



A step in the right direction?

A review of the implementation of CGE recommendations by African Rainbow Minerals

2024



Commission for Gender Equality
A society free from gender oppression and inequality

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Foreword and acknowledgements

The Commission for Gender Equality (CGE) is an independent Constitutional body mandated to promote gender equality in South Africa. In 2014/2015, the CGE launched a monitoring programme to assess gender mainstreaming in the mining sector. The programme focused on two mining houses, African Rainbow Minerals (ARM) and Anglo-American South Africa (AASA), and their subsidiaries. The findings showed limited progress in gender mainstreaming and transformation within the mining companies. The CGE, as such, crafted a list of recommendations to address the issues and challenges uncovered by the study. In the 2023/24 financial year, the CGE assessed the mining houses' progress in addressing the policy recommendations of the 2014/2015 CGE report. It must be noted, however, that AASA failed to comply with the timelines of the CGE regarding data collection processes and could thus not be covered by the review.

The assessment shows that ARM has responded positively to some of the CGE recommendations, in that the company utilised the services of independent gender transformation experts and introduced new policies for gender mainstreaming as per CGE's recommendations. The findings, however, also show that training initiatives were limited as only two gender units were developed, at the corporate level and at Khumani. Concerns were also raised about persistent challenges that hinder the effective implementation of gender mainstreaming processes within the subsidiaries.

The CGE is constitutionally obligated and legally mandated to carry out such regular assessments by monitoring and evaluating compliance of such entities with existing national legislative and policy frameworks aimed at promoting gender mainstreaming and transformation. This report is therefore produced in direct response to the Constitution's mandate.

The report was made possible with the help of ARM officials, who shared important insights, perspectives, and views on the progress made towards achieving the targets set by the CGE recommendations in the 2014/2015 report. The CGE is thus grateful to all the participants who consented to be a part of the review. The CGE is also grateful to its team of researchers comprised of:

Lieketseng Mohlakoana-Motopi (project leader), and Thabani Mdlongwa.

The report was edited and finalised by Naledi Selebano, who was the Acting Head of Policy and Research.

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1. Introduction

The Commission for Gender Equality (CGE) is an independent constitutional body established under Section 181 of the Constitution of South Africa. Section 187 of the Constitution mandates the CGE to promote respect for gender equality and the protection, development, and attainment of gender equality in South Africa. The powers and functions of the CGE are outlined in the Commission for Gender Equality Act No. 39 of 1996, which specifically, in terms of Section 11(1)(a), states that the CGE must monitor and evaluate policies and practices of state organs, state agencies, public bodies, and the private sector to promote gender equality, the rights of women, and prepare and submit reports to the South African Parliament.

The CGE, in accordance with its mandate, decided in 2014/2015 to launch a monitoring programme to assess the extent of gender mainstreaming within the mining sector. The decision to focus on the mining sector was driven by the traditional image of the mining sector, among other reasons, and underpinned not only by strong and persistent patriarchal perceptions but also by the unfavourable experiences of women. The sector remains a strong terrain of male dominance and privilege, which has, over the years, been considered unsuitable for women. The programme began with the study focusing on two case studies of the two mining houses, namely African Rainbow Minerals (ARM) and Anglo-American South Africa (AASA), which were selected during the 2014/2015 financial year. Three subsidiaries/local mining operations were selected for each of the two mining houses.

Moreover, the corporate head office for those mining houses was also targeted for assessment to establish their progress in terms of gender transformation. For ARM, the assessment included the following subsidiaries: Khumani Iron Ore Mine, Two Rivers Platinum Mine, and Nkomati Nickel Mine. For AASA, the following subsidiaries were assessed: Kumba Iron Ore Mine, Anglo Platinum Mine, and Anglo Coal (AACSA) Mine. The reason for this selection was to determine whether the patterns of progress or lack thereof in terms of gender transformation within the respective company corporate head offices were also reflected at subsidiary company levels.

The findings from the assessment showed that there was limited progress in terms of gender mainstreaming and transformation in the two mining houses and that a great deal of work remained to be done. The CGE, as a result, crafted a list of recommendations aimed at addressing the limitations, issues, and challenges uncovered by the study. The findings and recommendations of the study are contained in the 2014/2015 report titled *Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa*.

The 2023/24 financial year marks eight years since the release of the recommendations, which prompted this assessment of progress made by the two mining houses (ARM and AASA) to address the report policy recommendations as articulated in the stated 2014/2015 report.

The structure of the report includes the background, which provides the historical background of the study, the methodology and approach, the findings, the overview of key findings, and the conclusion and recommendations of the study.

2. Background

The CGE initiated the development of the Gender Barometer tool in 2009. The tool was designed to enhance the execution of the CGE's monitoring and evaluation mandate across all sectors. The introduction of the Gender Barometer was considered an important milestone in South Africa's efforts to comply with international standards in relation to mainstreaming gender and promoting women's empowerment, as well as gender equality in the country.¹

The CGE has, since the adoption of the Gender Barometer, assessed progress made by various government departments and institutions within the public and private sectors to establish their level of compliance in relation to mainstreaming gender for the promotion of gender equality in the country. The assessments constituted in-depth examinations and analysis of information gathered on the work, programmes, existing systems, processes, procedures, and practices of those institutions, with the purpose of promoting gender transformation.² The tool was designed to measure various gender transformation indicators, which were centred on the following thematic areas: equality and discrimination, governance, power-sharing and decision-making, poverty, employment, education and skills development, health care and wellbeing, violence against women, economic empowerment, institutional mechanisms, housing, religious and cultural attitudes and practices, just to mention a few.³

It was during the 2014/2015 financial year that the CGE resolved to focus on the mining sector, which is one of the key drivers of the South African economy that contributes to the country's gross domestic product (GDP).⁴ This was also the first time that the Gender Barometer was applied to the private sector in the country.

3. Findings of the 2014/2015 study

The findings of the 2014/2015 study demonstrated a slow pace of gender transformation in the mining sector and highlighted the challenges faced within the mining houses in promoting gender equality. The findings revealed that women were only considered for a few 'light' or 'physically less demanding' areas of work, such as catering/cooking, cleaning, caregiving, and other similar activities considered suitable for women. Based on this traditional view of mining as a sector,

1 Commission for Gender Equality (CGE). 2009. South African Gender Barometer Project: The State of Women Empowerment and Gender Equality. Johannesburg: CGE.

2 Ibid.

3 Ibid

4 Ibid

women tended to experience severe restrictions, including gender discrimination, which violates their rights to gender equality as outlined in the Constitution and other legislation in South Africa.

