
 - Mr. Vorster findings are as follows: (According the requirements of procedures as discussed in Annexure's C, D1, D2 and D3)



- Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that Mr. Wilhelm Pauer did not declare his relationship with Mrs. Karen Kotze – Westrand Promotions. Mr. Vorster could also not find any mention in minutes of meeting that Mr. Wilhelm Pauer declared his relationship with the supplier, although Mrs. Sharon Pauer was dealing with the tracksuit procurement, and it is uncertain if she declared the relationship with Karen Kotze as an alleged friend who stays in the same complex/area as them.
- Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation, internally at the school and referred to the SGB for possible amendments or changes to the policies.
- Mr. Vorster suggests that the complete process from the beginning must be investigated to determine if the procurement process was followed.
- Mention was made by few individuals that the colour of the tops and trousers were slightly different and that should have already been identified in the beginning after delivery and should have been returned to the supplier.
- Mr. Wilhelm Pauer suggested that the school received an “unqualified audit” for the last few years, and if the tracksuits were an issue, they would have complained raised a concern about it. Mr. Vorster however disagree with the statement, as the mere fact that product was purchased and product was delivered justifies an unqualified audit, but when the product is redundant in a storeroom for three years after purchase, this constitutes as “Fruitless and Wasteful” expenditure according to National Treasury which regulates the Public Sector.
- The fact that school money (paid by the parents and managed by the SGB) was spent to procure the tracksuits, puts the school at risk

6.14 Unqualified Educators

- Mr. Tienie Kapp alleges that Mr. Jacques Breet (who allegedly has a Criminal record) was appointed as Deputy Principal by Mr. Peet Badenhorst.
- Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, and that this should be referred to the GDE.
- Mr. Tienie Kapp alleges that Mr. Juandre Algera was appointed as Educator by Mr. Peet Badenhorst in a Governing Body position. When enquiries were conducted on Mr. Juandre Algera about his alleged unwanted behaviour at school, Mrs. Linda Kapp was requested to request the background and qualifications for Mr. Juandre Algera.
- It was established that he did not have the necessary qualification for the position he was appointed in.
- Mr. Tienie Kapp requests how it was possible that Mr. Peet Badenhorst have appointed Mr. Juandre Algera initially without verifying his credentials. Allegedly Mr. Juandre Algera did not have a clean record from the previous schools he was employed at.



- The effect is that Mr. Juandre Algera would have been paid a salary for an Educator with qualifications, and this is/was unlawful enrichment.
- According to information, Mr. Juandre Algera was moved to the computer class
- Allegedly Mr. Peet Badenhorst dealt with the issues, but it is uncertain what the outcome was and Mr. Vorster is uncertain if Mr. Juandre Algera is still paid for a "qualified position"
- Mr. Vorster did not follow up with Mr. Peet Badenhorst about the situation.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, internally at the school and referred to the SGB for possible amendments or changes to the employment contract and payment structure.**

6.15

LTSM Books (Mr. Wilhelm Pauer and Mr. Tobie Kirkham)

- Mr. Vorster requested Mr. Wilhelm Pauer whether he declared that the supplier was a friend of his, in which he said no he did not declare it to SGB members, as he said **a friend is a very vague description of a person** the definition of a "friend" is vague.
- Mr. Vorster interviewed Mr. Wilhelm Pauer in which he volunteered the following:
 - ❖ During a time when the school decided to procure photo copiers, he called a friend of his named "Tobie" to review the specifications of the copiers to ensure the school buys the correct quality for their requirements.
 - ❖ Tobie confirmed that the specifications were met and the school bought copiers.
 - ❖ Tobie visited the school and observed books that were already printed for the school and he suggested that he (his company) can do a better quality and probably at better prices.
 - ❖ Mr. Wilhelm Pauer requested him to quote for printing work. Mr. Vorster observed in minutes of meeting dated 15 Augustus 2023 that LTSM - Tobie Kirkham is discussed and suggested that three quotations must be requested and presented to the SGB for approval.
 - ❖ Mr. Vorster did not request to view the quotations for assessment.
 - ❖ Mr. Vorster's findings are as follows: (According the requirements of procedures as discussed in Annexure's C, D1, D2 and D3)
 - ❖ Mr. Vorster conducted interviews with persons who wish to stay anonymous and they were of the opinion that Mr. Wilhelm Pauer did not declare his relationship with the supplier. Mr. Vorster could also not find any mention in minutes of meeting that Mr. Wilhelm Pauer declared his relationship with the supplier.
 - ❖ **Mr. Vorster identifies this as a Red and Yellow category and that the allegations have enough merits for further investigation, internally at the school and referred to the SGB for possible amendments or changes to the policies.**



6.16 SGB Election 2024

- Mr. Tienie Kapp alleges that during the election process there were actions by Mrs. Karen Lourens that warrants investigation into the process. Allegedly Mrs. Karen Lourens removed Mrs. Linda Kapp's nomination when it was drawn from a box and said that she was disqualified.
- Allegedly Mrs. Karen Lourens also acted when two other names that were drawn from the incorrect allocated boxes, were then placed in the correct boxes after their names were drawn.
- Allegedly Mrs. Karen Lourens walked through the parents and told them not to vote for current SGB members (by their names)
- The Electoral Officer did not interfere/stop these actions.
- Mr. Tienie Kapp lodged a complaint to the GDE and awaits feedback.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation and that this should be referred to the GDE.**

6.19 Carports and LDV

- Mr. Tienie Kapp alleges that he had a meeting with the previous Principal Mr. Chris Schutte in his office, when Mrs. Elena Smit allegedly came into the office and confronted Mr. Chris Schutte about a project that they were busy with to pay. Mrs Elena Smit allegedly said that she wanted to know how the "bakkie" could be included in the "carport" project.
- Mr. Tienie Kapp said he understood that the bakkie was made part of a carport project funds. He did not have insight to the issue and by questioning Mr. Wilhelm Pauer at the time, he still did not receive any explanation.
- Mr. Tienie Kapp suspects that the bakkie was not budgeted for and paid for or worked into the carport contract/supply.
- Whilst Mr. Vorster interviewed Mrs Elena Smit on other issues as discussed in this report, she volunteered that she wanted to clear that allegation made by Mr. Tienie Kapp.
- Mrs Elena Smit volunteered that the school bought one bakkie during that time from Monument Toyota and the bakkie had nothing to do with or was included into a carport project. She will provide all evidence for such purchases if required.
- **Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, internally at the school. Although this is in the past and not forming part of the current investigation, it could be cleared up.**

6.20 SARS Issues

- Mr. Tienie Kapp alleges that he was requested by the school to assist into a SARS query in which Mrs. Elena Smit was requested to compile 6 years statements for SARS. Mr. Tienie Kapp said that he had access to the school bank statements at that time and that he observed certain questionable transactions. He wanted to enquire about it, but he was stopped from further enquiries. He was then also told that his assistance was no longer needed. Mr. Tienie Kapp is concerned, as he suspects that the school have something to hide, and he wanted this to be investigated.



- Mr. Vorster identifies this as a Red category and that the allegations have enough merits for further investigation, internally at the school. Although this is in the past and not forming part of the current investigation, it could be cleared up
7. Mr. Vorster further directed enquiries to Mr. Peet Badenhorst and Mrs. Elena Smit to have access to certain payments in respect of areas of concern, to determine if procedures were followed with regards to the required processes of procurement. Quote from the mail sent:

“Betalings dokumente bv. bestellings/aanvraag en fakture met bewys van betalings vir die volgende: (tussen 2021 tot 2023 wat die Beheerliggaam oorgeneem het)

- Sweetpakke wat skool aangekoop was wat in die stoorkamer/lokaal is
 - Afdakke/Skadunette
 - Afdakke tussen die Gr R klasse en Gr1 blok
 - Afdakke by parkering onder by die klasse tussen die tennis en netbal bane
 - Lego park skadunette
 - Skadunette by die nuwe netbal bane
 - Skadunette by die groot blok klaskamers
 - Skadunette by die klein blok klaskamers
 - Klank stelsels
 - CCTV stelsel
 - Alarm stelsel
 - Telborde Rugby? En Netbal bane?
 - Solar projek
 - Speelgronde
 - GR R en RR
 - Lego park
 - Kragopwekkers huur of aankoop vir Rugbyveld
 - Herstel van vensters en verf
 - Beligting op vloere en klasse
 - Rekenaar sentrum wat opgradeer was en/of herstelwerk gehad het
 - Nuwe astro bane
 - Was die netbal bane se ligte, telborde en heinings vervang, of was daar slegs kwotasies aangevra? Ieder geval, die dokumentasie daarvoor?
 - Ondersteuners hemde”
8. Mr. Vorster wants to mention the seriousness and responsibilities of the office bearers in their financial positions.
- Mr. Vorster noted in SGB minutes of meetings that only Mr. Cornelius Oosthuizen had excused himself in at least two instances where he declared that he knows the suppliers from



whom a service or product was required in which the school wanted to obtain quotations from.

- Mr. Wilhelm Pauer who was the Financial Officer for a number of years (Approximately 12 years). He must have known that in his position he could not be linked to friends or family, who provide services or products to the school, as this would place him under a magnifying glass, and/or bring serious doubt to him as person.
- Mr. Peet Badenhorst in his position as Principal must have known that in his position he could not be linked to friends or family who provide services or products to the school, as this would place him under a magnifying glass, and/or bring serious doubt to him as person. Irrespective, if he removed himself from any procuring process when family or friends were involved, he is still the last person to authorise payments in the Bank. To have been more consistent with such transactions, the SGB policies prescribed that there must be four people that can effect authorisations at the bank. According to Mr. Vorster, it seems that the request was discussed in SGB meetings, but it never realised. Then someone else could have authorised the transactions as the last signatory and not only Mr. Peet Badenhorst.
- Mr. Peet Badenhorst is the Principal of Laerskool Helderkruin and in his capacity, any of his actions are linked to the Department of Education and the MEC as an employee. The "Employer – Department of Education, is vicariously liable under the "respondeat" (Latin word "let the master answer") superior doctrine, for negligent acts or omissions by their employees in the course of employment"

*Regards,
Andries Vorster*