

# PULSE

## OF THE PUBLIC SERVICE

Public Service Commission Quarterly Bulletin – Volume 4



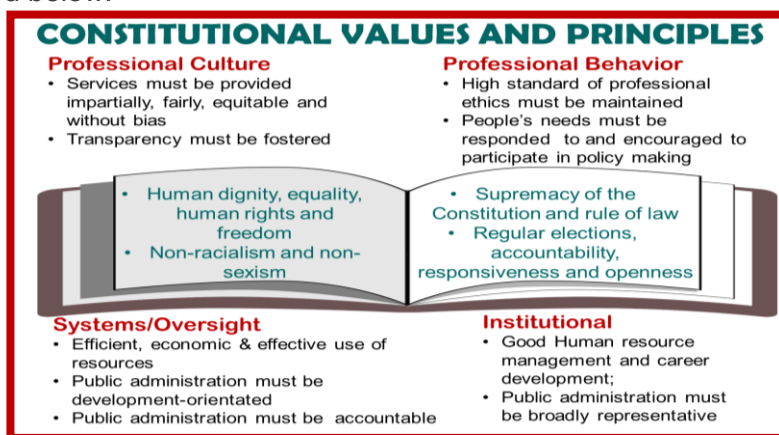
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## 1. INTRODUCTION

The Public Service Commission (PSC) is pleased to release Volume 4 of the Pulse of the Public Service covering the period 01 January 2018 to 31 March 2018. The PSC uses this Bulletin as a platform to brief its stakeholders, such as members of the public, public servants and Legislatures, on a quarterly basis about its mandate of overseeing the effectiveness and efficiency of the Public Service. The PSC is of the view that stakeholders would use the Bulletin as a source of information on the state of the Public Service.

The mandate of the PSC is informed, amongst others, by the Constitutional Values and Principles (CVPs) that govern public administration and serve as a framework that can be used by the public to assess the performance of the Public Service. The PSC is responsible for promoting the Constitutional Values and Principles as set out in Section 195 throughout the Public Service. All public servants ought to be aware of the link between their actions, attitude, behavior and the values expressed in the constitution as outlined below:



This edition of the Pulse Bulletin focuses on governance matters in the Public Service, relating to the State of Human Resources, Grievances, Complaints, Financial Disclosures, Service Delivery Inspections and reports tabled in Parliament and Provincial Legislatures during the period **01 January 2018 to 31 March 2018**.

## 2. STATE OF HUMAN RESOURCE CAPACITY IN THE PUBLIC SERVICE AT NATIONAL AND PROVINCIAL LEVEL

### 2.1 Approved, filled and vacant positions in the Public Service

As represented in **Figure 1** as at March 2018, the Public Service had 1 303 607 of which 1 174 301 were filled and 129 306 (9.9%) were vacant. The vacancy rate therefore has improved by 1.5%.

During the period ending 31 March 2018, the vacancy rate at National level decreased to 6.2% which is an improvement from the previous quarter which was 7.6%. Nationally, the improvement is attributed to the reduction in the vacancies within the South African Police Service (SAPS) which was 9146 vacancies in the previous quarter and now 4598 vacancies in the last quarter. Other departments with improved statistics include the Department of Higher Education and Training (DHET) which was 1943 and reduced to 1781 as well as Human Settlements (186 vacancies in the previous quarter and 49 vacancies in the last quarter).

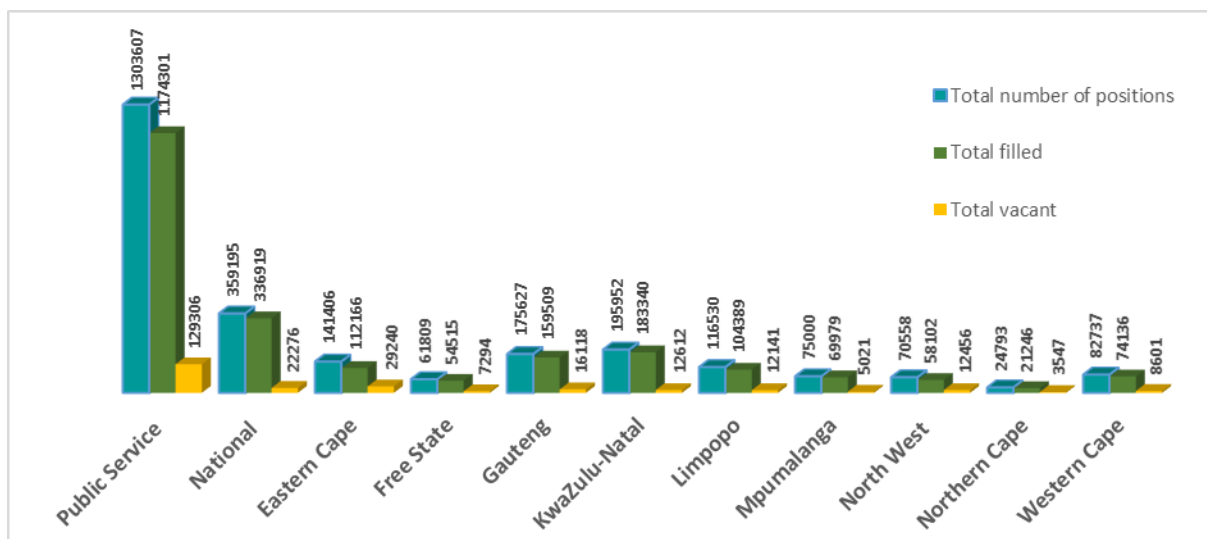
The province with the highest vacancy rate is still the Eastern Cape with 29 240 posts being vacant (21%) which is an improvement from the previous quarter which was 33 470 posts (23.4%). Within the Eastern Cape, the reason for the improvement from the previous quarter was due to critical posts in the Departments of Health and Education sectors being filled. In the previous quarter, there were 30645 vacancies in the Departments of Health and Education and in the last quarter, that was reduced to 27228 vacancies which means that 3417 posts were filled in these critical sectors ending March 2018.