The assessment sought not only to determine the extent to which selected entities within the mining sector were making efforts to comply with relevant policy and legislative frameworks but also to assess progress through formal internal company processes, procedures, and activities to promote the achievement of gender equality in the workplace.

The findings denoted that there was still a long way to go to achieving gender transformation within those mining companies, revealing that while the notion of gender equality in the workplace was not necessarily unfamiliar in the sector, it was still fundamentally misunderstood in its broader meaning, which entails substantive gender equality. There was a strong association of gender equality with the numerical aspect of equality, driven mainly by the corporate strategies to comply with the Employment Equity Act of 1998, with more emphasis on the achievement of numerical corporate targets but limited regarding efforts to achieve aspired substantive gender equality.

The CGE made the following recommendations to the mining houses in view of them reforming their respective policies, programmes, and practices to comply with the promotion of gender equality through gender mainstreaming.

3.1 Recommendations of 2014/2015 study

Firstly, the CGE recommended that both mining companies covered in the assessment engage the services of competent, trained, and qualified gender transformation experts/specialists to provide advice to senior management on gender mainstreaming as a strategy to advance gender equality in the workplace. Such trained gender transformation experts/specialists should articulate what gender mainstreaming is, its benefits in the strategic interests of the company, as well as provide advice on best practices, strategies, and practical approaches towards integrating gender mainstreaming in company strategic plans. A gender transformation specialist should also advise on the best approaches towards institutionalising gender mainstreaming in the workplace.⁵

Secondly, the CGE recommended that an effective and sustainable process of introducing gender mainstreaming in the companies should be provided with the necessary resources and sufficient time frames to gain buy-in from all the relevant internal stakeholders. This process should be led by and involve the direct participation of all the senior managers, including relevant heads of divisions or

⁵ Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

departments, who should be equipped with the necessary skills training to manage gender mainstreaming processes to ensure its sustainability in the long term.⁶

Thirdly, once the engagement between company senior management and consultative processes has been completed, company-wide consultative workshops that involve all categories of employees at all levels to introduce them to gender mainstreaming as a constitutional, legislative, and strategic imperative must be pursued within the workplace. This process should be led and supported by senior company management, with the involvement of all divisional heads, and facilitated by an independent gender transformation specialist/expert.⁷

Fourthly, the mining entities assessed in the study did not have clearly written internal gender policy documents. The CGE, therefore, recommended the creation of internal consultative corporate processes should be led by senior management and facilitated by an external gender policy expert, and should involve all key internal stakeholders, including staff. This internal consultative process should lead to a draft gender equality policy document that explains what gender equality is, its legislative and policy basis, and the need for the integration of gender mainstreaming in broader corporate strategic objectives. This process should lead to a completed draft policy document on gender mainstreaming to be widely disseminated and understood by all employees across the company.⁸

Finally, the government's National Gender Policy Framework states the importance of appointing an internal senior official (e.g., Gender Focal Point for public sector institutions) to lead internal corporate gender mainstreaming and transformation processes. The CGE thus recommended the creation of such an internal post and the appointment of a qualified, trained, and experienced gender transformation specialist with the necessary resources, clearly defined role/responsibilities, and the requisite authority to participate in senior-level decision-making processes with an impact on gender equality and transformation matters (e.g., decision-making processes on recruitment, promotions, succession planning, and sexual harassment, among others). Such a post to be part of a dedicated Gender Transformation Unit instead of the common and often ineffective model of a generalised transformation unit that handles a basket of matters such as culture, social cohesion, race, and gender.⁹

6 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

7 Ibid

8 Ibid

9 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

4. Aim of the study

The current review aims to assess progress made by African Rainbow Minerals (ARM) and Anglo-American South Africa (AASA) regarding the implementation of the CGE recommendations as articulated in the 2015 report titled Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa.

4.1 Objectives of the study

The objectives of the study focused on the following thematic areas as per the CGE recommendations:

- Training and capacity building on gender mainstreaming
- Structures put in place to ensure sustainable gender transformation
- Sensitisation of the internal stakeholders about gender mainstreaming through workshops
- Conducting policy analysis to establish whether the organisations reviewed their policies to ensure that they are gender sensitive
- Establishment of Gender Focal Unit within the organisations.

5. Limitations and constraints

The limitations and constraints are as follows:

- The CGE attempted to review AASA mining subsidiaries as part of this report. However, the company failed to cooperate despite multiple efforts by CGE researchers. It was only after the CGE threatened to take legal action that AASA showed any interest, but by then, it was too late as the data collection phase had already passed. As a result, the report only covers the ARM mines and not the AASA subsidiaries.
- This follow-up study is specifically focused on the recommendations made in the previous study conducted in 2014/2015. Its purpose is to determine whether these recommendations were accomplished. It must be noted that this study only covers the stated recommendations and does not include other achievements or challenges in various areas as they are beyond the scope of this study.

6. Methodology and approach

This study is qualitative and data was collected through virtual platforms as a cost-saving measure. The data collection techniques employed included one-on-one in-depth interviews and focus group discussions, with some subsidiaries preferring focus group discussions to one-on-one interviews. Qualitative research was chosen to understand the mining houses' perspectives on gender equality, gender mainstreaming, and gender transformation. Qualitative research and its techniques are essential in understanding people's lives, stories, and behaviour, especially in studies related to organisational functioning and constructing new norms in the mining sector, which is the aim of this study.¹⁰

It is worth noting that in-depth interviews rely mostly on the views and insights of the participants, and matters that interviewees may take for granted may not surface as crucial, so interviews help researchers probe for rich data.¹¹ A focus group discussion, on the other hand, is a form of group interview with several participants, and the discussion is focused on a specific defined topic. Focus groups have two elements: (1) group interviews where people deliberate on several topics, and (2) groups of people who have had the same experience discussing their experiences in relation to their shared experiences.¹² The focus groups were used as a technique to optimise the data collection process by getting various perspectives from the targeted participants in the study.

The technique utilised to choose the participants of the study was purposive sampling. This approach is also known as judgmental, selective, or subjective sampling, in which the researcher depends on their own judgment when selecting the population to participate in the study.¹³ The study targeted management in human resources departments across all the subsidiaries and the corporation as the head office for the mining house that provides the strategic direction of its subsidiaries.

6.1 Ethical considerations

The Human Sciences Research Council's (HSRC) Research Code of Ethics¹⁴ is a key code to which the CGE subscribes and abides. A part of these include:

- Respect and protection
- Transparency

10 Cypress, B.S., 2015. Qualitative research: the "what", "why", "who", and "how"! Dimensions of Critical Care Nursing, 34(6), pp. 356-361.

11 Bryman, A., 2016. Social Research Methods. London: Oxford University Press.

12 Merton, R., et al. 1956. The Focused Interview: A Manual of Problems and Procedures. New York: Free Press

13 Creswell, J. W., Research Design: Qualitative, Quantitative and Mixed Methods Approaches (4th ed.). (Thousand Oaks, CA: Sage 2014)

14 Human Sciences Research Council (HSRC), Code of Research Ethics, <http://www.hsrc.ac.za/en/about/research-ethics/code-of-research-ethics> (January 2021). Accessed 3 May 2021

- Scientific and academic professionalism
- Accountability.

This code includes key principles that are adhered to and entails commitments that CGE research staff should abide by in undertaking research work involving people, communities, and other social entities who also have rights. The code primarily guides other research aspects that involve interactions with selected individuals, households, and communities, among other affected parties. Through this, CGE research staff are required and expected to comply with universally accepted professional standards and principles of research to ensure that all participants' rights and concerns that may potentially be impacted by activities related to the study are acknowledged, taken into consideration and respected. Specifically, the CGE Research Department respects the following rights of interlocutors:

6.1.1 Informed consent

Prior to conducting interviews, in-person briefings, or focus groups, all participants were given a general understanding of the work and mandate of CGE. Then, they were informed about the initial study and the follow-up study. The study's goals, objectives, methodology, and approach were explained to them, and they had already received a letter with this information. During interviews or focus group discussions, participants were given the opportunity to ask questions and seek clarification on any unclear matter that was raised.¹⁵

6.1.2 Voluntary participation

The participants were informed that they were not forced or coerced into participating in the study and that they were allowed to withdraw from the interview at any point if they felt any form of displeasure in continuing with the interview or the focus groups. The participants were not promised any incentives for participation.¹⁶

6.1.3 Confidentiality and anonymity

The participants were promised complete confidentiality and anonymity throughout their participation in the follow-up study. They were informed that the information they provided during the interviews and focus group discussions would only be utilised for the study. Furthermore, they were informed that the findings would be presented to their respective institutions after the report's publication. Participants were also notified that their names would not be mentioned in any documentation or presentations related to the research.¹⁷

15 Human Sciences Research Council (HSRC), Code of Research Ethics, <http://www.hsrc.ac.za/en/about/research-ethics/code-of-research-ethics> (January 2021). Accessed 3 May 2021

16 ibid

17 ibid

6.1.4 *Beneficence*

Participants' rights to be free from harm, uneasiness, and mistreatment were taken into consideration and are always respected. Without this, the study runs the risk of being unethical.¹⁸

7. Findings of the study

7.1 ARM Corporate

7.1.1 *Services of a gender specialist*

ARM utilised Bantsho management consultancy to consult on gender mainstreaming that was in line with CGE recommendations. According to an official at ARM Corporate, the process began with a situation analysis commissioned by the corporate office to identify the status quo at the time. This analysis was conducted through site visits, workshops, and sample policy reviews to identify gaps and create a clear plan for implementing gender mainstreaming.¹⁹

Bantsho management consultancy made some recommendations to ARM, some of which are similar to what the CGE had already recommended in its 2014/2015 report. Bantsho's recommendations are as follows:

- Leadership at ARM must continue to develop and implement a business strategy that promotes effective gender equality, equity, and mainstreaming. The leaders must actively communicate their intentions and demonstrate their commitment to this strategy through their actions. Visible leadership is a vital element of the change process.²⁰
- A Gender Action Plan (GAP) needs to be created by ARM that is results-oriented and strategic. This plan should be drafted at a strategic level for each of the individual operations that support the achievement of ARM's gender equality vision. The first step in creating these plans is to include priorities, timelines, objectives, expected outcomes, and/or targets.
- During the gender mainstreaming workshops at ARM, some concerns were raised by the attendees. These included flat organisational structures, limited opportunities for growth, high turnover rates which hinder change, and poor succession planning. Despite ARM's efforts to promote women's development through various programmes, these concerns were still prevalent among employees.

18 Ibid

19 Interview ARM Corporate Official, 31 January 2024.

20 Ibid.

- ARM must incorporate gender mainstreaming objectives in the individual staff performance assessment objectives.
- ARM must maintain independent and efficient complaint mechanisms to protect gender rights and consider complaints in an efficient, competent, and impartial manner.²¹ Grievance, harassment, and disciplinary procedures must support and enforce gender mainstreaming. Whistle-blowing and ethical complaints channels also remain imperative.²²

ARM reported that some initiatives executed by a mining company have had positive results, specifically in terms of training and the review or development of policies, which did not exist at the time of CGE's initial study in 2014/2015. The mining company reported that it was still in the process of implementing some of the recommendations by the consulting company.

7.1.2 Establishment of a Gender Transformation Unit or Gender Focal Point (GFP)

The recommendations made in the 2014/2015 report directed entities to establish Gender Focal Points (GFPs) or Gender Transformation Units. In an interview with ARM, a corporate official stated that the gender mainstreaming training they received helped them realise the importance of having a gender unit in each operation. However, some of the subsidiaries assessed as part of the study pointed out that they do not have gender units.²³

The ARM's 2023 United Nations Global Compact and SDG report²⁴ indicates that the company's gender unit at the corporate level advances women's interests and oversees gender mainstreaming. Gender diversity is promoted at ARM through the representativity of women in mining committees at the operations level, female leadership, and a women's development training programme.²⁵ Furthermore, ARM participates in provincial Department of Mineral Resources and Energy (DMRE) women-in-mining structures and in related events hosted by the Minerals Council in which gender discrimination and gender diversity issues are discussed.²⁶ Although these initiatives may be necessary, they do not reflect a sustained, coordinated programme of gender mainstreaming with clear targets and timelines.

7.1.3 Gender equality policy

ARM does not have a standalone gender equality policy document; however, it has incorporated gender mainstreaming principles into its various policy documents

21 Ibid.

22 Ibid.

23 Ibid.

24 African Rainbow Minerals (ARM). 2023. ARM 2023 UN Global Compact and SDG report Available at <https://arm.co.za/wp-content/uploads/2023/10/ARM-UN-SDG-October-2023.pdf>

25 Ibid.

26 Ibid.

at the various individual subsidiaries, which are discussed in the report.²⁷ The findings show that a sample human resources policy review of the policies at ARM Corporate was undertaken by Bantsho management consultancy, the external consultant, whose findings pointed out that some policy revisions were required at the various ARM operations to ensure that the gender mainstreaming agenda is also entrenched within the various policy frameworks.²⁸

7.1.4 Skills training and capacity building, consultations, and buy-in

ARM Corporate claims to have successfully trained and workshopped its entire workforce on gender mainstreaming, including human resources employees and Gender Focal Point persons. However, as it will be made evident in discussions regarding the subsidiaries covered in the study, this is not the case. The University of Pretoria provided the training. Nonetheless, based on data collected in relation to ARM Corporate, the concept of gender mainstreaming was new, and employees had anxieties and lacked understanding. Through the training and workshops, these fears have been eased, even though it is a continual, gradual process.²⁹

Some of the key initiatives that Bantsho management consultancy were able to initiate with ARM in what they term Phase 1 of ARM's gender mainstreaming initiatives for the entities covered in this study included the following workshops in 2022:

Name of ARM operations	Workshop dates	Target audience
Two Rivers	3 March	1 x management and EE forum
Khumani	17 & 18 March	1 x management, 1 x broader forums
Corporate office	6 May	1 x executive, senior management, and EE Forum

*Table adapted from African Rainbow Minerals (ARM), 2022. Close-out Report Gender Mainstreaming Project Phase 1. Bantsho management consultancy.³⁰

The table reveals that consultations were conducted with ARM employees. However, it can be argued that only representatives participated in these workshops at Two Rivers, Nkomati, and corporate levels, and not all employees were involved. The CGE recommendations in 2014/2015 highlighted the importance of involving all employees in gender mainstreaming processes at ARM. These initiatives, however, are considered to be the first phase, and it is hoped that improvements can be made in the second phase of the gender mainstreaming process at ARM.

27 Ibid.

28 Bantsho, 2022. ARM Close-Out Report Gender Mainstreaming Project: Phase 1 Prepared for African Rainbow Minerals.

29 Ibid.

30 Ibid.

Although ARM has made some progress at the corporate level, there are concerns that they are not fully committed to promoting gender equality. The company seems to be only paying lip service to gender mainstreaming processes without making any significant changes to the culture of the workforce. Gender mainstreaming requires practical changes in the workplace, not just in policies, so that employees can actually feel the desired changes. Despite some improvements, the workforce is still heavily male-dominated, and some patriarchal tendencies still exist, which make female and lower-level employees feel disengaged, according to a report by Bantsho management consultancy.

7.2 Nkomati Mine

7.2.1 *Services of a gender specialist*

The CGE 2014/2015 study uncovered that the organisations that were assessed did not have gender transformation specialists with the required qualifications and training to lead their gender equality and transformation programmes. The study also found that though all organisations provided funds for initiatives and activities aimed at empowering women, such as Women's Day celebrations and 16 Days of Activism for No Violence Against Women and Children, most did not have a dedicated budget for gender mainstreaming. The country's National Gender Policy Framework states that a separate budget for gender mainstreaming programmes is essential. Therefore, the study concluded that the lack of trained gender transformation specialists and dedicated gender-responsive budgets were major obstacles to achieving gender mainstreaming in these organisations.

Furthermore, the study acknowledged that specific programmes, initiatives, and activities were implemented that materially benefited women. In some cases, these efforts significantly contributed to the advancement of the social, economic, financial, and professional interests of female employees within these companies. However, it was also noted that these activities were carried out in a largely disjointed and incoherent manner, without being part of or guided by clearly defined and well-thought-out gender mainstreaming programmes and strategies aimed at promoting substantive gender equality in the long term. Therefore, the conclusion was reached that although these efforts were useful in the short term, they appeared to have a limited impact on promoting gender mainstreaming. Consequently, they would not significantly advance the course of sustainable gender transformation in the medium to long term.

The analysis of the findings from the assessment further revealed that there was a limited understanding and approach to gender mainstreaming. The approach was mainly driven by the need to comply with the Employment Equity Act. The provisions of the Act required regular submission of Employment Equity Plans, and failure to comply could result in legal sanctions. Consequently, entities were mostly

focused on meeting numerical employment equity targets rather than ensuring substantive gender equality. Due to the lack of legal sanctions for gender equality and transformation, there was a relaxed attitude towards gender mainstreaming in the workplace. The CGE, as such, recommended that mining companies hire a qualified gender specialist to ensure effective gender mainstreaming in their respective organisations.

During the current review, participants from Nkomati stated that the mining company did not implement the recommendation by the CGE to engage the services of a gender transformation specialist with the required qualifications and training to lead their gender equality and transformation programmes as a result of financial difficulties. The company could not afford to hire a gender specialist, which is a crucial resource for gender transformation and women's issues. A report by UNAIDS shows that during financial crises, these issues, as in the case of this mining company, tend to be deprioritised.³¹

During the interviews, it was mentioned that some members of the management team, particularly those in the human resources and transformation departments, had received training on gender mainstreaming from the University of Pretoria as a contingency measure. The company also engaged with the CGE after the 2014/2015 report was published to find ways to address gender mainstreaming issues. However, according to the participants, despite the extensive training and the presence of numerous gender-sensitive policies, the desired broad outcome of promoting gender equality within the mining company was not achieved satisfactorily.

7.2.2. Establishment of a Gender Transformation Unit or Gender Focal Point (GFP)

Nkomati did not create a Gender Transformation Unit. However, in 2018, the leadership received training on gender issues. Following that, they established a group called Women in Mining to initiate conversations about gender-related topics. Additionally, in 2023, management created a Gender Mainstreaming Committee where gender issues are discussed.

Although Nkomati has faced challenges since 2015, some commendable achievements can serve as good practices for other mining companies. The findings indicate that there is no gender pay gap within the mine. In other words, men and women receive equal pay for equal work. The mining company has also arranged transportation for all 41 of its employees. The transport collects the employees from either their homes or safe locations where they will not be vulnerable to any form of attack while waiting for the bus. This transport is especially important for women, who are often more vulnerable to violence in general and gender-based violence in particular.

31 UNAIDS (2012). Impact of the global economic crisis on women, girls and gender equality. Discussion paper.

The loss of female workers due to a lack of lucrative benefits and incentives to retain them, however, presented a hindrance to the transformation agenda as many women eligible for decision-making positions resigned from the company in pursuit of more attractive opportunities. The mining company, however, could not provide accurate figures to elucidate the extent of the challenge.

