

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 26 FEBRUARY 2021**

**QUESTION NO.: 535**

**Dr L A Schreiber (DA) to ask the Minister of Public Service and Administration:**

Whether, in light of the dismissal of a certain person (name and details furnished), for illegally appointing his mistress to the position of Chief Director: Professional Ethics, he intends to institute a review of the fitness to hold office of all people appointed by the specified person; if not, why not; if so, what are the relevant details? **NW591E**

**REPLY:**

As it stands all appointments made by this person were performed in line with the law and delegations and therefore they are all valid until declared invalid by a court of law. In addition, each appointment made creates a contract of employment and rights for employees in terms of the Labour Relations Act of 1995 and other labour legislation. The individual employees’ rights cannot be diminished by just one incident that has no bearing on their employment.

The dismissal of the person is regarded as a deterrent to all employees to act within the prescribed legislative framework and the organisation cannot conduct a witch-hunt where no allegation or evidence of wrong-doing exist. Such an approach will have a destabilising effect on the organisation. In this regard, it should be kept in mind that the recruitment and selection process is not undertaken by a single person, but by a Selection Committee comprising of at least three members and is guided by the Public Service Regulations, 2016, as amended, and the Departmental Policy on Recruitment and Selection. When the allegations came to the attention of the Executive Authority, the former employee was removed from all recruitment and selection processes within the organisation.

Since the dismissal of the former employee, the organisation has been at pains to institute additional controls in the human resources management environment to overcome the challenges identified in the recruitment and selection process, this includes but is not limited to a comprehensive legislative and policy framework checklist that accompanies each recruitment and selection process, as well as the review of human resources management policies.

Whistle-blowing Guidelines are in place to encourage and enable employees to raise serious concerns about fraud and corruption within the organisation or with the independent Audit Committee. All complaints are handled professionally and in line with the prevailing prescripts.