With regard to the National Departments, the top four (4) departments with the highest vacancy rates are as follows:

National Department	Total posts	Total filled	Total vacant	Vacancy rate
Public Works	7865	4684	3181	40%
Sport and Recreation	249	152	97	39%
Transport	919	637	282	31%
Social Development	939	726	213	23%

The 40%, 39%, 31% and 23% vacancy rate of officials respectively is more than the average national standard of 10% vacancy rate.

**Figure 1: Total number of approved, filled and vacant positions in the Public Service as at March 2018**



## Previous Quarters:

During the period 1 October 2017 to 31 December 2017 the Public Service had 1 305 458 posts, of which 1 156 683 were filled and 148 775 (11.4%) were vacant.

During the period 1 July 2017 – 30 September 2017 the Public Service had 1 307 552 posts of which 1 172 633 were filled and 134 919 (10.3%) were vacant.

## Interpretation and assumptions made for the statistics:

### **Total number of posts:**

Over the previous quarters it is clear that the total number of posts have reduced by approximately 2000 posts per quarter which may indicate the following:

- Vacant unfunded posts have been gradually removed from the PERSAL statistics.
- The abolishment of posts due to budgetary constraints
- Exit from the Public Service impacts this statistic based on Departments choosing to abolish posts, for example, severance packages.

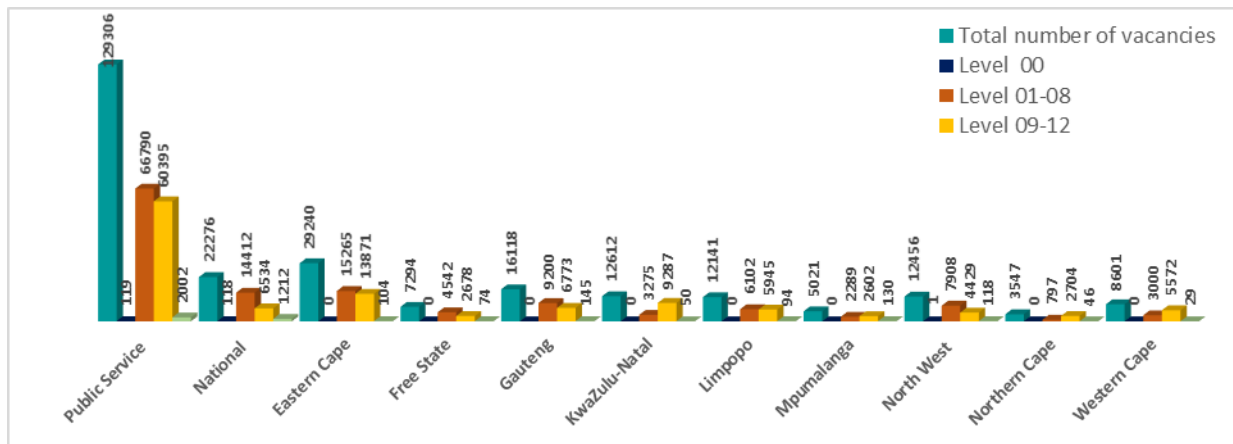
### **Vacancies:**

Over the quarters, the vacancy rate has improved which may be attributed to the following reasons:

- Departments have improved the time it takes to fill vacant posts.
- Political and leadership changes do have an impact on the nature and filling of critical posts within departments.

**Figure 2** in the next page shows that the highest vacancy rate (66790 posts (52%)) is at administrative/operational level within the overall Public Service, which is salary levels 01-08. The second highest is at salary levels 9-12 (60395 posts (47%)), which is junior and middle management level and the level at which most employees have developed specialist skills. This statistic remains more or less the same from the previous quarter. Reference on the graph is made to a level 00, and this constitutes officials who were retained on specific salary packages as per retention counter-offers, who fall outside the normal salary levels. The Public Service Commission welcomes the new Public Service Regulation (PSR), 2016 which aims to manage potential abuse of counter-offers in the Public Service. Regulation 44, of the PSR, 2016, states very clearly how counter-offers and setting of higher salaries are managed which limits abuse of the practice.

**Figure 2: Vacancy rate per salary level as at March 2018**

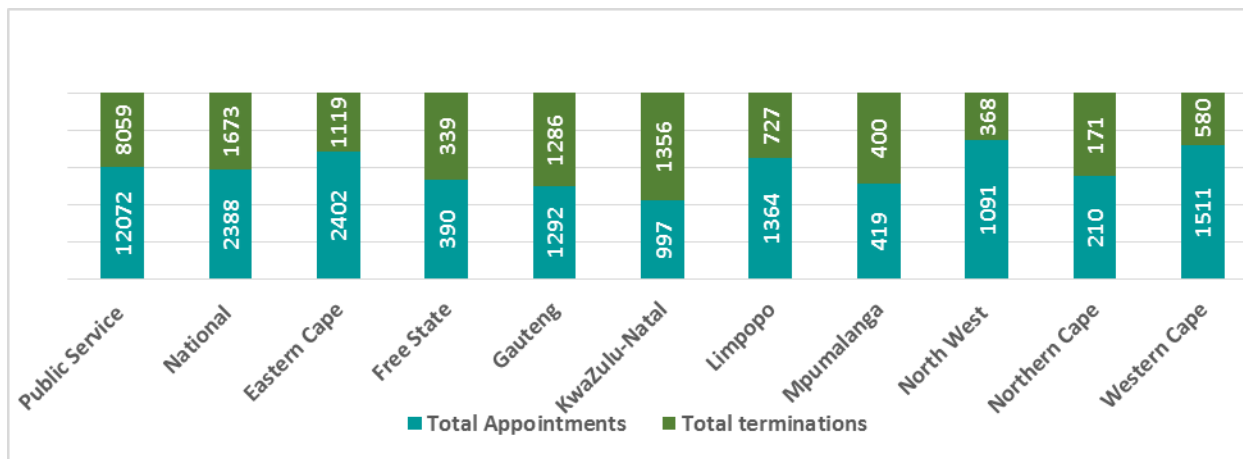


**Figure 3** below compares the number of new appointments versus terminations nationally and provincially for the period 1 January 2018 to 31 March 2018. The total number of appointments over the period is higher than the total number of terminations across the Public Service.

