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| MEMORANDUM FROM THE PARLIAMENTARY OFFICE |

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 509**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 26/2/2021**

**INTERNAL QUESTION PAPER NO 4 OF 2021**

**Mr W F Faber (DA) to ask the Minister of Higher Education, Science and Innovation:**

(1) Whether any staff member in his department (a) performed work in addition to the responsibilities related to his or her work, outside normal working hours, in the past five financial years and (b) has been performing such work during the period 1 April 2014 up to the latest specified date for which information is available; if not, in each case, how is it determined whether such work is being performed or not; if so, in each case, (i) what number of staff members and (ii) in what job or work categories are the specified staff members employed;

(2) whether approval for such work was obtained in each case; if not, what is the position in this regard; if so, (a) what is the policy of his department in this regard, (b) by whom are such applications considered and approved, (c) what number of contraventions of this policy were brought to the attention of the National Treasury in the past five financial years and (d) what steps have been taken against the transgressors? **NW565E**

**REPLY:**

**DEPARTMENT OF SCIENCE AND INNOVATION**

1(a) Yes employees on salary levels 4 to 12 performed approved remunerated overtime and standby duty.

1(b) The information is available in the employee’s personal files and it is reported in the annual report.

1. 51 staff members.
2. 11 Deputy Directors.

 14 Assistant Directors.

 1 Senior Administrative Officer.

 1 Supply Chain Management Practitioner.

 2 Senior Administration Clerk.

 14 Security Officers.

 2 Maintenance Officers.

 1 Auxiliary Services Practitioner.

 3 Human Resources Practitioners.

 2 Senior Secretaries.

2(a) The departmental overtime policy provides for 15 hours per week of pre-authorized overtime work. Standby duty is regulated by Public Service Co-ordination Bargaining Chamber (PSCBC) Resolution 3 of 1999 and is also pre-authorized.

2(b) The authority is delegated to the Chief Director: Human Resources.

2(c) No contraventions of both the policy and PSCBC regulations were identified by the Auditor-General and reported to National Treasury.

2(d) No transgressions were identified.

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING**

(1) (a) Yes, there are employees who have performed remunerative work outside the public service.

(b)   It is through the mandatory disclosure of financial interests, where officials disclose all their financial interests, and information obtained from other governmental structures such as the Public Service Commission, National Treasury database, Department of Public Service and Administration, and Auditor-General.

**2015/16 financial cycle:**  According to departmental records, eight officials requested approval, seven were approved and one was withdrawn. Five officials did not apply for permission to perform remunerative work outside the public service.

**2016/17 financial cycle:**According to departmental records, six officials requested approval and all were approved. Eight officials did not apply for permission to perform remunerative work outside the public service

**2017/18 financial cycle:**According to departmental records, five officials requested approval, four were approved and one was withdrawn.

**2018/19 financial cycle:**According to departmental records, eight applications were received and all were approved.

**2019/20 financial cycle:**According to departmental records, fifteen officials requested approval and all were approved.

**2020/21 financial cycle:**There are twenty applications that are being processed.

1. A total number of 62 applications were received for remunerative work outside public service.
2. According to the analysis, most of the applications are related to lecturing in private institutions, invigilation, counselling and some working for their own private businesses.

(2) According to information at the Department's disposal, the majority of employees who perform remunerative work outside the public service do apply for and obtain approval in line with the DPSA determination. However, those who do not apply are subjected to consequence management.
(a) The Department applies the Public Service Act, 1994, the Public Service Regulations, 2016 and its applicable determinations.  Employees can perform other remunerative work provided that they have obtained written permission to do so from the Executive Authority/Accounting Officer, in terms of Section 30 of the Act. If any employee did not obtain written permission to perform other remunerative work, disciplinary action against such an employee will be instituted as consequence management.

(b) According to the Public Service Regulations, the delegated powers are vested with the Director-General of the Department.

(c) No contraventions were brought to the attention of the National Treasury as it is not required; however, all contraventions are reported to the Minister for the Public Service and Administration.

(d) The Department has invoked appropriate disciplinary steps in line with the misconduct provisions of Section 16A (2) of the Public Service Act of 1994.