

## Feedback: Special Departmental Bargaining Chamber - 14 May 2021

### Tabling and consultation of policies

After the re-configuration and having both former Human Resources Directorates under one roof, practitioners commenced with the alignment of policies. The employer tabled the following policies for consultation:

- PMDS Policy Level 1 – 12
- Human Resources Development Policy
- Workplace Wellness Management Policy
- Hospitalisation, Bereavement Policy
- Management of HIV/Aids and TB in the Workplace Policy
- Workplace Health and Productivity Management Policy
- Official Working Hours Policy
- Policy on Reasonable Accommodation and Assistive Devices for Employees with Disabilities

Parties engaged and provided instant inputs on all policies. It was agreed that the authors of the policies will incorporate the input and circulate the policies to all parties through the Administrator. Furthermore, it was agreed that labour will be afforded two weeks to interact with their members for further inputs. If all parties are satisfied, the policies will be tabled for adoption.

Members are requested to submit inputs on all **attached** policies on or before **2 June 2021**, to [revinal@dsac.gov.za](mailto:revinal@dsac.gov.za); [sabeloK@dsac.gov.za](mailto:sabeloK@dsac.gov.za); [tshepisoM@dsac.gov.za](mailto:tshepisoM@dsac.gov.za); [hlwaeleM@dsac.gov.za](mailto:hlwaeleM@dsac.gov.za); [zahiraa@dsac.gov.za](mailto:zahiraa@dsac.gov.za); [siphom@dsac.gov.za](mailto:siphom@dsac.gov.za).

**The PSA would like to pass sincere condolences to all lost members and their extended families who were affected by COVID-19 and wishes all infected members a speedy recovery.**

Members will be informed of developments.

GENERAL MANAGER



**sport, arts & culture**

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Department:  
Sport, Arts and Culture  
**REPUBLIC OF SOUTH AFRICA**

# **WELLNESS MANAGEMENT POLICY**

NOVEMBER 2020

**COMPILED BY THE CHIEF DIRECTORATE HUMAN RESOURCE MANAGEMENT**

## WELLNESS MANAGEMENT POLICY

### A. AUTHORISATION AND EFFECTIVE DATE

This done and signed in ..... on the ..... day of  
..... 2020.

#### ON BEHALF OF THE EMPLOYER

DEPARTMENT AS EMPLOYER	NAME OF REPRESENTATIVE	SIGNATURE

#### ORGANISED LABOUR

UNION	NAME OF REPRESENTATIVE	SIGNATURE
NEHAWU		
PSA		

EFFECTIVE DATE: .....

## WELLNESS MANAGEMENT POLICY

### B

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# WELLNESS MANAGEMENT POLICY

## ACRONYMS AND DEFINITION OF TERMS

### ACRONYMS

<b>CBO</b>	<b>:</b>	<b>Community Based Organizations</b>
<b>DPSA</b>	<b>:</b>	<b>Department of Public Service and Administration</b>
<b>DPSA:</b>		<b>Department of Public Service and Administration</b>
<b>EAP</b>		<b>Employee Assistance Programme</b>
<b>HBO</b>	<b>:</b>	<b>Home Based Organization</b>
<b>HCT</b>	<b>:</b>	<b>Human HIV Counseling and Testing</b>
<b>HIV</b>	<b>:</b>	<b>Human Immunodeficiency Virus</b>
<b>IDC</b>	<b>:</b>	<b>Interdepartmental Committee</b>
<b>NCS</b>	<b>:</b>	<b>National Communication Survey</b>
<b>NGO</b>	<b>:</b>	<b>Non-Governmental Organization</b>
<b>NSP</b>	<b>:</b>	<b>National Strategic Plan</b>

## DEFINITIONS

<b>Counseling:</b>	confidential interactive session between a professional and a client.
<b>Curative:</b>	is therapeutic and / or in the process of making or becoming healthy again.
<b>Wellness:</b>	an active process through which organizations become aware of, and make choices towards a more successful existence for both the individual and the organization. The concept of wellness is one where active steps can be taken to reduce chronic disease and mitigate its debilitating impact on personal lives and organizational performance. (World Economic Forum).
<b>Social Wellness:</b>	emphasizes the positive and interdependent relationship with others and nature.
<b>Spiritual Wellness:</b>	refers to integrating our beliefs and values with our actions; it enhances the connection between mind, body and spirit.
<b>Intellectual Wellness:</b>	is the utilization of human resources and learning resources to expand knowledge and improve skills.
<b>Psychological Wellness:</b>	is a dynamic state that is influenced by and influences our physical, intellectual, spiritual and social lives.
<b>Economical/Financial Wellness:</b>	is the ability to maintain a fully developed and well balanced plan for managing one's financial life that is integrated with personal values and goals
<b>Emotional/Psychological Wellness:</b>	is a dynamic state that is influenced by and influences our physical, intellectual, spiritual and social lives.

<b>Epidemic:</b>	A disease, usually infectious, that spreads quickly through a population
<b>Work-Life Balance:</b>	the achievement of equality between times spent working and one's personal life (Webster).
<b>The Health and Wellness Coordinator:</b>	is an employee tasked with the responsibility to coordinate the implementation of wellness programmes. The Wellness Coordinator can be professionally trained and registered with a relevant statutory body to perform therapeutic interventions, if not, such cases should be referred.
<b>The Health and Wellness Committee/Task Team:</b>	is a committee/Task Team that is established by the DG to initiate, develop, promote, maintain and review measures to ensure the wellness of employees at the workplace. This is a multi-disciplinary team consisting of relevant representatives as indicated by different Departments.
<b>The peer Educator:</b>	is an employee who is trained in working with his/her peers, sharing information and guiding a discussion using his/her peer experience and knowledge.
<b>The Steering Committee:</b>	is a committee established by DPSA, for all components of Human Resource Management and Development at provincial and national levels. This Committee serves as a vehicle of coordination, communication, collaboration, and consultation of the EH&W programmes.
<b>The Head of Department:</b>	means head of a National Department, the office of the Premier, a Provincial Department, or a Head of a National or Provincial component, and includes any employee acting in such post.
<b>The Designated Senior</b>	means a member of the Senior Management Services (SMS)

<b>Manager:</b>	who is tasked with championing the Wellness Management programme within the Department.
<b>The Employer:</b>	Refers to the State as employer in this case it refers to <b>[DSAC]</b>
<b>The Employee:</b>	means a person appointed in terms of the Public Service Act 1994 and Employment of Educators Act No. 76 of 1998.
<b>Permanent employees:</b>	According to Section 8(3) of the Public Service Act, 1994 an <b>employee</b> refers to a person to whom a retirement age referred to in section 16 applies.
<b>Fixed term contract:</b>	a contract of employment that terminates on: <ul style="list-style-type: none"> <li>a) The occurrence of the specific events</li> <li>b) The completion of a specific task or project</li> <li>c) A fixed date, other than an employee's normal or agreed retirement age, subject to subsection 3 of the Labour Relations Act, 1995.</li> </ul>
<b>Contract:</b>	A legitimate agreement between the Department and the Intern, describing the conditions of employment.
<b>Contract employee:</b>	Any individual employed on a short term or long-term basis by the Department of Sport, Arts and Culture
<b>Interns:</b>	Unemployed graduate appointed on a special contract by the Department for the sole purpose of gaining experience.
<b>Learner:</b>	Official who has concluded a Learnership Agreement in terms of Skills Development Act No.97 of 1998
<b>Support:</b>	Refers to the: <ul style="list-style-type: none"> <li>a) support that is given to an official who is hospitalised</li> </ul>



or has experienced a traumatic incident or bereavement.

- b) arrangement of the memorial service, provision of wreaths, facilitating access to bereavement counselling, provision of transport back and forth, for the pre-funeral and for the attendance of the funeral as outlined in this policy.

**Employee Health and Wellness Unit:** Refers to the unit in the Chief Directorate: Human Resource Management responsible for Employee Health and Wellness Programmes within the Department of Sport, Arts and Culture.

**Immediate Family Member:** Refers to everyone listed on the Determination on Leave of Absence of 2018.

- Employee 's parents, adoptive parents, step parents,
- Employee's parents-in-law, sister and brother-in-law
- Employee's spouse or life partner
- Employee's child, biological, stepchild and adopted children
- Employee's Grandchild
- Employee's sibling
- Employee's son and daughter in-law
- Employee's Grandparent.

**Unfair Discrimination:** any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation

**Proactive:** is planning and or acting in advance to deal with an expected difficulty

**Preventive:** refers to a plan, medicine and or an action taken to reduce or eliminate the probability of the onset of disease or illness and

its undesirable effects from happening in the future.

**SOLVE:**

is the International Labour Organization (ILO) programme dealing with management of psychosocial factors (Stress, Tobacco, Alcohol and Drugs, HIV & AIDS, Violence, Nutrition, Physical Activity, Healthy Sleep, Economic Stress) in the workplace. Its focus is on the recognition of the interrelated relationship between these psychosocial factors

## WELLNESS MANAGEMENT POLICY

### 1. INTRODUCTION

The Department of **Sport**, Arts and Culture (DSAC) recognizes and acknowledges that the value of the health and wellness of its employees has direct impact on performance. DSAC thus seeks to implement proactive and preventative initiatives that are meant to promote and enhance individuals and organizational wellness to ensure optimal performance.

### 2. PURPOSE

To promote and enhance individual and organizational performance. The department commits itself to provide leadership, resources, and support in implementing proactive and preventative initiatives that are meant to develop and empower its employees on the value of physical, psycho-social, organizational wellness and work-life balance.

### 3. OBJECTIVES

The objectives of this policy can be well defined within the specific process pillars that are in-line with the outlined purpose of Individual Physical Wellness, Individual Psycho-social Wellness, Organizational Wellness and Work-Life Balance. The broad objectives are to:

- Identify and address the wellness needs of employees of DSAC through proactive and preventative programmes
- Promote the creation of an organizational culture that is conducive to wellness and comprehensive identification of psycho-social wellness risks
- Promote work-life balance through workplace policies that accommodate work, personal and family needs
- Promote the physical, emotional, spiritual, economical, intellectual and social wellness

#### 4. PRINCIPLES

The Employee Health and Wellness Unit under the Department of **Sport**, Arts and Culture affirms that the Workplace Wellness policy shall be implemented in line with the following principles as follows:

- The policy will be implemented in consultation with employees and their representatives.
- Employees utilizing the Wellness Management programme are assured of confidentiality, except in cases of risk to self and others or in terms of legislation.
- Only registered professionals will be allowed to provide therapeutic interventions.
- The policy should be performance focused and responsive.
- It should respond to the needs of designated employees i.e. (people living with disability and women).
- The policy should not be implemented in isolation of other policies. Thus not contradicting other related departmental policies, in particular the Human Resource Development (HRD) and Labour Relations (LR) policies and processes.
- Participation in the programme is voluntary.

#### 5. REGULATORY FRAMEWORK

##### INTERNATIONAL INSTRUMENTS UNDERPINNING WELLNESS MANAGEMENT WITHIN THE PUBLIC SERVICE

- Decent Work Country Programme (2010-2014)
- Global Plan of Action on Workers (2008-2017)
- Global Strategy on Infant and Young Child Feeding (WHO-UNICEF 2003)
- ILO Promotional Framework for Occupational Safety Convention (2006)
- Innocent Declaration on Infant and Young Child Feeding (2005)
- International Code of Marketing of Breast-milk Substitutes (WHO1981)
- United Nations Millennium Declaration and its Development Goals (MDG)
- WHO Commission on social determinants of health (2005)
- WHO Framework Convention on Tobacco Control (2005)
- WHO Global Strategy on Occupational Health for All (1996)
- World Summit on Sustainable Development, Johannesburg (20020)

## **LEGAL FRAMEWORK FOR WELLNESS MANAGEMENT WITHIN THE PUBLIC SERVICE**

- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Compensation for Occupational Diseases and Injuries Act, 1993(Act No.130 of 1993)
- Disaster Management Act, 2002(Act No. 57 of 2002) and National Disaster
- EAPA-SA Standards 4<sup>th</sup> Edition of 2015
- Employee Health and Wellness Strategic Framework for the Public Service Final draft November 2008
- Employment Equity Act, 1998 (Act No.55 of 1998)
- Infant and Young Child Feeding Policy (2007)
- Labour Relations Act, 1995(Act No. 66 of 1995)
- Medical Aids Scheme Act, 131 of 1998
- Mental Health Act, 2015
- National Health Act (No.61 of 2003)
- National Occupational Health and Safety Policy of 2005
- National Sports and Recreation Act, 1998 (Act No. 110 of 1998)
- National Strategic Plan on HIV; STI's and TB 2017 to 2022
- Occupational Health and Safety Act, 1993(Act No. 85 of 1993)
- Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000
- Public Finance Management Act, 1 of 2000
- Public Service Coordinating Bargaining Council Resolution 3 of 1999
- Public Service Regulations of 2016, as amended
- The Promotion of Equality and the Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- Tobacco Products Control Amendment Act, 1999 (Act No. 12 of 1999)
- WHO Commission on social determinants of health

## **STRATEGIC FRAMEWORKS APPLICABLE TO WELLNESS MANAGEMENT WITHIN THE PUBLIC SERVICE**

- Accelerated School Infrastructure Development Initiative (2010)
- Auditor General Report (2011)
- Change Management Strategic Framework for the Public Service (2010)

- Code of Good Practice on Arrangement of Working Time (1997)
- Code of good Practice on the Integration of Employment Equity into Human resource
- Code of Good practice on the protection of employees during pregnancy and after birth of a child (1997)
- Draft Sexual Harassment Policy for the Public Service (2012)
- EAPA-SA Standards (2002)
- Mental Health Care Regulations (2003)
- National Strategic Plan on HIV&AIDS, STI and TB (2017-2022)
- Policies and practices (1998)
- Policy on Incapacity Leave and Ill-Health Retirement (2005)
- Public Health (Tobacco) Regulation (2009)
- Public Sector summit (2011)
- South African Green Paper on Family (Department of Social Development: 2011)
- The Public Service Regulations as amended (2012)
- Tobacco Regulations (2012)
- Tshwane Declaration (August 2011)

## **ECONOMIC AND SOCIAL POLICY, PROGRAMMES AND STRATEGY**

- Decent Work Country Programme
- Gender mainstreaming framework
- Integrated Development Plans (IDPs)
- Medium Term Strategic Framework
- National Development Plan 2030
- National Disaster Management Framework
- National Infrastructure Development Plan
- National Spatial Development Strategies
- New Growth Path
- Occupational Health and Safety Programme Local Government
- Presidential, Provincial Pronouncements and Budget Speech
- Provincial Growth and Development Strategies
- Social Security Framework

## 6. SCOPE OF APPLICABILITY

The terms of this policy apply to all permanent and contract employees (including interns and learners) of the Department of Sport, Arts and Culture.

## 7. POLICY PROVISIONS / PROCEDURES

The Department, in terms of the collective agreements, shall be responsible for providing access to:

### 7.1 OBJECTIVES OF THE PROCESS PILLAR FOR INDIVIDUAL WELLNESS

#### 7.1.1 Physical

- (a) Promote physical health through establishment of gym facilities and Sporting codes.
- (b) Promote Wellness through awareness and education on Health Screenings.
- (c) Promote healthy sleep through management of shift work and
- (d) Promote the value of Healthy Nutrition and weight control  
Manage Tobacco use through promotion of tobacco free workplaces
- (e) Promote the value of exercise, recreation, meditation and relaxation
- (f) Provide guidance on the management of lifestyle diseases and health risks

#### 7.1.2 Psycho-social

- (a) Develop proactive, preventive and curative programmes that are meant to identify and address challenges that impact on employees' psycho-social wellness such as drug and alcohol Preventive programmes.
- (b) Develop, promote and enhance the psycho-social resilience of employees in dealing with economical, intellectual, spiritual, emotional and spiritual wellness.
- (c) Provide awareness and education on aspects that impact on the psycho-social wellness of individual employees such as HIV&AIDS (self-directed stigma and discrimination).
- (d) Facilitate access to services that are meant to empower employees on identifying and addressing challenges that impact on their psycho-social wellness

## 7.2 OBJECTIVES OF THE PROCESS PILLAR FOR ORGANIZATIONAL WELLNESS

### 7.2.1 Organizational Wellness

The objectives of this Process Pillar of the policy are to:

- (a) Put measures in place that are meant to promote an organizational culture that is conducive to employees and organizational wellness in order to enhance individual and organizational performance.
- (b) Maintain and enhance the potential of employees and the organization to be effective and responsive to the needs of its stakeholders and the public it serves.
- (c) Promote the prevention of workplace bullying and violence.

### 7.2.2 Work – life Balance

The objectives of this Process Pillar of the policy are to:

- (a) Put measures in place that are meant to promote flexibility in the workplace so as to accommodate work, personal and family needs.
- (b) Enhance and promote high levels of employee satisfaction and motivation
- (c) Development and implement retirement programmes in the workplace

## 8. ROLES AND RESPONSIBILITIES

### 8.1 THE EMPLOYEE HEALTH AND WELLNESS UNIT

The Employee Wellness Coordinator shall:

- a) Develop a comprehensive Wellness Programme for DSAC
- b) Establish a Wellness Committee to assist in the implementation of the Wellness Programme. The committee should be gender balanced and comprise of:
  - i. The Employee Wellness officer, who will be the secretariat.
  - ii. Representatives from all branches



- iii. Volunteers who want to partake as such in the programme (mostly for motivation purposes)
  - iv. Peer educators
  - v. Union representatives.
- c) Communicate the policy to all employees.

## 8.2 THE HEALTH AND WELLNESS COMMITTEE

The Health and Wellness Committee shall:

- a. Monitor the implementation of the departmental Programme.
- b. Advise management regarding the implementation of and progress with the programme.
- c. Make use of training on all aspects relating to the Wellness Programme provided for the committee.
- d. Assist in the marketing and promotion of wellness initiatives within the workplace
- e. Assist to create a supportive and non-discriminatory working environment for employees partaking in the programme
- f. Liaise with community support structures that have a role in the achievement of programme objectives

## 8.3 THE EMPLOYEE

The employee shall:

- a) Use every opportunity provided by the Department to become educated and informed about the programme by availing her/himself to the arranged training
- b) Correctly make use of the services provided by the employer when there is a need
- c) Report any breach of confidentiality or form of discrimination against her/himself by virtue of utilization of the programme
- d) Apply his/her knowledge, motivation, commitment, behaviour, self-management, attitude and skills towards achieving personal fitness, health and organizational goals

- e) Take an active part in improving the world of work by encouraging a healthy living environment and initiating better communication with those around him/her
- f) Take initiative in following a nutritionally balanced diet and maintain her/his mass within a healthy range

## **9. RESOURCE IMPLICATIONS**

Program 1, subprogram Corporate Services will budget for all expenses incurred by the application of this Policy.

## **10. INTERACTION WITH OTHER GOVERNMENT DEPARTMENTS**

The Department shall serve on the Public Service Interdepartmental Wellness Committee to ensure a uniform and concerted response to the management of Wellness needs within the overall Public Service

## **11. INTERACTION WITH RELEVANT STAKEHOLDERS**

The department will also interact with all relevant stakeholders such as SANAC, EAPA-SA, NGO's, CBO's and Home based care organizations for support.

## **12. MONITORING AND EVALUATION**

- a) The Employee Wellness Unit shall provide a report on the impact made by the implementation of the policy and the programme to the Director-General at least once per annum.
- b) The Chief Directorate: Human Resource Management through Employee Health and Wellness Unit will on a continuous basis monitor and evaluate this policy in line with the Guidelines for the Development of Human Resource Policies for the Department of Sport, Arts and Culture.
- c) Due to the confidential nature, any records resulting from the implementation of this policy and procedure shall be safely kept by the Employee Health and Wellness unit.

### 13. REVIEW

This policy shall be reviewed as/when the Department needs changes or as dictated by legislation or notification from the DPSA.

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**sport, arts & culture**

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Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

**DRAFT**

**PERFORMANCE MANAGEMENT AND  
DEVELOPMENT POLICY AND PROCEDURE  
(SALARY LEVELS 1 – 12)**

**A.**

**POLICY AND PROCEDURE:  
PERFORMANCE MANAGEMENT AND DEVELOPMENT  
(SALARY LEVELS 1 – 12)**

**AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the .....  
day of ..... 20...

**EMPLOYER**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>DSAC</b>		

**ORGANISED LABOUR**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>NEHAWU</b>		
<b>PSA</b>		

**EFFECTIVE DATE:** .....

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## 1. ABBREVIATIONS

<b>CAR</b>	:	Confirmed Assessment Rating
<b>DG</b>	:	Director-General
<b>DMC</b>	:	Departmental Moderating Committee
<b>DPSA</b>	:	Department of Public Service and Administration
<b>DSAC</b>	:	Department of Sports, Arts and Culture
<b>EA</b>	:	Executive Authority
<b>GAF</b>	:	Generic Assessment Factor
<b>HRD</b>	:	Human Resource Development
<b>HRM</b>	:	Human Resource Management
<b>IMC</b>	:	Intermediate Moderating Committee
<b>KRA</b>	:	Key Result Area
<b>MMS</b>	:	Middle Management Service (as from 1 July 2005)
<b>MPSA</b>	:	Minister for the Public Service and Administration
<b>MTEF</b>	:	Medium Term Expenditure Framework
<b>PA</b>	:	Performance Agreement
<b>PAR</b>	:	Provisional Assessment Rating
<b>PDP</b>	:	Performance Development Plan
<b>PFMA</b>	:	Public Finance Management Act, 1999
<b>PMDS</b>	:	Performance Management and Development System
<b>PSA</b>	:	Public Service Act, 1994
<b>PSC</b>	:	Public Service Commission
<b>PSCBC</b>	:	Public Service Co-ordinating Bargaining Council
<b>PSR</b>	:	Public Service Regulations, 2016
<b>SMS</b>	:	Senior Management Service
<b>SMS PMDS</b>	:	Performance Management and Development System for the SMS
<b>VAR</b>	:	Validated Assessment Rating

## **2. INTRODUCTION**

2.1 Chapter II, Section 3(1) and (2) of the Public Service Act, 1994, as amended provides that the MPSA is responsible for establishing norms and standards relating to among others employment practices for employees, including performance management. The MPSA can determine these norms and standards by making regulations, determinations and directives.

In 2003, the DPSA developed a voluntary policy framework for non-SMS employees (salary levels 1 to 12), called the Integrated Performance Management Development System (IPMDS). This IPMD System should have been used by departments in the absence of their own functioning systems. However, following feedback that the IMPD System was too complicated, the DPSA developed a more user-friendly system, called the Performance Management and Development System (PMDS).

2.2 The PMDS provides a standardized framework for employee performance management. The three main levels in performance management are:

2.2.1 At the Executive Authority and the Accounting Officer level, the strategic priorities and overall Key Result Areas of the Department are determined, while objectives are identified and assigned to components within the department.

2.2.2 At the component level, projects and activities that lead to the achievement of the integrated business plans are executed.

2.2.3 At the employee level, each employee develops a performance agreement jointly with her or his supervisor.



2.3 Key requirements for the successful implementation of the PMDS are the following:

a) The institutional framework which determines responsibilities for specific aspects of the PMDS. With the Strategic Plan as basis, departments are able to identify high-level priorities and specific objectives to be achieved by business units. However, all the work done in a department is not captured in a strategic plan, which means that performance agreements for employees whose key responsibility areas and activities are not covered in the strategic or operational plan, must reflect their own KRAs and priorities.

b) Performance Agreements enable the department to assign specific performance objectives, standards and targets to employees. This also enables employees in the department to participate meaningfully in the management of their own performance.

2.4 Training on the PMDS system. Managers, supervisors and employees must be trained in the mechanics of the system and areas such as communication, problem-solving and conflict resolution in order to manage the system more effectively. The training of supervisors in particular is of the utmost importance, and this should result in supervisors knowing how to implement the system, ensuring that employees receive adequate training and possess sufficient information to be able to fully participate in the processes. This must be done with the support and co-operation of the HRD unit in DSAC.

### **3. PURPOSE**

To effectively and efficiently improve the performance of employees in order to optimise individual output in terms of quality and quantity thereby increasing the Department's overall performance.

### **4. OBJECTIVES**

In order to achieve individual excellence and achievement, the objectives for performance management is to -

- 4.1 establish a performance and learning culture in the Department
- 4.2 improve service delivery
- 4.3 ensure that all jobholders know and understand what is expected of them
- 4.4 promote interaction on performance between jobholders and their supervisors
- 4.5 identify, manage and promote jobholders' development needs
- 4.6 evaluate performance fairly and objectively
- 4.7 recognise categories of performance that are highly effective
- 4.8 manage categories of performance that are not fully effective and lower

### **5. PRINCIPLES**

- 5.1 The Department shall manage performance in a consultative, supportive and non-discriminatory manner to enhance organizational efficiency and effectiveness, accountability for the use of resources and the achievement of results.
- 5.2 Performance management process shall link to broad and consistent staff development plans and align with the department's strategic goals.
- 5.3 Performance management processes shall be developmental and shall allow for recognizing fully effective performance, highly effective

- performance and for a response to performance that is consistently partially effective or not effective at all.
- 5.4 Performance management procedures should minimize the administrative burden on supervisors while maintaining transparency and administrative justice.

## **6. LEGISLATIVE FRAMEWORK**

Specific sources of authority for various elements of performance management are:

- 6.1 The Constitution of the Republic of South Africa, 1996
- 6.2 The Public Service Act (Proclamation 103 of 1994)
- 6.3 The Public Service Regulations, 2016 (Chapter 4, Part 5)
- 6.4 The Skills Development Act (Act 97 of 1998)
- 6.5 The Labour Relations Act (Act 66 of 1995)
- 6.6 Promotion of Equality and Prevention of Unfair Discrimination Act, (Act 4 of 2000)
- 6.7 Promotion of Access to Information Act (Act 2 of 2000)
- 6.8 Employment Equity Act (Act 55 of 1998)
- 6.9 Public Finance Management Act, 1999
- 6.10 Promotion of Administrative Justice Act, 2000
- 6.11 White Paper on Transformation of the Public Service, 1995
- 6.12 White Paper on Human Resource Management, 1997
- 6.13 White Paper on Affirmative Action, 1998
- 6.14 White Paper on Transforming Public Service Delivery (Batho Pele), 1997
- 6.15 White Paper on Public Service Training and Education, 1998
- 6.16 Treasury Regulations, 2001
- 6.17 Relevant PSCBC collective agreements
- 6.18 GPSSBC Resolution No. 2 of 2005
- 6.19 PSCBC Resolution No 14 of 2002
- 6.20 PSCBC Resolution 10 of 1999

6.21 PSCBC Resolution 1 of 2003

## 7. IMPLEMENTATION

### 7.1 SCOPE OF APPLICATION

The PMDS is a framework for performance management that applies to all employees in the Department of Sports, Arts and Culture (DSAC) on salary levels 1 to 12 appointed in terms of the Public Service Act, 1994. As an employee performance management system, the PMDS is not applicable to departmental, component or team performance management or assessment.

### 7.2 TERMINOLOGY

7.2.1 **Annual performance rating:** The annual performance rating as part of an employee's assessment that takes place at the end of the performance cycle. The result of this rating is the overall annual performance score for the employee during the entire performance cycle.

7.2.2 **Assessment instrument:** An assessment tool used to assess the performance of an individual employee in relation to the achievement of Key Result Areas and core management criteria or generic assessment factors as contained in the workplan of the performance agreement.

7.2.3 **Attribute:** An attribute (as part of a competency) is generally defined to consist of motives, traits and self-concept.

7.2.4 **Competence:** Relates to an employee's capacity to meet the job requirements.

- 7.2.5 **Competency:** A competency is a particular mix of knowledge, skills and attributes required to effectively perform a job/ task/ role.
- 7.2.6 **Compulsory Induction Programme (CIP):** As part of Resolution 1 of 2012 of the Public Service Coordinating for Bargaining Council (PSCBC), the Directive compels all employees who entered Public Service employment for the first time after 1 July 2012 to enroll and complete one (1) year Compulsory Induction Programme. The Directive further states, that in order to be eligible for:
- 7.2.6.1 confirmation of probation, an employee must have successfully completed Module 1 of the CIP; and
  - 7.2.6.2 for pay progression, an employee who have met all other requirements for employment, including Module 1 of the CIP, are now eligible for pay progression in accordance with the prescripts governing pay progression in the Public Service.
- 7.2.7 **Confirmed Assessment Rating (CAR):** The assessment score for an employee that has been confirmed by the departmental Moderating Committee (see also validated and provisional assessment rating).
- 7.2.8 **Customers:** People internal or external to the department with whom employees interact to provide a service.
- 7.2.9 **Department:** A department as defined in section 1 of the Public Service Act, 1994.
- 7.2.10 **Enabling condition:** For the employee to meet his/ her target an enabling condition should be set.

- 7.2.11 **Executive Authority:** In relation to a department, government agency or institution, the President, a Minister, Premier or Member of the Executive Council.
- 7.2.12 **Feedback:** Objective and timely information by the Director/Supervisor on the employee's performance against set expectations and standards, understood by the staff member, and aimed at improving performance.
- 7.2.13 **Generic Assessment Factor:** An element used to describe and assess aspects of performance, taking into consideration knowledge, skills and attributes.
- 7.2.14 **Grievance rules:** The rules for dealing with the grievances of employees in the Public Service, published by the Public Service Commission in Government Notice R 1012 of 25 July 2003, Government Gazette No. 25209.
- 7.2.15 **Incentive Policy Framework:** Salary Level 1 to 12: DPSA circular 1/7/1/4/1, dated 27 January 2003: "Implementation of an incentive policy framework linked to departmental performance management systems for employees on salary levels 1 to 12.
- 7.2.16 **Key Result Area (KRA):** An area of a job in which performance is critical for making an effective contribution to the achievement of departmental strategies, goals and objectives.
- 7.2.17 **Moderation Committee:** Departmental committee established by the DG to review and evaluate employee performance assessments, through a monitoring and evaluation process, that is fair and consistent.

7.2.18 **National School of Governance:** The National School of Government plays a significant role in overseeing the professional common purpose in addressing the systemic challenges of public service delivery, through the learning and development of public officials.

7.2.19 **Operational plan(s) (or business plan):** A one-year plan derived from and giving life to the strategic plan by translating the strategic objectives identified in the strategic plan into Key Result Areas and activities with measurable standards, for a particular year for the Department, Branches, Chief Directorates and Directorates.