The CGE had recommended the establishment of Gender Focal Units in accordance with the National Gender Policy Framework (NGPF) of 2000. According to the NGPF, these units should be responsible for important areas such as policy, gender mainstreaming, advocacy, coordination, planning, liaison, networking, and capacity building. The NGPF also outlines the role, location, and qualifications of GFPs as part of the institutional frameworks created to promote gender equality across all areas of governance.³² Gender units are formal structures with a sustainable mandate to effect gender transformation, as opposed to ad-hoc committees like Women in Mining and the Gender Transformation Committee, which lack clear directives or comprehensive long-term goals for gender transformation in the company. The two committees had not yielded the achievement of gender equality outside of the few examples provided within the mining house.

7.2.2.1 Gender equality policy

According to the findings from Nkomati, the mining company has made significant progress in implementing gender policies. The mine adheres to the policies and regulations set by ARM at the corporate level. The CGE, which assessed the company's policies, acknowledged these positive and transformative initiatives despite the evidence of policies that were still a work in progress. The transformative policies that are under review include:

7.2.2.2 Sexual harassment policy

The purpose of the sexual harassment policy, as stated, is to "eliminate sexual harassment in the workplace, ensure that reported sexual harassment misconduct is addressed urgently to prevent a recurrence, and ensure a conducive working environment. This code provides appropriate procedures to deal with the misconduct and prevent its recurrence. It will further lead to the creation of a harmonious workplace that is free of sexual harassment, where employers and employees respect one another's integrity and dignity, their privacy, and their right to equity in the workplace".³³

32 RSA (2000), South Africa's National Policy Framework for Women's Empowerment and Gender Equality

33 Nkomati Mine Sexual Harassment Policy. November 2023

7.2.2.3 Leave administration policy

The leave administration policy provided for:

- **Maternity leave:** The leave administration policy provides for maternity leave, and the provisions stipulate that all female employees are entitled to four consecutive months of maternity leave in accordance with Section 25 of the Basic Conditions of Employment Act 75 of 1997 (BCEA). The policy also states that employees are required to include details of the date on which they intend to commence maternity leave and when they intend to return to work. The employee is required to provide a medical certificate, signed by a registered medical practitioner, indicating the expected date of birth. An employee may commence maternity leave at any time from four weeks before the expected date of birth unless otherwise agreed, or on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child. The policy also stipulates that no employee may work for six weeks after the birth of her child unless a medical practitioner or midwife certifies that she is fit to do so. According to the policy, a pregnant employee must notify the company of any requirements that may apply to their pregnancy. The company will make reasonable efforts to accommodate any special needs arising from the pregnancy.³⁴
- **Parental leave:** According to the parental leave policy, an employee who is a parent of a child and is not taking maternity leave, adoption leave, or commissioning parental leave can take ten consecutive days of parental leave. To be eligible for the leave, the employee must apply for it at least four weeks before the beginning of parenthood.
- **Adoption leave:** An employee who is an adoptive parent of a child under the age of two years is entitled to adoption leave of at least ten consecutive weeks or parental leave in terms of maternity leave benefits.
- **Surrogate motherhood:** An employee may commence commissioning parental leave on the date a child is born because of a surrogate motherhood agreement.

7.2.2.4 Pregnancy and breastfeeding policy

The purpose of the pregnancy and breastfeeding policy is to ensure that there is a clear understanding and uniform application of company standards to effectively manage pregnancy where there is exposure to work which may be hazardous to the health and safety of the mother and the child. This policy explains the procedure, roles, and responsibilities, as well as procedures to be followed during pregnancy and breastfeeding.

34 Nkomati Leave Administration Policy, November 2023

7.2.2.5 Recruitment and selection policy

The recruitment and selection policy of Nkomati is designed to meet the targets set by the Employment Equity Act, as specified in Clause 2.1.7 of the policy. While specific numbers are not mentioned, the policy prioritises the employment of individuals who were previously disadvantaged based on their race, gender, or disabilities.³⁵

7.2.3 Skills training and capacity building, consultations, and buy-in

Nkomati underwent a restructuring process between 2016 and 2021, resulting in a significant number of staff retrenchments. Of a staff component of 1,000, only 41 members are left to operate the mine. The retrenchments created uncertainties for the remaining staff members at the Nkomati subsidiary, affecting their ability to make long-term plans. Despite these uncertainties, the management took some form of initiative to promote gender mainstreaming and advance gender equality within the mining house. The ARM Corporate, as the head office, assisted the subsidiary with training staff members on the subject of gender mainstreaming.

The training aimed to challenge staff members' mindsets, establish a common understanding of what gender mainstreaming means, explain the concepts and terms used, and better understand the current assumptions, challenges, and barriers faced across the respective operations. The training revealed that some staff members were uncomfortable with some aspects of gender mainstreaming, such as those concerning lesbian, gay, bisexual, transgender, intersex, queer, asexual, and gender non-conforming persons (LGBTIQA+), as they were not conversant with the subject matter.

It was mentioned that the mine unfortunately lost over 90% of its staff members, some of whom had undergone gender mainstreaming training.³⁶

7.3 Two Rivers Platinum Mine

7.3.1 Services of a gender specialist

In 2014/2015, CGE's report recommended that all mining companies covered in the assessment should hire competent, trained, and qualified gender transformation experts/specialists. These experts would advise the company's senior management on gender mainstreaming as a strategy to promote gender equality in the workplace. Moreover, the gender transformation experts/specialists would explain what gender mainstreaming is, highlight its benefits in the company's strategic interests,

³⁵ Nkomati Recruitment and Selection Policy

³⁶ Focus group discussion, 31 October 2023.

and suggest best practices, strategies, and practical approaches to integrate gender mainstreaming into the company's strategic plans.³⁷ With regard to this recommendation, ARM appointed Bantsho management consultancy to train their staff within its subsidiaries on gender mainstreaming.³⁸ The mining house also sent its management for training at the Centre for Human Rights at the University of Pretoria. This training, as a result, exhibits compliance by the mining house in relation to the policy recommending the urgency of seeking the service of a gender expert and/or specialist to train the staff on aspects of gender mainstreaming.³⁹

7.3.2 Establishment of a Gender Transformation Unit or Gender Focal Point (GFP)

The recommendation from CGE's 2014/2015 report was that an internal post be created Gender Focal Point (GFP) and the appointment of a qualified, trained and experienced gender transformation specialist with the necessary resources, clearly defined role/responsibilities and the requisite authority to participate in senior level decision-making processes with an impact on gender equality and transformation matters (for example, decision-making processes on recruitment, promotions, succession planning, and sexual harassment. The appointment of a GFP is also in line with the government's National Gender Policy Framework, which states the importance of appointing an internal senior to lead internal corporate gender mainstreaming and transformation processes. Although, in this case, ARM is a private entity, the recommendation is still relevant.

