**Memorandum from the Parliamentary Office**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 3209**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 28/08/2015**

**(INTERNAL QUESTION PAPER 34 OF 2015)**

**Mr Y Cassim (DA) to ask the Minister of Higher Education and Training:**

1. (a) How many staff members teaching in adult education centres in each province have experienced delays in salary payments during the transition from provincial to national management of the specified centres, (b) what have been the (i) dates, (ii) scale and (iii) average length of these delays, (c) what bridging funds to assist teachers in this sector have been provided, especially in cases where they have been unable to pay for costs such as (i) rent and (ii) other vital expenses and (d) have any teachers been evicted from their homes as a result of the lack of payment of their salaries;
2. are any salary payments still outstanding; if so, what steps has he taken in this regard?

**NW3810E**

**REPLY:**

1. (a) In the erstwhile Adult Education and Training (AET) centres, when reference is made to

‘salary payments’ the concept is also used to refer to other forms of payment such as claims and stipends. Claims for instance, are part-time and extra-ordinary payments, usually over and above the normal salary of a person. The Department of Higher Education and Training (DHET) became responsible for the payment of salaries of staff members teaching in AET centres from 1 April 2015, and is unable to respond to delays in salaries, which may have occurred prior to the AET function shift when the function was still with the Provincial Education Departments (PEDs). The response covers the period from 1 April 2015 to 31 August 2015. In view of the above, 2 540 staff members teaching at AET centres experienced delays in salaries during the transition from provincial to national competence.

(b) Table 1 below responds to the delays experienced by AET teachers of the Eastern Cape Province

|  |  |  |
| --- | --- | --- |
| 1. **Dates**
 | 1. **Scale**
 | 1. **Average length of delays**
 |
| **Month Affected** | **Date salary paid** | **Actual calendar days delay** |
| April 2015 | 17 August 2015 | 119 days | 10 AET teachers | 17 days |
| May 2015 | 17 August 2015 | 88 days |
| June 2015  | 17 August 2015 | 48 days |
| July 2015  | 17 August 2015 | 17 days |
| August 2015 | 31 August 2015 | 0 days |

The System Change Control (SCC) was not performed by the Eastern Cape PED which led to the appointment of AET teachers onto the DHET PERSAL on 1 June 2015 instead of 1 April 2015. The salaries of the affected AET teachers were backdated from 1 April 2015 to 31 July 2015 and paid on 17 August 2015, and their salaries for August 2015 were paid on 31 August 2015. Currently, there are no staff members teaching at Eastern Cape AET centres experiencing any delays in salary payments.

Tables 2 to 5 below outline the delays experienced by the Northern Cape, North-West, KwaZulu-Natal and Western Cape AET teachers with regards to payment of stipends and claims.

Table 2: Delays experienced by AET teachers of the Northern Cape Province

|  |  |  |
| --- | --- | --- |
| 1. **Dates**
 | 1. **Scale**
 | 1. **Average length of delays**
 |
| **Month Affected** | **Date salary paid** | **Actual calendar days delay** |
| April 2015 | 30 June 2015 | 61 days | 248 AET teachers paid stipends | 45.5 days |
| May 2015 | 30 June 2015 | 30 days |
| June 2015  | 30 June 2015 | 0 days |

In the Northern Cape and North West provinces, delays were experienced with the payment of stipends in April and May 2015 mainly because the appointment of AET teachers who are paid stipends could not be performed programmatically. AET teachers had to be uploaded manually onto the DHET’s PERSAL system. The stipends for April and May 2015 were paid on 30 June 2015 as supplementary payments together with stipends for June 2015. There have been no delays experienced with the payment of stipends since June 2015.

Table 3: Delays experienced by AET teachers of the North-West Province

|  |  |  |
| --- | --- | --- |
| 1. **Dates**
 | 1. **Scale**
 | 1. **Average length of delays**
 |
| **Month Affected** | **Date salary paid** | **Actual calendar days delay** |
| April 2015 | 30 June 2015 | 61 days | 1 340 AET teachers paid stipends | 45.5 days |
| May 2015 | 30 June 2015 | 30 days |
| June 2015  | 30 June 2015 | 0 days |

With regard to the stipends in the Northern Cape and the North-West Provinces the stipends will run automatically every month as fixed amounts per month have been loaded.