7.2.20 **Outcome:** A broad statement about a specific objective, aim or intent, the achievement of which will require one or more specific outputs to be achieved.

7.2.21 **Output:** A concrete result or achievement (i.e. a product, action or service) that contributes to the achievement of a Key Result Area.

7.2.22 **Performance:** Human performance involves (1) employee actions, and (2) the outcomes or effects of those actions. Performance is a process in which resources are used in an effective, efficient and productive way to produce results that satisfy requirements of time, quality and quantity, and which are the effect or outcome of the actions or behavior of a performer in the work process.

7.2.23 **Performance agreement:** A document agreed upon and signed by an employee and her or his supervisor, which includes a description of the job, selected KRAs and embedded GAFs, a workplan and the employee's Performance Development Plan.

**7.2.24 Performance standard:** Performance standards are mutually agreed criteria to describe the standards to which work must be done in terms of quantity and/or quality and timeliness, in order to clarify the outputs and related activities of a job by describing what the required result should be. In this PMDS, performance standards are divided into indicators and the time factor.

**7.2.25 Performance cycle:** A 12-month period for which performance is planned managed and assessed. It must be aligned to the same period as the Department's annual business plan i.e. 1st April to 31st March of the following year.

**7.2.26 Performance incentives:** A set of (a) financial rewards linked to the results of performance appraisal, including pay progression, performance bonus, and (b) a variety of non-financial rewards that may be contained in the departmental performance incentive scheme.

**7.2.27 Performance incentive scheme:** A departmental performance related incentive scheme aligned with its performance management system, established in terms of PSR, 2016 Chapter 4, Part 5, Section 73.

**7.2.28 Performance indicator:** A measure used to gauge the extent to which an output has been achieved (policy developed, presentation delivered, service rendered).

**7.2.29 Performance management:** A purposeful, continuous process aimed at managing and developing employee behaviour for the achievement of the organisation's strategic goals; the determination of the correct activities as well as the evaluation and recognition of the execution of tasks/duties with the aim of enhancing their efficiency and effectiveness; and a means of improving results from the Department, teams and individuals by



managing performance within an agreed framework of planned goals, objectives, standards and incentives.

**7.2.30 Performance management system:** An authoritative framework for managing employee performance, which includes the policy framework as well as the framework relating to all aspects and elements in the performance cycle, including performance planning and agreement; performance monitoring, review and control; performance appraisal and moderating; and managing the outcomes of appraisal.

**7.2.31 Performance standard:** Mutually agreed criteria to describe work in terms of time-lines, cost and quantity and/or quality to clarify the outputs and related activities of a job by describing what the required result should be. In this framework, performance standards are divided into indicators and the time factor.

**7.2.32 Performance review:** A structured and formal, at least half-yearly, discussion between supervisor and employee to monitor progress, resolve problems and adjust work plans during the performance cycle, thereby providing an opportunity for improvement before the annual review takes place. If the employee's performance is not fully effective or unsatisfactory, the half-yearly review must be in writing.

**7.2.33 Performance Development Plan (PDP):** A requirement for the Performance Agreement whereby the important competency and other developmental needs of the employee are documented, together with the means by which these needs are to be satisfied and which includes time lines and accountabilities.

**7.2.34 Provisional Assessment Rating (PAR):** An employee's total assessment rating score that has been agreed upon between the employee and

her/his supervisor and evaluated and reviewed by the Intermediate Review Committee.

7.2.35 **Rating:** The allocation of a score to a KRA, a GAF and/or to overall performance in accordance with the four-point rating scale of the PMDS.

7.2.36 **Senior Management Service (SMS):** Employees on salary levels 13 to 16, including managers and professionals.

7.2.37 **Strategic plan:** The end product of strategic planning, setting out the mission and vision statements and the medium and long-term strategic objectives of the Department. The contents of the strategic plan must be in compliance with the requirements of Chapter 5 of the Treasury Regulations, 2001, and Chapter 3, Part 1, Section 25 of the Public Service Regulations, 2016.

7.2.38 **Strategic planning:** The process by which top management determines the overall strategic direction and priorities, as well as the organisational purpose and objectives and how they are to be achieved.

7.2.39 **Supervisor:** An official responsible for the allocation of work, monitoring of activities, discussing performance and development, and the half-yearly performance review and annual performance rating of an employee.

7.2.40 **Validated Assessment Rating (VAR):** The performance rating for an employee that has been validated by an assessment higher than the employee's supervisor for submission to the Departmental Moderating Committee.

7.2.41 **Weight:** With reference to the inclusion and assessment of KRAs and GAFs in the performance agreement/ workplan, each KRA is allocated a

weight or percentage, which indicates the relative importance or impact of the specific KRA or GAF in comparison to the others selected in the performance agreement which will add to 100%. As from 1 April 2018, GAFs will no longer be scored separately but will be embedded in the assessment of the KRAs.

7.2.42 **Workplan:** A document which is part of the performance agreement and which contains Key Result Areas, associated outputs/activities and their performance standards and resource requirements.

### 7.3 **ROLES AND RESPONSIBILITY**

The following key role players will assume the responsibilities outlined to promote the implementation of the PMDS in the department.

#### 7.3.1 **The Executive Authority (EA)**

The EA identifies key government priority areas and the priorities the department should deliver on. The EA then assigns the responsibility for the achievement of departmental goals to the DG through the latter's performance agreement. The EA authorises the use of the PMDS as the departmental policy and system.

#### 7.3.2 **The Director-General (DG)**

The DG is responsible for the development of the strategic priorities of the department and translating them into operational or business plans. The DG is also responsible for ensuring that components are assigned specific responsibilities drawn from the department's strategic and annual business plans. The DG gives effect to the PMDS by issuing it as a departmental policy and performance management system.

### **7.3.3 The Deputy Director-General (DDG)**

The DDG and other delegated senior managers are responsible for developing the branch or Chief Directorate's operational plans that derive from the departmental strategic plans. She/ he are also responsible for determining the KRAs based on those assigned by the DG and those indicated in branch objectives. The DDG usually supervises the Chief Director's performance.

### **7.3.4 The Chief Director**

The Chief Directors are responsible for developing the chief directorates' business plans that derive from the departmental strategic and business plans. They are also responsible for determining the KRAs for the Directors, based on those indicated in the directorate objectives, and also for supervising the Directors' performance agreements.

### **7.3.5 The Director**

The Directors is responsible for the directorates' objectives and for ensuring that sub-directorates develop business plans based on the objectives. The Director also ensures that sub-components have defined objectives, outputs, targets and staff to carry the responsibility and the budget to fund the activity.

### **7.3.6 The Deputy Director or rank equals (Levels 11 – 12)**

The Sub-directorate manager is responsible for the specific objectives of the subcomponent assigned by the Chief Operational Officer, Chief Director or Director. The Sub-directorate manager defines the sub-component's objectives, outputs, targets and the responsible individual and budget. The Sub-directorate manager will also agree the KRAs and GAFs for junior management staff in the unit.

### **7.3.7 The Assistant Directors or rank equals (Levels 9 and 10)**

All supervisory staff with responsibility within a component will ensure that they explain the development of a PA to all employees under their supervision. They will then develop a PA jointly with each employee. The supervisor will clarify for employees the objectives of the unit (component), the clients of the unit, the employee's job description, the employee's clients, the KRAs and GAFs, time frames, measures and the actual performance rating method. Supervisors will also assist employees to identify and incorporate training needs into their PAs. This will be captured in the Performance Development Plan.

### **7.3.8 The Employee**

All employees of the Department, from the DG through senior and middle management to employees at the 'production level', are responsible for clarifying with their immediate supervisors the dates and process for developing and submitting their PAs. All employees are responsible for developing a draft PA, based on the required objectives, KRAs and GAFs and other aspects of their job that have been previously clarified by the immediate supervisor. The employee is responsible for presenting the draft PA to the supervisor for joint agreement on the final PA.

### **7.3.9 The Chief Directorate: Human Resource Management**

The Directorate is responsible for ensuring that:

- a) the system (PMDS) is made available and revisions properly communicated
- b) a plan is jointly developed with the HRD unit for the training of trainers as well as the training of supervisors in the implementation of the PMDS
- c) regulatory changes likely to affect the PMDS are communicated timeously

- d) PAs and employment contracts of relevant staff are reconciled where necessary
- e) dates for submission of PAs, review reports and assessment are set
- f) the Moderating Committee is constituted by the DG and senior management
- g) organised labour is consulted in order to obtain their inputs and feedback on the implementation and review of the PMDS
- h) on-going technical support is provided to components and employees

### **7.3.10 Intermediate Moderating Committee**

The Intermediate Moderating Committee (IMC) falls between the supervisor and the Departmental Moderating Committee (DMC) and is responsible for reviewing/ moderating the provisional assessment ratings of employees. The IMC is chaired by the Deputy Director-General: Corporate Services and the panel members are relevant Chief Directors and Directors (or their delegates) as well as representatives from Human Resource Management. The IMC may recommend changes to content to be moderated within the assessment reports and address relevant issues related to misconduct as per Paragraph 7.4.11.3 of the Policy. The Chief Director: Human Resource Management will communicate recommended changes in ratings to the supervisors of the employees concerned to enable the former to inform employees of those changes.

The IMC receives the Provisional Assessment Ratings (PARs) of all employees reporting to it in order to review and compare ratings and to validate them. If the IMC agrees with the PAR, the PAR then becomes the Validated Assessment rating (VAR). Any recommendation on the lowering of rating scores should be referred back to the employee's supervisor in an endeavor to reach consensus on the change. If the supervisor or the

mediator cannot convince the employee of the reasons for a change in the rating, the rating is forwarded to the Departmental Moderating Committee.

#### **7.3.11 The Moderating Committee**

The Departmental Moderating Committee (DMC) for Levels 1 – 5 is chaired by the Deputy Director: Human Resource Utilization with at least five (5) Panel Members on Assistant Director level, the DMC for Levels 6 – 8 is chaired by the Director: Human Resource Utilization with at least five (5) Panel Members on Deputy Director level and the DMC for Levels 9 – 12 by the Chief Director: Human Resource Management and Development with at least five (5) Panel Members on Director level.

The role of the DMC is to ensure that the annual performance assessment is done in a realistic, consistent and fair manner and to monitor the performance assessment process by obtaining an overall sense of whether norms and standards are being applied consistently and realistically to employees on the same level and as per the Operational Plan, Workplan and Bi-annual assessments coupled with the necessary motivations for higher ratings. The DMC should therefore not assess each individual case for purposes of evaluating ratings but should rather develop an overall view of the results of the process. If the DMC identifies deviations or discrepancies, these should be referred back to the Directors and supervisors who had reached agreements on the ratings with their subordinates. The identified deviations or discrepancies should be accompanied by a request for reconsideration of the rating. Unless it is an overall assessment score adjustment that alters the assessment scores of all employees (as a group) by the same quantum, the DMC may not change an individual employee's assessment rating without first referring the issue back to the Intermediate Moderating Committee and the supervisor who made the initial assessment. The DMC should keep

detailed minutes of decisions, particularly if it recommends lowering rating scores.

**The role of the DMC will therefore be:**

- a) Prepare a schedule of the supervisors who will need to present the performance assessments of each employee who reports to him/ her in front of the Moderating Committee.
- b) Oversee the Performance Management and Development System (PMDS), especially ensuring that the process for setting performance standards in the Pas is valid, fair and objective;
- c) Advise the Department on financial and non-financial rewards including the specific percentage of performance bonuses.
- d) Identify potential problems in the system and advise the Chief Director: Human Resource Management accordingly;
- e) Review overall assessment scores across Chief Directorates.
- f) Recommend reward levels and remedial action for performance and non-performance respectively.
- g) Make recommendations regarding actions to be considered where Directors and supervisors do not properly and fairly execute their responsibilities with regard to assessment and ratings in terms of the PMDS.

**7.3.12 Assessment Appeal Panel**

The role of the Assessment Appeal Panel (AAP) is clear in the overall context of performance review and moderation. The role is twofold:

- a) To act as a departmental resource for an employee who disagrees with the proposal of the Departmental Moderating Committee (DMC), to amend



an assessment rating after being informed of the final rating (Confirmed Assessment Rating) before a formal grievance is lodged; and

a) to act as an arbitrator in ad-hoc disputes and disagreements in DSAC.

The AAP is appointed by the DG and is consulted for each specific case in such a manner that expertise in the line function, performance management, legal affairs and labour relations is included. The employee concerned may also choose to be represented by a member of his/ her employee organization. The AAP will consider written representations within 21 working days of an employee's receiving in writing the outcome of his/ her Confirmed Assessment Rating (CAR) and submitting the disagreement to the Chief Director: Human Resource Management. The APP that is then constituted has the following responsibilities:

- b) To review the disagreement between an employee and the department over her/ his CAR and to make recommendations in this regard to the Departmental Moderating Committee (DMC). The submission in this instance is made by the aggrieved employee to the Chief Director: Human Resource Management who then ensures that the AAP is activated and set up appropriately.
- c) To act as an arbitrator and make recommendations to the Departmental Moderating Committee in special cases or, for example in a specific Chief Directorate, a specific Director or supervisor or a specific employee, especially in cases where the interpretation or application of the PMDS is an issue.

## **7.4 PERFORMANCE ASSESSMENT PROCEDURES**

### **7.4.1 The Performance Cycle**

- a) Performance management at the employee level is an on-going interactive process between an employee and her/ his supervisor about the employee's

performance. Face-to-face on-going communication is an essential requirement of the process and covers the full performance cycle. For effectiveness of operation the cycle is divided into integrated phases or elements of:

- i) Performance planning and agreement;
  - ii) Performance monitoring, developing and control;
  - iii) Performance assessment or appraisal; and
  - iv) Managing the outcomes of assessment
- b) The performance cycle is a 12-month period for which performance is planned, executed and assessed and must be aligned to the same period as SRSA's annual business plan i.e. 1st April to 31st March of the following year. The 12-month cycle is also linked to the financial year for the purpose of planning, pay progression and other performance related incentives such as performance awards or cash bonuses. The probation cycle, however, is linked to the appointment date of a jobholder.

#### **7.4.2 The Performance Agreement**

- a) The performance agreement is the cornerstone of performance management at the individual level and shall be linked to the one-year departmental operational plan, which should be approved as close as possible to 1 April every year. All employees must enter into and sign performance agreements before or on 31 May every year and new employees within three (3) months after his/ her appointment. Employees appointed, seconded and transferred to the Department must sign a new Performance Agreement of a similar nature into the new position and performance assessments shall then take both periods of service into consideration for an annual assessment. Departmental and component performance measures should inform the development of the individual employee's PA. The PA format applies to all levels in the department and the contents must be reflected in the department's strategic and annual

operational plan, component business plans and the employee's job description, job role and actual activities and responsibilities. An official shall be appointed within one (1) month after expiry of the above-mentioned due dates to manage any disputes between an employee and his/ her supervisor who failed to sign a Performance Agreement in time. Disputes should be managed in terms of the Public Service Regulations, 2016, Regulation 72 (4).

**In terms of the Public Service Regulations, 2016, Regulation 72 (7), no employee shall qualify for performance incentives including pay progression if he/ she has not signed a Performance Agreement within the prescribed period taking Regulation 72 (4) into account.**

- b) The content of a PA must include the following:
  - i) Employee data such as the Persal number, job title and level, as well as a clear description of the main objectives of the employee's job, with emphasis on the relevant outputs or Key Result Areas (KRAs) and resource requirements.
  - ii) A Workplan containing the KRAs, outputs, activities and resource requirements.
  - iii) A Performance Development Plan (PDP) that assists in identifying developmental areas and needs of the employee, in terms of the inherent requirement of the job.
  
- c). Only supervisors on level 9 or higher are authorised to enter into a performance agreement with another employee on behalf of the Department. The PA, especially the workplan, should be re-negotiated if the employee has not been in the job role for three months or more for any reason, as for example, maternity, ill health, study, secondment, or travel; unless this absence was built into the original agreement. A PA without a

completed and attached workplan should be regarded as invalid and of little use in the performance management process. The employee and the direct supervisor (at least on Salary Level 9) together with the Senior Manager of the unit are jointly responsible to ensure that the Performance Agreement is signed and submitted to the Directorate: Human Resource Management within the prescribed due date.

#### **7.4.3. Amendments to the Performance Agreement**

Performance in the Public Service takes place in a dynamic environment. A performance agreement can therefore never be cast in stone. Even though the initial PA is signed at the start of the performance cycle, significant changes and additions must on an on-going basis be reflected in the PA and Workplan. The PA and Workplan against which an employee is assessed at the end of the cycle must accurately reflect the employee's actual activities and outputs during the entire performance cycle. Amendments must be made to the PA and Workplan and these must be signed and dated by both the employee and her/ his supervisor. Performance Agreements of employees acting or seconded in SMS positions must be amended to include new roles and responsibilities. Amending a Performance Agreement during the 4<sup>th</sup> Quarter (1 January – 31 March), by employees is discouraged.

#### **7.4.4 The Workplan**

While the performance agreement is the cornerstone of performance management at the individual level, the workplan contains the essence of the performance agreement. This document must be submitted before or on 31 May every year. Workplans of employees acting or seconded in SMS positions must be amended to include new roles and responsibilities.

#### 7.4.4.1 Key Result Areas (KRAs)

- a) The criteria upon which the performance of an employee is assessed, consists of Key Result Areas (KRAs) and the Generic Assessment Factors (GAFs) which are contained in the PA. Each employee must be assessed against both areas. KRAs covering the main areas of work will account for 100% in the final assessment.
  
- b) KRAs describe what is expected from an employee in his/her role and focus attention on actions and activities that will assist units and ultimately the department in performing effectively. In the workplan the KRAs should be broken down into outputs, service standards and activities with the resource requirements. These are used to indicate how the performance/ achievement of the outputs and activities will be measured. KRAs can cover many different aspects of the work such as:
  - i) Specific tasks or events which the employee should ensure are achieved;
  - ii) Levels of performance which the employee should maintain and promote;
  - iii) Actions or situations for which the employee is personally responsible for delivering his/her “unique contribution”; and
  - iv) Duties and responsibilities related to advice and support given, for example, by specialists to clients.
  
- c) KRAs must be aligned to the SMART Principle as follows:
  - i) Specific: target a specific area for improvement;
  - ii) Measurable: quantify or at least suggest an indicator of progress;
  - iii) Assignable: specify who will do it;
  - iv) Realistic: state what results can realistically be achieved, given available resource; and
  - v) Timely: specify when the result(s) can be achieved.
  
- d) Although there is no limit to the number of KRAs to be included in a PA, they should preferably not be less than four (4) or exceed six (6). Each

KRA should be broken down into measurable outputs, standards and activities. Each KRA should be weighted (in %) according to the importance it has in the employee's job. The weighting of all the KRAs should add up to 100%.

#### 7.4.4.2 Generic Assessment Factors (GAFs)

- a) Generic Assessment Factors (GAFs) are elements and standards used to describe and assess performance, taking into consideration knowledge, skills and attributes. The following GAFs are used and will be embedded with the KRAs of the employee's assessment score. The supervisor and employee must agree on at least five out of the fifteen GAFs that are deemed to be most important for effective performance in that particular job.
- b) The service delivery (Batho Pele) imperative must as far as possible be applied in assessing these GAFs.
  - i) Job knowledge
  - ii) Technical skills
  - iii) Acceptance of responsibility
  - iv) Quality of work
  - v) Reliability
  - vi) Initiative
  - vii) Communication
  - viii) Interpersonal relationships
  - ix) Flexibility
  - x) Teamwork
  - xi) Planning and execution
  - xii) Leadership
  - xiii) Delegation and empowerment
  - xiv) Management of financial resources
  - xv) Management of human resources

- c) Employees should be assessed against the selected GAFs applicable to their jobs. A professional may for example have no employees under his/her control or may have no financial responsibilities. To adapt the GAFs to specific jobs and job contexts, the employee and supervisor will need to decide which of the GAFs apply to the employee's job.
  
- d) One way of jointly arriving at decisions on how important any specific GAF is to a specific job is to use the factors of impact and frequency. The greater the impact and frequency, the greater the importance that criterion is likely to have on the achievement of effective performance results.

#### **7.4.5 The Performance Development Plan**

The PA must include a Performance Development Plan. The purpose of the development plan is to identify any performance output shortfall in the work of the employee, either historical or anticipated, to relate this to a supporting GAF shortfall and then to plan and implement a specific set of actions to reduce the gap. The competence gap may relate to any of the GAFs included in this PMDS or any other area of the employee's knowledge, skill and attribute requirement. The PDP should include interventions relating to the technical or occupational "hard skills" of the job, through e.g. appropriate training interventions, on-the-job training, expanded job exposure, and job rotation. The employee and the supervisor are required to take joint responsibility for the achievement of the PDP with allocated accountabilities clearly recorded on the PDP agreement document. This document must be submitted before or on 31 May every year.

#### **7.4.6 Performance monitoring**

Performance at the individual level must be continuously monitored to enable the identification of performance barriers and changes and to address development and improvement needs as they arise, as well as to:

- a) determine progress and/or identify obstacles in achieving objectives and targets
- b) enable supervisors and jobholders to deal with performance-related problems
- c) identify and provide the support needed
- d) modify objectives and targets and
- e) ensure continuous learning and development

#### **7.4.7. Performance assessment and review**

- a) Performance review meetings are an integral part of the monitoring process. These reviews must take place as often as is practical and/ or required by circumstances. The reviews are necessary to motivate and to reveal to the employee areas that need improvement and if required, to modify the PA. The supervisor should use all opportunities to discuss the employee's performance, including component meetings, report backs, and informal discussions. An employee's supervisor shall monitor the employee's performance on a continuous basis and give him/ her oral feedback at least bi-annually if performance is satisfactory and in writing if unsatisfactory. Should the supervisor, as a result of this review, or at any time during the performance cycle, be of the opinion that the employee's performance is markedly below what is required; the supervisor must complete a full and formal assessment, assign ratings to the KRAs, complete all documentation and have the document signed by the employee. This ensures that the employee is left in no doubt that what she or he has been producing as work outputs is not acceptable and that continuation in this poor standard of performance will affect service delivery and is sure to result in a low performance assessment at the end of the cycle, with its resultant consequences.
- b) The supervisor should prepare by –
  - i) reviewing the previous period and objectives and targets for the next period;



- ii) reviewing support needed and drafting training and development needs;
  - iii) seeking appropriate feedback from relevant role-players to support the process;
  - iv) reviewing and updating all relevant documentation; and
  - v) identifying internal/external factors affecting the jobholder's performance.
- c) The jobholder should prepare by:
- i) reviewing previous objectives and identifying possible new objectives
  - ii) collecting supporting facts on performance delivered
  - iii) identifying factors that affected his/her performance
  - iv) identifying support that will be needed as well as possible training and development needs
  - v) reflecting on the feedback to be given to the supervisor
- d) After face-to-face discussions and consensus reached, between the employee and supervisor, on the review and assessment ratings it becomes a Provisional Assessment Rating (PAR). Such PAR must then be referred to the Director/ Chief Director/ Chief Operations Officer of the unit who need to interrogate the PAR and if satisfied to the next level of motivation. If not is should be referred back to the supervisor for review. A summary of the overall/ outcome of the assessment ratings of both bi-annuals should be in writing within the prescribed Performance Agreement and must be signed of by both parties and submitted to the Directorate: Human Resources a month after the lapse of the relevant bi-annual. At all levels the periodic reviews and assessments must also include a discussion on the employee's Performance Development Plan requirements. The Chief Director: Human Resource Management will communicate the following submission dates for each review and assessment within the financial year as follows:

- i) Mid-Year Performance Assessment Review (**1 April – 30 September**):- A formal review meeting to be conducted between employee and supervisor to determine whether targets/ goals were achieved within the first six (6) months of the financial year. The due date for the submission of the Mid-Year Performance Assessment Review will be **31 October**.
  
- ii) Annual Performance Assessment Review (**1 October – 31 March**):- A formal review meeting to be conducted between employee and supervisor to determine whether targets/ goals were achieved within the last six (6) months of the financial year. The due date for the submission of the Mid-Year Performance Assessment Review will be **30 April**.

As stipulated in the Public Service Regulations, 2016, Regulation 72 (7), no employee shall qualify for performance incentives including pay progression if he/ she did not submit his/ her performance appraisals within the prescribed period as indicated in Paragraph 6.4.7 (d)(i-ii). The employee should provide written proof that he/ she tried by all means necessary to obtain his/ her appraisal from the supervisor before or on the due date. The supervisor must also acknowledge, in writing, that he/ she caused/ did not cause the delay in returning the appraisal to the employee before the due date.

The final assessment and discussion must take place at the end of the performance cycle and coincides with the end of the financial year, i.e. March of each year. In accordance with the latest Directive from the Department of Public Service and Administration (DPSA), employees and supervisors must finalize all outstanding annual performance assessments for the previous financial year by **31 July**. The Moderation Committee will then conclude all moderations for each qualifying employee by **30 November** and effect all payments due to qualifying employees by **31 December within the same year**. The recommendations to the Head of

Department in terms of the individual's overall performance will be based on the ratings agreed to by both parties on the final mark allocated for the individual's KRAs.

- e) The assessment discussion should enable:
  - i) An opportunity for the employee to assess his/ her own performance and its contribution to organisational goals and to identify areas of improvement
  - ii) An opportunity for the supervisor to provide formal feedback on performance over the year and to identify ways of improving what was achieved
  - iii) An opportunity for the employee to contribute to, and respond to comments regarding his/her performance and identify issues beyond his/her control that limit the achievement of results
  - iv) An open discussion between the employee and his/ her supervisor in which achievements can be fully recognised and ideas for problem solving agreed
  - v) Agreement on an overall assessment score reflecting judgment on the level of achievement attained in terms of the performance agreement
  - vi) An opportunity for the supervisor and the employee to agree on areas of personal development

#### **7.4.8 Steps in the assessment process**

The PMDS relies on agreement between the direct supervisor and employee on, first, the expected performance during the cycle (the performance agreement), and second, on the required results achieved during the cycle. Take note of the provisions of PSR, 2016, Chapter 4, Part 5, Section 71 that "*An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.*" However, it is recommended that the standard quarterly probation template, as issued by the DPSA, be used to finalize

the probation period of an employee. The supervisor will have the most complete knowledge of the employee's performance and plays a critical role in the assessment process. The annual assessment takes place after the end of the performance cycle on 31 March of each year. The annual assessment provides the final rating score on which decisions pertaining to career incidents such as pay progression and the possible granting of performance awards are based. The process commences with a self-assessment by the employee. The supervisor then assesses the employee and reviews the self-assessment.

#### **7.4.8.1 Self-assessment**

The role of the employee whose performance is being assessed is the following:

- a) assess his/ her own progress according to his/her performance agreement and workplan, during the period under review and allocate performance ratings
- b) bring to his/ her manager's attention, significant other outputs that were delivered during this period which are not contained in the performance plan and/ or performance which he/she regards as being meritorious
- c) provide inputs on areas of performance, which the manager has identified as not being fully effective
- d) review his/ her performance agreement for validity
- e) discuss and initiate possible amendments to the performance agreement

#### **7.4.8.2 Supervisory assessment**

The role of the employee's supervisor in the assessment is the following:

- a) facilitate the assessment session
- b) assess the employee's performance according to his/ her performance agreement and workplan during the period under review and allocate performance ratings

- c) give recognition to the employee for good performance during the review period
- d) recognise other significant outputs that were delivered during this period which are not contained in the performance plan and/or performance which he/ she regards as being meritorious
- e) identify performance areas which have been identified as being not fully effective
- f) allow the employee opportunity to give his/ her input during the session
- g) identify remedial steps which will be taken to eliminate factors which have hampered the employee's performance
- h) review the employee's performance agreement and workplan, for validity
- i) discuss and initiate possible amendments to the employee's performance plan
- j) record his/her comment about the performance of the employee

#### **7.4.8.3 Disagreements over rating and assessment**

Refer to Paragraph 7.6 of this policy.

#### **7.4.9 Outcomes of the Performance Assessment (to be read with 'The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)')**

7.4.9.1 **Category of performance:**

<b>Salary levels 1 to 12</b>					
<b>Performance category</b>	<b>Total score</b>	<b>Probation</b>	<b>Development</b>	<b>Pay progression</b>	<b>Cash bonus</b>
<b><u>Rating 1</u></b>					
Not effective - Performance does not meet the expected standard for the job. The review / assessment indicates that the jobholder has achieved less than fully effective results against all or almost all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.	69% And below	Extent probation or terminate i.t.o. Incapacity Code	Agree on development programme	None	None
<b><u>Rating 2</u></b>					
Partially effective - Performance meets some of the standards expected for the job. The review/assessment indicates that the jobholder has achieved less than	70% - 99%	Extent probation	Agree on development programme	None	None

fully effective results against (partially achieved) more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan.					
<b><u>Rating 3</u></b>					
Fully effective - Performance fully meets the standard expected in all areas of the job. The review / assessment indicates that the jobholder has achieved as a minimum effective results against all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.	100% - 119%	Confirm appointment	Agree on development programme	Awarding a higher notch	None
<b><u>Ratings 4</u></b>					
Highly effective - Performance far exceeds the standard expected of a jobholder at this level. The review/assessment indicates that the	120% - 133%	Confirm appointment	Agree on development programme	Awarding a higher notch	Cash Bonus to be determined taking the Compensation of Employees Budget into consideration.

<p>jobholder has achieved above fully effective results against all of the performance criteria and indicators as specified in the PA and Work plan and maintained this in all areas of responsibility throughout the performance cycle.</p>					<p>Cash Bonus incentive to be discontinued from 1 April 2021 (2021/ 2022 financial year) according to DPSA Circular No. 01 of 2019, Paragraph 10.</p>
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#### 7.4.9.2 Managing performance that is not fully effective

- a) Supervisors are required to first identify and then, in line with a developmental approach, deal with unacceptable performance of employees under their supervision. The supervisor must comply with the procedural requirements of PSCBC Resolution 10 of 1999 and Resolution 1 of 2003 – “Incapacity Code”. The PMDS provides for the early identification and resolution of unacceptable performance. The employee’s performance rating as “not fully effective” or lower during the annual performance assessment should not be the first indication of the employee’s shortcomings. Performance monitoring, including the performance reviews, provide opportunities to ensure this does not happen. Interventions by the supervisor to overcome performance shortfalls on the part of the employee can include any or all of the following:
- i) Personal counseling
  - ii) On-the-job mentoring and coaching
  - iii) Formal training/ re-training
  - iv) Restating the workplan performance requirements
  - v) Work environment audits to establish other factors affecting performance.



- b) Should the employee not respond to reasonable and continuous attempts to improve performance and an overall performance assessment score of less than 100% is consistently the result of the assessment process, the employee must be formally registered on an “Incapacity Programme” and advised of this in writing.

#### **7.4.10 Payable incentives (to be read with ‘The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)’**

##### **7.4.10.1 Performance bonus**

A performance bonus is a financial award granted to an employee in recognition of sustained performance that is significantly above expectations and is rated as such in terms of the rating scale. In order to qualify for the granting of a bonus, an employee must complete a continuous period of at least twelve months on her/ his salary level on 31 March of a year. The cycle for the granting of a bonus runs over a continuous period of 12 months from 1 April of one year to 31 March of the next year. The value of a bonus is calculated on the employee’s actual notch (levels 1 – 10) or remuneration package (levels 11 and 12), but not exceeding the maximum notch of the scale attached. To understand the relationship between scoring an individual KRAs on the 4-point rating scale, on the one hand, and total scores on the other hand, it must be kept in mind that a total score can be a variable mix of the four categories (1, 2, 3 and 4). For payable incentives refer to ‘**The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)**’.

##### **7.4.10.2 Pay progression**

- a) Employees on salary levels 1 to 12 are eligible for pay progression to the maximum notch of the salary level attached to their posts. Progression to the next higher notch within the employee’s salary level as of 1 July 2003 shall be based on a period of continuous service and performance, and is

not automatic. An employee must complete a continuous period of at least 12 months on her or his notch (1 April to 31 March) and must be performing at least at the level of fully effective (satisfactory), as assessed in terms of the PMDS. The Incentive Policy Framework issued by the DPSA is mandatory by nature. In respect of performance rewards, other than pay progression, the maximum of 18% for a bonus (levels 1 to 10) can be awarded and 14% of package (levels 11 and 12). For payable incentives refer to '**The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)**'. The pay progression cycle (and the assessment cycle) runs over a continuous period of 12 months, commencing on 1 April of a particular year. Progression takes place annually on 1 July of each year and is based on:

- i) actual service in a particular salary level for the period 1 April to 30 March prior to the pay progression date (one years' continuous service on a notch);
- ii) an assessment of at least satisfactory performance for the said period in line with the PMDS. Only valid notches on the salary level must be used in the process of progression. Employees on personal notches (therefore on a notch above the maximum of the salary level attached to his or her post), shall not qualify for pay progression, but shall receive any annual salary adjustments on the salary scale; and
- iii) As part of Resolution 1 of 2012 of the Public Service Coordinating for Bargaining Council (PSCBC), the Directive compels all employees who entered Public Service employment for the first time after 1 July 2012 to enroll and complete one (1) year Compulsory Induction Programme.
- iv) The DPSA Circular No.: HRD 1 of 2015 have recently clarified that employees who had met all other requirements for employment, including Module 1 of the CIP, are now eligible for pay progression to be paid in accordance with the prescripts governing pay progression in the Public Service.

- b) The pay progression system does not impede the Executive Authority to award a higher salary to employees in terms of the PSR, 2016 (Chapter 4, Part 1, Section 44). Therefore:
  - i) employees, who are awarded a higher salary level by the Executive Authority, that does not correlate to the job weight attached to their job, shall not qualify for pay progression on the higher salary level
  - ii) employees, who are awarded a higher notch within the salary level that correlates to the job weight attached to their job shall qualify for pay progression, provided they comply with the set criteria
- c) Employees who benefit from pay progression during a financial year will receive the benefit in addition to possible annual cost-of-living adjustments. Employees may in the same financial year receive pay progression and other performance related incentives (e.g. bonuses) provided for in departmental performance related incentive schemes.

#### **7.4.11 Other factors that may have an influence on the performance assessment**

##### **7.4.11.1 Acting in higher position.**

When an employee is appointed to act in a higher position for shorter than six weeks, the workplan should be based on the post that the employee is permanently appointed to. Depending on the employee's performance during the periods of acting, recognition for performance of the duties of the higher position should be given during the performance assessment, on the workplan of the permanent post. When acting in a higher position for longer than three (3) months, where an acting allowance is being paid, a workplan must be compiled for the higher position that the employee would be expected to perform against. The performance of the employee, acting in the higher position, will be assessed in terms of the amended workplan, against the standards applicable to the level of the employee's permanent position. Performance incentives must be calculated at the

salary level of the post, to which the employee is permanently appointed, based on the employee's salary notch on 31 March of the cycle.

#### 7.4.11.2 Staff movement

When employees are transferred at the same level, it is **their responsibility** to provide their most recent performance assessment to the new department. Where staff members change jobs within the department during the performance management cycle, performance reviews related to the employee vacating the post have to be completed prior to moving to the new position. If the employee changing jobs is a supervisor or manager, performance reviews for each employee under her/ his control should be completed prior to her/ his movement. When an employee is transferred to another department, a progress review discussion will be conducted for the current performance management cycle prior to the employee leaving the department. In the case of supervisors, regardless of the reason for their departure, they will be required to assess their staff prior to departure.

#### 7.4.11.3 Misconduct and suspension

- a) Decisions pertaining to performance rating should be based on an employee's actual performance. In the event of alleged misconduct, some questions need to be posed.

What was the nature of the misconduct (e.g. financial, management)?

- i) Was the person found guilty or not?
- ii) If found guilty, what was the nature of the sanction (e.g. discharge, suspension)?
- iii) Did the misconduct and/or the sanction impact on performance?
- iv) Was the employee suspended for a prolonged period?

- b) It is difficult to lay down a general rule and each case must be judged on its own merit. If a misconduct charge, and/or the hearing, and/or any

sanctions have a serious negative impact on an employee's performance, it would be difficult to motivate for awarding a 3-rating or higher and therefore for the granting of a performance bonus.

#### 7.4.11.4 **Absence during a cycle**

Normal periods of leave for example vacation leave and/ or short periods of sick leave do not usually interfere unduly with the employee's performance management cycle. In the case of other forms of absence for a continuous prolonged period of time, supervisors and employees should have a discussion to reach mutual agreement on the ability to execute a meaningful rating for that period or for an annual assessment. This leave will include:

- a) Long study leave
- b) Incapacity leave longer than 30 days
- c) Vacation leave longer than 30 days
- d) Unpaid leave

If it is not possible to make a meaningful review or annual rating, it must be indicated in writing. New work plans may also need to be developed on return from a prolonged absence. While an employee is not penalised for any form of formally approved leave, it is also true that an employee who has been absent for a prolonged period, has not rendered the same extent of service as an employee who did not have such prolonged. This usually becomes an issue when bonuses are considered. In this regard the principle is that "doing all the work" translates to a 3-rating ("effective performance") for which an employee receives a full salary, a 13th cheque and pay progression. Supervisors must carefully consider the rating and assessment of an employee who had been on prolonged leave of absence, to balance the rights of those who were absent with the contribution of those who had to do more work because others were absent.

All employees who intend to take planned leave should ensure that he/ she completed and submitted all documents (Performance Agreements, Mid-Year and Annual Performance Assessment Reviews) especially if the due date for submission will be during the leave period.

If need be, supervisors should still consider a full assessment for employees who has been on continues prolonged leave for more than three (3) months on condition that he/ she has signed a Performance Agreement and has completed at least one (1) informal assessment with his/ her direct supervisor during a performance cycle.

#### **7.5 Budget implications**

- a) The Incentive Policy Framework introduced flexibility in the awarding of performance incentives, but placed a ceiling of a maximum of 18% of basic salary for non-SMS performance bonuses. It also determined that a department should not overspend on its annual remuneration budget for employees on levels 1 to 12 on performance incentives.
  
- b) An Inclusive Remuneration Package System was introduced with effective from 1 July 2005, for employees on salary levels 11 and 12 (Middle Management Service or MMS) who are appointed in terms of the Public Service Act, 1994. In terms of the Incentive Policy Framework (IPF)
  - i) MMS members qualify for pay progression; and
  - ii) Performance awards/ bonuses (merit awards), payable in terms of the departmental incentive scheme, and which is limited to a maximum of 14% of the MMS members' package.

#### **7.6 Grievance procedure**

Agreement between an employee and her/ his supervisor, and/ or with review and moderation actions on an issue such as rating, is not always guaranteed. If the requirements of the system are met for regular

consultation and discussion between the supervisor and the employee, there should normally be little cause for continued disagreement. However, disagreement may occur (a) between the employee and her/ his supervisor; (b) between an employee and her/ his supervisor on the one hand, and the IMC on the other hand; (c) between the IMC and the DMC; and even between the DMC and the DG or Executive Authority.

Disagreements at the levels of the IMC and/or the DMC may be limited or minimised if the assessment of senior managers is done before the assessment of non-managers. This may assist in limiting possible contradictions or inequities between the assessments of, for example, particular cascading KRAs found on the different levels. This approach may set certain parameters of performance that may partially serve as benchmarks when assessing individuals below the management level in the department. If there are fundamental disagreements between the IMC and the DMC, or if the DG does not wish to approve recommendations of the DMC, such issues should be resolved through the Assessment Appeal Panel (AAP). If this process results in changes to individual assessment scores, and employees refuse to accept the changes, employees may follow the formal grievance rules of the Public Service. As is the case with other aspects of the PMDS, employees must be informed of the route and processes to be followed in the event of disagreement over performance assessments. If the above processes ultimately fail to resolve the disagreement or grievance, the employee is entitled to seek redress through other means available in law.

**To standardize the dispute cases in DSAC, the following guidelines will be applicable should employees be aggrieved:**

**Pre-moderation (To obtain a Provisional Assessment Rating):**

- a) An aggrieved employee will liaise with his/ her mediator first to determine the lowering of specific ratings by the supervisor.
- b) The mediator will provide a report to the IMC as part of his/ her intervention to resolve the case between the employee and supervisor.

**During moderation (To obtain a Confirmed and Validated Assessment Ratings)**

- a) The IMC will review and evaluate the ratings of the employee taking the mediators report into consideration to finalise the Confirmed Assessment Rating for the employee.
- b) The IMC will then forward its findings to the DMC to confirm the Validated Assessment Rating for the employee.

**Post-moderation**

- a) Should the employee still be dissatisfied with the ratings approved by the DG, then he/ she may refer his/ her case to the Assessment Appeal Panel for an intervention.
- b) If the above processes also ultimately fail, to resolve the disagreement or grievance, the employee is entitled to seek redress through other means available in law by lodging a formal grievance in accordance with the departmental grievance procedure.

**7.7 Procedure for Non-Compliance**

Staff member who does not complying with this policy will be dealt with in terms of SRSA's disciplinary procedures and the Public Service Commission's Code of Conduct, Paragraph 4.4.9.



## 7.8 **Monitoring and Evaluation**

- a) Evaluation of the PMDS should help determine whether the system is functioning effectively. An evaluation schedule should be established in the early stages of the performance cycle. This will assist supervisors in targeting what the generally desired outcomes of the PMDS as a system are. It is important to determine initially the types of data required throughout the performance management process. SRSA will obtain baseline data with which to compare future data. The data desired and the available timeframes for collecting the data will determine the types of data collection techniques and analyses used. The evaluation strategy will be determined as the performance management programme is being rolled out and should change if it does not provide appropriate data on which to base future decisions. Some of the questions that should be asked and answered in an evaluation include:
  - i) Is the programme addressing the department's needs?
  - ii) Does the programme fit the department's values and culture?
  - iii) Do managers have the necessary skills to use the programme?
  - iv) Does it provide useful data for making personnel decisions?
  
- b) The Chief Director: Human Resource Management should conduct an audit of the implementation of PMDS at the end of the performance cycle. The methodology applied shall be a survey questionnaire to a representative sample within the department. Following the development of performance agreements and workplans and during the course of the year, management should ascertain the following in respect of the system:
  - i) Whether the system meets the specifications.
  - ii) Whether the users understand it and are able to use it.
  - iii) Whether the department is achieving its initial objectives.
  
- c) The system review process is based on the legal guidelines, best practice guidelines and monitoring and evaluation guidelines. The Moderating

Committee, with technical support from HR will determine if the legal requirements in the PSR, 2016 Chapter 4, Part 5 are being met:

- i) All employees are being assessed at least on an annual basis.
- ii) Employees know which supervisor will be responsible for their assessment.
- iii) The details of the performance management system are communicated to employees before the process starts.
- iv) Employees are given the right to refuse to sign a performance assessment form.
- v) Identifying the disagreement and resolution route; and
- vi) Permitting employee representatives to represent an employee in grievance processes.

## **8. REVIEW**

This Policy and Procedure shall be reviewed as/ when the Departments needs change or as dictated by legislation or notification from the DPSA.

**HUMAN RESOURCE  
DEVELOPMENT POLICY**

## HUMAN RESOURCE DEVELOPMENT POLICY

### A. AUTHORISATION AND EFFECTIVE DATE

#### AGREEMENT REACHED IN THE DEPARTMENTAL BARGAINING CHAMBER ON THE IMPLEMENTATION OF THE POLICY

#### LIST OF SIGNATURES

This done and signed in ..... on the .....  
day of ..... 20.....

#### ON BEHALF OF THE EMPLOYER

DEPARTMENT AS EMPLOYER	NAME OF REPRESENTATIVE	SIGNATURE

The policy will be implemented with effect from the first work day following the day on which the policy was signed.

## HUMAN RESOURCE DEVELOPMENT POLICY

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## C. DEFINITION OF TERMS

**Accelerated development programme:** Refers to a learning intervention that has been identified to bridge a training gap within a specified period.

**accreditation:** refers to the official approval of training programmes by the relevant Education and Training Quality Assurance (ETQA) body.

**career development plan:** refers to a career progression plan on the National Qualifications Framework (NQF).

**competence:** means the blend of knowledge, skills, behaviour and aptitude that a person can apply in the work environment, which indicates a person's ability to meet the requirements of a specific post.

**development:** refers to specific employee development, which takes place in the context of specific objectives, for example managerial development is directed at providing managers or potential managers with the knowledge, skills and attitudes required to manage the organisation.

**education:** refers to the formal acquisition of knowledge at a registered and accredited institution, for example formal schooling years, Grades 1 to 12 inclusive.

**employee:** means any person, excluding an independent contractor, who works for the department and who received, or is entitled to receive, any remuneration.

**in-house training:** refers to training programmes offered internally, including their facilitation.

**internship:** refers to the acquisition of workplace practical experience by the learner, after successful completion of the theoretic component.

**Commented [MM1]:** Incorporate definition from Directives and HRD strategy

**learnership programme:** refers to a structured learning programme that aims to impart knowledge and experience through theory and practical experience in the workplace. When completed, it will constitute a credit towards a qualification registered in terms of the National Qualifications Framework (NQF).

**lifelong learning:** is the process of constant learning and development, which incorporates continuous professional development and in which all individuals need to engage in a time of rapid change.

**National Qualifications Framework (NQF):** refers to an integrated framework comprising unit standards and qualifications at different levels of education and training registered with the South African Qualifications Authority.

**personal development plan (PDP):** is a document that indicates the developmental needs identified by employees with their supervisors during the development of performance agreements.

**South African Qualifications Authority (SAQA):** refers to the body that is responsible for the setting of the standards and quality assurance of all qualifications.

**training:** is the systematic and planned process to change the knowledge, skills and behaviour of employees in such a way that the organisational objectives are achieved.



#### D. ABBREVIATIONS AND ACRONYMS

<b>AET</b>	-	Adult Education and Training
<b>ETDP</b>	-	Education Training and Development Practitioner
<b>ETQA</b>	-	Education and Training Quality Assurance
<b>HRD</b>	-	Human Resource Development
<b>NQF</b>	-	National Qualifications Framework
<b>NSA</b>	-	National Skills Authority
<b>NSG</b>	-	National School of Government
<b>PDP</b>	-	Performance Development Plan
<b>PSETA</b>	-	Public Service Sector Education and Training Authority
<b>RPL</b>	-	Recognition of Prior Learning
<b>SAQA</b>	-	South African Qualifications Authority
<b>SETA</b>	-	Sector Education and Training Authority
<b>SGB</b>	-	Standards Generating Body
<b>SMS</b>	-	Senior Management Services
<b>WSP</b>	-	Workplace Skills Plan

**Commented [MM2]:** Change AET (Adult Education and Training)

**Commented [MM3]:** Change to National School of Government

## 1. INTRODUCTION

The Human Resource Development Policy (HRD Policy) of the **Department of Sport , Arts and Culture** emanates from the need to regulate, attract, maintain and encourage growth of skills possessed by employees within the Department. The Department recognises the need to educate, train and develop the skills, knowledge and abilities of employees, and provide exposure to new development issues in order to enhance and accelerate performance to achieve the **vision and mission** of the Department.

## 2. REGULATORY FRAMEWORK

Constitution of the Republic of South Africa, 1996  
 Employment Equity Act, 1998 (Act 55 of 1998)  
 Human Resource Development Strategy for South Africa  
 Human Resource Development Strategy for the Public Service  
 National Skills Development Strategy for South Africa, 2001  
 Public Finance Management Act, 1999 (Act 1 of 1999)  
 Public Service Act, 1994 (Proclamation 103 of 1994)  
 Public Service Regulations, 2016  
 Skills Development Act, 1998 (Act 97 of 1998)  
 Skills Development Levies Act, 1999 (Act 9 of 1999)  
 South African Qualifications Authority Act, 1995 (Act 58 of 1995)  
 White Paper on Batho Pele, 1997  
 White Paper on Human Resource Management in the Public Service  
 White Paper on Public Service Training and Education, 1997  
 White Paper on the Transformation of Public Service, 1995

*Check updated and omitted regulations*

## 3. OBJECTIVES

- To empower employees and improve and maintain performance standards.
- To improve the quality of service and work rendered by the employees.

**Commented [MM4]:** Need for editing and read as "To empower employees and improve and maintain performance standard"

**Commented [MM5]:**

**Commented [MM6]:**

- To offer the maximum equal opportunities to all employees within the framework of lifelong learning as part of a learning organisation, with a view to realising their full potential by exposing them to relevant developmental programmes.
- To improve the quality of life of employees, their prospects of work and upward mobility.
- To improve the employment prospects of persons previously disadvantaged by unfair discrimination through education, training and development.

#### 4. PRINCIPLES

##### 4.1 EQUITY AND EMPOWERMENT

**Human Resource Development** (HRD) initiatives should be aligned with the broader plans and programmes aimed at improving equity and empowerment of the designated groups.

##### 4.2 CONSULTATION AND PARTICIPATION

Active **engagement with** all employees should be encouraged to ensure effective implementation of HRD strategies.

#### 5. SCOPE OF APPLICATION

This policy applies to all permanent employees and fixed-term contract workers employed for one year or more within the Department **unless stated differently elsewhere in the policy.**

#### 6. HUMAN RESOURCE DEVELOPMENT PROCESSES

##### 6.1 NEEDS ANALYSIS

All training interventions should be based on an objective and systematic needs analysis. The process must be linked to departmental goals. Needs analysis

should be conducted on a continuous basis and be integrated into other human resource practices, such as the performance management and development system, and others.

Training needs must be identified as follows:

- At the beginning of the performance cycle through development of personal development plans (PDPs);
- During performance reviews;
- On a continuous basis by the supervisor in consultation with the employee;
- By means of skills audits.

## 6.2 COMPETENCY-BASED TRAINING

6.2.1 The training of senior managers should be in line with the Competency Framework as outlined in the Senior Management Services Handbook (SMS Handbook).

6.2.2 Managers must identify competencies required for each position, which should be used for needs assessment and development.

6.2.3 All training interventions should have clear objectives and measurable outcomes. PDPs will be informed by feedback from the performance assessments.

## 6.3 OPERATIONAL PLANS

Training needs emanating from the needs analysis will be consolidated into a training plan that forms the basis for developing a departmental Workplace Skills Plan (WSP).

## 6.4 TYPES OF HUMAN RESOURCE DEVELOPMENT INTERVENTION

6.4.1 Classification of training interventions is based on the duration of the programme (that is, a total number of contact hours) and the accreditation level. All learning interventions (except non NQF aligned short courses) must have an NQF

classification level attached. Accreditation status of service providers and training providers will be verified prior to the approval of training requests.

6.4.2 The following are types of training intervention covered in the policy:

- Short courses (workshops / seminars / conferences) (Non NQF aligned)
- Skills programmes (NQF aligned)
- Adult Education and Training (AET)
- Higher National Certificate programmes
- Diplomas
- Degrees
- Postgraduate degrees

## 7. PROCEDURE

The procedure for training and development interventions (**Annexure A**) must be followed to ensure alignment of interventions to development plans. Attendance of learning interventions outside South Africa is covered in Section 11.

## 9. SOURCING OF TRAINING PROVIDERS

9.1 The Human Resource Development Sub directorate (HRD Sub-Directorate) will verify the accreditation status of the service provider and the training programme(s).

9.2 Evidence of sourcing three accredited training providers should be provided before embarking on the requested training. This should be done with a view to ensuring cost-effectiveness and for comparison purposes. **All procurement must be aligned to prescribed Supply Chain Management processes.**

9.3 The provision in 9.2 does not apply where the training has been coordinated through public service institutions such as **NSG**.

## 10. COSTS AND FINANCING

10.1 The Department will pay for the following for employees attending conferences, seminars and short courses:

- Tuition and literature / documentation

10.2 The Department will also pay for the following in line with the Subsistence and Travel Policy:

- Travel expenses (return)
- Accommodation
- Daily allowance

10.3 Any other expenses will be covered by the applicant.

## 11. **APPROVAL TO ATTEND LEARNING INTERVENTIONS OUTSIDE SOUTH AFRICA**

### 11.1 TRAINING OPPORTUNITIES OUTSIDE SOUTH AFRICA

11.1.1 Applications for the attendance of training interventions outside South Africa will be considered and approved by the Minister.

11.1.2 Such interventions will be considered on merit, based on the substantiation provided by the employee and the supervisor.

### 11.2 TRAINING OPPORTUNITIES IN THIRD-WORLD COUNTRIES

11.2.1 Third-world country training opportunities are aimed at enhancing managerial and technical skills in partner countries and they cover subjects of strategic importance to economic and social development.

11.2.2 These opportunities will be sourced through the Department of Public Service and Administration, the Department of International Relations and Cooperation and donor institutions / countries, with the assistance of the Chief Directorate:

International Relations. The selection process will be conducted by the Department.

- 11.2.3 In the case of training opportunities in third-world countries, the Department will pay for all expenses not provided by the third-world country as contained in Section 10 above.

## 12. **DEVELOPMENTAL PROGRAMMES (LEARNERSHIP AND INTERNSHIP)**

The developmental programmes will be coordinated in line with the directives on the employment of persons to developmental programmes in the public service issued by the minister of the Public Service and Administration.

### 12.1 LEARNERSHIPS

- 12.1.1 The Department will use registered learnerships as a mechanism to facilitate the linkage between structured learning and work experience to obtain a registered qualification, which signifies work readiness as prescribed by the learnership policy.

- 12.1.2 The HRD Sub-Directorate will follow a learnership delivery process in consultation with relevant SETAs when implementing learnerships within the DSAC.

### 12.2 **INTERNSHIPS**

- 12.2.1 The Department will provide practical and accelerated learning programmes that build essential occupational competencies required by the Department and completed theoretical classroom-based learning to South African unemployed students and graduates in line with the prescribed period from the Directive issued by the Minister of Public Service and Administration.

- 12.2.2 The programme is one of the initiatives aimed at attracting graduates to the Public Service by offering them an opportunity to acquire valuable work experience that will enhance their employability.

12.2.3 Preference will be given to the previously disadvantaged groups to be admitted to the graduate work experience programme.

12.2.4.

### 13. FORMAL STUDIES

#### 13.1 TYPES OF FORMAL STUDY

The following interventions are regarded as formal studies:

- Further education and training (Grades 7 – 12)
- Higher education qualifications (diploma, degree, postgraduate diploma and senior degrees)

#### 13.2 CONDITIONS FOR FORMAL STUDIES

Employees must discuss their intention to pursue formal studies with their supervisors / managers during the development of performance agreements and PDPs upon which an agreement must be reached. This must be done to ensure the alignment of individual development and departmental needs.

##### 13.2.1 Further education and training

- One hundred per cent of the required amount will be awarded for tuition fees and books for studies in this category **provided that there is available budget.**
- Applicants for this study field will not be required to sign a contract.
- Applicants must be permanent employees in the Department.

##### 13.2.2 National Diploma /Junior Degree

- Applicants must be permanent employees in the Department,



- Applicants must be prepared to sign a contract (Annexure H).
- The allocation of funds for normal studies will be considered on an annual basis.
- Applicants will be awarded 100 per cent of tuition fees if the employer initiates the field of study. Furthermore, there must be mutual agreement between the parties, which should be included in the PDPs.
- The bursary **amount for tuition** fees will be limited as determined by the Director-General on an annual basis if the initiative comes from the employee.
- Priority will be given to applicants wishing to study towards their first degree / diploma.

#### 13.2.3 Postgraduate Diploma /Senior Degree

- Applicants must be permanent employees in the Department.
- A full substantiation must be submitted and considered by the manager.
- Applicants must sign a study agreement (Annexure H).

#### 13.3 CONSIDERATION FOR FURTHER FUNDING

- **Applicants must provide proof of results for the previous academic year before another application may be considered.**
- Applicants must have passed at least 50 per cent of the registered courses in order to be considered for further funding in their fields of study.
- If an applicant fails to pass more than 50 per cent of the registered subjects, he / she must repeat the failed subjects / papers at own cost before further funding may be granted.
- Approval must be secured for postponement or keeping studies in abeyance.

#### 13.4 SUBMISSION OF APPLICATION

The prescribed application form (Annexure G) must be completed and submitted to the HRD **Sub-Directorate** with the required signatures and other information

before the closing date, which is communicated by the Sub directorate every year.

### 13.5 WAIVING OF CONTRACTUAL OBLIGATIONS

An obligation for formal studies may be waived in the following circumstances:

- Suspension of studies for medical reasons.
- Upon death.
- Suspension of studies initiated by the employer (for operational reasons).
- The merits of any other case on the waiving of study obligations will be considered by the training committee.

In the case of any of the above, authentic proof must be submitted to HRM through the supervisor.

### 13.6 FORMAL STUDIES AT UNIVERSITIES ABROAD

Applications for formal studies abroad must be considered by the Training Committee recommended by the Director-General and approved by the Minister.

**This is not applicable to distance and online studies.**

### 13.7 TAKING OVER OF BURSARY OBLIGATIONS

13.7.1 **The Department will take over bursary obligations granted by the previous Department to a prospective employee subject to meeting all prescribed bursary conditions and availability of funds.**

13.7.2 The bursary **obligations** granted by another department to a now **DSAC** employee whose request for study assistance has been approved, will be honoured for that year, and the following year will be considered according to this policy.

13.7.3 The decision to take over the bursary must be made during the appointment process and approved by the Director-General or his / her delegate.

13.7.4 The Department will not take over bursary loans granted to serving employees by financial institutions prior to joining the Department or the Public Service.

#### 13.8 PRIORITY AND COST BENEFITS

The criteria for the allocation of funds to formal studies will be considered annually and will be based on the strategic direction of the Department and the availability of funds. Employee' applicants will not be unreasonably prejudiced.

#### 13.9 ACADEMIC WORK DURING OFFICIAL WORKING TIME

13.9.1 Employees are expected not to use official working time for study purposes.

13.9.2 Disciplinary measures will be taken against an employee found studying during official working time.

#### 13.10 STUDY LEAVE

Leave for study purposes will be considered in terms of the departmental **Special Leave Policy**.

#### 13.11 CONTRACTUAL OBLIGATION

13.11.1 The bursary holder must undertake to serve the Department or any national or provincial departments for a period of 12 months in respect of each year he / she has been granted study **bursary** facilities by the Department.

**13.11.2 Upon failure to comply with the above, the employer will recover the amount paid to the institution on behalf of the bursary holder on a pro rata basis and this may be done by deducting it from the employee's final remuneration benefits. (NB) (proposal that the paragraph be removed)**

Commented [MM7]: Rephrase issue of Pro rata

#### 14. ACCREDITATION AND ASSESSMENT / MODERATION

- 14.1 The HRD **Sub-Directorate** will use accredited training providers by relevant Education and Training Quality Assurance bodies (ETQAs) in order to ensure that programmes are aligned to unit standards and the broader NQF. The use of provisionally accredited providers may be allowed in cases of the provision of scarce skills.
- 14.2 The HRD Sub-Directorate will use accredited and registered assessors for the advancement of the broader quality assurance function. The conducting of internal assessments will be monitored by mentors.
- 14.3 Moderation will be conducted by the training provider when necessary or at the HRD Sub-Directorate's request.

## 15. **ROLES AND RESPONSIBILITIES**

### 15.1 THE DIRECTOR-GENERAL

The Director-General or delegated official will be responsible for –

- establishing appropriate structures for the implementation of the HRD policy;
- providing funds for a training budget and other resources required for the implementation of this policy;
- approving bursary applications;
- approving applications for postponement of studies;
- approving applications for the waiving of bursary applications;
- recommending applications for training interventions outside South Africa to the Minister;
- Approve the recommended amount of tuition fees on an annual basis.

### 15.2 MANAGERS / SUPERVISORS

Managers / supervisors will be responsible for –

- conducting training and development needs analyses;
- actively ensuring that all employees under their supervision are given the opportunity to learn in accordance with the departmental career development plans;
- ensuring that the appropriate climate is created for the transfer of skills and knowledge to the employees;
- measuring the effectiveness of training during performance reviews;
- ensuring that employees complete the training application form and learning contract before any intervention is undertaken;
- working closely with the HRD practitioners to ensure that formal learning interventions are available to employees;
- encouraging employees to participate in HRD interventions;
- identifying mentors for accelerated development programmes in consultation with employees;

### 15.3 EMPLOYEES

An employee will be responsible for –

- taking responsibility and initiative for his / her own development;
- identifying training and development needs in consultation with the supervisor;
- planning and managing learning and career development in accordance with agreed plans with their supervisors;
- demonstrating willingness and commitment to grow and learn through work experience;
- taking full advantage of available training and development opportunities;
- participating in the education, training and development programmes and initiatives.

### 15.4 TRAINING COMMITTEE

The Training Committee will be responsible for –

- assisting with the development of the WSP;

- monitoring the adequacy of education, training and development interventions and their implementation;
- identifying opportunities and weaknesses in the implementation of the HRD strategy;
- making recommendations on bursary applications for formal studies
- consider cases of non-compliance and make recommendations for corrective measures

## 16. COMPOSITION OF THE TRAINING COMMITTEE

The training committee will be established in terms of the Skills Development Act, 1998, which provides that an employer with more than 50 employees must establish a forum that includes union representatives for consultation on skills development.

Commented [MM8]: As amended

## 17. RESOURCE IMPLICATIONS

17.1 The training budget should not be less than the stipulated one per cent of the Department's total payroll as outlined in the Skills Development Levies Act, 1998.

Commented [MM9]: As amended

17.2 HRD initiatives will budget for the generic (transversal) and technical (functional) training needs.

## 18. MONITORING AND EVALUATION

18.1 The HRD Sub-Directorate will monitor the implementation of this policy and any deviations will be addressed with the relevant employees.

Commented [MM10]: Correct Sub-Directorate

18.2 The application of training will be evaluated three months after the learners have attended the training to determine if there is a change in job performance. This will be done as part of the quarterly performance assessments of employees.

Commented [MM11]: Add with respective supervisors and managers

19. **REVIEW**

This policy may be amended annually and / or by agreement when the need arises. Inputs to that effect should be forwarded in writing to the Chief Directorate: Human Resource Management.

**ANNEXURE A****PROCEDURE FOR TRAINING AND DEVELOPMENT INTERVENTIONS**

The following procedure must be followed in addressing the need identified:

- Step 1:** The supervisor and the employee should discuss the need identified and the proposed intervention and complete the learning briefing sheet (Annexure B).
- Step 2:** The supervisor must submit the learning briefing sheet and request to HRD.
- Step 3:** HRD and the supervisor should discuss the learning intervention and the mode of evaluation.
- Step 4:** HRD will conduct provider profiling in consultation with the relevant manager.
- Step 5:** The employee signs a learning contract for the intervention (Annexure D).
- Step 6:** Learning takes place.
- Step 7:** The applicant must submit After Learning Report for training attended to HRD through the immediate supervisor within a month of the date of attendance. Failure to submit the report will result in the employee not being approved to attend other courses.
- Step 8:** The employee drafts an action plan on how to implement the knowledge gained (Annexure C) with the support of HRD.
- Step 9:** The supervisor and HRD conduct a learning impact analysis of the agreed time by completing the evaluation for (Annexure E).

Commented [MM12]:



- 8.2 Short courses, workshops, seminars and conferences should not be longer than two weeks.

**ANNEXURE B**

**LEARNING BRIEFING SHEET**

NAME: .....

RANK: .....

SUPERVISOR: .....

LEARNING INTERVENTION: .....

**PART 1 – BEFORE LEARNING:**

**DISCUSSION BY EMPLOYEE AND SUPERVISOR**

What is the specific objective of participating in the learning for the employee concerned?

What is the method of achieving the objective?

How will the impact of the learning be evaluated? Include when and by whom.

What kind of support will the supervisor give to the employee?

**PART 2 – AFTER LEARNING REPORT:  
TO BE COMPLETED BY THE EMPLOYEE**

What did I learn?
What follow-up action do I need to take?
How will I apply the gained knowledge to my current job?
What other needs were identified from attending this programme?

**ANNEXURE D****LEARNING CONTRACT BETWEEN THE DEPARTMENT OF ARTS AND CULTURE****AND**

NAME OF TRAINEE & PERSAL NUMBER : .....

NAME OF LEARNING PROGRAMME : .....

DATE OF TRAINING : .....

SERVICE PROVIDER : .....

I, the undersigned, appreciate that the course organisers and facilitators will, to the best of their ability, provide the learning environment, course material and expertise for valuable learning to take place.

I agree that this alone will not ensure that a learning process occurs, and I therefore accept responsibility for my own learning development.

I therefore agree to –

- attend all training days for all course modules;
- diligently adhere to the time frames set out in the training programmes;
- participate actively and positively in all classes and group discussions;
- accept all forms of evaluation, including assignments and a final exam, as compulsory forms of assessment of the training programme;
- take responsibility for the success of the group / syndicate I am allocated to;
- communicate with my supervisor and the HRD unit if I cannot attend the course owing to personal or work related issues, five days before commencement of the course.
- **submit After Learning Report for training attended to HRD through the immediate supervisor within a month of the date of attendance. Failure to submit the report will result in the employee not being approved to attend other courses.**

Commented [MM13]:

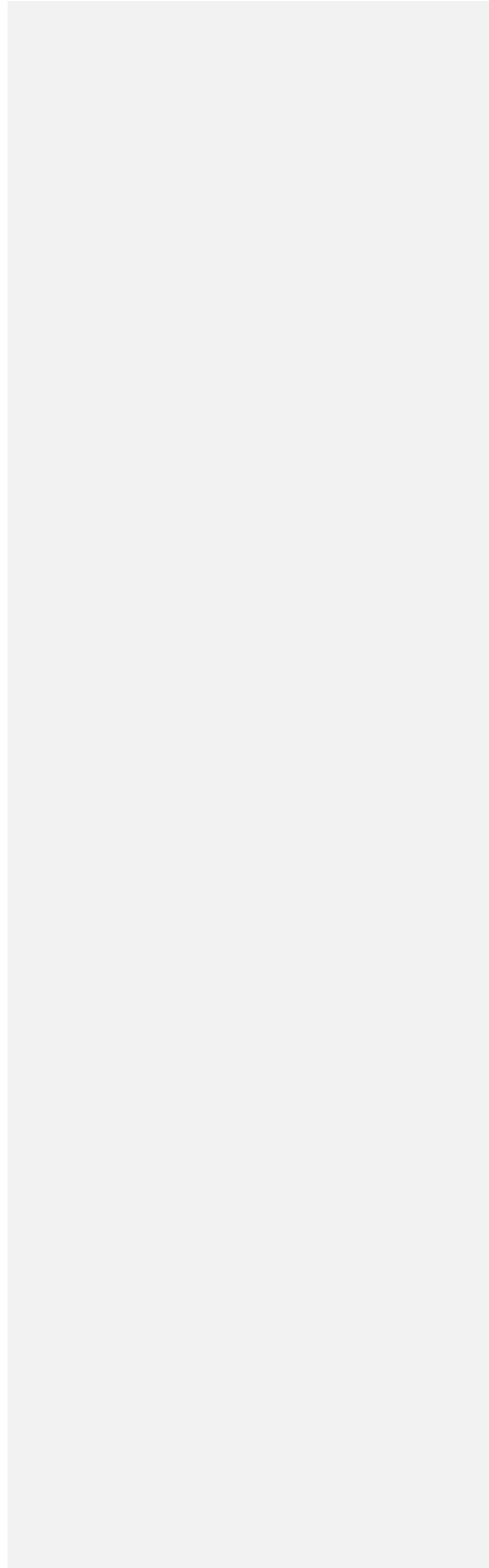
SURNAME AND INITIALS

SIGNATURE

DATE:

**ANNEXURE E****LEARNING EVALUATION**

Supervisor:	Programme:
Employee:	
Learning activity:	Date:
With your support the above person has undertaken some learning activity. Please answer the following:	
What were the most important elements of the learning for the person?	
Describe his / her attitude / behaviour after the learning activity?	
Please comment on any action plans your team member has developed.	
What have been the improvement in his / her job performance?	
What further action do you believe is necessary?	



**ANNEXURE F**

**APPLICATION FOR PART-TIME BURSARY**

1. **EMPLOYEE FOR WHOM THE BURSARY IS REQUIRED (FULL NAMES AND SURNAME):**

.....

2. **PERSAL NUMBER:** .....

3. **IDENTITY NUMBER:** .....

4. **RANK:** .....

5. **DIRECTORATE / SUBDIRECTORATE / UNIT:**  
.....

6. **FIELD OF STUDY:**  
.....

7. **INSTITUTION:**  
.....

8. **MAJOR SUBJECTS / SUBJECT OF THESIS OR DISSERTATION:**  
(If, for example, a master's degree or doctorate, the application must be accompanied by a letter indicating that the officer has, for the duration of the study, been accepted by a study leader.)

.....  
.....  
.....

9. **MINOR SUBJECTS FOR DURATION OF STUDY:**  
.....

10. **MINIMUM PRESCRIBED / RECOMMENDED DURATION OF COURSE BASED ON PART-TIME STUDY:**  
.....

11. **EXPECTED STUDY COSTS – SPECIFIED PER SUBJECT TO BE TAKEN IN STUDY YEAR FOR WHICH BURSARY IS REQUIRED:**  
.....

12. **CLOSING DATE FOR APPLICATIONS AT UNIVERSITY / UNIVERSITY OF TECHNOLOGY / OTHER EDUCATIONAL INSTITUTION:**  
.....

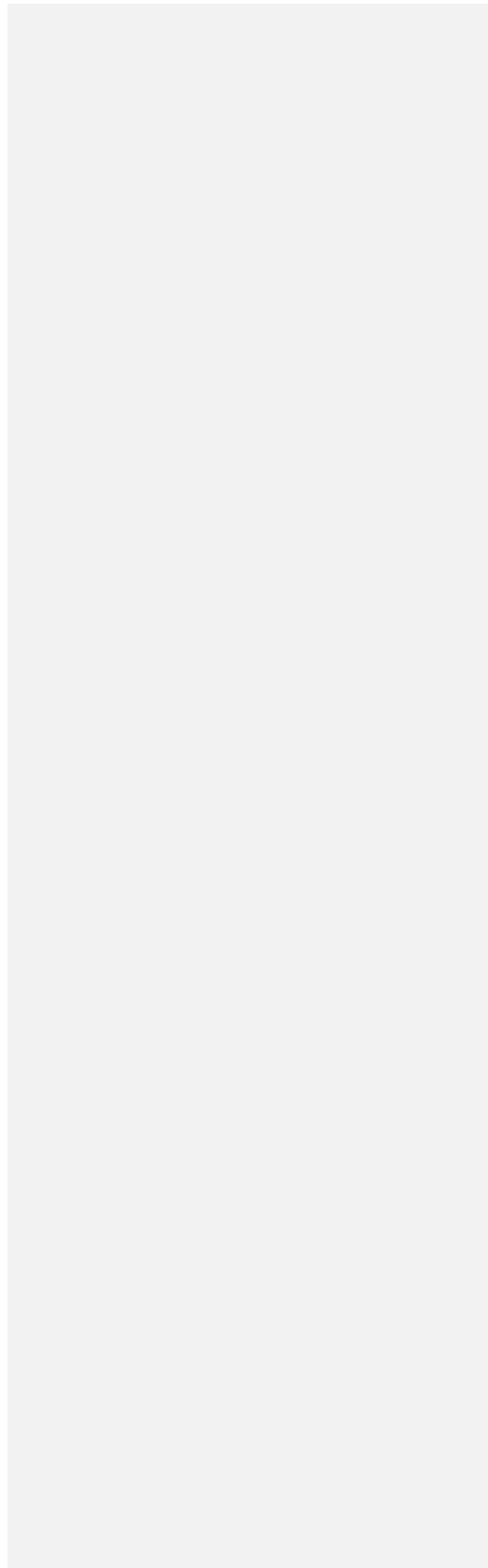
13. **IS THIS THE FIRST TIME YOU ARE APPLYING FOR A BURSARY IN THIS DEPARTMENT**  
.....

- IS THIS THE FIRST TIME YOU ARE APPLYING FOR A BURSARY IN THE CURRENT STUDY FIELD? (PLEASE GIVE FULL DETAILS).  
.....  
.....

14. **SUBSTANTIATION (TO BE PROVIDED BY PROGRAMME MANAGER)**  
.....  
.....  
.....

PROGRAMME MANAGER  
DATE:





**ANNEXURE G**

**STUDY AGREEMENT**  
**BETWEEN THE DEPARTMENT**  
**AND THE EMPLOYEE**

The parties to this Agreement are:

The DEPARTMENT OF **SPORT, ARTS AND CULTURE**, herein represented by the Director-General or his / her duly appointed representative and ..... in his / her capacity as the Chief Director: Human Resource Management (hereinafter called "the employer")

and

..... (hereinafter called "the employee").

**1. UNDERTAKING**

- 1.1 The employee undertakes to pursue the ..... (hereinafter called "the course"), offered by ..... with major subjects ..... for a period / prescribed remaining period of one year.
- 1.2 The employee further undertakes to furnish the employer with satisfactory proof of enrolment at the commencement of each academic year.
- 1.3 The employee further undertakes to furnish the employer with official proof of examination results immediately after they have been made known to the employee by the examination authority or with a progress report where a thesis or dissertation is a requirement.

- 1.4 Depending on the availability of funds, the employer, in turn, undertakes to provide financial assistance that will cover fees for registration, tuition, and examination to the employee in order to allow the employee to pursue the studies in ..... offered by .....
- 1.5 The employee undertakes to serve the employer concurrently with his / her employment contract immediately at the end of each successful academic year for a continuous period of one year.
- 1.6 The employee further undertakes that after complying with all the requirements of the course, he / she shall immediately continue to serve the department or such department to which he / she may be transferred for a continuous period of one year for each year in respect of which bursary moneys and / or study materials were paid on his / her behalf.

## 2. **TERMINATION AND SUSPENSION OF STUDY AGREEMENT**

- 2.1 The employee undertakes to repay the total amount of bursary moneys paid on his / her behalf plus interest determined by Treasury if he / she fails to comply with the provisions contained in paragraph 1.3 and 2.4(a).
- 2.2 If the employee leaves or is discharged from the Public Service before successfully completing the course, he / she shall have to repay immediately all the moneys that have been spent on him / her that have not been redeemed in terms of clause 1.5 of this Agreement to the Department in a lump sum plus interest at a rate determined by Treasury. Such moneys will be recovered from pension money if it is sufficient or else, irrespective of the amount involved in terms of this Agreement, any action which may arise from this Agreement may be instituted in a magistrate's court in South Africa that may otherwise have jurisdiction.
- 2.3 It is the employee's responsibility to provide the Department with a letter confirming that the new employee is prepared to take over the debts.

2.4 The employer may at any time suspend financial assistance if the employee is not making satisfactory progress with the course. If the employer so suspends the payment –

- (a) the employee shall be obliged to repeat and complete successfully at his / her own expense and his / her own time any subjects outstanding; if he / she does not immediately continue his / her studies, except where the Department has granted him / her postponement in writing, he / she shall be deemed to have abandoned the course, in which event clause 2.1 shall apply;
- (b) the employee shall continue to be subject to the provisions of this Agreement during such period of suspension; and
- (c) the employer may at any time thereafter continue financial assistance if at its discretion it is of the opinion that the employee has made satisfactory progress with the course.

2.5 If the employee's obligations in terms of this Agreement cannot be fulfilled owing to his / her death or if such obligations cannot, at the discretion of the employer, be fulfilled owing to the fact that he / she has become incapacitated by any mental or physical disability, any liability for the refunding of any moneys which may be due in terms of this Agreement shall lapse.

### 3. **GENERAL**

#### 3.1 Good faith

In the implementation of this Agreement, the parties undertake to observe the utmost good faith and they warrant in their dealing with each other that they will neither do anything nor refrain from doing anything that might prejudice or detract from the rights or interests of each other.

### 3.2 Interpretation of the Agreement

The laws and legal principles applicable in the Republic of South Africa shall govern the interpretation of this Agreement.

### 3.3 Jurisdiction of the courts

- (a) The employee submits to the jurisdiction of the courts of the Republic of South Africa in the event of any legal proceedings arising from the provisions of this Agreement.
- (b) It shall not be a breach of the Agreement if a party to this Agreement is prevented from or hindered in the performance or observance of its obligations hereunder by an Act of Parliament or other action by the state of by any cause or event beyond the control of that party.

### 3.4 Variation

- (a) The Agreement constitutes the whole of the undertaking between the parties to this Agreement relating to the subject matter of this Agreement, and save as otherwise provided, no amendment, alteration, addition or variation of any right or condition of this Agreement
- (b) The parties agree that there are no other conditions, warranties or representations, whether oral or written, and whether expressed or implied or otherwise, save those contained in this Agreement, the Public Service Regulations, 1999, collective agreements and other relevant legislation such as the Government Employees Pension Fund laws.

## 4. **NOTICE AND DOMICILIUM**

The parties choose as their respective *domicilia citandi et executandi* for the purpose of legal proceedings and for the purpose of giving or sending any notice provided for or necessary in terms of this Agreement, the following addresses –

**Employer**

**Employee**

.....  
.....  
.....  
.....

.....  
.....  
.....  
.....

Provided that any party shall report any change of his / her *domicilium* to any physical address or postal address by written notice to the other party.

**Signed by the employer at .....** **on this .....**  
**day of .....**

.....

**EMPLOYER**

AS WITNESSES:

1. ....
2. ....

Signed by the employee at ..... on this .....  
day of .....

.....  
**EMPLOYEE**

AS WITNESSES:

1. ....
2. ....



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
**REPUBLIC OF SOUTH AFRICA**

**DRAFT**

**HOSPITALISATION, TRAUMA, BEREAVEMENT  
POLICY AND PROCEDURE**



**POLICY AND PROCEDURE:  
HOSPITALISATION, TRAUMA, BEREAVEMENT**

**A: AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the ..... day of  
..... 20...

**EMPLOYER**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>DSAC</b>		

**ORGANISED LABOUR**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>NEHAWU</b>		
<b>PSA</b>		

**EFFECTIVE DATE:** .....

.

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## C. DEFINITION OF TERMS AND ACRONYMS

<b>Bereavement:</b>	Refers to the emotional state a person goes through or experiences as a result of the loss of a relative and / or loved one through death.
<b>Hospitalisation:</b>	It refers to the condition of being treated as a patient in a Health institution
<b>Trauma:</b>	It is an emotional response to a terrible event like an accident, rape or natural disaster etc.
<b>The Employer:</b>	Refers to the State as employer in this case it refers to <b>[DSAC]</b>
<b>Employee:</b>	It means a person contemplated in section 8, but excludes a person appointed in terms of section 12A, of the Public Service Act of 1994.
<b>Permanent employees:</b>	According to Section 8(3) of the Public Service Act, 1994 an <b>employee</b> refers to a person to whom a retirement age referred to in section 16 applies.
<b>Fixed term contract:</b>	a contract of employment that terminates on: a) The occurrence of the specific events b) The completion of a specific task or project c) A fixed date, other than an employee's normal or agreed retirement age, subject to subsection 3 of the Labour Relations Act, 1995.
<b>Contract:</b>	A legitimate agreement between the Department and the Intern, describing the conditions of employment.
<b>Contract employee:</b>	Any individual employed on a short term or long-term basis by the Department of Sport, Arts and Culture
<b>Interns:</b>	Unemployed graduate appointed on a special contract by the Department for the sole purpose of gaining experience.

**Service Provider:** A South African service provider accredited by the Department of Education / South African Qualifications Authority (SAQA). This service provider may be contracted to provide services as part of a learnership programme

**Delegation:** Refers to the employees of the DSAC who will be attending the pre-funeral visit and the funeral as per outlined arrangements.

**Employee Health and Wellness Unit:** Refers to the unit in the Chief Directorate: Human Resource Management responsible for Employee Health and Wellness Programmes within the Department of Sport, Arts and Culture.

**Home:** The place where an individual lives and from which he / she normally travels to attend work.

**Immediate Family Member:** Refers to everyone listed on the Determination on Leave of Absence of 2018.

- Employee 's parents, adoptive parents, step parents,
- Employee's parents-in-law, sister and brother-in-law
- Employee's spouse or life partner
- Employee's child, biological, stepchild and adopted children
- Employee's Grandchild
- Employee's sibling
- Employee's son and daughter in-law
- Employee's Grandparent.

**Life partner:** Means any major person who is party to a heterosexual or homosexual relationship with another major person, which relationship must be intended to be permanent, exclude any other person and involve cohabitation, an obligation of mutual emotional support between the parties and a reciprocal obligation to support one another financially in circumstances where the one has the means to do so and the other requires such support in order to maintain, without resource to the Public funds, his or her financial and social standing and standard of living. *For the purposes of this*

*Policy, proof is required that the Government Employees Pension Fund recognizes a person as the Life Partner of an employee.*

**Senior Manager:** Refers to a member of the Senior Management Service (SMS) who are on salary level 13 to 15.

**Support:** Refers to the:

- a) support that is given to an official who is hospitalised or has experienced a traumatic incident or bereavement.
- b) arrangement of the memorial service, provision of wreaths, facilitating access to bereavement counselling, provision of transport back and forth, for the pre-funeral and for the attendance of the funeral as outlined in this policy.

**Permanent staff member/employee:** Any full-time employee of the Department of Arts and Culture, employed under the Public Service Act.1994.

**Learner:** Official who has concluded a Learnership Agreement in terms of Skills Development Act No.97 of 1998

**ACRONYMS:**

**AIDS:** Acquired Immune Deficiency Syndrome  
**CD:** Chief Directorate  
**DG:** Director General  
**DPSA:** Department of Public Service and Administration  
**DSAC:** Department of Sport, Arts and Culture  
**EAP:** Employee Assistance Programme  
**EH&WSF:** Employee Health & Wellness Strategic Framework  
**GEPF:** Government Employee Pension Fund  
**HIV:** Human Immunodeficiency Virus  
**HOD:** Head of Department  
**HRM:** Human Resources Management  
**M&E:** Monitoring and Evaluation

## 1. INTRODUCTION

The Policy and Procedure provides a standardised and consistent framework for providing assistance to employees and their immediate family members during the time of Hospitalisation, Trauma and bereavement. The Department is also cognisant of personal circumstances of its employees such as HIV/AIDS, pregnancy, accidents and other illnesses that may lead to hospitalisation, trauma and bereavement.

## 2. PURPOSE

To demonstrate a sense of caring during hospitalisation, trauma and bereavement of an employee of the Department and their immediate family members as reflected in the values of the Department.

## 3. OBJECTIVES

The objectives of this Policy and Procedure are to:

- (a) Provide for a consistent approach towards dealing with issues of hospitalisation, trauma and bereavement of an employee or an immediate family member.
- (b) Define and regulate the terms of care that DSAC provides to employees in case of hospitalisation, trauma and bereavement of an employee and that of an immediate family member of an employee.
- (c) Inform employees about the hospitalisation, trauma and death of the affected employee or his/her immediate family member.
- (d) Regulate the assistance that the Department provides in the event of the death of an employee and that of an immediate family member of an employee (as defined);
- (e) Create a supportive environment for employees to cope with the devastating effects of the loss of a colleague;
- (f) Create a supportive environment for the bereaved employee to deal with the loss of an immediate family member; and
- (g) Ensure that the necessary and adequate support is provided for the family members of the deceased employee.

## **4. PRINCIPLES**

The departmental support shall be provided in line with the values of Department of Sport, Arts and Culture while also taking into consideration the sensitivity to the wishes of the affected employees and / or the affected immediate family members.

## **5. REGULATORY FRAMEWORK**

- 5.1 Constitution of RSA Act, 1996
- 5.2 Basic Conditions of Employment Act, 1998, as amended
- 5.3 Employment Equity Act, 1998, as amended
- 5.4 Labour Relations Act 66 of 1995, as amended
- 5.5 Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
- 5.6 Public Finance Management Act, 1 of 2000
- 5.7 Public Service Act of 1994, as amended
- 5.8 Public Service Regulations of 2016, as amended
- 5.9 Employee Health and Wellness Strategic Framework of February 2019
- 5.10 Code of Good Practice
- 5.11 Determination on Leave of Absence in the Public Service of 2018 as amended
- 5.12 Government Employee's Pension Fund Rules
- 5.13 Public Service Coordinating Bargaining Council Resolution 3 of 1999
- 5.14 Public Service Coordinating Bargaining Council Resolution 7 of 2000
- 5.15 Other relevant applicable policies of the Department

## **6. SCOPE OF APPLICATION**

The terms of this Policy and Procedure apply to all permanent and contract employees (including interns and learners) of the Department of Sport, Arts and Culture.

## **7. POLICY PROVISIONS / PROCEDURES, ROLES AND RESPONSIBILITIES**

### **7.1 COLLECTIVE AGREEMENTS**

The Department, in terms of the collective agreements, shall be responsible for the:

- (a) Cost of transporting home the remains of a deceased DSAC employee who died while away from his / her normal place of work on official duty, from where death occurred back to his / her place of burial, in line with the Resettlement Policy.
- (b) Cost of storage and transportation of the personal effects of the deceased employee shall be done in line with the Resettlement Policy.

## **7.2 HOSPITALISATION AND DEATH OF AN EMPLOYEE**

### **7.2.1 Hospitalisation of an Employee**

The Employee Health and Wellness Practitioner shall:

- (a) Purchase a card accompanied by bouquet of flowers or a fruit basket to an amount not exceeding R500.00 through a normal petty cash procedure.
- (b) Inform employees with a regular update depending on the circumstances of the affected employees (at least once per week).

### **7.2.2 Death of an Employee**

The Senior Manager or delegated official in the affected branch / section / unit shall:

- (a) Communicate the notice of death of the employee to the Chief Directorate: HRM.
- (b) Delegate an employee from the affected branch / section / unit to be part of the delegation for the pre-funeral visit, facilitation and arrangement of the departmental memorial service and the delegation for the attendance of the funeral.
- (c) Buy a wreath / flowers and a sympathy card for the immediate family member(s) of the deceased employee not exceeding R500.

### **7.2.3 The Chief Directorate: Human Resources Management shall:**

- (a) The Chief Director shall communicate the notice of death of an employee to the political principals and the departmental management.
- (b) Update the political principals and the management on all relevant arrangements regarding the death of an employee.



#### **7.2.4 The Manager Employee Health and Wellness shall:**

- (a) Provide access to bereavement counselling to colleagues of the deceased employee and immediate family members by ensuring that all affected employees and immediate family members attend a voluntary debriefing session as soon as the affected persons can avail themselves.
- (b) Assess and refer the affected colleagues of the deceased employee and / or immediate family member(s) requiring additional support on an individual basis, to the service provider Contracted with the Department. A maximum of eight (8) face to face sessions will be provided.
- (c) Explain to the affected colleagues of the deceased employee and / or immediate family member(s) about other community support structures, which are available at no cost to her / him or the department and link them to these structures, if he / she is interested.
- (d) Arrange a memorial service, at a venue chosen by the Department, for the deceased with the assistance of a nominated delegate(s) from the affected branch / section / unit. (The family members wishing to attend the service will be responsible for their own transport and accommodation).
- (e) Arrange for refreshments for the family members attending the memorial service, not exceeding an amount of R1500.00.
- (f) Provide two flower arrangements for the memorial service décor and a wreath for the funeral including a sympathy card for the maximum cost of R2 000-00 (Two thousand rand only).
- (g) Prepare a Eulogy with a picture for posting on the intranet in the case of the death of an employee.
- (h) Facilitate and arrange transport and accommodation (where necessary) for the pre-funeral visit and the funeral for the delegates of the Department as follows:
  - (i) The cost for the transport and accommodation for a delegation of not more than 10 employees will be carried by the Department, with priority given to employees from the affected branch / section / unit.
  - (ii) The decision whether accommodation should be provided or not (limited to one night only), should be informed by the distance the delegation has to travel (at least 350 km).
  - (iii) The transport shall be sourced in accordance with the Departmental Transport Policy.

- (iv) The employees representing the Department should behave themselves as they would when on official duty in line with the Public Service Code of Conduct.
- (v) Carry the cost for the delegation's transport and one-night accommodation where applicable.

### **7.3 DEATH OF AN IMMEDIATE FAMILY MEMBER**

7.3.1 In order to access the benefits provided for in this Policy and Procedure the affected employee shall:

- (a) Report the death of an immediate family member to her / his supervisor.
- (b) Provide reasonable proof of his / her relationship with the deceased to the Chief Directorate: Human Resource Management, 24 hours after returning to work.

#### **7.3.2 The Manager Employee Health and Wellness shall:**

- (a) Provide access to bereavement counselling to the affected employee and her / his affected immediate family members by facilitation of a voluntary debriefing session as soon as the affected persons can avail themselves.
- (b) Assess and refer the affected employee and / or immediate family member(s) requiring additional support on an individual basis, to the service provider Contracted with the Department. A maximum of eight (8) face to face sessions will be provided.
- (c) Explain to the affected employee and / or immediate family member(s) about other community support structures which are available at no cost to her / him or the department and link them to these structures, if he / she is interested.
- (d) Buy a wreath / flowers and a sympathy card for the affected employee not exceeding R500.
- (e) Facilitate and arrange transport and accommodation (where necessary) for the pre-funeral visit and funeral for the delegate as follows:
  - (i) The cost for the transport and accommodation for a delegation of not more than 10 employees will be carried by the Department, with priority given to employees from the affected branch / section / unit.
  - (ii) The decision whether accommodation should be provided or not (limited to one night only), should be informed by the distance the delegation has to travel (at least 350 km).

- (iii) The transport shall be sourced in accordance with the Departmental Transport Policy.
- (iv) The employees representing the Department should behave themselves as they would when on official duty in line with the Public Service Code of Conduct.
- (v) Carry the cost for the delegation's transport and one-night accommodation where applicable.

#### **7.4 COMMUNICATION**

- (a) The Chief Directorate: Human Resource Management should be notified of deaths by the supervisor / employee within a reasonable period, preferably within 24 hours after the supervisor has been informed of the death of an employee or the relevant employee has learned of the death of her / his immediate family member.
- (b) The wishes of the bereaved employee will be respected in determining the extent of communication of the death to the rest of the Department.

#### **7.5 FAMILY RESPONSIBILITY LEAVE**

Family responsibility leave will be granted to the affected employee in terms of the Determination on Leave of Absence in Public Service (as amended).

#### **8. RESOURCE IMPLICATIONS**

- (a) The expenditure arising from the application of this Policy and Procedure will be centrally budgeted for under the Chief Directorate: Human Resource Management.
- (b) The cost of the wreath / flowers and sympathy card for the immediate family member(s) or affected employees must be paid from the budget of the relevant branches.

#### **9. MONITORING AND EVALUATION**

- (a) The Chief Directorate: Human Resource Management: through Employee Health and Wellness Unit will on a continuous basis monitor and evaluate this policy in line with the *Guidelines for the Development of Human Resource Management Related Policies for the Department of Sport, Arts and Culture*.

- (b) Due to the confidential nature, any records resulting from the implementation of this Policy and Procedure shall be safely kept by the Employee Health and Wellness Unit.

## **10. GRIEVANCE AND NON-COMPLIANCE PROCEDURE**

Any grievance or noncompliance relating to the application of this Policy and Procedure shall be dealt with in terms of the Public Service disciplinary and grievance procedure.

## **11. REVIEW**

This Policy and Procedure shall be reviewed as/when the Department's needs change or as dictated by legislation or notification from the DPSA.



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

**DRAFT**

**THE MANAGEMENT OF  
HIV/AIDS, STI's, TB IN THE WORKPLACE  
POLICY AND PROCEDURE**

**POLICY AND PROCEDURE:  
THE MANAGEMENT OF  
HIV/AIDS, STI's, TB IN THE WORKPLACE**

**A: AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the ..... day of  
..... 20...

**EMPLOYER**

	NAME OF REPRESENTATIVE	SIGNATURE
DSAC		

**ORGANISED LABOUR**

	NAME OF REPRESENTATIVE	SIGNATURE
NEHAWU		
PSA		

**EFFECTIVE DATE:** .....

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### C. DEFINITIONS OF TERMS AND ACRONYMS:

**Acquired Immune Deficiency Syndrome:** is a symptom which result from advanced stages of HIV infection and is characterized by opportunistic infections or HIV related cancers, or both.

**Affected Persons:** means persons whose lives are changed by HIV/AIDS; STI and TB owing to the broader impact of the pandemic.

**Alisporivir:** is an oral host-targeting antiviral agent that inhibits replication.

**Communicable diseases:** is an infectious disease transmissible (as from person to person) by direct contact with an affected individual or the individual's discharges, or by direct means (as by a vector).

**Counseling:** is a confidential interactive session between a professional and a client.

**Employee Assistance Programme:** is a work based programme that is based on core technologies or functions that are meant to enhance employee effectiveness through prevention, identification and resolution of personal problems that have the ability to negatively impact on their work performance.

**Epidemic:** is a disease, usually infectious, that spreads quickly through population.

**Extensively Drug-Resistant Tuberculosis:** is caused by bacteria that is resistant to some of the most effective anti-TB drugs. *XDR-TB* strains have arisen after the mismanagement of individuals with multidrug-resistant.

**Informed consent:** is a process of obtaining consent/approval from a patient/employee to ensure that the person fully understands the nature, implications and future consequences of the HIV test before such a person consents/agrees to take the test.

**Human Immunodeficiency Virus:** is a virus that weakens the human immune system.

**Multidrug-Resistant Tuberculosis:** is a form of tuberculosis caused by an organism that is resistant to at least isoniazid and rifampin, the two most potent TB drugs. These drugs are used to treat all persons with TB disease.

**Pandemic:** is an epidemic occurring simultaneously in many countries.

**Post Exposure Prophylaxis:** A short term anti-retroviral treatment administered following exposure possible exposure to a HIV. It attempts to block or reduce injury of infection. Post-exposure prophylaxis can be used for anyone who was accidentally exposed to HIV to protect them from being infected.

**Prophylaxis:** Action taken to prevent or protect from a disease.

**Sexually Transmitted Infections:** Infections which are spread by transfer of organism from person to person during sexual contact.



**Stigma:** is the social mark which, when associated with a person, usually causes marginalization or presents an obstacle to the full enjoyment of either social or work-life by the person living or affected by HIV/AIDS and/or Tuberculosis.

**Unfair discrimination:** is any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

## **ACRONYMS**

<b>AIDS</b>	:	Acquired Immune Deficiency Syndrome
<b>ALV</b>	:	Alisporivir
<b>ART</b>	:	Anti-Retroviral Therapy
<b>ARV</b>	:	Anti-Retroviral
<b>CSO</b>	:	Civil Society Organisation
<b>CBO</b>	:	Community Based Organisation
<b>DPSA</b>	:	Department of Public Service and Administration
<b>DOT</b>	:	Direct Observed Treatment
<b>EAP</b>	:	Employee Assistance Programme.
<b>ETR.NET</b>	:	Electronic TB Register
<b>HBO</b>	:	Home Based Organization
<b>HCT</b>	:	HIV Counseling and Testing
<b>HIV</b>	:	Human Immunodeficiency Virus
<b>IDC</b>	:	Interdepartmental Committee led by the DPSA
<b>IPT</b>	:	Isoniazid Preventative Therapy
<b>MDR-TB</b>	:	Multidrug-Resistant Tuberculosis
<b>NCS</b>	:	National Communication Survey
<b>NGO</b>	:	Non-Governmental Organisation
<b>NSP</b>	:	National Strategic Plan for HIV, STI's and TB
<b>PEP</b>	:	Post Exposure Prophylaxis
<b>PLHIV</b>	:	Person living with Human Immunodeficiency Virus
<b>SACEMA</b>	:	South African Centre for Epidemiological Modeling and Analysis
<b>SANAC</b>	:	South African National Aids Council
<b>STI</b>	:	Sexually Transmitted Infections
<b>TB</b>	:	Tuberculosis
<b>XDR-TB</b>	:	Extensively Drug-Resistant Tuberculosis

## **1. INTRODUCTION:**

The HIV, AIDS and TB epidemic affects every individual, every family, every social institution, and indeed, every organisation directly or indirectly. The Department of Sport, Arts and Culture (DSAC) acknowledges the seriousness of HIV/AIDS TB and STI's infections. The Department thus seeks to minimise the social economic and developmental consequences of HIV/AIDS, TB and STI's to its employees, and to commits itself to providing resources, support and leadership by implementing comprehensive programmes within the Department.

## **2. PURPOSE:**

The purpose of this Policy and Procedure is to provide a clear guideline according to which the Department of Sports, Arts and Culture shall address the issue of employee's infected with and living with HIV/AIDS, TB and STI's or other diseases in order to minimise the negative social, economic and developmental consequences to the departmental employees. The Policy and Procedure further provides clear guidelines according to which the Department of Sport, Arts and Culture shall address issues of employees infected and living with HIV and TB. The Department further commit itself to provide resources, support and leadership in implementing a comprehensive HIV, TB and STI's management programme.

## **3. OBJECTIVES**

The objectives of this Policy and Procedure are to provide guidance in the implementation of HIV/AIDS, TB and STI programmes for DSAC as follows:

- (i) To promote awareness to all employees about HIV, TB and STI's.
- (ii) To enhance and promote awareness and empowerment on the protection and prevention of HIV, TB and STI's infections to employees.
- (iii) To facilitate and implement the provision of HIV counselling and testing (HCT) to all employees.
- (iv) To facilitate and implement the provision of TB screening and testing in promotion of early detection.
- (v) To promote openness, disclosure and acceptance on HIV and TB.
- (vi) Eliminate Unfair-Discrimination and Stigma Based on Real or Perceived HIV Status.

- (vii) To promote and ensure confidentiality during HIV and TB testing in the workplace.
- (viii) To respect the right to confidentiality of employees living with HIV/AIDS and TB

#### **4. PRINCIPLES:**

The departmental support shall be provided in line with the values of the Department of Sport, Arts and Culture while also taking into consideration the sensitivity of the infected and/or affected employee and/or that of the affected immediate family members. The Department shall affirm that:

- (i) The policy will be implemented in consultation with employees and their representatives.
- (ii) Employees living with HIV, TB and STI's, have the same rights and obligations as all other employees.
- (iii) Employees living with HIV, TB and STI's, will be protected against discrimination.
- (iv) Refusal to work with an employee who is HIV positive, has TB will be deemed discrimination and thus will be dealt with in line with Labour Relations (LR) provisions.
- (v) A positive HIV status and TB infection will not constitute a reason for termination of employment or exclusion from training and career progression.
- (vi) It is the responsibility of an employee to make use of every provided opportunity to become educated and informed on the diseases, take initiative to ensure that they protect themselves from infection; and seek available treatment in time or when necessary.
- (vii) The HIV status of an employee will remain confidential. In the event of disclosure without consent, the responsible employee will be liable to disciplinary action.

#### **5. REGULATORY FRAMEWORK:**

- 5.1 The Constitution of the Republic of South Africa Act 108 of 1996
- 5.2 Labour Relations Act 66 of 1995 as amended
- 5.3 Occupational Health and safety Act 85 of 1993 as amended
- 5.4 Basic Conditions of Employment Act 75 of 1998, as amended
- 5.5 Compensation for Occupational Injuries and Disease: Act 61 of 1997 as amended
- 5.6 The Employment Equity Act No.55 of 1998, as amended
- 5.7 National Strategic Plan 2017 – 2022 on HIV, TB and STIs
- 5.8 Public Service Coordinating Bargaining Council Resolution 3 of 1999

- 5.9 Public Service Coordinating Bargaining Council Resolution 7 of 2000
- 5.10 Public Service Regulations of 2016, as amended.
- 5.11 Code of Good Practice of the Aids Consortium (October 1995 Draft for NEDLAC)
- 5.12 Medical Aids Scheme Act, 131 of 1998
- 5.13 Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000
- 5.14 A Code of Good Practice on HIV and AIDS and the World of Work (Department of Labor)
- 5.15 Employee Health and Wellness Strategic Framework for the Public Service Final draft November 2008
- 5.16 National Institute for Communicable Diseases Guidelines (NICD)  
 Communicable Diseases Surveillance Bulletins (Quarterly publications)  
 National Institute for Communicable Diseases – National Health Laboratory Services (NICD-NHLS) Communique' (Monthly publications)
- 5.17 First Line Comprehensive Management and Control of Sexually Transmitted Infection (STIs); 2008

## **6. SCOPE OF APPLICATION**

The terms of this Policy and Procedure apply to all permanent, contract and internship employees of the Department of Sport, Arts and Culture.

## **7. POLICY PROVISIONS / PROCEDURES:**

The Department, in terms of the collective agreements, shall be responsible for providing access to:

- (i) Information, education and communication activities, including small media materials and peer education.
- (ii) Provision of condoms
- (iii) Health Screening
- (iv) Information and access to TB screening and counselling on request by employees
- (v) Information and access to HIV counselling and testing (HCT) on request by employees and as part of Wellness calendar activities.
- (vi) Personal protective equipment for employees who may potentially be exposed to blood and/or blood products.
- (vii) Immediate access to information and Direct Observed Treatment (DOT).

## **8. ROLES AND RESPONSIBILITIES:**

### **8.1 THE EMPLOYEE**

The employee shall:

- (i) Use every opportunity provided by the Department to become educated and informed on the diseases by availing her/himself to the arranged training.
  - (ii) Effectively and correctly use the information provided through awareness and empowerment initiatives provided by the Department.
  - (iii) Correctly use any protective equipment/material provided by the employer where there is potential exposure to blood or blood products.
  - (iv) Use every legal protection regarding discrimination on the basis of her/his HIV status or TB infection.
  - (v) Report any breach of confidentiality or form of discrimination against her/himself by virtue of her/his HIV and / or TB status.
  - (vi) Utilize resources provided to protect her/himself from being infected with the HIV and / or TB.
  - (vii) Encouraged to participate in the HIV/AIDS and TB programmes.
- Other officials shall respect the rights of those who are living with HIV, AIDS and TB.

### **8.2 THE EMPLOYEE WELLNESS COMMITTEE:**

The Department shall:

- (a) Establish a Wellness Committee to assist in the implementation of the HIV/AIDS, STIs and TB:
  - The committee should be gender balanced and comprise of:
    - (i) The Employee Wellness officer, who will be the secretariat.
    - (ii) Representatives from all branches.
    - (iii) People living with HIV/AIDS
    - (iv) Union representatives.
- (b) With the help of the committee, develop an HIV/AIDS, STI's, and TB
- (c) Communicate the policy to all employees.
- (d) Monitor the implementation of the departmental HIV/AIDS, STI's and TB
- (e) Advise management regarding the implementation of and progress with the programme.

- (f) Make use of training on all aspects relating to HIV/AIDS, STI's and TB and provided for the committee.

### **8.3 THE EMPLOYEE WELLNESS UNIT SHALL:**

- (i) Provide information and access to counselling of infected and/or affected employees
- (ii) Assist the employee with the process of voluntary disclosure, upon request of the infected employee.
- (iii) Provide information on how to access counselling, home based care services support groups to family members of the infected employee.
- (iv) Provide information and assistance to access Anti-retroviral (ARV) treatment to/for infected employees when the need arises.
- (v) Provide information and assistance to access post exposure prophylaxis (PEP) when the need arises.
- (vi) Assist to create a supportive and non-discriminatory working environment for employees living / infected or affected by the HIV virus and TB.
- (vii) Assist to create a supportive and non-discriminatory working environment for employees infected and/or affected by TB.
- (viii) Monitor and evaluate the Department's HIV, STI and TB programme
- (ix) Make recommendations to management regarding the implementation and progress of HIV/AIDS, STIs and TB programmes.
- (x) Liaise with community support structures that deal with TB training and its management.
- (xi) Liaise and network with local AIDS service organizations and other resources in the community.

### **9. RESOURCE IMPLICATIONS:**

The expenditure arising from the application of this Policy and Procedure will be centrally budgeted for under the Chief Directorate: Human Resource Management.

### **10. INTERACTION WITH OTHER GOVERNMENT DEPARTMENTS:**

The Department of Sport, Arts and Culture shall serve on the Public Service Interdepartmental Committee to ensure a uniform and concerted response to the management of HIV/AIDS, STIs and TB.

## **11. INTERACTION WITH RELEVANT STAKEHOLDERS:**

The Department of Sport, Arts and Culture shall also interact with all relevant stakeholders such as SANAC, NGO's, EAPA-SA, CBO's and Home-Based Care Organizations for support.

## **12. MONITORING AND EVALUATION**

- (a) Due to the confidential nature, any records resulting from the implementation of this Policy and Procedure shall be safely kept by the Employee Health and Wellness Unit.
- (b) The Employee Wellness Unit shall provide a report on the impact made by the implementation of this policy to the Director-General at least once per annum.

## **13. GRIEVANCE AND NON-COMPLIANCE PROCEDURE**

Any grievance or non-compliance relating to the application of this policy shall be dealt with in terms of the Public Service disciplinary and grievance procedure.

## **14. REVIEW**

This Policy and Procedure shall be reviewed as/when the Department's needs change or as dictated by legislation or notification from the DPSA.



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

## **DRAFT**

**POLICY AND PROCEDURE ON REASONABLE ACCOMMODATION AND  
ASSISTIVE DEVICES FOR EMPLOYEES WITH DISABILITIES IN THE  
WORKPLACE**



**POLICY AND PROCEDURE:  
REASONABLE ACCOMMODATION AND ASSISTIVE DEVICES FOR EMPLOYEES  
WITH DISABILITIES IN THE WORKPLACE**

**A: AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the ..... day of  
..... 20...

**EMPLOYER**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>DSAC</b>		

**ORGANISED LABOUR**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>NEHAWU</b>		
<b>PSA</b>		

**EFFECTIVE DATE:** .....

.

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## ACRONYMS AND DEFINITION OF TERMS

**Affirmative action (AA) measures:** Measures designed to ensure that suitably qualified people from designated groups have equal opportunities and are equitably represented in all occupational levels in the workforce of a designated employer. (Employment Equity Act, No. 55 of 1998, section 15 refers).

**Accessibility:** refers to both the physical environment and to information and communication services. Access is not an act or state, but refers to freedom of choice in entering, approaching, communicating with or making use of a situation

**Barriers:** Obstacle and impediments that prevent people from free movement, decision – making, association and participation. They may be environment (physical) or created by attitudes and systems that limit functioning and create disability

**Assistive device:** is a tool, technology or other mechanism that enables a person with a disability to do everyday tasks and activities such as moving, communicating or lifting. It helps the person to maintain their independence at work, at home and in the community.

**Communication:** refers to verbal and non-verbal means of conveying information. The Convention on the Rights of People with Disabilities (2007) defines communication as inclusive of languages, display of text, braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication as well as accessible information and communication technology.

**DSAC:** Department of Sports, Arts and Culture.

**Discrimination:** It refers to treating people who are different from you in an unfair, biased or prejudicial way. According to the Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000, discrimination “means any act or omission, including a policy, law, rule, practice, condition or situation which directly or indirectly –

- (a) Imposes burdens, obligations or disadvantage on, or
- (b) withholds benefits, opportunities or advantages from, any person on one or more of the prohibited grounds”

*(This definition should be read in conjunction with Chapter 2, Section 9 of the Constitution of the Republic of South Africa, 1996 and the Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000).*

**Discriminatory Practices:** Refers to any treatment, restriction of opportunity based on race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. (Section 9 (3) of the Constitution)

**Fair Discrimination:** In terms of the Constitution, Chapter 2, section 9(3), the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds (race, gender etc.). However, in terms of section 9(2), to promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination, may be taken. For example, it is fair to take those grounds into consideration where they are relevant for either affirmative action measures or the inherent requirements of the job.

**EEA:** Employment Equity Act.

**Employee:** Means any person who works for the Department and who receive remuneration (excluding independent contractors).

**Employment Equity (EE):** Refers to the elimination of unfair discrimination as well as the implementation of specific measures to accelerate the advancement of designated groups towards the achievement of equality.

**Equity:** Refers to the state or quality of being fair, fairness in dealing with justice. Equity as applied by law determines that rules and regulations are applied equally to all people.

**Head of Department:** Means any incumbent of a post mentioned in column 2 of schedule 1, 2 or 3, and includes any employee acting in such post (Public Service Act, 1994 as amended).

**HRM:** Human Resource Management.

**Inherent requirements of a job:** Refers to competencies that, according to evidence, an employee need in order to carry out a job.

**Mentoring:** Is a process whereby specially selected and trained individuals are used to provide guidance and advice to develop careers of fast trackers /protégés allocated to them.

**People with disabilities:** Means people who have a long term or recurring physical or mental impairment, which substantially limits their prospects of entry into, or advancement in employment (Employment Equity Act No. 55 of 1998).

**PSCBC:** Public Service Coordinating Bargaining Council.

**Reasonable accommodation:** Means any modification or adjustment to a job or to the working environment that will enable a person from a designated group to have access to, participate or advance in employment (Section 1: Employment Equity Act).

**Recruitment:** Refers to processes (which includes advertising) utilised to find a suitable candidate to fill a specific vacant funded post.

**Selection:** Refers to processes (which include sifting, short listing, interviews and tests) utilised to identify the most suitable candidate to fill a specific vacant funded post.

**Sensitization:** Is a process of making people aware of the facts of disability so that they can understand disability issues from a human rights perspective and appreciate the need for changes to be made.

**Suitably Qualified Person:** A person may be suitably qualified for a job as a result of anyone of or any combination of that person's formal qualification, prior learning, relevant experience or capacity to acquire, within a reasonable time, the ability to do the job.

**Senior Manager:** Refers to a member of the Senior Management Service (Director Level and above).

**Universal design and inclusive design:** Means the design of products, environments, programmes and services to be useable by all people, to the greatest extent possible, without the need for adaptation or specialised design. Universal designs shall not exclude assistive devices for particular groups of persons with disabilities where it is needed.

## 1. INTRODUCTION

The rights of people with disabilities are protected by the Constitution. Department of Sports, Arts and Culture (DSAC) have a responsibility to ensure that concrete steps are taken to ensure that people with disabilities are able to access the same fundamental rights and opportunities as any DSAC employees.

Commented [AM1]:

As part of the process of equal opportunities, provision should be made to assist people with disabilities to assume responsibility as employees of the DSAC.

## 2. MANDATING FRAMEWORK

- 2.1 Constitution of the Republic of South Africa, 1996
- 2.2 The United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol signed and ratified without reservation in 2007
- 2.3 The Promotion of Equality and Prevention of Unfair Discrimination Act (2000)
- 2.4 Public Service Act, 1994 (as amended)
- 2.5 Employment Equity Act, 55, of 1998 (as amended)
- 2.6 White Paper on Transformation in the Public Service, 1995
- 2.7 White Paper on Affirmative Action in the Public Service, 1998 and Code of Good Practice on Employment Equity Act No 55 of 1998
- 2.8 Practice on Employment Equity Act No 55 of 1998
- 2.9 White Paper on Integrated National Disability Strategy, 1997
- 2.10 White Paper on Human Resource Management in the Public Service, 1997
- 2.11 Code of Good Practice on the Key Aspects of Disability in the Workplace, 2002
- 2.12 Technical Assistance Guidelines on the Employment of People with Disabilities
- 2.13 The Job Access Strategic Framework on the Recruitment, Employment and Retention of Persons with Disabilities in the Public Service, 2006
- 2.14 Occupational Health and Safety Act, 85 of 1993
- 2.15 National building Regulations and building Standards Act, 1977 and SANS10400-S
- 2.16 Labour Relations Act, 66 of 1995, (as amended)
- 2.17 Basic Conditions of Employment Act, 1997 (as amended)
- 2.18 Public Service Coordinating Bargaining Council Resolution 3 of 1999
- 2.19 Public Service Regulations, 2016 (as amended)
- 2.20 Skills Development Act, 1997
- 2.21 Departmental Policy on Travel

### **3. PURPOSE**

- 3.1 The purpose of this policy is to protect and promote the rights of people with disabilities in the DSAC and any applicants with disabilities applying for a position in the DSAC.

### **4. OBJECTIVES**

The objectives of this policy are to:

- 4.1 promote disability equity in the Department;
- 4.2 ensure that proactive measures are taken to prevent and eradicate unfair discrimination practices for people with disabilities in the DSAC;
- 4.3 ensure that reasonable accommodation and Assistive Devices are provided for people with disabilities in order to ensure that they enjoy equal opportunities and are equitably represented in the workplace; and
- 4.4 To mainstream disability issues in the policies, programmes and plans of the department.
- 4.5 Provide guidelines on the provision of transportation by department to and from work for employees with disabilities
- 4.6 Provide guidelines on the use of Personal Assistants and Caregivers by, and for employees with disabilities, and
- 4.7 Provide sign language interpretation services, where there is a need.

### **5. PRINCIPLES**

- 5.1 The DSAC commits itself to provide support for the needs and advancement of people with disabilities in the physical and organisational environment of the DSAC as well as the eradication of employment barriers.

### **6. RATIONALE**

- 6.1 South Africa ratified the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol without reservation in 2007. Article 2 includes “denial of reasonable accommodation” as discrimination based on disability.
- 6.2 Article 5, dealing with “Equality and non-discrimination”, requires of State Parties to take all appropriate steps to ensure that reasonable accommodation is provided in order to promote equality and eliminate discrimination.



## 7. SCOPE OF APPLICATION

7.1 This policy applies to all employees and prospective employees of the DSAC, including the following categories:

- 7.1.1 Senior Managers
- 7.1.2 Supervisors/employees
- 7.1.3 Line Function Managers
- 7.1.4 Job Applicants
- 7.1.5 Interns

## 8. POLICY PROVISIONS/PROCEDURES

### 8.1. THE DEFINITION OF DISABILITY

8.1.1 People who satisfy all the criteria according to Section 1 of the Employment Equity Act No. 55 of 1998, as amended, which defines people with disabilities as follows:

“People who have a long term or recurring physical or mental impairment which substantially limits their prospects of entry into, or advancement in employment.”

#### 8.1.2 LONG-TERM OR RECURRING

- a. “**Long-term**” means the impairment has lasted or is likely to persist for at least twelve months. A short-term or temporary illness or injury is not a qualifying impairment.
- b. “**Recurring impairment**” should have a real probability of recurrence, to a degree and at a frequency that can reasonably be regarded as *substantially limiting*. It includes a constant underlying condition, even if its effects on a person fluctuate.
- c. “**Progressive conditions**” are those that are likely to develop or change in the course of time. Some may also be recurrent. People living with progressive conditions or illnesses are considered as people with disabilities once the *impairment* starts to be *substantially limiting*. Progressive or recurring conditions which have no overt symptoms or which do not substantially limit a person are not disabilities.

### 8.1.3 IMPAIRMENT

- a. An Impairment may be **physical** or **mental** or a combination of both.
- b. **'Physical' impairment** means a partial or total loss of a bodily function or part of the body. It includes sensory impairments such as being deaf, hearing impaired, or visually impaired.
- c. **'Mental' impairment** means a clinically recognised condition or illness that affects a person's thought processes, judgement or emotions.

### 8.1.4 SUBSTANTIALLY LIMITING

- a. An impairment is substantially limiting if, in its nature, duration or effects, is substantially limits the person's ability to perform the essential functions of the job for which they are being considered.
- b. Some impairments are easily controlled, corrected or lessened, that they have no limiting effects. For example, a person who wears spectacles or contact lenses does not have a disability unless even with spectacles or lenses the person's vision is substantially impaired.
- c. An assessment whether the effects of impairment are substantially limiting must consider if medical treatment or other devices would **control or correct** the impairment so that its adverse effects are prevented or removed.
- d. For reasons of **public policy** certain conditions or impairments may not be considered disabilities. These include, but are not limited to:
  - (a) Sexual behaviour disorders that are against public policy.
  - (b) Self-imposed body adornments such as tattoos and body piercing.
  - (c) Compulsive gambling, tendency to steal or light fires.
  - (d) Disorders that affect a person's mental or physical state if they are caused by current use of illegal drugs or alcohol.
  - (e) Normal deviations in height, weight and strength.
  - (f) Conventional physical and mental characteristics and common personality traits.

## 8.2 THE AFFIRMATION OF PEOPLE WITH DISABILITIES

8.2.1. The affirmation of people with disabilities should eradicate the disadvantages caused by past discriminatory practices and enable them to benefit on a fair basis from the opportunities that DSAC offers.

8.2.2 To improve the status of people with disabilities in the DSAC it is critical to increase representation particularly at decision-making levels. It is also important to ensure that the DSAC:

- a) Offers an environment that is free of barriers to maximise access.
- b) Eliminates prejudice and stereotypes in practice and policies.
- c) Identify and eliminate employment barriers
- d) Provide reasonable accommodation for people with disabilities
- e) Ensure equitable representation in all levels of the workforce, and provide skills development for people with disabilities.

8.2.3 The DSAC should ensure that at least two percent (2%) of its staff complement consist of people with disabilities as a minimum baseline. (If there is a review of the National Target, the 2% will be adapted accordingly).

## 8.3 PROVISION OF REASONABLE ACCOMMODATION MEASURES AND ASSISSTIVE DEVICES FOR PEOPLE WITH DISABILITIES IN THE WORKPLACE

8.3.1 The DSAC is obliged to provide reasonable accommodation when an employee or applicant or voluntarily discloses a disability related accommodation need or when such a need is self-evident to the employer.

8.3.2 Reasonable accommodation should always be linked to the inherent requirements of a particular job that the person with a disability has been appointed to perform. It should add value to the performance of the functions attached to the job of the employee with a disability

8.3.3 The DSAC shall reasonably accommodate the needs of people with disabilities, in line with the Employment Equity Act and the Code of Good Practice: Key Aspects on the Employment of People with Disabilities.

- 8.3.4 The employee with a disability should at all times be consulted and allowed to provide inputs with regards to the most suitable reasonable accommodation measures, it is recommended that professional services should be utilized in order to arrive at the appropriate measure
- 8.3.5 The DSAC may adopt the most cost-effective means that are consistent with effectively removing the barrier to a person being able to perform the job, and to enjoy equal access to the benefits and opportunities of employment.
- 8.3.6. Reasonable accommodation applies to employees with disabilities and applicants and may be required during the recruitment and staffing processes, in the working environment.
- 8.3.7 The DSAC should consult the employee and, where necessary consult technical experts to establish appropriate mechanisms to accommodate the employee.
- 8.3.8. Reasonable accommodation may be temporary or permanent, depending on the nature and extent of the disability.
- 8.3.9. Examples of reasonable accommodation include but are not limited to the following:
- a) Adapting existing facilities to make them accessible.
  - b) Adapting existing equipment or acquiring new equipment, including computer hardware and software.
  - c) Re-organising workstations.
  - d) Restructuring jobs so that non-essential functions are re-assigned.
  - e) Providing readers, sign language interpreters.
  - f) Providing specialised supervision, training and support.
- 8.3.10 The Code emphasises that if reasonable accommodation of a qualified applicant or an employee with a disability will impose an unjustifiable hardship on the performance of the department, then the DSAC need not accommodate such a person.
- 8.3.11 According to paragraph 6.12 of the Code of Good Practice: Key Aspects on the Employment of People with Disabilities, Unjustifiable hardship is action that requires significant or considerable difficulty or expense. This involves considering the effectiveness of the accommodation and the extent to which it would seriously disrupt the operation of the business.

## **9. CATEGORIES OF ASSISTIVE DEVICES AND SERVICES.**

9.1 Assistive devices fall into two broad categories, which are:

9.1.1 **"Independent living-related" assistive devices:** These devices are specific to the employee - they are prescribed and can only be used by that individual employee for purposes of independent living. These include, amongst others, artificial limbs, hearing devices, prostheses, wheelchairs, white canes. They provide support with all aspects of a person's life, including personal independence. ***It is not the responsibility of the employer to provide this category of devices;*** and

9.1.2 **"Employment related" assistive devices.** These devices provide specific support in the context of employment. Without these, an employee would not be able to perform his or her functions, or the quality thereof may be gravely compromised by the lack of such devices or reasonable accommodation measures, for example but not limited to, Dictaphone, Computer with voice activation, Note taker, Magnifier, Wheelchair, etc.

### **9.1 ASSISTIVE DEVICES**

9.1.1 The DSAC shall ensure the supply of support services, including assistive devices for people with disabilities, to assist them to increase their level of independence in the working environment and to exercise their rights.

### **9.2 PROCUREMENT AND TRANSFER/DISPOSAL OF ASSISTIVE DEVICES**

9.2.1 The procurement and disposal of Assistive Devices shall be executed in line with Section 38(1) (a) (iii) of the Public Finance Management Act, which maintains the implementation of appropriate procurement and provisioning system that is fair, equitable, transparent, competitive and cost effective.

