

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 30 AUGUST 2019**

**QUESTION NO.: 693**

**Mrs M O CLARKE (DA) TO ASK THE MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:**

What (a) number of recommendations did the Public Service Commission make since 1 January 2018 in line with its mandate of promoting measures that would ensure effective and efficient performance within the Public Service and promoting values and principles of public administration as set out in the Constitution, throughout the Public Service, (b) number of the specified recommendations have been implemented and (c) was the outcome of the implementation of each of the specified recommendations?

**NW1735E**

**REPLY**

1. Number of recommendations issued: **153**
2. Number implemented (including partially implemented and to be implemented): **~~4~~3**
3. Outcome: See notes in the last two columns in the detailed table at Annexure A below.

**Summary Table**

|  |  |  |
| --- | --- | --- |
| **Research Reports** | **Number of recommendations issued** | **30** |
| To be implemented | 1 |
| Implemented | 1 |
| Partly implemented | 18 |
| Not implemented | 10 |
| **Public Administration Investigations** | **Number of recommendations issued** | **77** |
| No feedback received | 32 |
| To be implemented | 9 |
| Subject to court judgement | 31 |
| Implemented | 5 |
| **Grievances** | **Number of recommendations issued** | **46** |
| No feedback received | 35 |
| To be implemented |  |
| Implemented | 9 |
| Partly implemented |  |
| Not implemented | 2 |