The reasons for service terminations include amongst others, retirement, resignations, abscondment, contract expiry, death and dismissals. During the previous quarters i.e. 1 October 2017 to 31 December 2017 and 1 July 2017 – 30 September 2017, there were 7598 appointments and 5877 terminations and 6004 appointments and 7975 terminations respectively. There is a significant increase in appointments from 1 July 2017 till 31 March 2018 which is 50%.

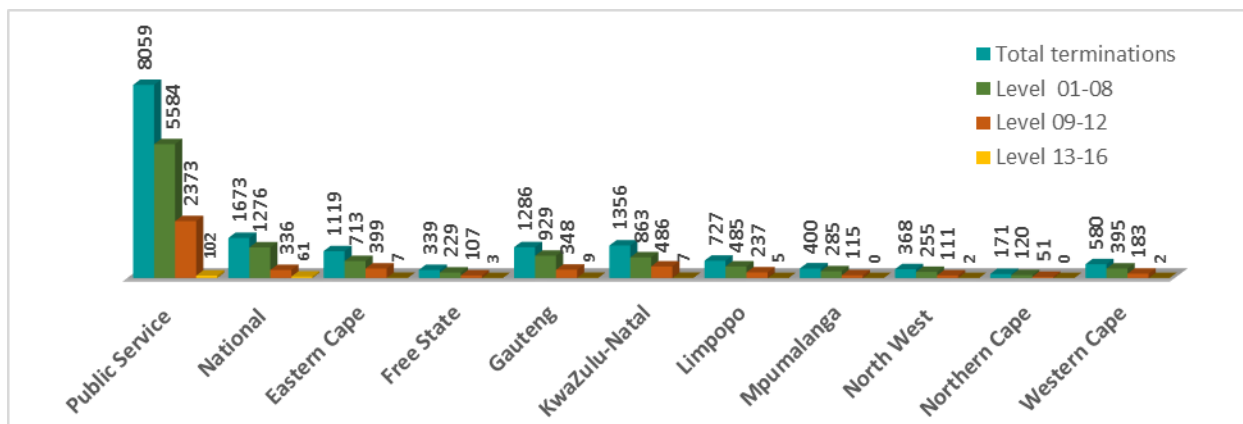
A notable observation that has been made by the PSC is that there seems to be a lack of control with regard to public servants exiting the Public Service through resignations, where there is cashing out of their pensions and thereafter being reappointed into the service. This trend needs to be further investigated with GPAA and the DPSA as there is a long term risk for Public Servants who are engaging in this practice.

**Figure 3: Comparison of appointments versus terminations for the period January - March 2018**



As depicted in **Figure 4**, the highest number of service terminations in the Public Service is at salary level 01-08, 5584 post (69%) which is a reduction from the previous quarter which was 4329 posts (74%). The Province with the highest number of terminations at salary level 01-08 is KwaZulu-Natal, where 1356 (16%) terminations occurred over the period.

**Figure 4: Service terminations per salary level for the period January - March 2018**



### 3. OVERALL NUMBER OF GRIEVANCES HANDLED BY THE PSC UP TO 31 MARCH 2018

Employees have the right to lodge grievances if there is an omission or failure on the part of the employer that adversely affects them. By the same token, the employer has a duty to ensure that grievances are dealt with as quickly as possible, irrespective of whether the grievances are substantiated or unsubstantiated. The ineffective management of grievances has a negative impact on labour relations, employee productivity and organizational performance.

Grievances that are not dealt with by departments within the timeframe stipulated in the Grievance Rules, i.e. 30 days for levels 2-12 and 45 days for members of the Senior Management Service, are referred by aggrieved employees to the PSC for consideration. In cases where departments have dealt with grievances but aggrieved employees are not satisfied with the outcome, the departments may refer these grievances to the PSC if so requested by the aggrieved. The overall grievances referred to the PSC for consideration, reported on quarterly basis, are as follows:

Up to the end of March 2018, the PSC dealt with **654** grievances including 86 carried over grievances from the previous financial year. As reflected in **Table 1** below, the total number of grievances handled by the PSC up to the end of March 2018 increased by 209 (47%) grievances, as compared to 445 reported grievances during the third quarter.

**Table 1: The number of grievances handled by the PSC during the four quarters of the financial year** (Total numbers reflected are cumulative)

Grievances Received	1 <sup>st</sup> Quarter (1 Apr - 30 Jun)	2 <sup>nd</sup> Quarter (1 Jul -30 Sept)	3 <sup>rd</sup> Quarter (1 Oct – 31 Dec)	4 <sup>th</sup> Quarter (01 Jan – 31 Mar)	Increase between Q3 and Q4: number and %
Total number of grievances received	187	313	445	654	209 (47%)
Properly referred grievances	129	191	254	388	134 (53%)
Grievances referred outside the provisions of the Grievance Rules	58	122	191	266	75 (39%)

Of the 654 grievances, 388 were properly referred and 266 were referred outside the provisions of the Grievance Rules<sup>1</sup>. Upon finalisation of properly referred grievances which are investigated, the PSC make recommendations to Executive Authorities of departments, who will then decide whether or not to implement the recommendations made. Executive Authorities are requested to advise the PSC of their decision in this regard. In cases where they decide not to implement the PSC recommendations, they are expected, in terms of rule 15(4) of the PSC Rules on Referral and Investigation of Grievances of Employees in the Public Service, to provide reasons for not doing so. Other properly referred grievances are closed without recommendations being made to Executive Authorities. These include grievances withdrawn by aggrieved employees, who after PSC intervention understand whether or not their grievances are substantiated, and those that are resolved by departments, similarly after PSC intervention.

Concerning grievances referred outside the provisions of the Grievance Rules, the PSC advises aggrieved employees on the correct procedure to follow in cases on non-compliance; and where the cases do not fall within the mandate of the PSC, matters are referred to relevant institutions like the Public Protector and aggrieved employees are informed accordingly.

