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INTERNAL MEMORANDUM

TO	THE HONOURABLE MEC
FROM	THE HEAD OF DEPARTMENT
DATE	06 FEBRUARY 2025
SUBJECT	WRITTEN RESPONSES TO IQP 51 DATED 23 JANUARY 2026 OF THE 7TH LEGISLATURE

Dear Honourable MEC,

May the Honourable MEC kindly receive the Department's responses to the IQP 51 Written 1st Session of the 7th Legislature, for MEC's favorable attention.

1591. Ms M Ewers to ask the MEC responsible for Social Development:

With reference to serious complaints allegedly received from a resident of Silver Crown Old Age Home in the East London central Business District (CBD), in the Buffalo City Metropolitan Municipality (BCMM), regarding alleged neglect of older persons, inadequate and "revolting" food supplied by an outside caterer, non-compliance with the catering contract, an unresponsive facility manager and the fact that residents do not personally receive their SASSA grants because these are paid over to Social Development or the facility:

- (1) What is the current status of the registration, licensing and compliance of Silver Crown Old Age Home with the provisions of the Older Persons Act, 2006 (Act No. 13 of 2006), including whether (a) the facility is duly registered as a residential facility for older persons, (b) its registration is current and in good standing, (c) the most recent compliance inspection or monitoring visit was conducted by the Department and (d) any compliance notices, remedial instructions or sanctions have been issued to this facility in the past three financial years;

Response

- (a) The facility is registered in terms of the Older Persons Act No. 13 of 2006.
- (b) The registration is good standing and is valid from 28/03/2024 up until the 31/03/2028.
- (c) The inspection or monitoring visit are conducted on regular basis by the Department.
- (d) The facility is state run, and the following gaps were identified: -
 - The infrastructure is not fully compliant to harbour Older Persons because it was built as facility for children and not customised for Older Persons.



- The number toilets and bathrooms are not sufficient for the number of beneficiaries in the facility.
- Examination room and a sick bay not available.
- Waiting room not available

(e) The following are the remedial actions: -

- The Infrastructure Unit visited the facility in 2023 with a view to assess the structure for possible upgrade. The department could not implement its intended plan due to budget constraints to improve the infrastructure. The Department has been engaging the Department of Public Works to address defects identified in the structure.

- (2) with reference to the catering and nutrition arrangements at Silver Crown Old Age Home, (a) what are the terms and conditions of the current catering contract or service level agreement applicable to this facility, including the required daily menu, nutritional standards and portion sizes, (b) what process was followed to appoint the current outside caterer, including procurement method and duration of the contract, (c) how does her Department monitor adherence to the approved menu, quality standards and contract conditions and (d) what consequences has her Department put in place for non-compliance by the caterer;

Response

- (a) The service provider is contracted for a period of three years with effect from 22 July 2024, to provide nutritious meals to the beneficiaries. The specification stipulates the following: - Provision of breakfast @ 08h00, lunch @12H00, dinner @17h00 and snack in between. All these are enlisted in the Food specification (menu) with portion measurements.
- (b) A call for proposal was issued and submitted on the 18 March 2024, and the selection committee sat and appointed the qualifying service provider, and the contract is for three years
- (c) The Centre Manager of the facility is entrusted with the responsibility of ensuring that the appointed service provider adheres to the specification (menu).
- (d) The service provider has signed a service level agreement with the Department which clearly stipulate the consequences on the material breach of contract.
- (3) whether her Department has received any complaints, reports or whistle-blower allegations since 1 January 2024 relating to (a) "revolting" food, (b) residents allegedly "starving" or "losing weight", (c) residents not receiving food that is on the contract, or (d) alleged fraud or misuse of funds linked to catering at Silver Crown Old Age Home; if so, (i) how many such complaints were received, (ii) on what dates and (iii) what actions were taken in response to each complaint;

Response

- (a) There was never a revolt of food due to dissatisfaction about the service.
- (b) There has been no cases of starvation or loss of weight identified or reported in the centre.
- (c) The residents are receiving food as per the menu.



(d) The Department has not established nor receive any reports on mismanagement of funds in the organisation.