9.2.2 The transfer of Assistive Devices from one department to another shall be handled in terms of Section 42 of the Public Finance Management Act and Treasury Regulations. They shall be accounted for, similarly with any other departmental asset

### **9.3 UTILISATION, REPAIRS AND MAINTENANCE OF ASSISTIVE DEVICES**

9.3.1 Employees with disabilities shall be personally liable for the repairs and maintenance of their personal Assistive Devices;

9.3.2 The employer shall be responsible for the routine maintenance and repairs of employment related Assistive Device; and

9.3.3 In case of the utilization, repairs and maintenance of assistive devices:

9.3.3.1 Where an employee has to undergo training related to the use assistive device such as a blind employee who has to go for training with his/her guide dog, this employee would be treated like any employee attending training governed by the Human Resource Development Policy; and

9.3.3.2 Where an employee has to undergo training to utilize equipment to access the workplace and to perform the job the same should be treated as official training while on duty

#### **9.4 THE PROVISION OF TRANSPORTATION FOR EMPLOYEES WITH DISABILITIES TO AND FROM THE WORKPLACE**

9.4.1 The operation of reasonable accommodation measures for people with disabilities commences when an employee with a disability enters the workplace up until when he or she leaves the workplace

9.4.2 With due consideration to the provisions contained in Part X of PSCBC Resolution 3 of 1999:

9.4.3 The Head of the Department to grant approval for the use of official transport, if exceptional transport challenges in the use of public transport to reach the place of work arise. In such cases, the employees using official transport are obliged to pay transportation costs to the employer according to the relevant approved tariffs.

9.4.4 The stipulated tariffs are revised annually in line with the framework for provisioning of transport between residence and work as set out in Chapter X of PSCBC Resolution 3 of 1999, which is the collective agreement on remuneration allowances and benefits.

9.4.5 The terms and conditions as agreed upon to provide the said transportation for people with disabilities to and from the place of work, must be in writing in order to ensure consistency. Each case will be handled according to the type and severity of the disability.

- 9.4.6 The Head of the department may approve the purchase of a business class ticket, which may be considered based on relevant motivation and medical report for persons with disabilities
- 9.4.7 Whenever a request for reasonable accommodation or assistive device is declined, such a refusal to provide reasonable accommodation or assistive device by the employer must always be in writing, stating the reasons why the request has been declined and such records should be kept safe. A copy of any refusal should be submitted to the Department of Public Service and Administration; and
- 9.4.8 An employee with a disability whose request for reasonable accommodation or assistive devices has been declined must be afforded an opportunity to make representations to the Head of Department or Head of Institution against the decision not to provide reasonable accommodation measure or assistive device and the Executive Authority must be the final arbitrator

## 9.5 PERSONAL ASSISTANTS AND CAREGIVERS

- 9.5.1 Some employees with certain types of disabilities may require the services of personal assistance due to the nature of their disabilities. Assistance, in addition to any assistive device that has been provided to an employee with a disability could be in the form of a person who assists the employee with a disability
- 9.5.1 Such persons who assist employees with disabilities could be categorized into two:
- (a) **Personal Assistant:** in the context of disability management within the workplace, this would be a person who provides work-related services to an employee who needs such a service; and
  - (b) **Caregiver:** This person provides services of a personal nature to an employee with a disability. A caregiver at home can be utilized to assist even at the working environment. This would include, amongst others, feeding; taking an employee to the bathroom, clothing, etc.
- 9.5.2 An employee with a disability who, as a result of the nature and / or seriousness of a disability, needs the services of a personal assistant must be provided with same by the employer to enable him or her to discharge his or her duties;

9.5.3 Specialist services may be utilized to establish whether a need does exist for the provision of such a personal assistant; and

9.5.4 An employee with a disability who needs the services of a caregiver must be responsible for such a caregiver as services provided are of a personal nature (not work-related)

## **9.6 ACCESSIBILITY/BARRIER FREE WORKING ENVIRONMENT**

9.6.1 The employer shall ensure that its built-environment where the employee works is accessible, taking into account the nature or type of a disability that the person has, and

9.6.2 The employer shall ensure that where necessary all communication, including information, is available in formats that are accessible to persons with different types of disabilities.

## **9.7. ACCESS TO THE PHYSICAL ENVIRONMENT**

9.7.1. The DSAC shall initiate measures and programmes to remove the structural barriers in the built working environment.

9.7.2. Reasonable Accommodation include but not limited to:

- a) Adapting existing facilities to be accessible
- b) Re-organising workstations
- c) Inaccessible entrances due to security systems (Turnstiles)
- d) Structural planning overall (Narrow pavement areas, lack of demarcated special parking bays).
- e) Poor interior designs (Fixed seats and clustered rooms).

9.7.3 The DSAC must ensure not only barrier-free access, but also an integrated universal design to allow both employees who have no disabilities and employees with disabilities to use DSAC facilities simultaneously.

## **9.8. ACCESS TO INFORMATION AND COMMUNICATION**

9.8.1 Communication is an important component of everyone's life. Access to communication, therefore, forms an integral part of the equalisation of opportunities for people with communication disabilities.



- 9.8.2 Information and documentation should be accessible for different groups of people with disabilities. Braille, tape services, large print and other appropriate technologies shall be used to provide access to written information and documentation for people with visual impairments. Similarly, appropriate technologies shall be used to provide access to information on audio for people with auditory impairments or intellectual capacity.
- 9.8.3 Sign Language interpretation services shall also be provided to facilitate the communication between deaf persons and others.
- 9.8.4 Consideration shall also be given to the needs of people with other communication disabilities.
- 9.8.5 DSAC printed and electronic media should be encouraged to make their services accessible.
- 9.8.6 The DSAC shall ensure that new computerised information and service systems are made accessible and are adapted to be made accessible to people with disabilities.

## **9.9. INFORMATION**

- 9.9.1 In order to facilitate planning, implementation and monitoring regarding the management of disability specific programs and information in the DSAC an accurate database on the PERSAL system must be maintained
- 9.9.2. People with disabilities shall have access to information on aspects affecting their lives in the working environment.
- 9.9.3 All disciplinary proceedings involving people with disabilities must take into account all reasonable accommodation needs of the employee.

## **9.10 TRAINING**

- 9.10.1 In order to make training courses accessible, the DSAC will take into account disability specific needs of employees with disabilities.
- 9.11.2 When the DSAC is using an external training provider, the DSAC shall be responsible for ensuring accessibility and the provision of needed reasonable accommodation that will be required.

## **9.11 TERMS AND CONDITIONS OF EMPLOYMENT**

9.11.1 People with disabilities may not be employed on less favourable terms and conditions for reasons connected with the disability.

## **9.12 INHERENT JOB REQUIREMENT**

9.12.1 The only way to justify discrimination towards a person with disabilities is on the basis of an inherent job requirement. It is not unfair to discriminate, distinguish, exclude or prefer any person on the basis of an inherent requirement of a job. This may be appropriate when certain physical requirements of a job make it necessary for employees to have certain physical characteristics. The employer will have to prove that certain characteristics are indeed inherent requirements of the job.

## **9.13 HEALTH AND SAFETY**

9.13.1 The DSAC will provide and maintain a working environment that is safe and without risk to the health of employees, (Section 8(1) of the Occupational Health and Safety Act No 85 of 1993).

9.13.2 The DSAC may withdraw a conditional job offer or need not retain an employee with a disability in the same position, if an objective assessment shows that the work would expose the applicable employee or others to substantial health risk. This would only apply where there is no reasonable accommodation to mitigate that risk.

## **10. RECRUITMENT**

10.1.1 When embarking on recruitment, the inherent requirements and essential functions of the vacant positions must be identified. The necessary skills and capabilities of the job must be clearly described. Reasonable criteria for selection must be set for applicants for vacant positions, preferably in writing.

10.1.2 Advertisement should focus on identifying an applicant's ability to perform the essential functions of the job.

10.1.3 Advertisements should be accessible to people with disabilities and where reasonable and practicable, circulated to organisations that represent people with disabilities.

10.1.4 On request, and if reasonable in the circumstances, notices and advertisements should be provided in a format appropriate to persons with disabilities, such as large print, Braille or audiotape.

## **10.1 SELECTION**

10.1.1 Subject to reasonable accommodation, DSAC shall apply the same criteria to test the ability of people with disabilities as applied to other applicants.

10.1.2 The purpose of the selection process is to assess whether or not an applicant is suitably qualified (The Employment Equity Act, section 20(3)). This may require the following two-stage process if an applicant has a disability.

a) Determine whether an applicant is suitably qualified.

B) Determine whether a 'suitably qualified applicant' needs any accommodation to be able to perform the inherent requirements or essential functions of the applicable job.

10.1.3 When assessing if the applicant is suitably qualified, the DSAC may not request information about actual or perceived disability from the previous employer or third party unless with the written consent of the applicant.

10.1.4 All selection criteria in the DSAC must be monitored. If they tend to exclude people with disabilities, they should be reviewed to ensure that they do not unfairly discriminate against persons with disabilities.

## **10.2 INTERVIEWS**

10.2.1 Selection interviews should be sensitive, objective and unbiased. Interviewers should avoid assumptions about people with disabilities.

10.2.2 If an applicant has disclosed a disability or has a self-evident disability, the focus must be on the applicant's qualifications for the work/job rather than any actual or presumed disability.

10.2.3 If an applicant's disability is known in advance preparations should be made to reasonably accommodate the applicant during the interview.

### **10.3 RETAINING PEOPLE WITH DISABILITIES**

- 10.3.1 According to the Code of Good Practice: Key Aspects on the employment of people with disability and Technical Assistance Guidelines on the Employment of people with Disabilities, Employees who become disabled during employment should, where reasonable, be re-integrated into work.
- 10.3.2 If an employee is, or becomes a person with a disability, contact with the employee is encouraged and where practical, encourage early return-to-work. This may require vocational rehabilitation, transitional work programmes and where appropriate, temporary or permanent flexible working hours.
- 10.3.3 If an employee is frequently absent from work for reasons of illness or injury, the employee must be consulted to assess if the cause of the illness or injury is a disability that requires reasonable accommodation.
- 10.3.4 If reasonable, the DSAC should explore the possibilities of offering alternative work, reduced work or flexible work placement, so that an employee with disability is not compelled or encouraged to terminate his/her employment.

### **10.4 TERMINATION OF EMPLOYMENT**

- 10.4.1 If the employer is unable to retain an employee in employment in terms of page 16 item 11 of the Code of Good Practice and Key Aspects on the Employment of People with Disabilities then the employer may terminate the employment relationship.
- 10.4.2 The DSAC is required to ensure appropriate measure of retention of existing employees with disabilities before considering termination of employment.

### **10.5 CONFIDENTIALITY AND DISCLOSURE OF DISABILITY**

- 10.5.1. According to Section 7 and 8 of the EE Act the DSAC may only gather private information relating to employees if it is necessary to achieve a legitimate purpose, with the written consent of the person.

- 10.5.2. People with Disabilities must disclose their disability by filling in the Declaration by Employee (EEA1) form. Disclosing of one's disability is thus not only for the promotion of Employment Equity in the DSAC, but also for the benefit of an employee with disability to be reasonably accommodated in the working environment.
- 10.5.3 The DSAC must protect the confidentiality of the information that has been disclosed
- 10.5.4 Records of private information relating to the disability of applicants and employees must be kept separate from general personnel records.
- 10.5.4 When the information is no longer required, it must be destroyed.
- 10.5.5 DSAC may not disclose any information relating to a person's disability without the written consent of the employee concerned unless legally required.

## 11. **AWARENESS RAISING**

- 11.1.1 The DSAC must ensure the development and enhancement of induction, orientation, training, mentoring and other human resource development programmes for people with disabilities.
- 11.1.2 The DSAC must also ensure that the necessary resources for human resource development are made available and Senior Managers support that participation in such programmes.
- 11.1.3 Human Resource Management should also ensure that training is provided to all employees, which will enable them to undertake their affirmative action's responsibilities towards people with disabilities in the DSAC.

## 12. **ROLES AND RESPONSIBILITIES**

### 12.1 **CHIEF DIRECTORATE: HUMAN RESOURCE MANAGEMENT:**

- 12.1.1 Shall have the primary responsibility for the implementation and monitoring of this policy with the assistance of all managers and supervisors,

12.1.2 Shall be responsible for creating awareness and compliance with the policy throughout the Department,

12.1.3 Shall assist in the regulation of complaints, grievances and disputes related to the implementation of this policy,

12.1.4 Shall attend to any other issues related to the implementation of this policy; and advise the head of the Department on issues pertaining to Disability.

## 12.2 SENIOR MANAGERS AND SUPERVISORS:

12.2.1 Senior Managers and supervisors shall be responsible for the implementation of this policy in their respective units and shall:

- a) Ensure that budget is allocated for disability management; and
- b) Ensure the training, re-assignment and re-skilling of employees who acquire disabilities

## 12.3 PEOPLE WITH DISABILITIES:

12.3.1 Shall familiarize themselves with the content of the Act, the Code and the TAG;

12.3.2 must articulate their training and development needs to the DSAC;

12.3.3 must explain their specific reasonable accommodation requirements to enable them to participate in any DSAC events / activities;

12.3.4 must know that it is their right not to disclose their disability status, but they must also know that they cannot expect the DSAC to provide reasonable accommodation under these circumstances;

12.3.5 should be open to disclose their disability status for employment equity reporting purposes to Department of Labour; and

12.3.6 should be able to explain in their own words the type of reasonable accommodation they may require relating to their specific nature, degree and severity of their disability, but be responsible enough to know that it must be a practical option.

12.3.7 shall undertake to care for the assistive device, and use for the purpose it is intended for.

### **13. BUDGETING AND RESOURCE IMPLICATIONS**

13.1 Departments are required to budget for reasonable accommodation and other measures for applicants and / or employees with disabilities, inclusive of the recruitment, appointment and retention processes. Departments need to allocate adequate resources in their MTEF for provision of an enabling environment for persons with disabilities

### **14. GRIEVANCE PROCEDURE**

14.1 All disciplinary proceedings involving people with disabilities must take into account all reasonable accommodation needs of the employee. However, the normal grievance and disciplinary processes and procedures must be adhered to.

### **15. MONITORING AND EVALUATION**

15.1 DSAC management and the Employment Equity and Skills Development Committee will monitor the implementation of this policy on a regular basis. Any deviation from this policy should be dealt with through relevant structures.

### **16. REVIEW**

16.1 This Policy and Procedure shall be reviewed as/when the Department's needs change or as dictated by legislation or notification from the DPSA.



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

# **WORKPLACE HEALTH AND PRODUCTIVITY MANAGEMENT POLICY**

MONTH AND YEAR OF APPROVAL

COMPILED BY CHIEF DIRECTORATE HUMAN RESOURCE MANAGEMENT



**A. AUTHORISATION AND EFFECTIVE DATE**

This done and signed in .....on the .....day of  
Month.....2021.

**ON BEHALF OF THE EMPLOYER**

<b>DEPARTMENT AS EMPLOYER</b>	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>

<b>UNION</b>	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>NEHAWU</b>		
<b>PSA</b>		

**EFFECTIVE DATE:** .....

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## ACRONYMS

For the purpose of this policy:

**CBO** refers to a Community Based Organisation

**Counseling** is a confidential interactive session between a professional and a client

**DOL** is Department of Labor

**DoH: Department of Health**

**DPSA:** Department of Public Service and Administration

**HBO:** Home Based Organization

**HCT:** HIV Counseling and Testing

**ISO:** International Standardization Organisation

**NGO:** Non-Governmental Organisation

**NSP:** National Strategic Plan for HIV, STI s and TB 2017 – 2022

**SABS:** South African Bureau of Standards

**SACEMA:** South African Centre for Epidemiological Modeling and Analysis

**SANAC:** South African National Aids Council

**EH&W:** Employee Health and wellness

**ILO:** International Labor Organisation

**HPM:** Health and Productivity Management

**HRM:** Human Resource Management

**PILIR:** Policy and Procedure on Incapacity Leave & Ill Health Retirement

**AIDS:** Acquired Immune Deficiency Syndrome

**CEDAW:** Convention on the Elimination of all Forms of Discrimination Against Women

**COIDA:** Compensation for Occupational Injuries and Diseases Act

**WHO:** World Health Organisation

## DEFINITION OF TERMS

**Chronic Illness:** is a word used to describe a group of health conditions that lasts a long time. There is classification of chronic illness, some are, contagious, genetic as well as non-communicable.

**Counselling:** is a confidential interactive session between a professional and a client

**Disease Management:** is the management of common chronic illness with the intention of reducing future complications associated with those illnesses

**Genetic:** refers to the probability of transmission by parents through genes to children before they are born

**Employee Assistance Programme:** is a work-based programme that is based on core technologies or functions that are meant to enhance employee effectiveness through prevention, identification and resolution of personal problems that have the ability to negatively impact on their work performance.

**Employee:** means a person appointed in terms of the Public Service Act No.103 of 1994 and the Employment of Education Act ,1998 (Act No.76 of 1998)

**Health and Productivity Management:** refers to all aspects of an employee's health that affect work performance, including measuring of the impact of targeted interventions on both the employee's health and productivity. It is meant and expected to provide incentives, change behaviour, reduce risks, improve health so as to minimise medical costs and disabilities, improve functionality which thus translates into enhanced worker productivity

**HIV:** is a Human Immunodeficiency Virus, a virus that weakens the human immune system

**Health risk assessment:** (also referred to as a **health risk** appraisal and **health & well-being assessment**) is one of the most widely used screening tools and process in the field of **health** promotion and is often the first step in multi-component **health** promotion programs.

**IDC:** is an Interdepartmental Committee led by the DPSA

**Injury on Duty and Occupational Diseases:** refers to a personal injury sustained in an accident occurring during the performance of an employee's work. An Occupational disease is like any other disease, with the distinction that it was caused solely or principally by factors peculiar to the working environment. It is also described as a disease arising out of and contracted in the course of an employee's employment as listed in Schedule 3 of the Compensation for Occupational Injuries and Disease Act,1993 (act No 130 of 1993).

**Ill-Health Retirement:** is a provision or benefit that can be accessed when an employee becomes permanently unable to work due to medical reasons. He could be discharged / retired from the employment of the public service on medical grounds. Either the employee or the employer could initiate an ill-health retirement should it be suspected that the employee has become permanently unable to work.

**Mental Health:** is a basic component of positive health and well-being that is necessary to assist one to manage life successfully, and provide emotional and spiritual resilience to allow enjoyment of life and dealing with distress and disappointment.

**Mental illness:** is a shorthand term for a variety of illnesses that affect our mental well-being. It covers a range of symptoms and experiences.

**Occupational Health Education and Promotion:** in the workplace is defined as a variety of communication dissemination and information transfer activities that are intended to enhance the knowledge levels of individuals to help reinforce behaviour change while intentionally leading to improved individual health and productivity.

**Stigma:** The social mark which, when associated with a person, usually causes marginalized or presents an obstacle to the full enjoyment of either social or work-life.

**Temporary Incapacity Leave:** is a leave benefit that can be applied in the event normal sick leave has been exhausted in the three-year sick leave cycle. It is for management purposes and is categorized into two types:

**Short incapacity:** this is when the period of incapacity leave that is requested is 29 days or less

**Long Incapacity:** this is when one applies for 30 or more days of incapacity leave

**Unfair Discrimination:** any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation

**Presentism:** lost performance at work.

**Health Education and Promotion:** defined as a variety of communication dissemination and information transfer activities that are intended to enhance the knowledge levels of individuals help catalyze and reinforce behavioral change while intentionally leading to improved individual health and productivity.

**Health and Safety Committee/Task Team:** is a committee/Task team that initiate, develop, promote, maintain and reviews measures to ensure the health and safety of employees at work.

**Health and wellness Coordinator:** is an employee tasked with the responsibility to coordinate the implementation of EH&W programmes which include HPM programmes.

## **1. INTRODUCTION.**

The Department of Sport, Arts and Culture (DSAC) acknowledges the importance of maintaining a healthy and productive work force and thus seeks to minimise employees' health related costs, including direct and indirect medical expenditures, unnecessary absence from work, productivity loss through the implementation of a comprehensive Health and Productivity Management (HPM) programme in the workplace. The policy seeks to strengthen and improve the efficiency of existing services and infrastructure for example. Occupational Health Services, Work Place Education policy and promotion of productivity.

## **2. PURPOSE.**

The purpose of the policy is to build, empower and maintain a resilient and healthy workforce for increased productivity and excellent service delivery for the benefit of employees, public service and their families. On the other hand, this policy will promote and enhance individual and organizational performance. Department of Sport, Arts and Culture commits itself to provide leadership, resources and support through implementation of proactive and preventative initiatives. On the other hand, those initiatives will be meant to develop and empower its employees on the value of physical, psycho-social, organizational wellness and work-life balance.

## **3. OBJECTIVES.**

The objectives of this policy can be well defined within the different specific process pillars that are in-line with the defined purpose. The process pillars are Disease Management and Chronic Illness, Mental Health/ Psychosomatic Illness, Occupational Health Education & Promotion and Injury on Duty & Incapacity due to Ill-health.

- To promote and maintain the general health of employee through prevention intervention, awareness, education, risk assessment and support in order to mitigate the impact and effect of communicable and non-communicable diseases and injuries on the productivity and quality of life of employees.

- To minimise health related costs (including direct and indirect medical costs) and/or improve quality of life for individuals with chronic conditions by preventing or minimising the effects of a disease, or chronic condition and medical surveillance.
- To assist employees to manage their lives successfully by providing them with access and resources to develop emotional and spiritual resilience that allows them to enjoy life and deal with distress and disappointment.
- To reduce absenteeism from work, abuse of sick leave, injuries on duty, ill-health retirements, incapacity leave, occupational diseases and health risks.
- To enhance the knowledge levels of individuals and reinforce behaviour change while intentionally leading to improve health and productivity.
- To manage mental health activities in the work place.
- To manage incapacity due to ill Health and Retirement.

#### **4. PRINCIPLES.**

The workplace Health and productivity Management policy shall be implemented in line with the values of the Department Sport, Arts and Culture and therefore the Department affirms that:

- The Health and Productivity Management Programme is underpinned by the following principles:
- Focuses on all levels of employment, senior and executive management, middle managers, operational and technical staff as staff at the lowest level of the occupational ladder
- Responding to the needs of designated groups such as women, older persons, people with disabilities and people living with HIV and AIDS'
- Representation of targeted groups, a non-sexist, non-racist and fully inclusive Public Service.
- Cohesiveness with HRD processes.
- Equality and non-discrimination upholding the value that discrimination on any unfair grounds should be eliminated.
- Promote healthy integration and embracing change.
- Human dignity, autonomy, development and empowerment
- Barrier-free Public Service
- Collaborative Partnerships
- Confidentiality and ethical behavior.

- Policy Coherence in terms of DPSA Policy measures to be aligned with other departments measures Coherence of models:
- The service delivery models should offer the same benefits to public servants despite it being in house, outsourced, or DOH collaboration.
- Programme coherence: the programmes that are offered should not contradict other departments.

## **5. REGULATORY FRAMEWORK.**

- Constitution of the RSA Act, 1996
- Basic Conditions of Employment Act,1997 (Act No.75 of 1997)
- Occupational Health and Safety act,1993 (Act No.85 of 1993)
- Employment Equity Act,1998(Acts No.55 of 1998, Act No.97 of 1998, Act No.9 of 1999)
- Compensation for Occupational Diseases and Injuries Act,1993 (Act No.130 of 2000)
- Labor Relations Act,66 of 1995
- Mental Health Act,2015
- Medical Aids Scheme Act,131 of 1998
- Promotion of Equality and Prevention of Unfair Discrimination Act,2000 (Act No.4 of 2000)
- Public Service Act of 1994 as amended Regulations
- Public Service Coordinating Bargaining Council Resolution 3 of 1999
- Public Service Coordinating Bargaining Council Resolution 7 of 2000
- National Strategic Plan on HIV & AIDS, STI and TB.2017-2022
- SA Code of Good Practice on HIV and AIDS and the World of Work (Department of Labor)
- Employee Health and Wellness Strategic Framework for the Public Service Final draft.

## **6. SCOPE OF APPLICATION**

6.1. The terms of this policy shall apply to all permanent and contract personnel without exclusion of internship learners of the Department.



## **7. POLICY PROVISIONS / PROCEDURES.**

The Department, in terms of the collective agreements, shall be responsible for providing access and support for implementation of the objectives of each of the following process pillars:

### **7.1. Disease Management and Chronic Illness**

- 7.1.2. Promote and intensify participation and utilization of the disease management Programme.
- 7.1.3. Intensify awareness and educational programmes on the value, purpose and adherence as well as health risk surveillance, occupational safety laws and regulations.
- 7.1.4. Provide awareness and education on the value of healthy positive behaviour change, and
- 7.1.5. Promote participation in the HPM activities.

### **7.2 Mental Health/Psychosomatic Illnesses**

- 7.2.1 Provide relevant awareness and education on aspects that impact on the psychosocial and physical demands of the workplace that trigger stress and/or relapse of already existing mental conditions.
- 7.2.2. Assess the impact of programmes that are meant to minimise workplace conditions that trigger stress.
- 7.2.3. Put measures in place to ensure stress management and crises support.
- 7.2.4. Ensure elimination of stigma and discrimination against people living with mental diseases.
- 7.2.5. Ensure promotion of human rights and dignity, and
- 7.2.6. Encourage reporting of any discrimination based on status of an employees' Mental Health/Psychosomatic Illness.

### **7.3 Occupational Health Educational Programmes & Promotion.**

- 7.3.1. Intensify awareness and educational programmes on the value, purpose and adherence to occupational safety laws and regulations.
- 7.3.2. Intensify programmes that promote behavior change that is meant to ensure workplace safety, and

- 7.3.3. Promote activities that encourage personal development skills on workplace Occupational Health initiatives.

#### **7.4 Injury on Duty & Incapacity due to Ill-Health.**

- 7.4.1. Ensure and intensify measures for protection of employees as well ensuring compliance with workplace safety provisions.
- 7.4.2. Promote and intensify utilization of counseling and support services.
- 7.4.3. Provide return to work, aftercare and work adjustment and/or re-adjustment support.
- 7.4.4. Put measures in place to ensure life change support and adjustment in cases of Ill-Health retirement and loss of life.

### **8. ROLES AND RESPONSIBILITIES**

#### **THE EMPLOYEE**

The employee shall:

- 8.1. Use every opportunity provided by the Department of Sport, Arts and Culture to become educated and informed about the activities of the programme.
- 8.2. Ensure a prompt registration into disease management programs in order to.
- 8.3. Take responsibility to manage and /or minimise disease progression to maintain his/her health state and enhance productivity.
- 8.4. Participate in provided care and preventive programmes to minimize the effects and progression of a disease, or chronic condition through integrative care and preventive care.
- 8.5. Take reasonable responsibility for the care, health and safety of himself or herself and of other persons who may be affected by his/her acts or omissions.
- 8.6. Should the employee involved in any incident which may affect his/her health or which has caused an injury to herself/her/himself, a report on such incident has to be directed to his/her employer or to his/her health and Safety representative, as soon as possible.
- 8.7. Comply with safety standards as set by legislation, regulations, SABS, ISO and DOL.

## **9 THE EMPLOYEE WELLNESS UNIT.**

The Employee Wellness Officer shall:

- 9.1. Communicate the policy to all employees.
- 9.2. Coordinate the implementation of HPM, projects and interventions.
- 9.3. Plan, monitor and manage HPM according to the policy and provided budget.
- 9.4. Make provision for counselling to individual employees and to their immediate family members.
- 9.5. Identify personal development needs for individual employees in relation to their illnesses and challenges.
- 9.6. Communicate progress and challenges to the Accounting Officer if and when the need arises.
- 9.7. Promote work-life balance for employees.
- 9.8. Liaise with community support structures and partners that have a beneficial role in the promotion and maintenance of the HPM objectives.

## **10. THE EMPLOYEE WELLNESS COMMITTEE.**

- 10.1. Assist with coordination, communication, collaboration and consultation of issues pertaining to employee health and productivity with other stakeholders and Sport, arts and Culture.
- 10.2. Assist with creation of avenues through which collaborative initiatives within the DAC can be forged.
- 10.3. Meet quarterly to discuss HPM Policy matters.

## **11. RESOURCE IMPLICATIONS**

- 11.1. Program 1. Chief Directorate Human Resource Management will budget for all expenses incurred by the application of this Policy.

## **12. INTERACTION WITH OTHER GOVERNMENT DEPARTMENTS**

- 12.1. The Department shall serve on the Public Service Interdepartmental Committee to ensure a uniform and concerted response to the HPM policy.

### **13. INTERACTION WITH RELEVANT STAKEHOLDERS**

13.1. The department will also interact with all relevant stakeholders such as SANAC, NGO's, CBO's, EAPASA and Home-based care organizations for support.

### **14. MONITORING AND EVALUATION**

14.1. The Employee Wellness Unit shall provide a report on the impact made by the implementation of the Programme to the Director-General at least once per annum.

14.2. The Chief Directorate: Human Resource Management through Employee Health and Wellness Unit will on a continuous basis monitor and evaluate this policy in line with the Guidelines for the Development of Human Resource Policies for the Department of Sport, Arts and Culture.

14.3. Due to the confidential nature, any records resulting from the implementation of this policy and procedure shall be safely kept by the Employee Health and Wellness unit.

### **15. GRIEVANCE PROCEDURE**

15.1. Any grievance or noncompliance relating to the application of this policy shall be dealt with in terms of the Public Service disciplinary and grievance procedure.

### **16. REVIEW**

This policy shall be reviewed as/when the Department needs changes or as dictated by legislation or notification from the DPSA.



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

**DRAFT**

**WORKPLACE HEALTH AND PRODUCTIVITY MANAGEMENT  
POLICY AND PROCEDURE**

**POLICY AND PROCEDURE:  
WORKPLACE HEALTH AND PRODUCTIVITY MANAGEMENT**

**A: AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the ..... day of  
..... 20...

**EMPLOYER**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>DSAC</b>		

**ORGANISED LABOUR**

	<b>NAME OF REPRESENTATIVE</b>	<b>SIGNATURE</b>
<b>NEHAWU</b>		
<b>PSA</b>		

**EFFECTIVE DATE:** .....

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## **C: DEFINITION OF TERMS AND ACRONYMS**

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**IDC:** is an Interdepartmental Committee led by the DPSA

**Injury on Duty and Occupational Diseases:** refers to a personal injury sustained in an accident occurring during the performance of an employee's work. An Occupational disease



is like any other disease, with the distinction that it was caused solely or principally by factors peculiar to the working environment. It is also described as a disease arising out of and contracted in the course of an employee's employment as listed in Schedule 3 of the Compensation for Occupational Injuries and Disease Act, 1993 (act No 130 of 1993).

**Ill-Health Retirement:** is a provision or benefit that can be accessed when an employee becomes permanently unable to work due to medical reasons. He could be discharged / retired from the employment of the public service on medical grounds. Either the employee or the employer could initiate an ill-health retirement should it be suspected that the employee has become permanently unable to work.