The status of conclusion of grievances referred to the PSC is as follows: Out of a total of 654 grievances

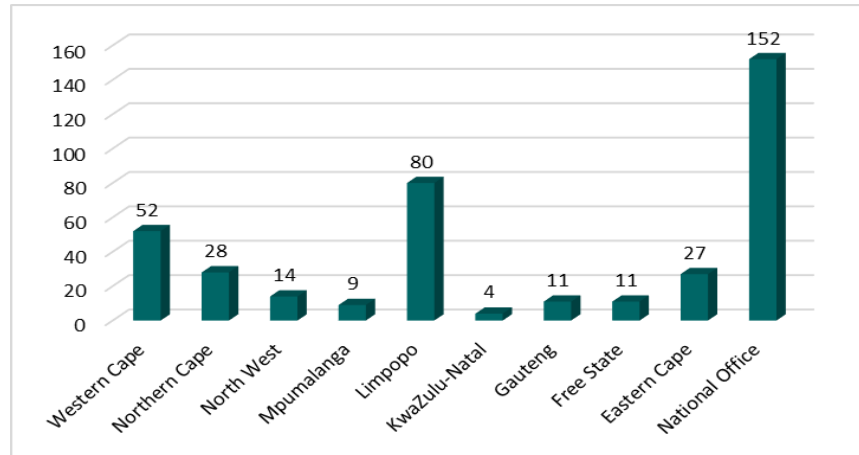
<sup>1</sup> These include (a) grievances referred by aggrieved employees with no proof that they were properly lodged with their departments; (b) matters pending before / finalized by other dispute resolution institutions like bargaining councils, (c) matters referred prior to the executive authority having had an opportunity to make a decision on the matter and he or she is still within the stipulated timeframe for dealing with the grievance, or (d) on grievances that were lodged outside the prescribed 90 day period for lodging grievances after becoming aware of the official act or omission, (e) grievance by previous employees.

dealt with by the PSC, **559 (85, 5%)** were concluded and the **95 (14,5%)** were pending as at 31 March 2018. The pending grievances are at different stages of assessment, mediation or investigation.

**Figure 5: Properly referred grievances handled by national and provincial offices**

**Figure 5** shows the location of the 388 properly referred grievances up to 31 March 2018.

The information provided in the graph at **Figure 5** illustrates that the highest number (152) of these grievances are from national departments, then followed by Limpopo Province with 80 grievances.



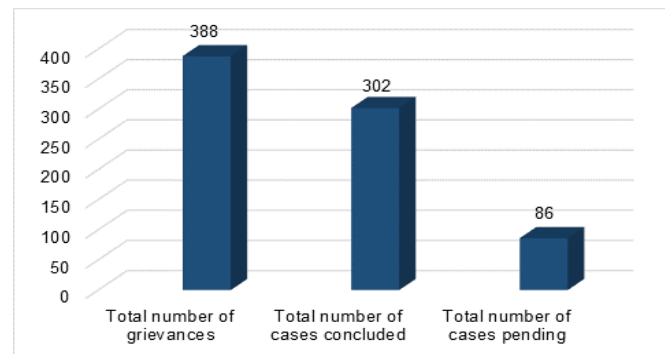
The number of properly referred grievances from national departments increased by 48 (46%) to 152, compared to the 104 grievances that were reported in the previous quarter. Those referred from provincial departments, the status is as follows: Eastern Cape increased by 9 (50%) from 18; Free State by 2 (22%) from 9; Gauteng by 4 (57%) from 7; KwaZulu-Natal provinces did not receive any properly referred grievances in this quarter; Limpopo increased by 41 (95%) from 41; Mpumalanga by 7 (350%) from 2; Northern Cape by 8 (40%) from 20; North-West did not receive any properly referred grievances in this quarter; and Western Cape by 17 (49%) from 35.

As indicated in the previous bulletin, reasons for referral of fewer grievances despite the six-monthly statistical reports from departments showing a high number of grievances lodged vary between departments and may include agreements on the extension of timeframes with employees and employees having referred their grievances to the relevant bargaining councils.

As illustrated in **Figure 6**, of the 388 properly referred grievances for the period ending 31 March 2018, 302 (78%) were concluded and 86 (22%) grievances remained pending.

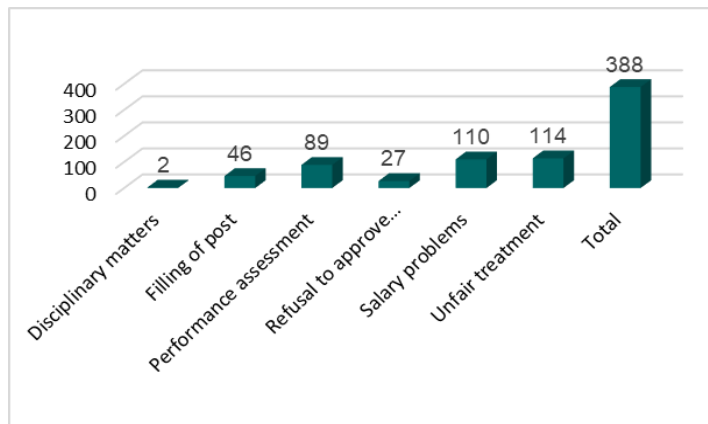
**Figure 6: Status of grievances up to 31 March 2018**

Of the 302 (78%) concluded grievances, 46 (15%) were found to be substantiated, 78 (26%) were unsubstantiated and 8 (3%) were partially unsubstantiated. 170 (56%) grievances were closed after the matters were resolved at departmental level as a result of the intervention of the PSC.



Most of the grievances received relate to unfair treatment (114 (29%)) and salary problems (110 (28%)), bringing the total number of grievances that fall in these two categories to 224 (58%). As previously indicated, unfair treatment grievances are grievances mostly influenced by perceptions of 'unprofessional' conduct by supervisors. For example, an employee may feel that his/her supervisor dislikes him/her, thus resulting in victimisation, favouritism and inconsistent treatment of employees.

**Figure 7: Nature of properly referred grievances**



Salary related grievances include grievances where employees complain about, *inter alia*, deductions made from their salaries, non-payment of acting allowance and other types of allowances, salary adjustments, housing subsidy, etc.

The effective management of grievances contribute towards, amongst others, improved relations between employer and employees, positive morale in the performance of employees and improved service delivery. It also minimises litigation and related costs (where resolved), as well as time that would have been spent in litigation proceedings.

The PSC makes intervention to departments to assist employees and managers in understanding the grievance procedure. It also uses the Grievance Management Communique<sup>2</sup> to assist departments and aggrieved employees in dealing with different nature of grievances. In the financial year 2018/19 the PSC intends to intensify its engagements with departments in order to contribute towards improving sound labour relations.