The findings indicate that the mining house placed the transformation agenda, including the implementation of gender mainstreaming, under the portfolio of the Human Resources Manager and not a GFP, meaning that the company did not adhere to the recommendations of the CGE in this regard.⁴⁰ The human resources departments do provide guidance and advice to the operation in terms of executing initiatives and actions that support gender mainstreaming.⁴¹

It is worth noting that the human resource staff relied on expert advice from Bantsho management consultancy to assist with the company's gender mainstreaming initiatives, as the capacity did not exist within the unit.⁴² The mining house also alluded to the fact that the CGE public education and information unit played a major role in assisting them in creating training and awareness for their employees. The CGE public education and information unit had been approached after the release of the 2014/2015 report to assist the mine with creating awareness around gender mainstreaming to bridge the gender-blind organisational culture within their operations.⁴³

37 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

38 Interview ARM representative, 3 November 2023.

39 Ibid.

40 Interview ARM representative, 3 November 2023.

41 Ibid.

42 Ibid.

43 Ibid.

7.3.3 Gender equality policy

One of the findings from the 2014/2015 report by CGE was that the mining entities assessed in the report did not have clearly written internal gender policy documents.⁴⁴ It was, therefore, recommended that “the creation of internal consultative corporate processes, led by senior management and facilitated by an external gender policy expert, and involving all key internal stakeholders, including staff, to draft a gender equality policy document which explains what gender equality is, its legislative and policy basis, and the need for the integration of gender mainstreaming in broader corporate strategic objectives” must be undertaken.⁴⁵ Furthermore, the CGE recommended that this process lead to a completed draft policy document on gender mainstreaming to be widely disseminated and understood by all employees across the company.⁴⁶

Two Rivers was recommended to develop a gender policy document which would explain what gender equality is, its legislative and policy basis, and the need for the integration of gender mainstreaming in broader corporate strategic objectives as per the recommendations of the CGE report in 2014/2015.⁴⁷ According to the findings of this study, Two Rivers did not have a separate policy document specifically for gender. However, the mining company had developed several policies that are gender-sensitive or have gender mainstreaming integrated into them. This information was shared with the CGE research team in a formal document submitted as part of the review.⁴⁸ The ARM staff at Two Rivers deserve credit for their efforts to promote gender sensitivity and awareness among their employees. During interviews with the CGE research team, the staff mentioned that they had consulted with employees and provided training on these issues. Although they did not have a standalone gender policy document, they had developed draft policies which were not present in the initial assessment in 2014/2015 to integrate gender mainstreaming in the workplace.⁴⁹

Regarding the policies at Two Rivers, ARM officials pointed out that they had developed policies regarding gender sensitivity and gender mainstreaming after being reviewed by external management consultancy Bantsho. The policies include guidelines for code of conduct, code of ethics, corporate social investment, disability, dress code, employee recognition, fatigue management, harassment, housing, job grading, maternity leave, mentoring and coaching, promotion and demotion, retirement, social media, substance abuse, talent and succession,

44 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

45 Ibid, p. 59.

46 Ibid.

47 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf> Commission for Gender Equality (CGE), 2015. PROMOTING GENDER EQUALITY UNDERGROUND? Women, mining and gender mainstreaming in South Africa. Retrieved from <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

48 Bantsho (2023). Gender Mainstreaming Policy Review for Two Rivers Platinum Mine.

49 Interview ARM representative, 3 November 2023.

telephone, transfer and expenses, and wellness (including HIV).⁵⁰ Comments and recommendations from Bantsho's review of the policies are reflected in the table below:

Policy name	Review findings	Recommendations by Bantsho
Disability in the workplace	<ul style="list-style-type: none"> • Previous definition of persons with disabilities contained in the Employment Equity Act, 1998 • Medical focus and interpretation of the definition of persons with disabilities • Narrow focus on definition only and link to fit to work status – should be expanded • Women with disabilities often suffer prejudice based on a combination of gender and disability status (as well as race) and must be recognised 	<ul style="list-style-type: none"> • Updated definition to reflect latest legislative changes • Expanded to include non-discrimination principles • Included reasonable accommodation procedures • Added a comment on women with disabilities to highlight the gender theme
Employee dress code	<ul style="list-style-type: none"> • Definition of casual wear is required It is also crucial to ensure that female employees have a say in the restrictive policy pronouncements • Employee reporting must be accommodated in instances of non-compliance to the dress code 	<ul style="list-style-type: none"> • It is important to ensure that female employees are given an opportunity to have a say in the policy and their contribution is heard • The questions to ask are the following: How was the policy arrived at? Were women and/or women leaders involved in the crafting of the policy? Have the specifics been discussed and agreed upon? • Employees may address any concerns about the dress code to the human resources department

50 Ibid.

Policy name	Review findings	Recommendations by Bantsho
Harassment	<ul style="list-style-type: none"> • Overall well-drafted and reflective of the Code of Good Practice on Harassment in the Workplace • Additions are required, like on progressive discipline for offences, false accusations being levelled, anonymous complaints and to whom formal complaints can be reported • Six months is too long to deal with matters and will create risks if action is not taken or seen to be taken • Sufficiently addresses harassment based on gender and sex 	<ul style="list-style-type: none"> • Expressly stated to whom allegations can be reported • If Technical Review Panel Ethics/Whistleblower Hotline, include reference to same • Included paragraph on false accusations as unfortunately does happen • Although not strictly stated in code, advisable to include a statement on harassment of persons with disabilities in addition to race and gender
Housing	<ul style="list-style-type: none"> • The Principle section zooms strongly into the marital statuses of employees and that requires extreme caution • Definition of 'pets' to only allow cats and dogs is problematic 	<ul style="list-style-type: none"> • Ensure that the Principle section does not discriminate against people on the grounds of marital status • Ensure that all pet owners are accommodated
Job grading and evaluation	<ul style="list-style-type: none"> • The document sets out standard job evaluation and grading methodology • Equal pay relevance needs to be recorded • Current incumbent cannot just be downgraded as currently stated if the job is downgraded in the process 	<ul style="list-style-type: none"> • Mention made of equal pay as a consideration for evaluation process • Downgrade and implications must be agreed, failing which appropriate Employee Relations process may need to be embarked upon and provisions added to this effect

Policy name	Review findings	Recommendations by Bantsho
Maternity leave	<ul style="list-style-type: none"> • It is standard for a distinction to be drawn between paid vs maternity leave based on time in service • It is recommended that employees who receive four months of paid leave be bound by an obligatory work-back period • Even if on unpaid maternity leave during the first 12 months of service, annual leave will continue to accrue contrary to current statements • Will still qualify for an incentive bonus for the period prior to proceeding on leave contrary to current statements • Current provision on stillbirth or miscarriage in the first 12 months of service, not legal in comparison with the provisions of the Basic Conditions of Employment Act, 1997 as amended 	<ul style="list-style-type: none"> • Provided for express work-back obligation, failing which the pro rata portion of monies received during paid leave, become due and payable to the employer • Amended provision on stillbirth and miscarriage during the first 12 months of service, to align with the law granting six weeks of unpaid leave vs normal sick leave • Annual leave provision adapted to comply with law • Incentive bonus entitlement clarified • The leave policy must be read together with the Technical Review Panel standard operating procedure on the protection of employees during pregnancy perused in the last review • Parental leave is assumed to be covered elsewhere and it is recommended that the same payment principles apply in the case of long-term parental leave to cater for opposite and same-sex relationships as presented for maternity leave
Mentoring and coaching	<ul style="list-style-type: none"> • Minor wedding issues 	<ul style="list-style-type: none"> • Ensure the inclusion of LGBTQIA+ persons, women, historically disadvantaged persons or designated persons

NB: Table adapted from Gender Mainstreaming Policy Review for Two Rivers Platinum Mine, June 2023.⁵¹

51 Bantsho, 2023. Gender Mainstreaming Policy Review for Two Rivers Platinum Mine.

7.3.4 Skills training and capacity building, consultations, and buy-in

With regard to skills training, capacity building, and buy-in, the CGE made the following recommendations in its 2014/2015 report:

- Firstly, an effective and sustainable process of introducing gender mainstreaming in the company should be provided with the necessary resources and sufficient time frames to gain buy-in from all the relevant internal stakeholders.⁵² “This process should be led by, and involve, the direct participation of all the senior managers, including relevant heads of divisions or departments who should be equipped with the necessary skills training to manage gender mainstreaming processes to ensure its sustainability in the long term”.⁵³
- Secondly, the mining entities assessed in the 2014/2015 report did not have clearly written internal gender policy documents.⁵⁴ CGE recommended the creation of internal consultative corporate processes, led by senior management and facilitated by an external gender policy expert, and involving all key internal stakeholders, including staff, to draft a gender equality policy document.⁵⁵

The ARM representatives of Two Rivers informed CGE researchers that they successfully implemented gender mainstreaming skills training and capacity building. They sought the assistance of a former CGE employee and attended a Gender Mainstreaming course at the University of Pretoria Law Faculty. The Public Education and Information (PEI) department of CGE also helped them with developing gender mainstreaming action plans.⁵⁶

Regarding employee buy-in and consultative processes, the mine established gender mainstreaming action plans and implemented them at various levels within the subsidiary. They first trained human resources professionals responsible for gender mainstreaming, then senior management, and finally middle management. The unions, employment equity team, representatives of persons with disabilities, and a representative of Women in Mining were involved in the process. Additionally, they established a gender unit that received training on gender mainstreaming. Furthermore, employees undergo gender mainstreaming training and awareness during their induction programme at the company.⁵⁷

Based on the review, it seems that progress has been made in implementing the recommendations of the CGE report in this regard.

52 Commission for Gender Equality (CGE). 2015. Promoting Gender Equality Underground? Women, mining and gender mainstreaming in South Africa. Available at <https://cge.org.za/wp-content/uploads/2021/01/promoting-gender-equality-underground.pdf>

53 Ibid,p59.

54 Ibid.

55 Ibid.

56 Interview with an official from ARM, 3 November 2023.

57 Ibid

7.4 Khumani Iron Ore Mine

7.4.1 Services of a gender specialist

The findings indicate that Business Engage, which is an external service provider, was commissioned to create awareness through conducting gender mainstreaming workshops.⁵⁸ Some of the work that the gender specialist conducted included:⁵⁹

- Gender mainstreaming pre-survey, which was completed by the workforce
- Job title audit where job titles were changed to be gender neutral; for example, handyman changed to Artisan Aid
- Distribution of gender mainstreaming posters across the mine as an awareness creation strategy
- Review of the persons with disabilities policy and will be published upon completion
- Annual Women's Day event celebration
- Men's Month celebration in November 2023, and there was distribution of caps to all male employees
- Gender-based violence and LGBTQI+ campaign was conducted on 24 November 2023 as part of the gender mainstreaming initiative
- Gender mainstreaming video (finalised by the end of June 2024) will be included in the induction pack as an annual refresher for all employees.

While these initiatives and programmes may seem relevant, they did not appear to be anchored on any clear, comprehensive, long-term strategy to address issues of gender mainstreaming and transformation substantively. It was also not clear whether the gender mainstreaming survey had led to any changes in the company.

7.4.2 Establishment of a Gender Transformation Unit or Gender Focal Point (GFP)

According to the findings, a gender unit exists at Khumani. One of the initiatives that the unit had undertaken at the time of data collection was the training of staff by the unit. The training records indicate that 36 employees were trained by both the Khumani gender unit and the employment equity unit on issues of gender equality in the workplace.⁶⁰ During the presentation, a Khumani official explained that the gender unit is responsible for initiating, supporting, and monitoring

58 ARM, 2023. Khumani Iron Ore Gender Mainstreaming Barometer - Presentation.

59 Ibid.

60 Ibid

gender mainstreaming activities. It appeared that the unit had just been recently established, as officials mentioned that the gender unit aims to implement more programmes and improve diversity and inclusivity in the workforce. These plans were still rudimentary at the time of data collection.

Khumani, however, failed to demonstrate the ranks and level of decision making of the officials based on the gender unit.

7.4.3 Gender equality policy

Khumani claims to follow the ARM Group Gender Mainstreaming Policy, which is published and implemented at the operational level. The policy is supposedly aligned with the approved gender mainstreaming action plan to guide the workforce in promoting diversity and inclusivity. However, the CGE research team did not find the ARM Group gender mainstreaming policy as the document was not sent to the team as part of the documents that ARM submitted to substantiate their claims.

Officials interviewed mentioned that the transformation section of the document reserves an annual budget for gender mainstreaming programmes to ensure their successful implementation. Even though ARM claimed that the implementation of the gender mainstreaming policy had led to an increased number of women in decision-making positions, the findings revealed that of the ten positions in senior management, only two were occupied by women, while men filled eight.⁶¹ These figures contradict claims made by the mining officials that concerted efforts were being made to transform the institution from a gender perspective, as the numbers are not near gender parity.

Further statistics in terms of gender representation demonstrate that out of 95 professionally qualified, experienced specialists and mid-management, there are 33 women, who constitute about 35% of the total, which is also a figure not near gender parity.⁶²

7.4.4 Skills training and capacity building, consultations, and buy-in

Regarding skills training and capacity building, Khumani highlighted in their presentation that they had engaged the external service provider Business Engage to conduct training and capacity building on gender mainstreaming. The following areas were covered:

61 ARM (2023) Khumani Iron Ore Gender Mainstreaming Barometer - Presentation

62 Ibid.

- General workshops on gender mainstreaming: Accommodated 1,102 persons,⁶³ were two hours long, covered what is gender mainstreaming about, diversity and inclusivity, a sense of belonging, and employment equity.⁶⁴
- Management workshops: 100 supervisors and line managers were trained on how to respond to gender-sensitive issues when they arise in their divisions.⁶⁵
- Gender mainstreaming posters: distributed to create awareness about gender mainstreaming.⁶⁶

Internally, the gender unit also conducted training on gender mainstreaming, as already mentioned. It could thus be argued that Khumani adhered to the recommendations of the CGE in this regard, even though this review has not done an extensive assessment to determine the suitability and adequacy of the content of the training initiatives undertaken.

63 Ibid.

64 Ibid.

65 Ibid.

66 Ibid.

8. Overview of key findings and conclusions

Based on the findings of the assessment, a general conclusion can be drawn that ARM has shown a positive response towards some of the CGE recommendations. For instance, the company used the services of gender transformation experts/specialists to provide advice to the company on gender mainstreaming. ARM also introduced new policies that reflect aspirations of gender mainstreaming and conducted gender mainstreaming training across its subsidiaries. The company's training and capacity-building initiatives, however, were limited to management and other selected staff rather than being rolled out across all ranks in the mining houses. Furthermore, the company established a gender unit, but only at the Khumani Iron Ore Mine and at the corporate level.

Notably, even though this was inconsistent across the subsidiaries, training on gender mainstreaming was received from the Centre for Human Rights, which is a renowned institution within the University of Pretoria that has a record of training various countries on international and regional normative frameworks that promote gender equality and women's human rights, among other things.

One of the initiatives that ARM made to demonstrate its commitment to gender transformation in view of complying with the implementation of the CGE recommendations was the review of company policies. It must be noted, however, that the policies were in draft form at the time of data collection for this exercise. Furthermore, even though ARM and its subsidiaries had introduced gender mainstreaming in their policies and policy formulation, they still did not have a standalone gender mainstreaming policy that guides and deals specifically with issues related to gender mainstreaming. This is despite unsubstantiated claims at Khumani that such a policy was in place. The mining company must adopt a gender mainstreaming policy given that without one, in as much as they may use principles of gender mainstreaming in their other policies, this still presented challenges and gaps in how initiatives were carried out that can only be filled through a gender mainstreaming policy that directs how gender mainstreaming must take place within ARM.

Although ARM has made some positive developments, there were concerns among informants, particularly at the corporate level, that the mining company was merely paying lip service to gender mainstreaming. This concern was raised because the culture of the workforce had not changed significantly despite the incorporation of some of the processes. The belief that little had changed was based on the gender mainstreaming process requiring practical changes in the workplace, not just in policy, so that employees can be aware of the desired changes. According to Bantsho's report, despite some of the improvements, the workforce profile was still heavily male-dominated, and some patriarchal tendencies still existed, making female employees and lower-level employees feel disengaged, as shown in the findings of the report.

The findings further revealed that there was a gender unit at the ARM Corporate level, which was focused on promoting gender equality and empowerment. A clear need was identified for this unit to be replicated in all the company's entities, with each subsidiary having its own gender unit to address the specific challenges faced by that subsidiary. Khumani was the only exception in this regard, as it had its own gender unit.

Despite the findings indicating that more improvements were required to adequately address the findings and recommendations of the 2014/2015 study, in comparison, ARM had made positive strides in the right direction. For example, in the previous study, the approach to gender mainstreaming was largely influenced by the need to conform to the provisions of the Employment Equity Act, which mandates regular submission of Employment Equity Plans, with non-compliance resulting in legal sanctions. This requirement, as a result, placed significant pressure on the entities to establish and achieve numerical employment equity targets. The achievement of numerical employment equity targets for balance between male and female employees had thus been substituted for substantive gender equality. In the current assessment, however, there appears to be a greater appreciation and comprehension of the concept of gender mainstreaming. Focus has also shifted from special calendar days such as Women's Day celebrations and 16 Days of Activism for No Violence Against Women and Children to more concrete approaches in comparison to the 2014/2015 report.

9. Recommendations

Following the review conducted, the following recommendations are made:

Firstly, we recommend that ARM take the recommendations of their independent gender transformation specialists seriously. The Bantsho management consultancy report emphasises various institutional dynamics that prevent effective gender mainstreaming by ARM and its subsidiaries. In order to address the challenges of gender inequality and slow transformation, ARM management must pay attention to the Bantsho report.

Secondly, we recommend that ARM continues the process of introducing gender mainstreaming in the company sustainably and effectively. The company should provide sufficient resources and time for training and capacity building in its subsidiaries. The process should cover all staff in the subsidiaries and not be limited to senior staff or management. Additionally, the process should be led by and involve the direct participation of all senior managers, including relevant heads of divisions or departments, who should be equipped with the necessary skills training to manage gender mainstreaming processes and ensure long-term sustainability.

Thirdly, we recommend that ARM prioritises the completion of the process of developing and reviewing all policies from a gender perspective. Additionally, as recorded in the 2014/2015 report, we recommend that ARM drafts a gender equality policy document that explains what gender equality is, its legislative and policy basis, and the need for the integration of gender mainstreaming in broader corporate strategic objectives. This process should lead to a completed draft policy document on gender mainstreaming that should be widely disseminated and understood by all employees across the company.

Finally, we recommend that ARM establish gender units to attend to the needs of the subsidiaries in all its operations by hiring specialised experts in gender transformation who are well-qualified, trained, and experienced. These experts should have the necessary resources and authority to participate in senior-level decision-making processes. These specialised teams should be part of dedicated Gender Transformation Units rather than generalised transformation units or gender committees and must have clear strategies for gender mainstreaming and transformation.

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