**Mental Health:** is a basic component of positive health and well-being that is necessary to assist one to manage life successfully, and provide emotional and spiritual resilience to allow enjoyment of life and dealing with distress and disappointment.

**Mental illness:** is a shorthand term for a variety of illnesses that affect our mental well-being. It covers a range of symptoms and experiences.

**Occupational Health Education and Promotion:** in the workplace is defined as a variety of communication dissemination and information transfer activities that are intended to enhance the knowledge levels of individuals to help reinforce behaviour change while intentionally leading to improved individual health and productivity.

**Stigma:** The social mark which, when associated with a person, usually causes marginalized or presents an obstacle to the full enjoyment of either social or work-life.

**Temporary Incapacity Leave:** is a leave benefit that can be applied in the event normal sick leave has been exhausted in the three-year sick leave cycle. It is for management purposes and is categorized into two types:

**Short incapacity:** this is when the period of incapacity leave that is requested is 29 days or less

**Long Incapacity:** this is when one applies for 30 or more days of incapacity leave

**Unfair Discrimination:** any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation

**Presentism:** lost performance at work.

**Health Education and Promotion:** defined as a variety of communication dissemination and information transfer activities that are intended to enhance the knowledge levels of

individuals help catalyze and reinforce behavioral change while intentionally leading to improved individual health and productivity.

**Health and Safety Committee/Task Team:** is a committee/Task team that initiate, develop, promote, maintain and reviews measures to ensure the health and safety of employees at work.

**Health and wellness Coordinator:** is an employee tasked with the responsibility to coordinate the implementation of EH&W programmes which include HPM programmes.

## **ACRONYMS**

For the purpose of this policy:

**CBO** refers to a Community Based Organisation

**Counseling** is a confidential interactive session between a professional and a client

**DOL** is Department of Labor

**DoH: Department of Health**

**DPSA:** Department of Public Service and Administration

**HBO:** Home Based Organization

**HCT:** HIV Counseling and Testing

**ISO:** International Standardization Organisation

**NGO:** Non-Governmental Organisation

**NSP:** National Strategic Plan for HIV, STI s and TB 2017 – 2022

**SABS:** South African Bureau of Standards

**SACEMA:** South African Centre for Epidemiological Modeling and Analysis

**SANAC:** South African National Aids Council

**EH&W:** Employee Health and wellness

**ILO:** International Labor Organisation

**HPM:** Health and Productivity Management

**HRM:** Human Resource Management

**PILIR:** Policy and Procedure on Incapacity Leave & Ill Health Retirement

**AIDS:** Acquired Immune Deficiency Syndrome

**CEDAW:** Convention on the Elimination of all Forms of Discrimination Against Women

**COIDA:** Compensation for Occupational Injuries and Diseases Act

**WHO:** World Health Organisation

## **1. INTRODUCTION.**

The Department of Sport, Arts and Culture (DSAC) acknowledges the importance of maintaining a healthy and productive work force and thus seeks to minimise employees' health related costs, including direct and indirect medical expenditures, unnecessary absence from work, productivity loss through the implementation of a comprehensive Health and Productivity Management (HPM) programme in the workplace.

The policy and procedure seeks to strengthen and improve the efficiency of existing services and infrastructure for example. Occupational Health Services, Work Place Education policy and promotion of productivity.

## **2. REGULATORY FRAMEWORK.**

- 2.1 Constitution of the RSA Act, 1996
- 2.2 Basic Conditions of Employment Act,1997 (Act No.75 of 1997)
- 2.3 Occupational Health and Safety act,1993 (Act No.85 of 1993)
- 2.4 Employment Equity Act,1998(Acts No.55 of 1998, Act No.97 of 1998, Act No.9 of 1999)
- 2.5 Compensation for Occupational Diseases and Injuries Act,1993 (Act No.130 of 2000)
- 2.6 Labor Relations Act,66 of 1995
- 2.7 Mental Health Act,2015
- 2.8 Medical Aids Scheme Act,131 of 1998
- 2.9 Promotion of Equality and Prevention of Unfair Discrimination Act,2000 (Act No.4 of 2000)
- 2.10 Public Service Act of 1994 as amended Regulations
- 2.11 Public Service Coordinating Bargaining Council Resolution 3 of 1999
- 2.12 Public Service Coordinating Bargaining Council Resolution 7 of 2000
- 2.13 National Strategic Plan on HIV & AIDS, STI and TB.2017-2022
- 2.14 SA Code of Good Practice on HIV and AIDS and the World of Work (Department of Labor)
- 2.15 Employee Health and Wellness Strategic Framework for the Public Service Final draft

### **3. PURPOSE.**

The purpose of the policy and procedure is to build, empower and maintain a resilient and healthy workforce for increased productivity and excellent service delivery for the benefit of employees, public service and their families. On the other hand, this policy and procedure will promote and enhance individual and organizational performance. Department of Sport, Arts and Culture commits itself to provide leadership, resources and support through implementation of proactive and preventative initiatives. On the other hand, those initiatives will be meant to develop and empower its employees on the value of physical, psycho-social, organizational wellness and work-life balance.

### **4. OBJECTIVES.**

- 4.1 The objectives of this policy and procedure can be well defined within the different specific process pillars that are in-line with the defined purpose. The process pillars are Disease Management and Chronic Illness, Mental Health/ Psychosomatic Illness, Occupational Health Education & Promotion and Injury on Duty & Incapacity due to Ill-health.
- 4.2 To promote and maintain the general health of employee through prevention intervention, awareness, education, risk assessment and support in order to mitigate the impact and effect of communicable and non-communicable diseases and injuries on the productivity and quality of life of employees.
- 4.3 To minimise health related costs (including direct and indirect medical costs) and/or improve quality of life for individuals with chronic conditions by preventing or minimising the effects of a disease, or chronic condition and medical surveillance.
- 4.4 To assist employees to manage their lives successfully by providing them with access and resources to develop emotional and spiritual resilience that allows them to enjoy life and deal with distress and disappointment.
- 4.5 To reduce absenteeism from work, abuse of sick leave, injuries on duty, ill-health retirements, incapacity leave, occupational diseases and health risks.
- 4.6 To enhance the knowledge levels of individuals and reinforce behaviour change while intentionally leading to improve health and productivity.
- 4.7 To manage mental health activities in the work place.
- 4.8 To manage incapacity due to ill Health and Retirement.

## **5. PRINCIPLES.**

The workplace Health and productivity Management policy shall be implemented in line with the values of the Department Sport, Arts and Culture and therefore the Department affirms that:

- 5.1 The Health and Productivity Management Programme is underpinned by the following principles:
  - 5.1.1. Focuses on all levels of employment, senior and executive management, middle managers, operational and technical staff as staff at the lowest level of the occupational ladder
  - 5.1.2. Responding to the needs of designated groups such as women, older persons, people with disabilities and people living with HIV and AIDS'
  - 5.1.3. Representation of targeted groups, a non-sexist, non-racist and fully inclusive Public Service.
  - 5.1.4. Cohesiveness with HRD processes.
  - 5.1.5. Equality and non-discrimination upholding the value that discrimination on any unfair grounds should be eliminated.
  - 5.1.6. Promote healthy integration and embracing change.
  - 5.1.7. Human dignity, autonomy, development and empowerment
  - 5.1.8. Barrier-free Public Service
  - 5.1.9. Collaborative Partnerships
  - 5.1.10 Confidentiality and ethical behavior.
  - 5.1.11 Policy Coherence in terms of DPSA Policy measures to be aligned with other departments measures
  - 5.1.12 Coherence of models: The service delivery models should offer the same benefits to public servants despite it being in house, outsourced, or DOH collaboration.
  - 5.1.13 Programme coherence: the programmes that are offered should not contradict other departments

## **6. SCOPE OF APPLICATION**

The terms of this policy shall apply to all permanent and contract personnel without exclusion of internship learners of the Department.

## **7. POLICY PROVISIONS / PROCEDURES.**

The Department, in terms of the collective agreements, shall be responsible for providing access and support for implementation of the objectives of each of the following process pillars:

### **7.1. Disease Management and Chronic Illness**

- 7.1.1. Promote and intensify participation and utilization of the disease management Programme.
- 7.1.2. Intensify awareness and educational programmes on the value, purpose and adherence as well as health risk surveillance, occupational safety laws and regulations.
- 7.1.3. Provide awareness and education on the value of healthy positive behaviour change, and
- 7.1.4. Promote participation in the HPM activities.

### **7.2 Mental Health/Psychosomatic Illnesses**

- 7.2.1. Provide relevant awareness and education on aspects that impact on the psychosocial and physical demands of the workplace that trigger stress and/or relapse of already existing mental conditions.
- 7.2.2. Assess the impact of programmes that are meant to minimise workplace conditions that trigger stress.
- 7.2.3. Put measures in place to ensure stress management and crises support.
- 7.2.4. Ensure elimination of stigma and discrimination against people living with mental diseases.
- 7.2.5. Ensure promotion of human rights and dignity, and
- 7.2.6. Encourage reporting of any discrimination based on status of an employees' Mental Health/Psychosomatic Illness.

### **7.3 Occupational Health Educational Programmes & Promotion.**

- 7.3.1. Intensify awareness and educational programmes on the value, purpose and adherence to occupational safety laws and regulations.
- 7.3.2. Intensify programmes that promote behavior change that is meant to ensure workplace safety, and
- 7.3.3. Promote activities that encourage personal development skills on workplace Occupational Health initiatives.

#### **7.4 Injury on Duty & Incapacity due to Ill-Health.**

- 7.4.1. Ensure and intensify measures for protection of employees as well ensuring compliance with workplace safety provisions.
- 7.4.2. Promote and intensify utilization of counseling and support services.
- 7.4.3. Provide return to work, aftercare and work adjustment and/or re-adjustment support.
- 7.4.4. Put measures in place to ensure life change support and adjustment in cases of Ill-Health retirement and loss of life.

### **8. ROLES AND RESPONSIBILITIES**

#### **8.1 THE EMPLOYEE**

The employee shall:

- 8.1. Use every opportunity provided by the Department of Sport, Arts and Culture to become educated and informed about the activities of the programme.
- 8.2. Ensure a prompt registration into disease management programs in order to.
- 8.3. Take responsibility to manage and /or minimise disease progression to maintain his/her health state and enhance productivity.
- 8.4. Participate in provided care and preventive programmes to minimize the effects and progression of a disease, or chronic condition through integrative care and preventive care.
- 8.5. Take reasonable responsibility for the care, health and safety of himself or herself and of other persons who may be affected by his/her acts or omissions.
- 8.6. Should the employee involved in any incident which may affect his/her health or which has caused an injury to herself/her/himself, a report on such incident has to be directed to his/her employer or to his/her health and Safety representative, as soon as possible.
- 8.7. Comply with safety standards as set by legislation, regulations, SABS, ISO and DOL.

#### **8.2 THE EMPLOYEE WELLNESS UNIT.**

The Employee Wellness Officer shall:

- 8.1. Communicate the policy and procedure to all employees.
- 8.2. Coordinate the implementation of HPM, projects and interventions.

- 8.3. Plan, monitor and manage HPM according to the policy and provided budget.
- 8.4. Make provision for counselling to individual employees and to their immediate family members.
- 8.5. Identify personal development needs for individual employees in relation to their illnesses and challenges.
- 8.6. Communicate progress and challenges to the Accounting Officer if and when the need arises.
- 8.7. Promote work-life balance for employees.
- 8.8. Liaise with community support structures and partners that have a beneficial role in the promotion and maintenance of the HPM objectives.

### **8.3 THE EMPLOYEE WELLNESS COMMITTEE.**

- 8.1. Assist with coordination, communication, collaboration and consultation of issues pertaining to employee health and productivity with other stakeholders and Sport, arts and Culture.
- 8.2. Assist with creation of avenues through which collaborative initiatives within the DAC can be forged.
- 8.3. Meet quarterly to discuss HPM Policy matters.

## **9. RESOURCE IMPLICATIONS**

The Chief Directorate Human Resource Management will budget for all expenses incurred by the application of this Policy.

## **10. INTERACTION WITH OTHER GOVERNMENT DEPARTMENTS**

The Department shall serve on the Public Service Interdepartmental Committee to ensure a uniform and concerted response to the HPM policy.

## **11. INTERACTION WITH RELEVANT STAKEHOLDERS**

The department will also interact with all relevant stakeholders such as SANAC, NGO's, CBO's, EAPASA and Home-based care organizations for support.

## **12. MONITORING AND EVALUATION**

The Employee Wellness Unit shall provide a report on the impact made by the implementation of the Programme to the Director-General at least once per annum.



### **13. GRIEVANCE PROCEDURE**

Any grievance or non-compliance relating to the application of this policy and procedure shall be dealt with in terms of the Public Service disciplinary and grievance procedure.

### **14. REVIEW**

This Policy and Procedure shall be reviewed as/when the Department's needs change or as dictated by legislation or notification from the DPSA.

(Policy\_ Workplace Management of Health and Productivity\_2021



**sport, arts & culture**

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

**DRAFT**

**WORKPLACE WELLNESS MANAGEMENT  
POLICY AND PROCEDURE**

<b>POLICY AND PROCEDURE: WORKPLACE WELLNESS MANAGEMENT</b>
--

**A: AUTHORISATION AND EFFECTIVE DATE**

This done and signed in ..... on the ..... day of  
..... 20...

**EMPLOYER**

	NAME OF REPRESENTATIVE	SIGNATURE
DSAC		

**ORGANISED LABOUR**

	NAME OF REPRESENTATIVE	SIGNATURE
NEHAWU		
PSA		

**EFFECTIVE DATE:** .....

.

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## C: DEFINITION OF TERMS AND ACRONYMS

### DEFINITIONS

**Counseling:** confidential interactive session between a professional and a client.

**Curative:** is therapeutic and / or in the process of making or becoming healthy again.

**Wellness:** an active process through which organizations become aware of, and make choices towards a more successful existence for both the individual and the organization. The concept of wellness is one where active steps can be taken to reduce chronic disease and mitigate its debilitating impact on personal lives and organizational performance. (World Economic Forum).

**Social Wellness:** emphasizes the positive and interdependent relationship with others and nature.

**Spiritual Wellness:** refers to integrating our beliefs and values with our actions; it enhances the connection between mind, body and spirit.

**Intellectual Wellness:** is the utilization of human resources and learning resources to expand knowledge and improve skills.

**Psychological Wellness:** is a dynamic state that is influenced by and influences our physical, intellectual, spiritual and social lives.

**Economical/Financial Wellness:** is the ability to maintain a fully developed and well balanced plan for managing one's financial life that is integrated with personal values and goals

**Emotional/Psychologic** is a dynamic state that is influenced by and influences our

<b>al Wellness:</b>	physical, intellectual, spiritual and social lives.
<b>Epidemic:</b>	A disease, usually infectious, that spreads quickly through a population
<b>Work-Life Balance:</b>	the achievement of equality between times spent working and one's personal life (Webster).
<b>The Health and Wellness Coordinator:</b>	is an employee tasked with the responsibility to coordinate the implementation of wellness programmes. The Wellness Coordinator can be professionally trained and registered with a relevant statutory body to perform therapeutic interventions, if not, such cases should be referred.
<b>The Health and Wellness Committee/Task Team:</b>	is a committee/Task Team that is established by the DG to initiate, develop, promote, maintain and review measures to ensure the wellness of employees at the workplace. This is a multi-disciplinary team consisting of relevant representatives as indicated by different Departments.
<b>The peer Educator:</b>	is an employee who is trained in working with his/her peers, sharing information and guiding a discussion using his/her peer experience and knowledge.
<b>The Steering Committee:</b>	is a committee established by DPSA, for all components of Human Resource Management and Development at provincial and national levels. This Committee serves as a vehicle of coordination, communication, collaboration, and consultation of the EH&W programmes.
<b>The Head of Department:</b>	means head of a National Department, the office of the Premier, a Provincial Department, or a Head of a National or Provincial component, and includes any employee acting in such post.

<b>The Designated Senior Manager:</b>	means a member of the Senior Management Services (SMS) who is tasked with championing the Wellness Management programme within the Department.
<b>The Employer:</b>	Refers to the State as employer in this case it refers to <b>[DSAC]</b>
<b>The Employee:</b>	means a person appointed in terms of the Public Service Act 1994 and Employment of Educators Act No. 76 of 1998.
<b>Permanent employees:</b>	According to Section 8(3) of the Public Service Act, 1994 an <b>employee</b> refers to a person to whom a retirement age referred to in section 16 applies.
<b>Fixed term contract:</b>	a contract of employment that terminates on: <ul style="list-style-type: none"> <li>a) The occurrence of the specific events</li> <li>b) The completion of a specific task or project</li> <li>c) A fixed date, other than an employee's normal or agreed retirement age, subject to subsection 3 of the Labour Relations Act, 1995.</li> </ul>
<b>Contract:</b>	A legitimate agreement between the Department and the Intern, describing the conditions of employment.
<b>Contract employee:</b>	Any individual employed on a short term or long-term basis by the Department of Sport, Arts and Culture
<b>Interns:</b>	Unemployed graduate appointed on a special contract by the Department for the sole purpose of gaining experience.
<b>Learner:</b>	Official who has concluded a Learnership Agreement in terms of Skills Development Act No.97 of 1998
<b>Support:</b>	Refers to the:

- a) support that is given to an official who is hospitalised or has experienced a traumatic incident or bereavement.
- b) arrangement of the memorial service, provision of wreaths, facilitating access to bereavement counselling, provision of transport back and forth, for the pre-funeral and for the attendance of the funeral as outlined in this policy.

**Employee Health and Wellness Unit:** Refers to the unit in the Chief Directorate: Human Resource Management responsible for Employee Health and Wellness Programmes within the Department of Sport, Arts and Culture.

**Immediate Family Member:** Refers to everyone listed on the Determination on Leave of Absence of 2018.

- Employee 's parents, adoptive parents, step parents,
- Employee's parents-in-law, sister and brother-in-law
- Employee's spouse or life partner
- Employee's child, biological, stepchild and adopted children
- Employee's Grandchild
- Employee's sibling
- Employee's son and daughter in-law
- Employee's Grandparent.

**Unfair Discrimination:** any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation

**Proactive:** is planning and or acting in advance to deal with an expected difficulty

**Preventive:** refers to a plan, medicine and or an action taken to reduce or



eliminate the probability of the onset of disease or illness and its undesirable effects from happening in the future.

**SOLVE:** is the International Labour Organization (ILO) programme dealing with management of psychosocial factors (Stress, Tobacco, Alcohol and Drugs, HIV & AIDS, Violence, Nutrition, Physical Activity, Healthy Sleep, Economic Stress) in the workplace. Its focus is on the recognition of the interrelated relationship between these psychosocial factors

## **ACRONYMS**

<b>CBO</b>	<b>: Community Based Organizations</b>
<b>DPSA</b>	<b>: Department of Public Service and Administration</b>
<b>DPSA:</b>	<b>Department of Public Service and Administration</b>
<b>EAP</b>	<b>Employee Assistance Programme</b>
<b>HBO</b>	<b>: Home Based Organization</b>
<b>HCT</b>	<b>: Human HIV Counseling and Testing</b>
<b>HIV</b>	<b>: Human Immunodeficiency Virus</b>
<b>IDC</b>	<b>: Interdepartmental Committee</b>
<b>NCS</b>	<b>: National Communication Survey</b>
<b>NGO</b>	<b>: Non-Governmental Organization</b>
<b>NSP</b>	<b>: National Strategic Plan</b>

## **1. INTRODUCTION**

The Department of Sports, Arts and Culture (DSAC) recognizes and acknowledges that the value of the health and wellness of its employees has direct impact on performance. DSAC thus seeks to implement proactive and preventative initiatives that are meant to promote and enhance the individual's and organizational wellness to ensure optimal performance.

## **2. REGULATORY FRAMEWORK**

### **2.1 INTERNATIONAL INSTRUMENTS UNDERPINNING WELLNESS MANAGEMENT WITHIN THE PUBLIC SERVICE**

- 2.1.1 Decent Work Country Programme (2010-2014)
- 2.1.2 Global Plan of Action on Workers (2008-2017)
- 2.1.3 Global Strategy on Infant and Young Child Feeding (WHO-UNICEF 2003)
- 2.1.4 ILO Promotional Framework for Occupational Safety Convention (2006)
- 2.1.5 Innocent Declaration on Infant and Young Child Feeding (2005)
- 2.1.6 6International Code of Marketing of Breast-milk Substitutes (WHO1981)
- 2.1.7 United Nations Millennium Declaration and its Development Goals (MDG)
- 2.1.8 WHO Commission on social determinants of health (2005)
- 2.1.9 WHO Framework Convention on Tobacco Control (2005)
- 2.1.10 WHO Global Strategy on Occupational Health for All (1996)
- 2.1.11 World Summit on Sustainable Development, Johannesburg (2002)

### **2.2 LEGAL FRAMEWORK FOR WELLNESS MANAGEMENT WITHIN THE PUBLIC SERVICE**

- 2.2.1 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- 2.2.2 Compensation for Occupational Diseases and Injuries Act, 1993(Act No.130 of 1993)
- 2.2.3 Disaster Management Act, 2002(Act No. 57 of 2002) and National Disaster
- 2.2.4 EAPA-SA Standards 4<sup>th</sup> Edition of 2015
- 2.2.5 Employee Health and Wellness Strategic Framework for the Public Service Final draft  
November 2008
- 2.2.6 Employment Equity Act, 1998 (Act No.55 of 1998)
- 2.2.7 Infant and Young Child Feeding Policy (2007)
- 2.2.8 Labour Relations Act, 1995(Act No. 66 of 1995)

- 2.2.9 Medical Aids Scheme Act, 131 of 1998
- 2.2.10 Mental Health Act, 2015
- 2.2.11 National Health Act (No.61 of 2003)
- 2.2.12 National Occupational Health and Safety Policy of 2005
- 2.2.13 National Sports and Recreation Act, 1998 (Act No. 110 of 1998)
- 2.2.14 National Strategic Plan on HIV; STI's and TB 2017 to 2022
- 2.2.15 Occupational Health and Safety Act, 1993(Act No. 85 of 1993)
- 2.2.16 Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000
- 2.2.17 Public Finance Management Act, 1 of 2000
- 2.2.18 Public Service Coordinating Bargaining Council Resolution 3 of 1999
- 2.2.19 Public Service Regulations of 2016, as amended.
- 2.2.20 The Promotion of Equality and the Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- 2.2.21 Tobacco Products Control Amendment Act, 1999 (Act No. 12 of 1999)
- 2.2.22 WHO Commission on social determinants of health

### **2.3 STRATEGIC FRAMEWORKS APPLICABLE TO WELLNESS MANAGEMENT WITHIN THE PUBLICSERVICE**

- 2.3.1 Accelerated School Infrastructure Development Initiative (2010)
- 2.3.2 Auditor General Report (2011)
- 2.3.3 Change Management Strategic Framework for the Public Service (2010)
- 2.3.4 Code of Good Practice on Arrangement of Working Time (1997)
- 2.3.5 Code of good Practice on the Integration of Employment Equity into Human resource
- 2.3.6 Code of Good practice on the protection of employees during pregnancy and after birth of a child (1997)
- 2.3.7 Draft Sexual Harassment Policy for the Public Service (2012)
- 2.3.8 EAPA-SA Standards (2002)
- 2.3.9 Mental Health Care Regulations (2003)
- 2.3.10 National Strategic Plan on HIV&AIDS, STI and TB (2017-2022)
- 2.3.11 Policies and practices (1998)
- 2.3.12 Policy on Incapacity Leave and Ill-Health Retirement (2005)
- 2.3.13 Public Health (Tobacco) Regulation (2009)
- 2.3.14 Public Sector summit (2011)
- 2.3.15 South African Green Paper on Family (Department of Social Development: 2011)
- 2.3.16 The Public Service Regulations as amended (2012)

2.3.17 Tobacco Regulations (2012)

2.3.18 Tshwane Declaration (August 2011)

## **2.4 ECONOMIC AND SOCIAL POLICY, PROGRAMMES AND STRATEGY**

2.4.1 Decent Work Country Programme

2.4.2 Gender mainstreaming framework

2.4.3 Integrated Development Plans (IDPs)

2.4.4 Medium Term Strategic Framework

2.4.5 National Development Plan 2030

2.4.6 National Disaster Management Framework

2.4.7 National Infrastructure Development Plan

2.4.8 National Spatial Development Strategies

2.4.9 New Growth Path

2.4.10 Occupational Health and Safety Programme Local Government

2.4.11 Presidential, Provincial Pronouncements and Budget Speech

2.4.12 Provincial Growth and Development Strategies

2.4.13 Social Security Framework

## **3. PURPOSE**

To promote and enhance individual and organizational performance. The department commits itself to provide leadership, resources, and support in implementing proactive and preventative initiatives that are meant to develop and empower its employees on the value of physical, psycho-social, organizational wellness and work-life balance.

## **4. OBJECTIVES**

The objectives of this policy and procedure can be well defined within the specific process pillars that are in-line with the outlined purpose of Individual Physical Wellness, Individual Psycho-social Wellness, Organizational Wellness and Work-Life Balance. The broad objectives are to:

- (i) Identify and address the wellness needs of employees of DSAC through proactive and preventative programmes
- (ii) Promote the creation of an organizational culture that is conducive to wellness and comprehensive identification of psycho-social wellness risks

- (iii) Promote work-life balance through workplace policies that accommodate work, personal and family needs
- (iv) Promote the physical, emotional, spiritual, economical, intellectual and social wellness

## **5. PRINCIPLES**

The Employee Health and Wellness Unit under the Department of Sports Arts and Culture affirms that the Workplace Wellness policy and procedure shall be implemented in line with the principles listed below.

- (i) Consultation with employees and their representatives.
- (ii) Employees utilizing the Wellness Management programme are assured of confidentiality, except in cases of risk to self and others or in terms of legislation
- (iii) Only registered professionals will be allowed to provide therapeutic interventions
- (iv) The policy should be performance focused and responsive
- (v) It should respond to the needs of designated employees i.e. (people living with disability and women)
- (vi) The policy should not be implemented in isolation of other policies. Thus not contradicting other related departmental policies, in particular the Human Resource Development (HRD) and Labour Relations (LR) policies and processes.
- (vii) Participation in the programme is voluntary.

## **6. SCOPE OF APPLICABILITY**

The terms of this policy and procedure apply to all permanent and contract employees (including interns and learners) of the Department of Sport, Arts and Culture.

## **7. POLICY PROVISIONS / PROCEDURES**

The Department, in terms of the collective agreements, shall be responsible for providing access to:

### **7.1 OBJECTIVES OF THE PROCESS PILLAR FOR INDIVIDUAL WELLNESS**

#### **7.1.1 Physical**

- (a) Promote physical health through establishment of gym facilities and Sporting codes.
- (b) Promote Wellness through awareness and education on Health Screenings.
- (c) Promote healthy sleep through management of shift work and
- (d) Promote the value of Healthy Nutrition and weight control

- (e) Manage Tobacco use through promotion of tobacco free workplaces
- (f) Promote the value of exercise, recreation, meditation and relaxation
- (g) Provide guidance on the management of lifestyle diseases and health risks

### **7.1.2 Psycho-social**

- (a) Develop proactive, preventive and curative programmes that are meant to identify and address challenges that impact on employees' psycho-social wellness such as drug and alcohol Preventive programmes.
- (b) Develop, promote and enhance the psycho-social resilience of employees in dealing with economical, intellectual, spiritual, emotional and spiritual wellness.
- (c) Provide awareness and education on aspects that impact on the psycho-social wellness of individual employees such as HIV&AIDS (self-directed stigma and discrimination).
- (d) Facilitate access to services that are meant to empower employees on identifying and addressing challenges that impact on their psycho-social wellness

## **7.2 OBJECTIVES OF THE PROCESS PILLAR FOR ORGANIZATIONAL WELLNESS**

### **7.2.1 Organizational Wellness**

The objectives of this Process Pillar of the policy are to:

- (a) Put measures in place that are meant to promote an organizational culture that is conducive to employees and organizational wellness in order to enhance individual and organizational performance.
- (b) Maintain and enhance the potential of employees and the organization to be effective and responsive to the needs of its stakeholders and the public it serves.
- (c) Promote the prevention of workplace bullying and violence.

### **7.2.2 Work – life Balance**

The objectives of this Process Pillar of the policy are to:

- (a) Put measures in place that are meant to promote flexibility in the workplace so as to accommodate work, personal and family needs.
- (b) Enhance and promote high levels of employee satisfaction and motivation
- (c) Development and implement retirement programmes in the workplace

## **8. ROLES AND RESPONSIBILITIES**

### **8.1 THE EMPLOYEE HEALTH AND WELLNESS UNIT**

The Employee Wellness Coordinator shall:

- (a) Develop a comprehensive Wellness Programme for DSAC
- (b) Establish a Wellness Committee to assist in the implementation of the Wellness Programme. The committee should be gender balanced and comprise of:
  - (i) The Employee Wellness officer, who will be the secretariat.
  - (ii) Representatives from all branches
  - (iii) Volunteers who want to partake as such in the programme (mostly for motivational purposes)
  - (iv) Peer educators
  - (v) Union representatives.
- (c) Communicate the policy to all employees.

### **8.2 THE HEALTH AND WELLNESS COMMITTEE**

The Health and Wellness Committee shall:

- (a) Monitor the implementation of the departmental Programme.
- (b) Advise management regarding the implementation of and progress with the programme.
- (c) Make use of training on all aspects relating to the Wellness Programme provided for the committee.
- (d) Assist in the marketing and promotion of wellness initiatives within the workplace
- (e) Assist to create a supportive and non-discriminatory working environment for employees partaking in the programme
- (f) Liaise with community support structures that have a role in the achievement of programme objectives

### **8.3 THE EMPLOYEE**

The employee shall:

- (a) Use every opportunity provided by the Department to become educated and informed about the programme by availing her/himself to the arranged training
- (b) Correctly make use of the services provided by the employer when there is a need

- (c) Report any breach of confidentiality or form of discrimination against her/himself by virtue of utilization of the programme
- (d) Apply his/her knowledge, motivation, commitment, behaviour, self-management, attitude and skills towards achieving personal fitness, health and organizational goals
- (e) Take an active part in improving the world of work by encouraging a healthy living environment and initiating better communication with those around him/her
- (f) Take initiative in following a nutritionally balanced diet and maintain her/his mass within a healthy range

## **9. RESOURCE IMPLICATIONS**

The Chief Directorate: Human Resource Management will budget for all expenses incurred by the application of this Policy.