#### **4. COMPLAINTS LODGED WITH THE PSC**

In terms of Sections 196 (4) (f) (i) of the Constitution, the PSC may either of its own accord or on receipt of any complaint investigate and evaluate the application of personnel and public administration practices, and to report to the relevant executing authority and legislature. The investigations conducted may emanate from the PSC itself, Legislature, Executive authorities, Public servants and whistle-blowers through e.g the National Anti-corruption Hotline (NACH). The whistle-blowers are protected in terms of Section 8 (1) of the Protected Disclosure Amendment Act no. 5 of 2017, which provides that employees or workers may report allegations of corruption and maladministration to the PSC.

##### **4.1 Complaints lodged through the National Anti-Corruption Hotline (NACH)**

The PSC manages the National Anti-Corruption Hotline on behalf of government as was mandated by Cabinet in 2002. The PSC received a total of eight hundred and eighty two (**882**) complaints of alleged corruption during the financial year 2017/2018. These complaints were reported through the NACH and were referred for investigation.

**Table 2** in the next page provides a breakdown of complaints received by the PSC through the NACH from 01 April 2017 to 31 March 2018. A total of **282** complaints were reported through the NACH and referred to departments during the fourth quarter. This number presents a signification increase of complaints referred for investigation when compared to the previous quarters. Majority of complaints (**197**) relates to social grant fraud and were referred to the South African Social Security Agency (SASSA). The second highest number of complaints (**55**) reported through the NACH were linked to national departments. The PSC investigated **19** of these complaints and the rest were referred to respective national departments for further investigation. A total of **33** complaints related to officials in provinces. The PSC investigated **5** of these complaints and the rest were referred for further investigation by respective provinces. The complaints investigated by the PSC

<sup>2</sup> A newsletter issued twice a year on six-monthly basis.

include matters relating to appointment and procurement irregularities.

**Table 2: Cases reported through the NACH during 2017/2018 financial year and referred for investigation**

Referred to	First quarter			Second quarter			Third quarter			Fourth quarter			Annual Total
	April	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Eastern Cape	2	4	3	2	4	0	2	4	3	1	2	1	28
Free State	3	0	1	0	0	0	0	0	2	0	1	3	10
Gauteng	2	4	2	2	3	4	1	1	0	1	0	2	22
KZN	1	1	1	0	3	0	1	1	0	1	0	1	10
Limpopo	2	1	2	1	1	1	2	0	1	2	2	3	18
Mpumalanga	4	0	0	1	0	2	0	1	0	0	2	1	11
North West	1	3	1	0	0	0	1	0	0	0	0	2	8
Northern Cape	0	0	0	0	0	0	1	0	0	0	2	0	3
Western Cape	3	3	0	2	2	0	1	2	0	1	1	1	16
SASSA	51	52	26	59	40	40	56	51	22	54	75	68	594
National Departments	25	8	8	13	13	11	9	14	6	21	18	16	162
<b>TOTAL</b>	<b>94</b>	<b>76</b>	<b>44</b>	<b>80</b>	<b>66</b>	<b>58</b>	<b>74</b>	<b>74</b>	<b>34</b>	<b>81</b>	<b>103</b>	<b>98</b>	<b>882</b>
<b>GRAND TOTAL</b>	<b>214</b>			<b>204</b>			<b>182</b>			<b>282</b>			

**Table 3** below provides a breakdown of cases of alleged corruption reported through the NACH in respect of national departments. A total of **162** complaints were reported for national departments in the 2017/2018 financial year. Of the 162 complaints, the PSC referred 120 to the departments for investigation and 42 were investigated by the PSC. The 42 cases are included in the statistics provided in table 5 on page 10.

**Table 3: Cases of alleged corruption reported to the NACH against the national departments in the 2017/2018 financial year**

NAME OF DEPARTMENT	CASES REFERRED	FEEDBACK RECEIVED	CASES CLOSED	OUTSTANDING CASES
Arts and Culture	1	0	0	1
Cooperative Governance	1	0	0	1
Correctional Services	27	0	0	27
Defence	1	0	0	1
Higher Education	1	0	0	1
Home Affairs	42	4	4	38
Human Settlements	1	0	0	1
International Relations and Co-operation	1	0	0	1
Justice and Constitutional Development	3	1	0	3
National Treasury	1	0	0	1
Public Service and Administration	1	0	0	1
Public Service Commission*	42	9	9	33
Rural Development and Land Reform	7	0	0	7
SAPS	27	4	4	23
Statistics South Africa	1	0	0	1
Transport	1	0	0	1
Water and Sanitation	3	0	0	3
Women, Children and people with disability	1	0	0	1
	<b>162</b>	<b>18</b>	<b>17</b>	<b>145</b>



## FINALISED AND CLOSED CASES

**Table 4** below provides a breakdown of cases referred and closed by the PSC. For period 01 April 2017 to 31 March 2018, **191** complaints of alleged corruption relating to provincial and national departments were closed by the PSC. The PSC also closed **594** SASSA complaints relating to social grant fraud and abuse of SASSA grants. Therefore, in total the PSC closed **785** complaints reported through the NACH. The PSC has made significant progress in curbing corruption in the public service. Twenty three (**23**) officials were found guilty of misconduct. Out of 23 officials, **12** officials were dismissed from the public service and others were given final written warnings.

