

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 28 OCTOBER 2022**

**QUESTION NO.: 3935.**

**Dr M M Gondwe (DA) to ask the Minister of Public Service and Administration:**

(1) With reference to his reply to question 2351 on 26 August 2022, what is the breakdown of the (a) positions and (b) salary levels of the 281 public servants who were identified as serving as councillors of municipal councils;

(2) (a) how and (b) on what date will his department establish whether the 281 public servants who have been identified as serving as councillors have complied with the applicable legal prescripts;

(3) what number of the identified public servants who were elected as full-time councillors resigned from the Public Service with effect from the date immediately before assuming the position of municipal councillor;

(4) what number of the identified public servants who were elected as part-time councillor obtained written permission from the relevant executive authority before assuming the position of municipal councillor;

(5) what (a) disciplinary steps will his department take against the public servants who did not comply with the applicable legal prescripts in this regard and (b) steps will his department take to recover the remuneration received by public servants who failed to comply with the applicable legal prescripts in this regard?

**NW4899E**

**REPLY:**

1. The following table shows the breakdown of (a) positions and (b) salary levels of the 281 public servants who were identified as serving as councillors of municipal councils:

|  |  |  |
| --- | --- | --- |
| 1. **Position** | 1. **Salary levels** | **Total #** |
| Cleaner | 02 | 4 |
| General Assistant School | 02 | 1 |
| Child and Youth Care Worker Grade1 | 03 | 1 |
| NA1 Nursing Assistant Grade 1 | 03 | 1 |
| General Assistant | 03 | 1 |
| Road worker | 03 | 2 |
| Security guard Grade II | 03 | 1 |
| Security officer | 03 | 6 |
| Sports coordinator | 03 | 2 |
| Court interpreter | Not pacified | 1 |
| Intern | Not specified | 1 |
| ECD Practitioner - Public School | Not specified | 1 |
| Driver/Messenger: Circuit Management | 04 | 1 |
| Foreman: Ground services | 04 | 1 |
| NA2 Nursing Assistant Grade 2 | 04 | 1 |
| Nutrition Advisor | 04 | 1 |
| Teacher | 04 | 1 |
| Clerk | 05 | 1 |
| Emergency Care Officer Grade 2 | 05 | 1 |
| Forensic Pathology Officer Grade 1 | 05 | 1 |
| Accounting clerk | 05 | 1 |
| Administration clerk | 05 | 5 |
| CB1Security Officer Grade 3 | 05 | 1 |
| General Administration Clerk | 05 | 1 |
| Personnel Officer Grade 1 Senior | 05 | 1 |
| Provisioning Administration Clerk Senior | 05 | 1 |
| Senior Administration Clerk Grade II | 05 | 7 |
| Senior Personnel Officer Grade II | 05 | 1 |
| SN1 Staff Nurse Grade | 05 | 2 |
| CB 1 Security Officer Grade 1 | 06 | 1 |
| Community Development Worker | 06 | 1 |
| Emergency Care Officer Grade 4 | 06 | 3 |
| Lecturer | 06 | 2 |
| Malaria Surveillance Supervisor | 06 | 1 |
| Provisioning Administration Clerk Grade III Senior | 06 | 1 |
| Security Officer II Senior | 06 | 1 |
| Senior Administration Clerk | 06 | 1 |
| Teacher | 06 | 8 |
| CB1 3 Security Officer | 07 | 1 |
| Chief Admin Clerk Grade 1 | 07 | 1 |
| Cultural Officer | 07 | 1 |
| Labour Relations Officer | 07 | 1 |
| Lecturer | 07 | 2 |
| Logistic Support Officer | 07 | 1 |
| PNA2 Professional Nurse Grade 1 | 07 | 4 |
| Secretary Chief: MEC Support | 07v | 1 |
| Supply Chain Management Practitioner | 07 | 1 |
| Social Worker Grade 1 | 07 | 2 |
| Teacher | 07 | 42 |
| Asset Officer | 08 | 1 |
| CD A6 Community Development Practitioner Grade 3 | 08 | 1 |
| Departmental Head | 08 | 17 |
| Employment Services Practitioner 2 | 08 | 1 |
| Local Co-ordinator | 08 | 1 |
| Personnel Officer: Chief | 08 | 1 |
| Principal Road Safety Officer | 08 | 1 |
| Project Officer IASP Environment Management | 08 | 1 |
| Provincial Inspector Senior | 08 | 1 |
| Registration Clerk | 08 | 1 |
| Teacher | 08 | 18 |
| CB1 3 Security Officer Grade 1 | 08 | 2 |
| Departmental Head | 09 | 4 |
| Deputy Principal | 09 | 7 |
| Director: Administration Assistant | 09 | 1 |
| Director: Assistant Gender (Siyanda) | 09 | 1 |
| Education Specialist Senior (FETI) | 09 | 1 |
| Principal P2 | 09 | 23 |
| SW A8 Social Work Supervisor Grade | 09 | 1 |
| Teacher | 09 | 4 |
| Education Specialist (Office Based) | 10 | 1 |
| Education Specialist Deputy Chief (Office Based) | 10 | 2 |
| Education Specialist Senior (Office Based) | 10 | 1 |
| PNB3 Operational Manager Nursing (Speciality Unit) | 10 | 1 |
| Principal 2 | 10 | 11 |
| Principal 3 | 10 | 17 |
| Teacher Master | 10 | 1 |
| Deputy Director: HEST & HPM | 11 | 1 |
| Deputy Director: Parliamentary | 11 | 1 |
| Director: Administration Deputy | 11 | 1 |
| Portfolio Co-ordinator | 11 | 1 |
| Principal P3 | 11 | 3 |
| Principal P4 | 11 | 4 |
| Dentist Grade 3 | 12 | 1 |
| Deputy Director | 12 | 1 |
| Deputy Director: Administration | 12 | 1 |
| Manager Information Services | 12 | 1 |
| Principal P4 | 12 | 2 |
| Director: Logistics and Asset Management | 13 | 1 |
| Part-Time Teacher | Not specified | 15 |
| **TOTAL** |  | **281** |