- (4) whether any inspections, site visits, audits or investigations have been conducted by her Department into the catering and nutrition conditions at Silver Crown Old Age Home during the past two financial years; if so, (a) on what dates did such visits occur, (b) which officials or units conducted them, (c) what were the key findings regarding food quality, menu compliance and the nutritional status of residents and (d) what remedial or enforcement measures were instituted;

Response

- (a) The Department conducts regular visits to the centre and has employed officials on a permanent basis to ensure day to day running of the facility
(b) The Supply Chain Management unit and programme 2 district and provincial officials.
(c) The key concerns are small portions of food provided, poor food serving and cooking, deviation from the original deviations and food handling.
(d) A formal notification of breach of contract was forwarded to the service provider to address these discrepancies.

- (5) whether her Department has assessed the health and nutritional status of residents at Silver Crown Old Age Home in light of the allegations that residents are "starving" and "losing weight"; if so, (a) what assessments or screenings have been conducted, (b) what were the outcomes or findings, particularly regarding malnutrition or underweight residents, (c) what interventions have been implemented to address any identified nutritional risks and (d) within what time-frames;

Response

- (a) An informal satisfaction survey is being conducted by Centre Manager, on the food provisioning and areas of dissatisfaction are noted and referred to the service provider for rectification.
(b) There has been no substantial evidence of malnutrition or weight loss by beneficiaries.
(c) In the event that anomalies are identified in the provisioning of food, such cases are referred to the service provider for rectification.
(d) The time frames and actioning of the resolutions are determined by the SLA signed between the Department and the service provider.

- (6) with reference to the allegation that "residents do not get the food that is on the contract" and that the caterer is "committing fraud", (a) whether her Department has initiated or plans to initiate any forensic, financial or contract compliance investigation into the catering arrangements at Silver Crown Old Age Home, (b) which investigative body or unit will be responsible, (c) what specific aspects of possible fraud, overcharging, under-provision or misrepresentation will be probed and (d) what steps her Department anticipates will be taken towards protecting residents and whistle-blowers during this process;



Response

- (a) The Department will utilize the services of Risk Management unit to investigate any financial or compliance issues identified in the catering arrangement at Silver Crown Old Age Home.
- (b) Risk Management unit would be responsible for the investigation.
- (c) The investigation team from the Risk Management unit from the Department will be probing deviation on the specification in food provision.
- (d) The whistleblower would not be exposed, instead the issues raised will be dealt with. The facility is also having a suggestion box where residents would drop their views, and any of these are always left anonymous.

- (7) concerning the management and internal complaints processes at Silver Crown Old Age Home, (a) what is the formal complaints and grievance procedure for residents and their families, (b) how are complaints against the manager or staff recorded, investigated and resolved, (c) how many complaints about food, care or neglect have been lodged with the facility manager in the past two financial years, (d) in how many cases did residents "get no feedback or help" and (e) what corrective action has been taken in relation to management failures;

Response

- (a) The Department established a residents committee that deals with complaints or grievances in the facility. Any person in the facility may report or submit grievance to the committee and residents committee receive the complaints and process them in line with grievance procedure of the facility.
- (b) The complaints against the centre manager and staff are submitted to the residents committee for processing.
- (c) There were no complaints lodged against the facility manager in the past two years.
- (d) There were no cases reported and as such no feedback to be provided.
- (e) The Department has not identified failures from the management of the facility.

- (8) with reference to the statement that "we don't receive our SASSA grants, as it all goes to Social Development and this is what we get in return", (a) what is the exact arrangement regarding the payment, collection and administration of SASSA Older Persons Grants for residents of Silver Crown Old Age Home, (b) whether any or all grants are paid directly to the facility or to her Department on behalf of residents, (c) how are residents' consent, rights and independence protected in these arrangements and (d) what safeguards exist to prevent misuse, deduction without consent or diversion of grant income;

Response

- (a) According to the key guidelines for grants in state facilities, if an individual is fully maintained or care for in a state-owned facility, generally do not qualify for social grants and this is the case in Silver Crown.
- (b) The residents in a state-owned facility do not qualify for social grants.
- (c) The residents in the facility are taken care of by the state and their rights are protected in terms of the laws of the country.



(d) The residents in a state-owned facility do not qualify for social grants.

- (9) whether her Department has, in the last three financial years, entered into any funding, subsidy or Service Level Agreements (SLAs) with Silver Crown Old Age Home; if so, (a) what is the value and purpose of such funding per year, (b) what conditions are attached to this funding in respect of care standards, nutrition and resident protection, (c) how is compliance with these conditions monitored and (d) whether any non-compliance has been identified and acted upon;

Response

- (a) The Silver Crown Old Age Home is a state-owned facility and there is no Service Level agreement in existence and as such is not funded under the category of Not-for-profit institutions (NPIs).
- (b) The organisation is not funded as NPI, the budget allocation is from the Department.
- (c) The utilization of budget allocated to Silver Crown Old Age Home is in line with prescripts that govern financial management and controls.
- (d) There is no compliance issues identified in the utilization of budget allocated in Silver Crown Old Age Home.

- (10) what specific oversight, monitoring and enforcement mechanisms has her Department put in place for residential facilities for older persons in the Buffalo City Metropolitan Municipality (BCMM), including Silver Crown Old Age Home, in respect of (a) minimum care standards, (b) food quality and nutritional adequacy, (c) financial management of residents' grants and fees, and (d) the prompt resolution of complaints of neglect, abuse or exploitation;

Response

- (a) The Department has capacitated Social Workers at District level to ensure monitoring of compliance with norms and standards as prescribed by the act.
- (b) The food specification was developed in accordance with the dietary requirements.
- (c) The residents in a state facility do not qualify for social grants and are supported by the state.
- (d) The facility established its own internal residents committee, that looks at the challenges experienced and develop a plan to address those gaps identified.

- (11) whether her Department has received any other complaints, petitions or requests for intervention relating to neglect, poor food or mismanagement at any other old age home or residential facility for older persons in the BCMM since 1 January 2024; if so, (a) how many facilities are implicated, (b) what are the key issues raised and (c) what steps has her Department taken towards addressing these concerns;

Response

- (a) Fairlands Old Age Home (ELSCA) which is a privately run facility has been reported by on allegation of , in relation to mismanagement of resources.
- (b) Mismanagement of finances



- (c) Developmental Quality Assurance was conducted to determine the standard and quality of service rendered in the facility. The Department deployed a team from the programme and finance, to conduct this exercise and establish if they are any mismanagement in the facility.
- (12) what immediate steps her Department envisages will be taken, within the next 30 days, to (a) investigate the complaints raised by residents at Silver Crown Old Age Home, (b) ensure that residents receive adequate, safe and dignified meals in line with contractual and statutory requirements, (c) hold any non-compliant service providers or officials accountable and (d) communicate outcomes and remedial actions directly to residents and their families;

Response

- (a) The Department will conduct DQA in Silver Crown Old Age to determine the quality and standard of services rendered.
- (b) SCM to monitor compliance with SLA between DSD and service provider and adherence to food specification (menu).
- (c) The Department from time to time conducts meetings with the service provider to discuss the provision of service in line with the specification.
- (d) Any new developments from the engagements between the DSD and the service provider are communicated to the residents.
- (13) in light of photographs submitted by residents depicting the meals currently served at Silver Crown Old Age Home (**See Annexure A, which depicts the meals currently served*), dishes that residents describe as "revolting", (a) whether these meals meet the nutritional standards, calory requirements and portion sizes specified in the catering contract, (b) whether these meals comply with her Department's minimum nutrition guidelines for older persons in residential care, (c) what professional nutritional assessment has been conducted to verify whether these meals are adequate to prevent malnutrition and weight loss and (d) what remedial action will be taken if these meals are found to be non-compliant with contractual or statutory standards?

Response

- (a) The meals provided are according to the specification, and the concern was on the food portion which is viewed by residents as in adequate.
- (b) The meals provided by the service provider are in line dietary standards and as per the menu.
- (c) The nutritional value of the meal has not yet been assessed by a professional expert and the Department will seek services from the Department of Health to conduct food assessment.
- (d) The Department will implement the content of the SLA in terms of the breach of contract also involve the Department of health to assist in the development and readjustment of the menu.



Kindly be advised that the due diligence has been executed by the relevant Programme to ensure that quality responses is submitted.

Yours in good governance.


Mr M Machedema
HEAD OF DEPARTMENT

06/02/2026
DATE