**Table 4: Closure of cases by the PSC in the first, second, third and fourth quarters of 2017/2018 financial year**

No	Provinces	Cases Referred on first quarter	Closed cases First quarter	Cases Referred on second quarter	Closed cases on second quarter	Cases Referred on third quarter	Closed cases on third quarter	Cases Referred on fourth quarter	Closed cases on fourth quarter
1	Eastern Cape	9	2	6	15	9	0	4	8
2	Free State	4	2	0	5	2	7	4	0
3	Gauteng	8	0	9	7	2	2	3	8
4	KwaZulu-Natal	3	3	3	11	2	3	2	9
5	Limpopo	5	0	3	5	3	8	7	0
6	Mpumalanga	4	0	3	0	1	0	3	5
7	North West	5	0	0	0	1	0	2	0
8	Northern Cape	0	0	0	3	1	3	2	0
9	Western Cape	6	9	4	13	3	0	3	0
11	National	41	18	37	6	29	21	55	18
12	<b>Total</b>	<b>85</b>	<b>34</b>	<b>65</b>	<b>65</b>	<b>53</b>	<b>44</b>	<b>85</b>	<b>48</b>
12	Public Entity	129	129	139	139	129	129	197	197
13	<b>Total</b>	<b>214</b>	<b>163</b>	<b>204</b>	<b>204</b>	<b>182</b>	<b>173</b>	<b>282</b>	<b>245</b>
14	<b>Total referred</b>	<b>882 (100%)</b>							
15	<b>Total closed</b>	<b>785 (89%)</b>							
16	<b>Total closed (National and provinces)</b>	<b>191</b>							
	<b>Total closed (SASSA)</b>	<b>594</b>							

### 4.2 Complaints lodged through methods other than the NACH

The investigations emanating from the Legislature, Executive Authorities, Public Servants and members of the Public are lodged through the PSC by means of completing a prescribed form for lodging a complaint, addressing a letter or statement to the PSC in person (walk-in). The own accord investigations undertaken are identified through an analysis of the trends of the complaints handled previously and through media reports.

#### Complaints received

Up to the end of the fourth quarter, the PSC dealt with 306 complaints as reflected in Table 5 below.

**Table 5: The number of complaints handled by the PSC during the first, second, third and fourth quarters (cumulative of the four quarters)**

Complaints received	1 <sup>st</sup> Quarter (1 Apr - 30 Jun)	2 <sup>nd</sup> Quarter (1 Jul - 30 Sept)	3 <sup>rd</sup> Quarter (1 Oct - 31 Dec)	4 <sup>th</sup> Quarter (1 Jan - 31 March)	Cumulative Total
Total number of complaints received	116	63	44	83	306
Complaints finalised	43	66	54	48	211

<b>Complaints in progress</b>	<b>95</b>
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Of the 306 complaints, 211 (69%) were finalized and 95 (31%) are in progress.

The following table provides location of the 306 complaints handled by the PSC up to 31 March 2018, per National and Provincial level.

**Table 6: Location of the 306 complaints**

	<b>Complaints received</b>	<b>Complaints finalised</b>	<b>Complaints in progress</b>
National	145	106	39
Eastern Cape	23	2	21
Free State	16	14	2
Gauteng	25	18	7
KwaZulu-Natal	15	9	6
Limpopo	26	22	4
Mpumalanga	18	16	2
North West	19	10	9
Northern Cape	8	6	2
Western Cape	11	8	3
<b>TOTAL</b>	<b>306</b>	<b>211</b>	<b>95</b>

### **Nature of cases**

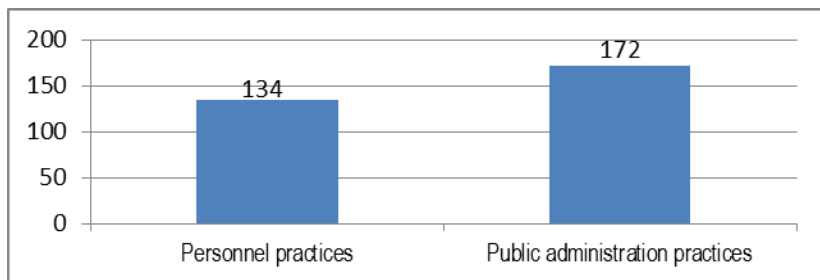
The complaints referred to in table 5 above, relate to adherence to applicable personnel and public administration practices as well as procedures in the public service such as recruitment, appointment, transfer, discharge and other aspects of the careers of employees in the public service.

The *Public Service Commission Rules on Conducting Investigations*, gazetted on 20 January 2017, provide for, amongst others, the following definitions:

- “*applicable procedures*” means all procedures issued in terms of legislation and all sub-ordinate legislation that regulates public administration and personnel practices in the Public Service.
- “*personnel practices*” means all those functions and activities executed to provide a service to employees such as recruitment, appointment, transfer and other career management objectives aimed at enhancing the well-being and effectiveness of the employees.
- “*public administration practices*” means all those functions and activities executed by departments to provide effective and efficient services to any person, e.g. financial management, personnel provisioning and administration, supply chain management processes, service delivery, application of policies and procedures to attain proficiency.

“Applicable procedures” forms an integral part of personnel and public administration practices and to some extent there is an overlap. For purposes of this exercise the nature of cases of complaints handled by the PSC has been broken down into two categories, that is, personnel practices and public administration practices. The breakdown of the nature of the 306 complaints handled by the PSC during the period up to 31 March 2018 indicates that 134 complaints (44%) relate to personnel practices (for example, irregular appointments, transfers, qualifications and compensation related allegations), and the remaining 172 complaints (56%) relate to public administration practices (for example, procurement irregularities and poor service delivery). This breakdown is graphically illustrated as follows:

**Figure 8: Breakdown of the nature of cases received:**



In summary, the number of complaints handled by the PSC increased by 83 (37%) from 223 handled during the third quarter to 306 in the fourth quarter. In addition, the number of complaints finalised by the PSC increased from 163 finalised during the third quarter to 211 complaints finalised in the fourth quarter.

Emanating from the investigations conducted by the PSC and in instances where the allegations are substantiated, recommendations and/or directions were issued by the PSC to the Minister/Member of the Executive Council, aimed at improving personnel and public administration practices in the Public Service.

## 5. MANAGEMENT OF THE FINANCIAL DISCLOSURE FRAMEWORK

The financial disclosures for the 2016/2017 financial year were submitted to the PSC in terms of the PSR of 2016. The PSC is required to scrutinise these financial disclosure forms in terms of Regulation 21(1) of the PSR of 2016. In terms of this Regulation, the PSC must assess compliance with the requirement to disclose all financial interests and also to establish whether the involvement of SMS members in any activities of the companies could lead to conflicts of interest.

As at 31 March 2018 the PSC had scrutinised all the received financial disclosure forms of SMS members. The scrutiny of the financial disclosure forms revealed that a total of **721** SMS members in both the National and Provincial Departments did disclose their directorships in private and public companies. This is in contravention of Regulation 19 of the PSR, 2016.

The extent of non-disclosure of directorships in companies is shown in Table 7 below.

*Table 7: The extent of non-disclosure of directorships during the 2016/2017 financial year*

	NUMBER OF SMS MEMBERS WITH DIRECTORSHIPS IN COMPANIES	NON-DISCLOSURE OF DIRECTORSHIPS/ COMPANIES				TOTAL NUMBER OF SMS MEMBERS WHO DID NOT DISCLOSE DIRECTORSHIPS IN COMPANIES
		DGs/ HoDs	Deputy Directors -General	Chief Directors	Directors	
National Departments	1115	8	35	87	355	485
Eastern Cape	129	2	5	6	32	45
Free State	43	2	0	2	7	11
Gauteng	215	2	11	14	50	77
Kwa-Zulu Natal	127	0	0	1	6	7
Limpopo	128	0	1	8	13	22

Mpumalanga	5	0	0	3	1	4
Northern Cape	55	0	2	2	15	19
North West	113	4	2	9	28	43
Western Cape	13	1	0	0	7	8
<b>OVERALL TOTAL FOR PROVINCES</b>	<b>828</b>	<b>11</b>	<b>21</b>	<b>43</b>	<b>161</b>	<b>236</b>
<b>GRAND TOTAL</b>	<b>1943</b>	<b>19</b>	<b>56</b>	<b>130</b>	<b>516</b>	<b>721</b>

Table 7 above shows that **1943** SMS members in both national and provincial departments have directorships in private and public companies. The Table further shows **721 (37%)** of the SMS members did not disclose their directorships. The national departments have a total number of **485 (43%)** SMS members who did not disclose their directorships and 236 SMS members in respect of provinces. The Gauteng Province has the highest number of **77 (36%)** SMS members and Mpumalanga being the lowest with 4 SMS members who did not disclose their directorships. The PSC advised EA to consult with these SMS members to determine reasons for not fully disclosing their directorships. After such consultation, the EA must consider taking disciplinary action against these SMS members.

The PSC established during the scrutiny process that there are SMS members who engage in other remunerative work (ORW), some without the necessary written approval of the relevant EA. The extent to which SMS members were engaged in ORW during the 2016/2017 financial year is reflected in Table 8 below.

**Table 8: SMS Members Engaged in RWOPS**

	NO OF SMS MEMBERS WHO WERE ENGAGED IN RWOPS				TOTAL NUMBER OF OFFICIALS ENGAGED IN ORW	TOTAL NUMBER OF ORW APPROVALS PROVIDED	PERCENTAGE OF THE OFFICIALS WHO PROVIDED ORW APPROVALS	INCOME GENERATED FROM ORW (R)
	DGs/ HoDs	Deputy Director-Generals	Chief Directors	Directors				
National Departments	2	19	38	124	183	72	39%	16 077 078.62
Eastern Cape	0	0	0	5	5	0	0%	400 317.79
Free State	0	1	1	13	15	5	33%	1 195 214.00
Gauteng	0	1	6	17	24	4	17%	723 880.00
Kwa-Zulu Natal	1	2	3	16	22	14	64%	2 116 371.00
Limpopo	2	0	2	12	16	0	0%	1 049 975.00
Mpumalanga	2	0	2	10	14	0	0%	1 817 661.00
Northern Cape	0	1	2	11	14	1	7%	1 612 000.00
North West	3	2	3	6	14	0	0%	2 295 290.00
Western Cape	24	3	5	17	49	22	45%	1 711 993.00
<b>OVERALL TOTAL FOR PROVINCES</b>	<b>32</b>	<b>10</b>	<b>24</b>	<b>107</b>	<b>173</b>	<b>46</b>	<b>27%</b>	<b>12 922 701.79</b>
<b>GRAND TOTAL</b>	<b>34</b>	<b>29</b>	<b>62</b>	<b>231</b>	<b>356</b>	<b>118</b>	<b>33%</b>	<b>28 999 780.41</b>

Table 8 above shows that **356** SMS members in the Public Service were engaged in ORW. The total amount generated by these SMS members through ORW was **R28 999 780.41**.

The PSC further reveals that a total of **481** SMS members in both the National and Provincial Departments received gifts and/or sponsorships during the period under review. The total value of gifts and/or sponsorships received by these SMS members amounted to **R7 664 557.82**

The breakdown of gifts/sponsorships received is provided in the Table 9 below.

**Table 9: Breakdown of Gifts/Sponsorships Received by SMS Members**

	Number of SMS members who received gifts and/or sponsorships				Total number of SMS members who received gifts/sponsorships	Total value of gifts/sponsorships received (R)
	DGs/ HoDs	Deputy Directors-General	Chief Directors	Directors		
Nat Dept	15	42	89	165	311	5 103 874,26
E Cape	1	0	2	6	9	39 713.00
F State	0	0	0	2	2	55 953.84
Gauteng	1	8	14	17	40	678 520.00
KZN	2	2	5	21	30	896 136.00
Limpopo	1	1	1	8	11	534 300.00
Mpumalanga	1	1	0	2	4	116 289.00
N Cape	0	0	0	3	3	26 240.00
N West	1	0	0	2	3	22 231.30
W Cape	9	7	19	33	68	191 300.42
Total Prov	16	19	41	94	170	2 560 683.56
<b>Grand Total</b>	<b>31</b>	<b>61</b>	<b>130</b>	<b>259</b>	<b>481</b>	<b>7 664 557,82</b>

The PSC has noted that some of the gifts received were diplomatic gifts which could not have been declined by the officials.

## 6. TABLED REPORTS

During the fourth quarter (January– March 2018) the PSC tabled three reports in Parliament.

**Table 10: The total number of reports tabled during the second and third quarter**

Reports tabled	2 <sup>nd</sup> Quarter (1 Jul -30 Sept)	3 <sup>rd</sup> quarter (1 Oct-31 Dec)	4 <sup>th</sup> quarter (1 Jan-31 Mar)
Total number of reports tabled	2	1	3

The details of the reports are as follows:

- **Factsheet on Completed Disciplinary Proceedings on Financial Misconduct for the 2016/17 Financial Year.**

- This Factsheet contains information on completed disciplinary proceedings on financial misconduct reported by national and provincial departments for the 2016/2017 financial year, trends analysis and disciplinary proceedings on financial misconduct that were not completed by national and provincial departments as at 31 March 2017.
- **Public Service Commission Report to the National Assembly in Terms of Section 196(4)(e) of the Constitution, Read with Section 196(6): 1 April 2016 to 31 March 2017.** The report provides:
  - Strategic overview of the PSC, which gives comprehensive details around the capabilities and its reach in the Public Service; and a summative overview of the work of the PSC covering a wide variety of subjects.
- **Report on the Assessment of Grievances on Work Attendance in the Gauteng Provincial Departments.** The report shows that:
  - Employees who lodged grievances in their workplace took more sick leave than employees who did not lodge grievances. On average, employees took **3.29** days sick leave per annum whilst employees who lodged grievances took **6.28** days sick leave per annum. The report concludes by recommending that Executive Authorities should introduce measures to ensure that grievances are effectively and efficiently managed in order to prevent abuse of sick leave.

## 7. SERVICE DELIVERY INSPECTIONS

The PSC recognises that basic education remains one of government's apex priorities. To this end, service delivery inspections were conducted in selected schools across the nine provinces between 15 and 28 of January 2018. A total of 95 schools were visited, which largely coincided with the opening of schools. The inspections focused on the delivery of Learning and Teaching Support Material (LTSM), state of hygiene, availability of learner transport, teacher and learner ratios, discipline and state of infrastructure. The Consolidated report on these inspections will be made available by June 2018. Whilst the majority of the schools inspected were found to have challenges in one or two areas mentioned above, the PSC was concerned about schools that defaulted in many of the assessed areas. Although some only defaulted in two areas the intensity of the challenges were found to have seriously hampered the learning environment.

The following shows the provinces and specific schools whose performance requires urgent attention.

NO	PROVINCE	NAME OF SCHOOL	AREAS NOT DOING WELL
1.	Eastern Cape	Botha Siqcau High School	<ul style="list-style-type: none"> <li>● LTSM</li> <li>● Hygiene</li> <li>● Teacher Learner ratio</li> <li>● Infrastructure</li> </ul>
		Diliza Junior Secondary School	<ul style="list-style-type: none"> <li>● LTSM</li> <li>● Hygiene</li> <li>● Teacher Learner ratio</li> <li>● Infrastructure</li> </ul>
		Bawa Junior Secondary School	<ul style="list-style-type: none"> <li>● Hygiene</li> <li>● Teacher Learner ratio</li> <li>● Infrastructure</li> </ul>

		Bizana Senior Secondary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
2.	Mpumalanga	Emjindini Secondary School	<ul style="list-style-type: none"> <li>• LTSM</li> <li>• Teacher Learner ratio</li> <li>• Discipline</li> </ul>
		Chief Funwako Secondary School	<ul style="list-style-type: none"> <li>• LTSM</li> <li>• Hygiene</li> <li>• Learner Transport</li> <li>• Discipline</li> </ul>
		Sibhulo Secondary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Discipline</li> </ul>
3.	North West	Matlhonyane Primary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
		Mokaila Primary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
		Lokaleng Middle School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
		Sewagodimo Technical and Commercial High School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
		Tigane Primary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
		Gaenthone Secondary School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Teacher Learner ratio</li> <li>• Infrastructure</li> </ul>
4.	KwaZulu Natal	Emfundeni High School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Learner Transport</li> </ul>
		Mgamule High School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Learner Transport</li> </ul>
		Thanduyise High School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Learner Transport</li> </ul>
		Sihayo High School	<ul style="list-style-type: none"> <li>• Hygiene</li> <li>• Learner Transport</li> </ul>

It is the view of the PSC that schools that were found to have defaulted in the majority of these areas do not provide a conducive environment for learning. Therefore, the performance of the learners in these schools is likely to be severely affected with negative consequence on the quality of education provided.

## **8. CURRENT DEVELOPMENTS IN THE PUBLIC SERVICE**

The PSC has noted with concern that the health system in the country is experiencing serious challenges. Although some of these challenges have a historic context, the PSC has observed that some can be attributed to poor management, failure to recruit qualified personnel, shortage of staff and poor planning amongst others. Failure by public servants to adhere to the constitutional values and principles at the workplace, in particular,

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responding to the people's needs and the provision of services impartially, fairly, equitably and without bias, also contributes to some of the challenges in the health sector. The PSC will intensify efforts to promote the constitutional values and principles across the Public Service.

The National Development Plan requires that the Public Service must be meritocratic, professional and career-oriented. Stability in leadership is critical in this regard. To create stability in the echelon of the Public Service, the PSC is of the view that mechanism for the appointment of individuals to senior government positions, state owned entities and law enforcement agencies should be strengthened to improve transparency and prevent undue influence amongst others. The establishment of the Head of Administration as recommended in the National Development Plan must be prioritized.

In relation to the turning the tide on corruption in the Public Service, Government took a decision to develop a national anti-corruption strategy that is informed by a "whole-government and society" approach. The national anti-corruption strategy will serve as a guide for developing a set of shared commitments across sectors of society to support collaboration within and between sectors, and to direct renewed energy towards the fight against corruption. To this end, a Discussion Document on the National Anti-Corruption Strategy was launched on 14 May 2017, by Minister for Planning, Monitoring and Evaluation. The Discussion Document is currently being used by a Steering Committee that consists of the PSC, DPME, Department of Cooperative Governance, Department of Public Service and Administration and National Intelligence Coordinating Committee as a basis for an inclusive process of consultation to finalise the national anti-corruption strategy. Consultative workshops are currently being conducted in the provinces.

The PSC will engage amongst others, the MPSA, Presidency and Parliament, including the Portfolio Committee on Public Service and Administration/Planning, Monitoring and Evaluation on these developments affecting the Public Service.

The PSC is saddened by the passing away of the following respected servants of the people:

- Ms Joyce Mashamba, MEC for Agriculture in Limpopo and wife of PSC Commissioner, George Mashamba
- Ambassador Billy Modise, retired Chief of State Protocol
- Mr Sibusiso Radebe, Member of Parliament.