Annexure A: DETAILS OF IMPLEMENTATION OF RECOMMENDATIONS

| **Title of Report** | **Department** | **Key Recommendations** | **Outcome of implementation of the recommendations** | | **Comments** | |
| --- | --- | --- | --- | --- | --- | --- |
| Service Delivery Inspection at 1 Military Hospital (Thaba-Tshwane) | Department of Defence (DoD) and Military Veterans | 1. The DoD supported by the PSC and the Office of the Military Ombudsman to engage with the City of Tshwane to explore the possibility of allocating an electricity transformer/grid to the hospital. | **Not implemented** | | The PSC forwarded the report to the Minister on 29 May 2018 and requested an engagement regarding the findings. Further correspondence through email dating back to 6 July 2018 were directed to the Chief of Staff of the Ministry to no avail.  As an alternative, the PSC held a meeting with the Secretary for Defence on 28 March 2019 and agreed that the Department will provide the PSC with an action plan within 60 days. To date, no feedback has been received.  The Chairperson of the PSC has sent letters to the Minister and the Secretary for Defence to schedule an engagement with the Chairperson to address this matter.  A meeting between the Director-General of the PSC and the Secretary for Defence has been scheduled for 17 September 2019. | |
| 1. The DoD should conduct an assessment of the security and safety needs of the hospital in line with the Minimum Physical Security Standards and the Minimum Information Security Standards. The security features should also be aligned to those accorded to National Key Points. |
| 1. The DoD supported by the PSC and the Office of the Military Ombudsman should engage National Treasury on the management of transversal contracts and its implications for the 1 Military hospital with regards to the courier service provider to ensure the latter adheres to the service level agreement (SLA). |
| 1. The DoD and South African National Defence Force (SANDF) should consider granting both Human Resources and Financial Delegations to the hospital management for efficient operations. |
| 1. The Department of Military Veterans should re-assign an official to the hospital to facilitate the interface between the hospital and new ex-combatants. |
| 1. The DoD and SANDF to review and redesign the organisational structure and service delivery model to ensure that it responds to the mandate of the hospital |
| 1. The DoD and SANDF should attend to the Human Resources Management and Development issues affecting the hospital, including performance management (PMDS), occupation specific dispensation (OSD), remunerated work outside of the public service (RWOPS) and overtime payment. |
| 1. The Department of Public Works (DPW) should provide the PSC and Office of the Military Ombudsman with a report on the delay in finalisation of the RAMP. In this regard, the PSC will request a meeting with the DoD, Public Works and National Treasury. |
| Factsheet on the implementation of the performance management and development system (PMDS):  case study at the Department of Agriculture: Western Cape | Western Cape Department of Agriculture | 1. Ensure that Performance Agreement (PA), reviews, and assessment documents are initialled and signed. The signing of the PAs is important for authenticity and validity as these documents form the legal basis for performance contracting. | **Implementation of all recommendations is in progress** | | During February 2019, the PSC engaged the HoD of Agriculture on the findings and recommendations. The HoD accepted all the recommendations. | |
| 2. Ensure on-going feedback and coaching in conducting of reviews. The PERMIS (computerised) system can restrict the personal interaction between supervisor and employee as information is signed-off on the system, so supervisors should make a concerted effort to sufficiently interact with their supervisees during the review process. |
| 3. Ensure that the performance of employees is evaluated fairly and consistently evaluated across the Department. Lower level employees who do not have computers indicated that their performance assessment documents are loaded on the system by their supervisor. They are not always sure if the right information is captured. This may create a problem when individual ratings agreed upon between the employee and her/his supervisor is not correctly captured. |
| 1. Ensure that there is a common understanding of the standards required as well as the unit of measurement that should be linked to posts where similar outputs are required. Farmworkers usually work in groups and the assessments do not allow for a group/team award. A training session should be held with these employees to create a shared vision of the standards required for their post. |
| 1. Ensure that development needs are completed. Most of the employees did not complete the Personal Development Plan. Where employees lack knowledge and skills relevant to their work it is important that gaps are identified and training needs captured, and training programmes be implemented |
| 1. Employees should feel empowered to influence the content relating to targets, quality of delivery, and resource allocation, as examples. A first step could be that employees are encouraged to formulate the performance statements and descriptions themselves. This is perhaps not universally applied for good reason. However, it does engender greater ownership of the agreement. |
| Non-Payment of Suppliers within the prescribed 30 days by National Departments | * Rural Development and Land Reform * Social Development * Public Works * Water and Sanitation * Police * Cooperative Governance | 1. Put systems and internal controls in place to adhere to the PFMA regulations to pay invoices within 30 days of receipt. | **Partly implemented**  Overall, the departmental performance has fluctuated from quarter to quarter.  Some departments continued to demonstrate a pattern of poor performance in the 30-day payment of invoices. | | The PSC held engagements with the HODs of the mentioned departments.  Follow-up letters indicating dissatisfaction with the recurring bahaviour of defaulting on payments were further issued during the week of 13 and 14 June 2019. | |
| 1. Apply consequences management where officials were found to have neglected their duties of ensuring that invoices are paid on time. |
| Evaluation of the department against the nine principles in section 195 of the Constitution | Social Development, Gauteng | 1. The Head of Department need to put measures in place to ensure that disciplinary hearings are held within 60 days as prescribed in Public Service Coordinating Bargaining Council (PSCBC) Resolution 1 of 2003. | **Implemented**  For the 2017/18 financial year the Department reported zero in terms of disciplinary hearings which were held after 60 days, meaning that the measures have been put in place to improve the management of labour relations. The issue of labour relations has been prioritised in the province since most departments are battling with it, particularly resolution of the cases in time. | |  | |
| 1. The Head of Department need to produce and publish citizens’ annual reports on the departmental website annually. | **Not implemented**  There was no improvement, during the 2017/18 financial year because the Department still had no annual citizens’ report published and posted on its departmental website. | |  | |
| 1. The Head of Department needs to make sure that all the strategic objectives have set targets. | **To be implemented**  This area can only be confirmed after scrutinizing the department’s Annual Report for the 2018/19 financial year. The Annual report will only be available late in September 2019. | |  | |
| 1. The Head of Department need to take actions against the supervisors who are not concluding performance agreements with their supervisees as required. | **Not implemented**  There are officials who are still not concluding their performance agreements (and the number of officials who are not concluding their performance agreements increased compared to the previous financial year). | | The PSC will continue to monitor the Department on this matter and ensure that there is improvement in this matter. The PSC will have an engagement with the new MEC as part of its strategy of raising problematic areas that the PSC has observed. | |
| **Public Administration Investigations** | | | | | | |
| Investigation into a complaint | Rural Development and Land Reform | 9 recommendations on acting appointments and acting allowances | **No feedback received** | | The period for implementation of recommendations lapsed on 3 June 2018. Reminder e-mails were forwarded to the Ministry on 10 August 2018, 9 November 2018 and 4 February 2019. | |
| Investigation into a complaint | Independent Police Investigation Directorate | 5 recommendations regarding disciplinary procedures, precautionary suspension, irregular appointment and failure to pay invoices within 30 days | **No feedback received** | | The period for implementation of recommendations lapsed on 8 March 2018. Reminder e-mails were forwarded to the Ministry on 19 April 2018, 3 May 2018, 12 June 2018, 10 August 2018, 9 November 2018 and 4 February 2019. | |
| Investigation into a complaint | Water and Sanitation | 5 recommendations on failure to adhere to a bargaining council resolution, appointment/ secondment of staff and job evaluation | **Implemented**  The former Minister sent the PSC a letter dated 6 April 2018 in which the PSC’s recommendations were accepted. The PSC’s investigating officer has testified in the disciplinary proceedings instituted by the Department | |  | |
| Investigation into a complaint | Public Service and Administration | 4 recommendations on the filling of posts in the private office of the Minister | **No feedback received** | | The final report was on 13 February 2019 forwarded to, amongst others, the Minister for further action. | |
| Investigation into a complaint | Public Enterprises | 1 recommendation on recovery of money that was irregularly paid | **No feedback received** | | The report was approved and forwarded to the Minister on 15 November 2018 for comment within 30 days of receipt of the report. | |
| Investigation into a complaint | Justice and Constitutional Development | 2 recommendations on irregular appointments | **No feedback received** | | The report was approved in March 2017. The Department had to provide feedback on the implementation of recommendations within 60 days of receipt of the report. Follow-ups were made with the Department. The latest follow-up being on 08 July 2019. | |
| Investigation into a complaint | Public Works | 31 recommendations regarding 12 instances of irregular appointments of members of the senior management service | **Subject to court judgement** | | The DPW has approached the courts to set aside the irregular appointments. | |
| Investigation into a complaint | Science and Technology | 3 recommendations on non-adherence to Supply Chain Management regulations and Treasury Practice Notes | **Implemented** | |  | |
| Investigation into a complaint | Trade and Industry | 5 recommendations on irregular expenditure on tuition fees and awarding of study bursaries | **2 implemented**  **3 to be implemented** | |  | |
| Investigation into a complaint | Sport and Recreation SA | 11 recommendations with regard to delays in the filling of posts, creation of posts, competency assessment and deployment matters – transfers, secondments and assignments. | **No feedback received** | | The final report together with the letter addressed to the Minister was handed to the Chief of Staff (CoS) in the Ministry on 5 November 2018. Feedback on implementation of the recommendations had to be provided to the PSC within 60 days, which period lapsed on 5 January 2019. Reminder e mails were forwarded to the CoS in the Ministry on 24 January 2019 and 16 April 2019. On 4 February 2019 the CoS indicated in an e mail that the content of the e mail dated 24 January 2019 was “*shared with the Minister and the department who will respond to you in due course*”. To date no feedback on the implementation of the recommendations has been received. | |
| Investigation into a complaint | Center for Public Service Innovation | 1 recommendation on the approval of sponsorship agreements | **To be implemented** | | The Report was delivered on 02 August 2019. The 30 days to respond to the PSC has not yet lapsed. | |
| **Grievances** | | | | | | |
| Several investigations of the grievances of employees in the public service | Several departments | Recommendations were made to address the grievances of the effected employees. | **Implemented** | **7** | | Implementation of recommendations contributes towards compliance with policy, builds sound relations between the employer and employees, and contributes towards employee productivity.  In the case of the two recommendations that were not implemented, the EAs disagreed with the PSC’s recommendations and provided reasons for the disagreement. Aggrieved employees have the right to declare disputes should the disagree with the outcome of the process. In many instances the PSC’s findings are confirmed by dispute resolution bodies and the employees are then given awards which are enforceable. | |
| **Partially implemented** | **2** | |
| **Awaiting feedback from department** | **35** | |
| **Not implemented** | **2** | |
| **Total issued** | **46** | |