Table 4: Delays experienced by AET teachers of the Western Cape Province

|  |  |  |
| --- | --- | --- |
| 1. **Dates**
 | 1. **Scale**
 | 1. **Average length of delays**
 |
| **Month Affected** | **Date salary paid** | **Actual calendar days delay** |
| April 2015 | 22 June 2015 | 53 days | 400 AET teachers paid on a claim system | 37.5 days |
| May 2015 | 22 June 2015 | 22 days |

The reason for delay is the late submission of claim forms to the DHET by the PED. The payment of claims received from the Western Cape is up to date with exception of approximately forty-nine problematic cases which involve officials working in Community Learning Centres (CLCs) that are above the age as prescribed by the Public Service Act, 1994 or have taken severance packages during 1998 and 2001 and were only allowed to work for one (1) continuous year, or were previously dismissed from service. Such cases have been discussed with the Management of the Western Cape and contracts for these officials will end on 31 December 2015.

Table 5: Delays experienced by AET teachers of KwaZulu-Natal Province

|  |  |  |
| --- | --- | --- |
| 1. **Dates**
 | 1. **Scale**
 | 1. **Average length of delays**
 |
| **Month Affected** | **Date salary paid** | **Actual calendar days delay** |
| April 2015 | 22 July 2015 | 83 days | 542 AET teachers paid on a claim system | 47.5 days |
| May 2015 | 28 July 2015 | 58 days |
| June 2015  | 2 September 2015 | 64 days |
| July 2015  | 30 September 2015 | 61 days |
| August 2015 | Claims not yet received |

The KwaZulu-Natal (KZN) Province used the claim system to pay AET teachers. As explained in my response to question 1, a claim is not a salary and in the case of KZN, these are extra-ordinary appointments because most of the AET teachers are already appointed as full-time teachers by the KZN PED. In order for any claim to be processed, the DHET has to verify the claim through the Centre Manager, the Regional Manager and the Vocational and Continuing Education and Training Programme Manager. The claims for April and May 2015 were submitted late in June 2015 by the KZN PED. DHET officials worked overtime to first appoint AET teachers onto the DHET PERSAL system and then verify claims and ultimately process payment of claims.

It should also be noted that for the claims method of payment, AET teachers who were transferred from PEDs had to be first appointed onto the PERSAL system before the claims could be processed. There are still cases whereby relevant documentation for appointment is still outstanding and on-going communication is taking place with the KZN Regional Office to rectify this, hence, payments for these claims are still outstanding. This delay affects approximately 542 AET teachers for the period between April and July 2015. These are mainstream teachers who have not completed and submitted the necessary Human Resources Management and Administration (HRMA) mandate documentation. This is due to the fact that they believed it is unnecessary as they are already employed full-time by the KZN PED. Such officials are being assisted by HRMA and the Acting Community Education and Training College Principal to complete and submit documentation for their appointment, processing and payment of their claims.

Other causes of the delays in the payment of claims in KZN is the non-appointment of AET teachers or non-payment of claims because of instances of negligence and/or irregularities in the forms that are submitted to the DHET for loading appointments and processing of payments. For most of the 542 outstanding cases, the DHET has not effected appointments or processed claims as doing so would be in contravention of the prescripts of both the PSA and the Public Finance Management Act, 1999 (PFMA). Such cases include instances where:

* Documentation submitted to the DHET was incorrectly completed;
* AET teachers have not submitted original documents required to upload their appointment;
* An AET teacher signs as both the Claimant and Centre Manager on his/her own claim forms;
* Discrepancies are found between the hours claimed and the actual hours worked;
* The hours claimed far exceed the maximum hours the teacher is allowed to work per month;
* Information provided is not correct and relevant to the applicable officials, i.e. incorrect identity document numbers and PERSAL number were used; and
* Some documents submitted are not signed by the necessary delegated officials and incorrect calculations are made on the forms.

 (c) There are no bridging funds that were provided as the PFMA does not allow for such.

 (d) The DHET has not received any reports of teachers having been evicted from their homes.

1. No, there are no outstanding salary payments but there are outstanding payments of claims. The DHET is liaising with the Regional Offices to ensure that correct documentation, which are correctly and accurately completed, is submitted to enable uploading of appointments and processing of payments. The DHET is in the process of paying claims received on an on-going basis. Queries are received through the Rapid Response Team and escalated to the relevant managers for a solution.

Compiler/contact persons:

Ext:

DIRECTOR – GENERAL

STATUS:

DATE:

REPLY TO QUESTION 3209 APPROVED/NOT APPROVED/AMENDED

Dr BE NZIMANDE, MP

MINISTER OF HIGHER EDUCATION AND TRAINING

STATUS:

DATE: