

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 30 OCTOBER 2020**

**QUESTION NO.: 2542**

**Mrs M O Clarke (DA) to ask the Minister of Public Service and Administration:**

What are the details of cases of misconduct that were reported in (a) his department and (b) each province with regard to (i) insubordination, (ii) negligence and/or failure to comply with procurement procedures, (iii) dereliction of duty, (iv) intimidation, (v) abuse of sick leave, (vi) being drunk on duty, (vii) insolent behaviour (viii) failure to declare previous misconducts, (ix) prejudice and disrespect and (x) theft, fraud and bribery? **NW3213E**

**REPLY:**

The following information is based on the 4th quarter FOSAD reports received from the Department of Public Service and Administration and the Provinces:

1. Department of Public Service and Administration:
2. Insubordination:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of Department** | **No. of officials**  | **Cost** | **Reason for disciplinary action being instituted** | **Period of suspension** | **Status of the case** | **Reasons for the case not to be concluded** |
| **DPSA** | 1 | None | Insubordination | None | Sourcing a new chairperson | Sourcing a new chairperson |

(ii)- (x) No cases reported.

1. Provinces:

The offences (i) to (x) are reflected in the table below.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Provinces** | **Name of Department** | **No. of officials**  | **Cost** | **Reasons for disciplinary action being instituted**  | **Period of suspension**  | **Reasons for case not be concluded** |
| **Eastern Cape** | **DSRAC** | 2 | R 1 439 542,80R 1 194 770,3 | (ii)Negligence and/or failure to comply with procurement procedures | 281 days each employee | Interference with investigation x 2 |
| **Free State** | **COGTA** | 2 | None | (i)Insubordination | None | Not indicated |
| **Pubic Roads and Transport** | 1 | R 258 744,64 | (i)Insubordination | 88 days | Uplifted on 15 May 2020 |
| **Office of the Premier** | 1 | R 1 023 645,00 | (x) theft, fraud and bribery | 365 days | Postponement |
| **Health** | 2 | R 25 189,58R30 567,96 | (x) theft, fraud and bribery | 60 days each employee | Suspension uplifted |
| **Education** | 2 | R 156 294,81R 214 091,01 | (x) theft, fraud and bribery | 425 days each employee | The matter has been finalised, awaiting finding of the chairperson |
| **Public Works and Infrastructure** | 7 | R 108 680,88R126 152,78 R 126 152,78R 195 454,00 | (x) theft, fraud and bribery | 23/09/2019 to date x 3, 20/12/2019 to date x 3, 16/1/2020 x 1 to date | National lockdown has hampered progress |
| **Gauteng** | **Health** | 1 | R 115 762, 68 | 1. Insubordination
 | 45 days | In progress |
| **Provincial Treasury** | 1 | n/a | 1. Insubordination
 | n/a | Postponement |
| **Health** | 1 | R 133 770,21 | (ii)Negligence and/ or failure to comply with procurement procedures  | 52 days | In progress |
| **Sports, Arts Culture and Recreation** | 2 | R 637 596,75R497 365, 86 | (ii)Negligence and/ or failure to comply with procurement procedures | 226 days184 days | Ongoing/ waiting for verdict |
| **Provincial Treasury** | 3 | n/a | (ii)Negligence and/ or failure to comply with procurement procedures | n/a | Postponement |
| **Provincial Treasury** | 2 | None | (iv)Intimidation | Not indicated | Investigating officer not yet appointed |
| **Health** | 1 | n/a | (vi)Being drunk on duty | n/a | Postponement |
| **Sports, Arts Culture and Recreation** | 1 | n/a | (vi)Being drunk on duty | n/a | Postponement |
| **KwaZulu-Natal** | **Education** | 1 | R 13 378,64 | (i)Insubordination | - | Pending to the outcome of hearing  |
| **Education** | **3** | R 25 100,00R12 947,84R 55166,7 | (ii)Negligence and /or failure to comply with procurement procedures | 30 days30 days44 days | Investigation in progress |
| **Human Settlement** | **5** | R327 084,00R269 162,00R187 038,00R47 634,00R44 217,00 | (ii)Negligence and /or failure to comply with procurement procedures | 60 days x4150 days  | Matter part-heard and will be proceeding in mid-April.Suspension extended x 4 |
| **Education** | 3 | R 67661,5R 17226,35R 19287,85R 162 508,4R 90848,4 | (x)Theft, fraud and bribery | 30 days30 days44 days150 days x 2 | Suspension reviewed and return to work approved subject to alternative placement.Investigation in progress x 4 |
| **EDTEA** | 3 | R 46 673,00R 63 884,05 R 58 996,15 | (x)Theft, fraud and bribery | 60 days each employee | Interfere with witnesses |
| **Arts and Culture** | 1 | R 710 722,05 | (x)Theft, fraud and bribery | 265 days | Hearing has commenced and in process.  |
| **Limpopo** | **Health** | 1 | R 32 975,25 | (i)Insubordination | 30 days | Investigation |
| **Public Works & Infrastructure** | **1** | Not indicated | (ii)Negligence and /or failure to comply with procurement procedures | 375 days | Hearing pending |
| **Agriculture** | **2** | R 697595,92R347048,32 | (ii)Negligence and /or failure to comply with procurement procedures | 150 days90 days | Under investigation x 2 |
| **Health** | **1** | R 35 819,22 | (iii)Dereliction of duty | 150 days | Not indicated |
| **Health** | **1** | Not indicated | (iv)Intimidation | 120 days | Investigation |
|  | **Health** | 4 | Not indicated | (x)Theft, fraud and bribery | 60 days x330 days | Investigation |
| **Northern Cape** | **Office of the Premier** | 3 | n/a | (i)Insubordination | n/a | Matter not reported |
| **Office of the Premier** | **3** |  | (ii)Negligence and /or failure to comply with procurement procedures |  | Matter not reported |
| **Office of the Premier** | 2 | n/a | (vi)Being drunk on duty | n/a | Charge sheet forwarded to the HOD for signature |
| **Office of the Premier** | 3 | n/a | (x)Theft, fraud and bribery | 48 days | Sanction pending |
| **North West** | **Health** | **1** | R 60 447,90 | (ii)Negligence and /or failure to comply with procurement procedures | 180 days | Under investigation |
|  | **Agriculture** | 1 | R 182 443,16 | (iii)Dereliction of duty | 2019/11/20 to date | None |
|  | **Health** | **3** | R 537 405,21R 55 248,00R 50 692,00 | (iii)Dereliction of duty | 270 days  | Unavailability of presiding officers |
|  | **Health**  | 1 | R 23 188,50 | (x)Theft, fraud and bribery | 60 days | Under investigation |
| **Western Cape** | **Department of Cultural Affairs and Sport** | 2 | n/a | (i)Insubordination(ii)Negligence and /or failure to comply with procurement procedures | 79 days100 days | ResignedDismissed |

**End**