(2) (a)The Department of Public Service and Administration (DPSA) has written letters to departments with public servants employed as municipal councillors (b) in September 2022. These departments were requested to provide information by 14 October 2022 to the DPSA, through a standard reporting template, indicating the public servants in their employ who serve as municipal councillors.

(3) The DPSA has not established thenumber of identified public servants elected as full-time councillors who resigned from the Public Service with effect from the date immediately before assuming the position of municipal councillor. The reporting template that was shared with the affected departments did not include a request for this information.

(4) Only three departments with employees elected as municipal councillors provided information to the DPSA by the due date of 14 October 2022. The Department of Correctional Services and Gauteng Department of Human Settlements provided a nil report and the Kwa-Zulu Natal Department of Economic Development, Tourism and Environmental Affairs disclosed that two employees requested permission before assuming the position of part-time municipal councillor. One of the employees passed on.

The DPSA is monitoring all the implicated departments. The Department of Correctional Services and Gauteng Department of Human Settlements were given name lists to verify their nil reports and name lists were also shared with the following departments: Free State Department of Education, and KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs.

The DPSA will make follow-ups with all the affected departments which have not yet provided information to the DPSA by the due date of 14 December 2022.

(5) (a) The DPSA cannot take disciplinary steps against the employees of other departments, but its own. Discipline management is a decentralised process and accordingly, each department has the responsibility to discipline its own employees. However, all relevant information was shared with the Accounting Officers of the identified employees, so that the departments can institute disciplinary action against their employees and report progress to the DPSA. The DPSA will monitor the situation and report on progress.

(b) The DPSA cannot take steps to recover the remuneration received by public servants from other departments who failed to comply with applicable legal prescripts. Disciplinary processes are invoked in terms of the provisions of the Disciplinary Code, Public Service Coordinating Bargaining Council Resolution 1 of 2003. This Code does not provide for a sanction such as the recovery of monies or for punitive fines. The recovery of money can therefore only be done when departments are using permitting prescripts outside the Discipline Management process, such as to litigate.

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