Tourism Impact Assessment South Africa

Phase 3: Preparation

Step 3.3: Preparation of consultations

Before the interview, inform the participant(s) that:

- The information given will not be attributed to them directly, but used anonymously. Anything they share is only to understand how things work and get their opinion
- They should view this as a safe place with no concern as to negative consequences on the information they share; and
- They will receive information on the outcome of the assessment via the mail adress that we used to make the appointment. If they want it to be sent somewhere else, they should please inform us.

General Questions:

- What is your relationship to the tourism sector?
- What is your knowledge of the tourism sector and the local context?
- What are your major concerns regarding the tourism sector in the country?

Template Questionnaire - With South Africa Context

Human rights issues	Sub-elements	General questions	Additional comments
Introduction	Informal	- How are you? - How did you spent the holiday season? - Where do you like to go on leave?	*Keep in mind that asking about family might be a bit sensitive...*
Introduction		- What is your name and the name of your organisation? - What is your role within the business? - Can you give us an example of a typical workday? - What do you like about your job? What could be better?	
Workers' Rights	Occupational Health and Safety	- Is there anything you do in your job that is dangerous? - Do you feel you receive adequate and appropriate training for carrying out all work safely? What training do you receive? - How often do you hear of health and safety incidents/ accidents in the tourism sector? [question to management: - How do you ensure that your employees' workplace is healthy and safe?]	E.g. do you work with harmful chemicals, or have to do anything where you might get hurt? (If "yes") do you have protective clothing and / or training so that you are safe? (adapt this depending on their answer). How is it handled within the company when someone gets injured?
	Working conditions	- Do you have a (written) contract that clearly specifies the terms and conditions of employment? - Are you directly contracted? If not - by whom are you contracted - under which conditions? (permanent, part-time...) - Do you get holidays each year? How many? Are they paid? - Do you get paid leave (sick, maternity, annual leave)? - Does the Department of Labour ever come to do inspections? [questions to management: - What are the main positive/negative points that people in your company like about their work? - How does a typical recruitment process look like? - How do you check the age of those you recruit? - Where do you store the written contracts of all employees? - What training opportunities do you provide?]	Terms & Conditions might include: length of employment, working hours, wages, benefits, holidays, overtime remuneration etc Do you get paid annual leave and sick leave? *(Maternity leave is unpaid in SA. A percentage of salary can be drawn from UIF benefits.)* Do you have a written employment contract? If you have questions about it, is there someone that you can ask questions to? *--> Note that there is a historical distrust to signing things, so not having a contract is not directly a bad sign.* Department of Labour: Line staff will probably not know about this as DoL would speak to HR Manager / similar.

	Wages and working hours	- How do tips work, e.g., are they shared or given to individuals? - How are working hours and overtime recorded in the company? How is overtime compensated? - Do you have a shift ciclye? If yes, how does it look like? - Do you earn enough to pay for you and your family's basic needs (food, housing, education, health)? Do you have a second job? Who else is earning money in your household? - Do you receive the same amount every week/month? Are there deductions made and for what? - Has the nationally legislated minimum wage improved the ability of tourism workers to meet their basic costs of living? - Do you see this issue adequately addressed by e.g. the private sector / the authorities / civil society organisations and others? - What kind of benefits do you receive from your company (uniform, food, transportation...)? [questions to management: - What is your policy and process on working hours/shifts? - How does the company ensure that employees do not work excessive working hours during peaks of company activity? - How do you record your employees working hours? - Do migrant workers get the equal pay as national workers? - How do you ensure responsible behaviour among your suppliers and business partners? How do you asses it?]	*Note that SA has a big tipping culture* *(OT and leave cycles are legislated and everyone working in the bush will more than likely be on an averaging hours contract. This is legislated as well with different weekly and monthly limits - based on averages. Shift cycles will be either 3 week on, 1 week off, or 6:2.)*
	Adequate standard of living	- Does the company provide housing for employees?	(If "yes") Does it includes ablutions with hot /running water? *This is one of the main indicators of poor living conditions.*
	Non-discrimination	- Do people from different backgrounds and cultures work together well in your company? - Can you desribe your working environment? How is your relationship with colleagues? And with managers? - Do you know of anyone who tried to get a job with the company, but who was not hired based on religion, ethnicity, trade union membership or any other factor? - Have you been asked for personal medical information or to conduct medical tests before being hired? [questions for management: - How does the workforce in your company look like? How many employees are male, how many are female? Which ethnicities & religions are represented? Are there employees with disabilities? In which positions are they? - What measures do you take to promote diversity within your workforce? - What measures do you take to ensure the workplace is free of discrimination? - What measures do you take to change your employment ratios?]	
	Violation of right to privacy	- Do you feel that your personnel records and, e.g. medical conditions are kept confidential?	*Note that there is often a very close relationship between companies and staff, to the extent that obtaining loans for funerals, school fees, etc would be known by the company. There's a much broader overlap between work and home here than might be the case elsewhere.*
	Freedom of association / trade unions / collective bargaining	- Can you discuss with colleagues your concerns regarding working conditions without the presence of a manager/supervisor? - Which trade unions do exist for the tourism sector - and do you belong to a union? - Do you know what percentage of staff belongs to a union? - Are there other means of workers representation in place? [questions for management: - What measures or approaches are in place to ensure that employees can engage openly and directly with management? - Is there trade union activity or other form of worker representation among your workforce? - Has your company engaged with worker representatives in collective bargaining concerning workplace concerns?]	*Freedom of association is legislated in SA and there is a strong history of union representation across sectors.* If they say zero percent belong to a union, then ask if there is a staff committee / similar. (*Th is is all staff that the FTT framework asks, including mandatory staff representation via union or committee....)*
	Social protection	- Does the company pay anything above the legislated social security benefits and any social security benefits? - Does the company or government provide any kind of insurance (or direct payment) when something happens to workers so that they cannot work – unemployment, long-term sickness, disability insurance? - Does the company has a pension plan? - Do you know of any case recently where a colleague needed financial support for paying hospital bills? - If you miss work because of sickness or an injury: do you still receive a salary?	*Legislated "social security" here included UIF (equal contribution from employer and employee, so the employee will only know about her / his deducation on their payslip). Workmens Compensation (COIDA - compensation for occupation injury and diseases act) is the other one. This is an annual assessment and payment but line staff won't know how this works. It's a question for HR.*
	Access to grievance	- Do you know the CCMA? Where else can employees raise any concerns or complaints they might have about their working environment? What happens if they raise a concern?	*Note the Labour Relations Act. For procedurally or substantively unfair workplace issues, e.g., dismissal, the CCMA (Commission for Conciliation, Mediation and Arbitration) is very effective in SA. Employer will tell you that they don't want to get into trouble with the CCMA!*

Women's rights / LGBTIQ rights	Equal opportunities / non-discrimintation	- Do you know how many women work within your company? - Do you think that women are treated differently? Are development opportunities the same as for male and female workers? - What jobs are offered to women, what jobs to men? Is there a difference because of the cultural/ religious context? - As a woman, could you imagine doing a job which usually male workers do? Why? - How has the development of tourism impacted the daily routine and livelihoods of women? - How do tourism companies and government react, and what could be done to improve the situation of women within tourism? [questions to management: - What measures do you take to ensure that your activities do not impact negatively on women? - What measures do you have in place to support and promote women? - Do you have women in management positions?]	
	Sexual exploitation of women	- Have you ever heard of guests making inappropriate requests of the staff? - Have you noticed if any tourists come to your area specifically for inappropriate or exploitative activities? - What can be done in your opinion to prevent this?	*inappropriate requests: e.g., suggesting they come to their room, or meet with them somewhere private for inappropriate relations.* How should this be handled by the employee? And what about by the business?
Customer rights	Customer information	- Are guests given advice on how to behave respectfully when they visit people in the local community? - Have you ever observed unethical behaviour by tourists? [questions to management: - What national and internal guidelines and industry standards are relevant to your products and services? How do you ensure that you comply with these? - Do you have a system in place to receive complaints from customers and consumers related to lack of adequate standard of your products and services? If yes, please elaborate. - How do you communicate your sustainability efforts to your customers?]	(If "yes") By whom? By tour guides, hotel, activity provider or similar?
	Data privacy	- How do you make sure that the personal information about your guests is kept private?	*SA has a Protection of Personal Information Act - POPIA - as well as a Consumer Protection Act, that address these and are enforced*
	Safety & security	- What kind of things might be dangerous for your guests during their visit? - Do you have fire safety and first aid equipment in the business? Does anyone know how to use it? - In your view, what areas are most important to ensure the safety and security of your customers? Why?	
	Accessibility	- Are your premises/services accessible for clients with disabilities (e.g. in a wheelchair)? - Where do they find the necessary information?	(If "yes") Can you please elaborate what you offer? By whom was this initiated?
	Non-discrimination	- Do you welcome everyone at (business name), no matter what their race, gender, or sexual orientation might be?	*Note that LGBTQI+ is not per se a taboo topic. South Africa is the only African country to offer constitutional protection against discrimination based on sex, gender and sexual orientation. Same-sex marriage is legalised, and homosexual couples can adopt/get parental leave. SA also has many LGBTQI+ travellers. Of course, the situation might be more restrictive in rural areas. Despite legislation, especially trans people will still face massive discrimination.*
	LGBTIQ rights	- How do you ensure LGBTIQ rights in your policies and operations? - Does your company have any special offers in this regard?	
Children's rights	Safeguarding	- How has the tourism industry impacted the lives of local children?	How has the school attendance rate been affected since the development of tourism? Is school obligatory?
	Child labour / worst forms of child labour	- Are any young employees (under 18) or child employees employed in the local tourism industry? If yes, what kind of work do they do? - Are there job opportunities and vocational training centers/internships for youth for tourism-related jobs? - How old were you then you started working? - Do you have children? Where do they live? Where are they now and who are they with? Do they go to kindergarden/school?	
	Sexual exploitation of children	- Have you heard of any cases of tourists mistreating children? - Are there particular areas of vulnerability for children? - Are you familiar with “orphanage tourism,” where people visit or volunteer at orphanages? Does this happen in the area? - Are you familiar with any other tourism activities that might involve children, e.g. cultural performances?	*Child labour in SA is more common in an informal setting, e.g. begging / children selling things on the streets, normally people do not work under the age of 18*
	Marketing and adverse impacts on children	- Are you specifically marketing your services to families with children? How?	

Modern slavery	Forced labour	- Are there migrants from other countries working in the local tourism industry? Where are they from? What kind of jobs do they do? - Where are you from? Do you work with any colleagues who come from other countries? - Do they need special permits to work here? How do they find the jobs here (e.g. through recruitment agencies)? - Have you heard of any issues related to the migrant workers' presence here? [questions for migrant wokers: - Why and how did you come here (e.g. through a recruitment agency)? Did you have to pay a fee to get the job? How did you pay this money (e.g. are you still paying off debts)? Do you have a permit to work here? How did you get it? - Has the company ever retained your identity card, passport and other important personal documents? Where do you keep them so they are safe? - What does your work consist of?] [questions to management: - Do you work with recruitment agencies - if yes for local and/or migrant workers? - Do you keep employees passports in your premises - if yes - where and who has access to it?]	If migrant works come through recruitment agencies: how much do they have to pay? Will employers / agencies keep the passports?
	Trafficking	- Have you heard of any cases related to human trafficking in relation to the tourism industry? If yes - can you pls elaborate? [questions for migrant wokers at risk of trafficking/sex workers: - Where do you come from? How did you get here? Who helped you coming here? - Who pays your salary?]	*There might be limited familiarity with this phrase in SA… It exists but the link to tourism is tricky for line staff to "see".*
Community impact	Economic inclusion	- What kinds of jobs do people from your community have? - How many of your family members work directly or indirectly in tourism? - How does the local community perceive tourism? - Has the number of people in this community increased or decreased in the past two years? In your opinion, what are the reasons for this increase or decrease? - How does the local population benefit from tourism? - Can you sell products/services to the tourism sector? - Are local people employed directly or indirectly in the tourism sector? if so who, men, women, skilled or unskilled people? - Have there been incidents of protests against tourism projects by communities? - Have you heard about shops paying guides or drivers a commission when tourists make a purchase? Or when they visit their restaurant? - Have people migrated to the area to work in tourism? How are those people integrated? [questions to management: - Do you have direct contracts/relationships with communities (direct employment, excursions, souvenirs, restaurants, guides….)? If so - please elaborate. - How do you ensure that communities profit from your presence and activities? - What products and services do you source locally?]	
	Violation of right to privacy of communities	- What kind of tourism excursions / activities are offered in your community? How do they impact the right of privacy for the local communities? - Are tourists respecting your local customs and traditions? How do you inform your customers about do's and dont's when visiting communities?	Who is organising these trips? Who ensures that the rights / comments / remarks of the visited communities are taken into account?
	Land rights & right to prior and informed consent	- Has land / business ownership changed since tourism development started in the community? Do you know who owns the property and who owned it before tourism development? *(- How are historically disadvantaged peoples' rights treated in the country? Any cases related to tourism? Is the right to free, prior and informed consent recognized in the country?* *- Has there been any resettlement or relocation of people in relation to tourism development? How have communities been informed about tourism development?)*	*This has a very clear history in SA, i.e., Apartheid, so should be approached with caution so that issues are not conflated*
	Destruction of habitat	- Have there been changes in the livelihoods of the local communities with the arrival of tourism? - Can you connect an increased priece for housing in your community to tourism development ?	Cape Town has one of the highest AirB&B concentrations in the world.
	Right to information and development	- How and how often are the local communities consulted by businesses? - Who is consulted in the local communities? - Are there any volunteering activities in the village – how are they organized and how are customers informed? - What are the major issues faced by the community regarding tourism development?	

	Rights of indigenous people	- Are there historically disadvantaged people in the region - how are the affected by tourism? - Is the community negatively affected by the tourism sector? (zoofication, environmental impacts, price increase) - How do you feel about the tourists that come to your area? What do you like - what do you dislike? - Do you feel your traditions, religion, knowledge have been affected since the beginning of touristic activities in the region? [questions to management: - Do you employ members of the indigenous community? What kind of jobs do you offer them? If not why not?]	
	Pollution of environment (water, soil, air) and restricting access to natural resources for communities (land, food & water); noise	- What in your opinion are the major environmental problems such energy instability, water scarcity, floods etcas affecting your community? - Do you see any connections to a changing environment that are connected to touism, positively or negatively? [questions to management: '- What measures do you have in place to deal with wastewater, waste disposal and improper sanitation? - What measures do you have in place to ensure that your water usage is not harmful to the environment?]	*You'll need to break down "environmental". Everyone here is living with, or has lived with, energy instability, water scarcity, floods etc.*
Other issues		- Is there anything we did not talk about that you would like to share? - Is there anything you would like us to consider specifically when consulting others?	
Measures/ Recommendations		- Where do you see particular leverage for German/European tour operators offering tourism products in Cape Town, Johannesburg, and the Greater Kruger areas to improve their respect of human rights? What can they do to affirm the good systems and instruments you have in place? - Do you have any recommendations or good practices that could improve the social impacts of tourism in Cape Town, Johannesburg and the Greater Kruger areas?	