## **10. INTERACTION WITH OTHER GOVERNMENT DEPARTMENTS**

The Department shall serve on the Public Service Interdepartmental Wellness Committee to ensure a uniform and concerted response to the management of Wellness needs within the overall Public Service

## **11. INTERACTION WITH RELEVANT STAKEHOLDERS**

The department will also interact with all relevant stakeholders such as SANAC, EAPASA, NGO's, CBO's and home-based care organizations for support.

## **12. MONITORING AND EVALUATION**

The Employee Wellness Unit shall provide a report on the impact made by the implementation of the policy and the programme to the Director-General at least once per annum.

## **13. GRIEVANCE PROCEDURE**

Any grievance or non-compliance relating to the application of this policy and procedure shall be dealt with in terms of the Public Service disciplinary and grievance procedure.

## **14. REVIEW**

This Policy and Procedure shall be reviewed as/when the Department's needs change or as dictated by legislation or notification from the DPSA.





sport, arts & culture

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Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

**PERFORMANCE MANAGEMENT AND  
DEVELOPMENT POLICY  
(SALARY LEVELS 1 – 12)**

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## 1. ABBREVIATIONS

<b>CAR</b>	:	Confirmed Assessment Rating
<b>DG</b>	:	Director-General
<b>DMC</b>	:	Departmental Moderating Committee
<b>DPSA</b>	:	Department of Public Service and Administration
<b>DSAC</b>	:	Department of Sports, Arts and Culture
<b>EA</b>	:	Executive Authority
<b>GAF</b>	:	Generic Assessment Factor
<b>HRD</b>	:	Human Resource Development
<b>HRM</b>	:	Human Resource Management
<b>IMC</b>	:	Intermediate Moderating Committee
<b>KRA</b>	:	Key Result Area
<b>MMS</b>	:	Middle Management Service (as from 1 July 2005)
<b>MPSA</b>	:	Minister for the Public Service and Administration
<b>MTEF</b>	:	Medium Term Expenditure Framework
<b>PA</b>	:	Performance Agreement
<b>PAR</b>	:	Provisional Assessment Rating
<b>PDP</b>	:	Performance Development Plan
<b>PFMA</b>	:	Public Finance Management Act, 1999
<b>PMDS</b>	:	Performance Management and Development System
<b>PSA</b>	:	Public Service Act, 1994
<b>PSC</b>	:	Public Service Commission
<b>PSCBC</b>	:	Public Service Co-ordinating Bargaining Council
<b>PSR</b>	:	Public Service Regulations, 2016
<b>SMS</b>	:	Senior Management Service
<b>SMS PMDS</b>	:	Performance Management and Development System for the SMS
<b>VAR</b>	:	Validated Assessment Rating

## 2. INTRODUCTION

- 2.1 Chapter II, Section 3(1) and (2) of the Public Service Act, 1994, as amended provides that the MPSA is responsible for establishing norms and standards relating to among others employment practices for employees, including performance management. The MPSA can determine these norms and standards by making regulations, determinations and directives.

In 2003, the DPSA developed a voluntary policy framework for non-SMS employees (salary levels 1 to 12), called the Integrated Performance Management Development System (IPMDS). This IPMD System should have been used by departments in the absence of their own functioning systems. However, following feedback that the IMPD System was too complicated, the DPSA developed a more user-friendly system, called the Performance Management and Development System (PMDS).

- 2.2 The PMDS provides a standardized framework for employee performance management. The three main levels in performance management are:
- 2.2.1 At the Executive Authority and the Accounting Officer level, the strategic priorities and overall Key Result Areas of the Department are determined, while objectives are identified and assigned to components within the department
- 2.3 2.2.2 At the component level, projects and activities that lead to the achievement of the integrated business plans are executed.
- 2.4 2.2.3 At the employee level, each employee develops a performance agreement jointly with her or his supervisor.
- 2.3 Key requirements for the successful implementation of the PMDS are the following:
- a) The institutional framework which determines responsibilities for specific aspects of the PMDS. With the Strategic Plan as basis, departments are able to identify high-level priorities and specific objectives to be achieved by business units. However, all the work done in a department is not captured in a strategic plan, which means that performance agreements for employees whose key responsibility areas and activities are not covered in the strategic or operational plan, must reflect their own KRAs and priorities.
  - b) Performance Agreements enable the department to assign specific performance objectives, standards and targets to employees. This also enables employees in the department to participate meaningfully in the management of their own performance.

- 2.4 Training on the PMDS system. Managers, supervisors and employees must be trained in the mechanics of the system and areas such as communication, problem-solving and conflict resolution in order to manage the system more effectively. The training of supervisors in particular is of the utmost importance, and this should result in supervisors knowing how to implement the system, ensuring that employees receive adequate training and possess sufficient information to be able to fully participate in the processes. This must be done with the support and co-operation of the HRD unit in DSAC.

### **3. PURPOSE**

To effectively and efficiently improve the performance of employees in order to optimise individual output in terms of quality and quantity thereby increasing the Department's overall performance.

### **4. OBJECTIVES**

In order to achieve individual excellence and achievement, the objectives for performance management is to -

- 4.1 establish a performance and learning culture in the Department
- 4.2 improve service delivery
- 4.3 ensure that all jobholders know and understand what is expected of them
- 4.4 promote interaction on performance between jobholders and their supervisors
- 4.5 identify, manage and promote jobholders' development needs
- 4.6 evaluate performance fairly and objectively
- 4.7 recognise categories of performance that are highly effective
- 4.8 manage categories of performance that are not fully effective and lower

### **5. PRINCIPLES**

- 5.1 The Department shall manage performance in a consultative, supportive and non-discriminatory manner to enhance organizational efficiency and effectiveness, accountability for the use of resources and the achievement of results.
- 5.2 Performance management process shall link to broad and consistent staff development plans and align with the department's strategic goals.
- 5.3 Performance management processes shall be developmental and shall allow for recognizing fully effective performance, highly effective performance and for a response to performance that is consistently partially effective or not effective at all.

- 5.4 Performance management procedures should minimize the administrative burden on supervisors while maintaining transparency and administrative justice.

## **6. LEGISLATIVE FRAMEWORK**

Specific sources of authority for various elements of performance management are:

- 6.1 The Constitution of the Republic of South Africa, 1996
- 6.2 The Public Service Act (Proclamation 103 of 1994)
- 6.3 The Public Service Regulations, 2016 (Chapter 4, Part 5)
- 6.4 The Skills Development Act (Act 97 of 1998)
- 6.5 The Labour Relations Act (Act 66 of 1995)
- 6.6 Promotion of Equality and Prevention of Unfair Discrimination Act, (Act 4 of 2000)
- 6.7 Promotion of Access to Information Act (Act 2 of 2000)
- 6.8 Employment Equity Act (Act 55 of 1998)
- 6.9 Public Finance Management Act, 1999
- 6.10 Promotion of Administrative Justice Act, 2000
- 6.11 White Paper on Transformation of the Public Service, 1995
- 6.12 White Paper on Human Resource Management, 1997
- 6.13 White Paper on Affirmative Action, 1998
- 6.14 White Paper on Transforming Public Service Delivery (Batho Pele), 1997
- 6.15 White Paper on Public Service Training and Education, 1998
- 6.16 Treasury Regulations, 2001
- 6.17 Relevant PSCBC collective agreements
- 6.18 GPSSBC Resolution No. 2 of 2005
- 6.19 PSCBC Resolution No 14 of 2002
- 6.20 PSCBC Resolution 10 of 1999
- 6.21 PSCBC Resolution 1 of 2003

## **7. IMPLEMENTATION**

### **7.1 SCOPE OF APPLICATION**

The PMDS is a framework for performance management that applies to all employees in the Department of Sports, Arts and Culture (DSAC) on salary levels 1 to 12 appointed in terms of the Public Service Act, 1994. As an employee performance management system, the PMDS is not applicable to departmental, component or team performance management or assessment.

### **7.2 TERMINOLOGY**

- 7.2.1 **Annual performance rating:** The annual performance rating as part of an employee's assessment that takes place at the end of the performance cycle. The result of this rating is the overall annual performance score for the employee during the entire performance cycle.
- 7.2.2 **Assessment instrument:** An assessment tool used to assess the performance of an individual employee in relation to the achievement of Key Result Areas and core management criteria or generic assessment factors as contained in the workplan of the performance agreement.
- 7.2.3 **Attribute:** An attribute (as part of a competency) is generally defined to consist of motives, traits and self-concept.
- 7.2.4 **Competence:** Relates to an employee's capacity to meet the job requirements.
- 7.2.5 **Competency:** A competency is a particular mix of knowledge, skills and attributes required to effectively perform a job/ task/ role.
- 7.2.6 **Compulsory Induction Programme (CIP):** As part of Resolution 1 of 2012 of the Public Service Coordinating for Bargaining Council (PSCBC), the Directive compels all employees who entered Public Service employment for the first time after 1 July 2012 to enroll and complete one (1) year Compulsory Induction Programme. The Directive further states, that in order to be eligible for:
- 7.2.6.1 confirmation of probation, an employee must have successfully completed Module 1 of the CIP; and
- 7.2.6.2 for pay progression, an employee who have met all other requirements for employment, including Module 1 of the CIP, are now eligible for pay progression in accordance with the prescripts governing pay progression in the Public Service.
- 7.2.7 **Confirmed Assessment Rating (CAR):** The assessment score for an employee that has been confirmed by the departmental Moderating Committee (see also validated and provisional assessment rating).
- 7.2.8 **Customers:** People internal or external to the department with whom employees interact to provide a service.
- 7.2.9 **Department:** A department as defined in section 1 of the Public Service Act, 1994.
- 7.2.10 **Enabling condition:** For the employee to meet his/ her target an enabling condition should be set.

- 7.2.11 **Executive Authority:** In relation to a department, government agency or institution, the President, a Minister, Premier or Member of the Executive Council.
- 7.2.12 **Feedback:** Objective and timely information by the Director/Supervisor on the employee's performance against set expectations and standards, understood by the staff member, and aimed at improving performance.
- 7.2.13 **Generic Assessment Factor:** An element used to describe and assess aspects of performance, taking into consideration knowledge, skills and attributes.
- 7.2.14 **Grievance rules:** The rules for dealing with the grievances of employees in the Public Service, published by the Public Service Commission in Government Notice R 1012 of 25 July 2003, Government Gazette No. 25209.
- 7.2.15 **Incentive Policy Framework:** Salary Level 1 to 12: DPSA circular 1/7/1/4/1, dated 27 January 2003: "Implementation of an incentive policy framework linked to departmental performance management systems for employees on salary levels 1 to 12.
- 7.2.16 **Key Result Area (KRA):** An area of a job in which performance is critical for making an effective contribution to the achievement of departmental strategies, goals and objectives.
- 7.2.17 **Moderation Committee:** Departmental committee established by the DG to review and evaluate employee performance assessments, through a monitoring and evaluation process, that is fair and consistent.
- 7.2.18 **National School of Governance:** The National School of Government plays a significant role in overseeing the professional common purpose in addressing the systemic challenges of public service delivery, through the learning and development of public officials.
- 7.2.19 **Operational plan(s) (or business plan):** A one-year plan derived from and giving life to the strategic plan by translating the strategic objectives identified in the strategic plan into Key Result Areas and activities with measurable standards, for a particular year for the Department, Branches, Chief Directorates and Directorates.
- 7.2.20 **Outcome:** A broad statement about a specific objective, aim or intent, the achievement of which will require one or more specific outputs to be achieved.



- 7.2.21 **Output:** A concrete result or achievement (i.e. a product, action or service) that contributes to the achievement of a Key Result Area.
- 7.2.22 **Performance:** Human performance involves (1) employee actions, and (2) the outcomes or effects of those actions. Performance is a process in which resources are used in an effective, efficient and productive way to produce results that satisfy requirements of time, quality and quantity, and which are the effect or outcome of the actions or behavior of a performer in the work process.
- 7.2.23 **Performance agreement:** A document agreed upon and signed by an employee and her or his supervisor, which includes a description of the job, selected KRAs and embedded GAFs, a workplan and the employee's Performance Development Plan.
- 7.2.24 **Performance standard:** Performance standards are mutually agreed criteria to describe the standards to which work must be done in terms of quantity and/or quality and timeliness, in order to clarify the outputs and related activities of a job by describing what the required result should be. In this PMDS, performance standards are divided into indicators and the time factor.
- 7.2.25 **Performance cycle:** A 12-month period for which performance is planned managed and assessed. It must be aligned to the same period as the Department's annual business plan i.e. 1st April to 31st March of the following year.
- 7.2.26 **Performance incentives:** A set of (a) financial rewards linked to the results of performance appraisal, including pay progression, performance bonus, and (b) a variety of non-financial rewards that may be contained in the departmental performance incentive scheme.
- 7.2.27 **Performance incentive scheme:** A departmental performance related incentive scheme aligned with its performance management system, established in terms of PSR, 2016 Chapter 4, Part 5, Section 73.
- 7.2.28 **Performance indicator:** A measure used to gauge the extent to which an output has been achieved (policy developed, presentation delivered, service rendered).
- 7.2.29 **Performance management:** A purposeful, continuous process aimed at managing and developing employee behaviour for the achievement of the organisation's strategic goals; the determination of the correct activities as well as the evaluation and recognition of the execution of tasks/duties with the aim of enhancing their efficiency and effectiveness; and a means of improving results from the Department, teams and individuals by

managing performance within an agreed framework of planned goals, objectives, standards and incentives.

- 7.2.30 **Performance management system:** An authoritative framework for managing employee performance, which includes the policy framework as well as the framework relating to all aspects and elements in the performance cycle, including performance planning and agreement; performance monitoring, review and control; performance appraisal and moderating; and managing the outcomes of appraisal.
- 7.2.31 **Performance standard:** Mutually agreed criteria to describe work in terms of time-lines, cost and quantity and/or quality to clarify the outputs and related activities of a job by describing what the required result should be. In this framework, performance standards are divided into indicators and the time factor.
- 7.2.32 **Performance review:** A structured and formal, at least half-yearly, discussion between supervisor and employee to monitor progress, resolve problems and adjust work plans during the performance cycle, thereby providing an opportunity for improvement before the annual review takes place. If the employee's performance is not fully effective or unsatisfactory, the half-yearly review must be in writing.
- 7.2.33 **Performance Development Plan (PDP):** A requirement for the Performance Agreement whereby the important competency and other developmental needs of the employee are documented, together with the means by which these needs are to be satisfied and which includes time lines and accountabilities.
- 7.2.34 **Provisional Assessment Rating (PAR):** An employee's total assessment rating score that has been agreed upon between the employee and her/his supervisor and evaluated and reviewed by the Intermediate Review Committee.
- 7.2.35 **Rating:** The allocation of a score to a KRA, a GAF and/or to overall performance in accordance with the four-point rating scale of the PMDS.
- 7.2.36 **Senior Management Service (SMS):** Employees on salary levels 13 to 16, including managers and professionals.
- 7.2.37 **Strategic plan:** The end product of strategic planning, setting out the mission and vision statements and the medium and long-term strategic objectives of the Department. The contents of the strategic plan must be in compliance with the requirements of Chapter 5 of the Treasury Regulations, 2001, and Chapter 3, Part 1, Section 25 of the Public Service Regulations, 2016.

- 7.2.38 **Strategic planning:** The process by which top management determines the overall strategic direction and priorities, as well as the organisational purpose and objectives and how they are to be achieved.
- 7.2.39 **Supervisor:** An official responsible for the allocation of work, monitoring of activities, discussing performance and development, and the half-yearly performance review and annual performance rating of an employee.
- 7.2.40 **Validated Assessment Rating (VAR):** The performance rating for an employee that has been validated by an assessment higher than the employee's supervisor for submission to the Departmental Moderating Committee.
- 7.2.41 **Weight:** With reference to the inclusion and assessment of KRAs and GAFs in the performance agreement/ workplan, each KRA is allocated a weight or percentage, which indicates the relative importance or impact of the specific KRA or GAF in comparison to the others selected in the performance agreement which will add to 100%. As from 1 April 2018, GAFs will no longer be scored separately but will be embedded in the assessment of the KRAs.
- 7.2.42 **Workplan:** A document which is part of the performance agreement and which contains Key Result Areas, associated outputs/activities and their performance standards and resource requirements.

### 7.3 **ROLES AND RESPONSIBILITY**

The following key role players will assume the responsibilities outlined to promote the implementation of the PMDS in the department.

#### 7.3.1 **The Executive Authority (EA)**

The EA identifies key government priority areas and the priorities the department should deliver on. The EA then assigns the responsibility for the achievement of departmental goals to the DG through the latter's performance agreement. The EA authorises the use of the PMDS as the departmental policy and system.

#### 7.3.2 **The Director-General (DG)**

The DG is responsible for the development of the strategic priorities of the department and translating them into operational or business plans. The DG is also responsible for ensuring that components are assigned specific responsibilities drawn from the department's strategic and annual business plans. The DG gives effect to the PMDS by issuing it as a departmental policy and performance management system.

### **7.3.3 The Deputy Director-General (DDG)**

The DDG and other delegated senior managers are responsible for developing the branch or Chief Directorate's operational plans that derive from the departmental strategic plans. She/ he are also responsible for determining the KRAs based on those assigned by the DG and those indicated in branch objectives. The DDG usually supervises the Chief Director's performance.

### **7.3.4 The Chief Director**

The Chief Directors are responsible for developing the chief directorates' business plans that derive from the departmental strategic and business plans. They are also responsible for determining the KRAs for the Directors, based on those indicated in the directorate objectives, and also for supervising the Directors' performance agreements.

### **7.3.5 The Director**

The Directors is responsible for the directorates' objectives and for ensuring that sub-directorates develop business plans based on the objectives. The Director also ensures that sub-components have defined objectives, outputs, targets and staff to carry the responsibility and the budget to fund the activity.

### **7.3.6 The Deputy Director or rank equals (Levels 11 – 12)**

The Sub-directorate manager is responsible for the specific objectives of the subcomponent assigned by the Chief Operational Officer, Chief Director or Director. The Sub-directorate manager defines the sub-component's objectives, outputs, targets and the responsible individual and budget. The Sub-directorate manager will also agree the KRAs and GAFs for junior management staff in the unit.

### **7.3.7 The Assistant Directors or rank equals (Levels 9 and 10)**

All supervisory staff with responsibility within a component will ensure that they explain the development of a PA to all employees under their supervision. They will then develop a PA jointly with each employee. The supervisor will clarify for employees the objectives of the unit (component), the clients of the unit, the employee's job description, the employee's clients, the KRAs and GAFs, time frames, measures and the actual performance rating method. Supervisors will also assist employees to identify and incorporate training needs into their PAs. This will be captured in the Performance Development Plan.

### **7.3.8 The Employee**

All employees of the Department, from the DG through senior and middle management to employees at the 'production level', are responsible for clarifying with their immediate supervisors the dates and process for

developing and submitting their PAs. All employees are responsible for developing a draft PA, based on the required objectives, KRAs and GAFs and other aspects of their job that have been previously clarified by the immediate supervisor. The employee is responsible for presenting the draft PA to the supervisor for joint agreement on the final PA.

#### **7.3.9 The Chief Directorate: Human Resource Management**

The Directorate is responsible for ensuring that:

- a. the system (PMDS) is made available and revisions properly communicated
- b. a plan is jointly developed with the HRD unit for the training of trainers as well as the training of supervisors in the implementation of the PMDS
- c. regulatory changes likely to affect the PMDS are communicated timeously
- d. PAs and employment contracts of relevant staff are reconciled where necessary
- e. dates for submission of PAs, review reports and assessment are set
- f. the Moderating Committee is constituted by the DG and senior management
- g. organised labour is consulted in order to obtain their inputs and feedback on the implementation and review of the PMDS
- h. on-going technical support is provided to components and employees

#### **7.3.10 Intermediate Moderating Committee**

The Intermediate Moderating Committee (IMC) falls between the supervisor and the Departmental Moderating Committee (DMC) and is responsible for reviewing/ moderating the provisional assessment ratings of employees. The IMC is chaired by the Deputy Director-General: Corporate Services and the panel members are relevant Chief Directors and Directors (or their delegates) as well as representatives from Human Resource Management. The IMC may recommend changes to content to be moderated within the assessment reports and address relevant issues related to misconduct as per Paragraph 7.4.11.3 of the Policy. The Chief Director: Human Resource Management will communicate recommended changes in ratings to the supervisors of the employees concerned to enable the former to inform employees of those changes.

The IMC receives the Provisional Assessment Ratings (PARs) of all employees reporting to it in order to review and compare ratings and to validate them. If the IMC agrees with the PAR, the PAR then becomes the Validated Assessment rating (VAR). Any recommendation on the lowering of rating scores should be referred back to the employee's supervisor in an endeavor to reach consensus on the change. If the supervisor or the

mediator cannot convince the employee of the reasons for a change in the rating, the rating is forwarded to the Departmental Moderating Committee.

#### **7.3.11 The Moderating Committee**

The Departmental Moderating Committee (DMC) for Levels 1 – 5 is chaired by the Deputy Director: Human Resource Utilization with at least five (5) Panel Members on Assistant Director level, the DMC for Levels 6 – 8 is chaired by the Director: Human Resource Utilization with at least five (5) Panel Members on Deputy Director level and the DMC for Levels 9 – 12 by the Chief Director: Human Resource Management and Development with at least five (5) Panel Members on Director level.

The role of the DMC is to ensure that the annual performance assessment is done in a realistic, consistent and fair manner and to monitor the performance assessment process by obtaining an overall sense of whether norms and standards are being applied consistently and realistically to employees on the same level and as per the Operational Plan, Workplan and Bi-annual assessments coupled with the necessary motivations for higher ratings. The DMC should therefore not assess each individual case for purposes of evaluating ratings but should rather develop an overall view of the results of the process. If the DMC identifies deviations or discrepancies, these should be referred back to the Directors and supervisors who had reached agreements on the ratings with their subordinates. The identified deviations or discrepancies should be accompanied by a request for reconsideration of the rating. Unless it is an overall assessment score adjustment that alters the assessment scores of all employees (as a group) by the same quantum, the DMC may not change an individual employee's assessment rating without first referring the issue back to the Intermediate Moderating Committee and the supervisor who made the initial assessment. The DMC should keep detailed minutes of decisions, particularly if it recommends lowering rating scores.

#### **The role of the DMC will therefore be:**

- a) Prepare a schedule of the supervisors who will need to present the performance assessments of each employee who reports to him/ her in front of the Moderating Committee.
- b) Oversee the Performance Management and Development System (PMDS), especially ensuring that the process for setting performance standards in the Pas is valid, fair and objective;
- c) Advise the Department on financial and non-financial rewards including the specific percentage of performance bonuses.
- d) Identify potential problems in the system and advise the Chief Director: Human Resource Management accordingly;
- e) Review overall assessment scores across Chief Directorates.

- f) Recommend reward levels and remedial action for performance and non-performance respectively.
- g) Make recommendations regarding actions to be considered where Directors and supervisors do not properly and fairly execute their responsibilities with regard to assessment and ratings in terms of the PMDS.

### **7.3.12 Assessment Appeal Panel**

The role of the Assessment Appeal Panel (AAP) is clear in the overall context of performance review and moderation. The role is twofold:

- a) To act as a departmental resource for an employee who disagrees with the proposal of the Departmental Moderating Committee (DMC), to amend an assessment rating after being informed of the final rating (Confirmed Assessment Rating) before a formal grievance is lodged; and
- b) to act as an arbitrator in ad-hoc disputes and disagreements in DSAC.

The AAP is appointed by the DG and is consulted for each specific case in such a manner that expertise in the line function, performance management, legal affairs and labour relations is included. The employee concerned may also choose to be represented by a member of his/ her employee organization. The AAP will consider written representations within 21 working days of an employee's receiving in writing the outcome of his/ her Confirmed Assessment Rating (CAR) and submitting the disagreement to the Chief Director: Human Resource Management. The APP that is then constituted has the following responsibilities:

- a) To review the disagreement between an employee and the department over her/ his CAR and to make recommendations in this regard to the Departmental Moderating Committee (DMC). The submission in this instance is made by the aggrieved employee to the Chief Director: Human Resource Management who then ensures that the AAP is activated and set up appropriately.
- b) To act as an arbitrator and make recommendations to the Departmental Moderating Committee in special cases or, for example in a specific Chief Directorate, a specific Director or supervisor or a specific employee, especially in cases where the interpretation or application of the PMDS is an issue.

## **7.4 PERFORMANCE ASSESSMENT PROCEDURES**

### **7.4.1 The Performance Cycle**

- a.** Performance management at the employee level is an on-going interactive process between an employee and her/ his supervisor about the employee's performance. Face-to-face on-going communication is an essential requirement of the process and covers the full performance cycle. For effectiveness of operation the cycle is divided into integrated phases or elements of:
  - i. Performance planning and agreement;
  - ii. Performance monitoring, developing and control;
  - iii. Performance assessment or appraisal; and
  - iv. Managing the outcomes of assessment
  
- b.** The performance cycle is a 12-month period for which performance is planned, executed and assessed and must be aligned to the same period as SRSA's annual business plan i.e. 1st April to 31st March of the following year. The 12-month cycle is also linked to the financial year for the purpose of planning, pay progression and other performance related incentives such as performance awards or cash bonuses. The probation cycle, however, is linked to the appointment date of a jobholder.

### **7.4.2 The Performance Agreement**

- a.** The performance agreement is the cornerstone of performance management at the individual level and shall be linked to the one-year departmental operational plan, which should be approved as close as possible to 1 April every year. All employees must enter into and sign performance agreements before or on 31 May every year and new employees within three (3) months after his/ her appointment. Employees appointed, seconded and transferred to the Department must sign a new Performance Agreement of a similar nature into the new position and performance assessments shall then take both periods of service into consideration for an annual assessment. Departmental and component performance measures should inform the development of the individual employee's PA. The PA format applies to all levels in the department and the contents must be reflected in the department's strategic and annual operational plan, component business plans and the employee's job description, job role and actual activities and responsibilities. An official shall be appointed within one (1) month after expiry of the above-mentioned due dates to manage any disputes between an employee and his/ her supervisor who failed to sign a Performance Agreement in time. Disputes should be managed in terms of the Public Service Regulations, 2016, Regulation 72 (4).



**In terms of the Public Service Regulations, 2016, Regulation 72 (7), no employee shall qualify for performance incentives including pay progression if he/ she has not signed a Performance Agreement within the prescribed period taking Regulation 72 (4) into account.**

- b. The content of a PA must include the following:
  - i. Employee data such as the Persal number, job title and level, as well as a clear description of the main objectives of the employee's job, with emphasis on the relevant outputs or Key Result Areas (KRAs) and resource requirements.
  - ii. A Workplan containing the KRAs, outputs, activities and resource requirements.
  - iii. A Performance Development Plan (PDP) that assists in identifying developmental areas and needs of the employee, in terms of the inherent requirement of the job.
- c. Only supervisors on level 9 or higher are authorised to enter into a performance agreement with another employee on behalf of the Department. The PA, especially the workplan, should be re-negotiated if the employee has not been in the job role for three months or more for any reason, as for example, maternity, ill health, study, secondment, or travel; unless this absence was built into the original agreement. A PA without a completed and attached workplan should be regarded as invalid and of little use in the performance management process. The employee and the direct supervisor (at least on Salary Level 9) together with the Senior Manager of the unit are jointly responsible to ensure that the Performance Agreement is signed and submitted to the Directorate: Human Resource Management within the prescribed due date.

#### **7.4.3. Amendments to the Performance Agreement**

Performance in the Public Service takes place in a dynamic environment. A performance agreement can therefore never be cast in stone. Even though the initial PA is signed at the start of the performance cycle, significant changes and additions must on an on-going basis be reflected in the PA and Workplan. The PA and Workplan against which an employee is assessed at the end of the cycle must accurately reflect the employee's actual activities and outputs during the entire performance cycle. Amendments must be made to the PA and Workplan and these must be signed and dated by both the employee and her/ his supervisor. Performance Agreements of employees acting or seconded in SMS positions must be amended to include new roles and responsibilities. Amending a Performance Agreement during the 4<sup>th</sup> Quarter (1 January – 31 March), by employees is discouraged.

#### 7.4.4 The Workplan

While the performance agreement is the cornerstone of performance management at the individual level, the workplan contains the essence of the performance agreement. This document must be submitted before or on 31 May every year. Workplans of employees acting or seconded in SMS positions must be amended to include new roles and responsibilities.

##### 7.4.4.1 Key Result Areas (KRAs)

- a. The criteria upon which the performance of an employee is assessed, consists of Key Result Areas (KRAs) and the Generic Assessment Factors (GAFs) which are contained in the PA. Each employee must be assessed against both areas. KRAs covering the main areas of work will account for 100% in the final assessment.
- a. KRAs describe what is expected from an employee in his/her role and focus attention on actions and activities that will assist units and ultimately the department in performing effectively. In the workplan the KRAs should be broken down into outputs, service standards and activities with the resource requirements. These are used to indicate how the performance/ achievement of the outputs and activities will be measured. KRAs can cover many different aspects of the work such as:
  - i. Specific tasks or events which the employee should ensure are achieved;
  - ii. Levels of performance which the employee should maintain and promote;
  - iii. Actions or situations for which the employee is personally responsible for delivering his/her “unique contribution”; and
  - iv. Duties and responsibilities related to advice and support given, for example, by specialists to clients.
- c. KRAs must be aligned to the **SMART Principle** as follows:
  - i. Specific: target a specific area for improvement;
  - ii. Measurable: quantify or at least suggest an indicator of progress;
  - iii. Assignable: specify who will do it;
  - iv. Realistic: state what results can realistically be achieved, given available resource; and
  - v. Timely: specify when the result(s) can be achieved.
- d. Although there is no limit to the number of KRAs to be included in a PA, they should preferably not be less than four (4) or exceed six (6). Each KRA should be broken down into measurable outputs, standards and activities. Each KRA should be weighted (in %) according to the importance it has in the employee’s job. The weighting of all the KRAs should add up to 100%.

#### **7.4.4.2 Generic Assessment Factors (GAFs)**

- a. Generic Assessment Factors (GAFs) are elements and standards used to describe and assess performance, taking into consideration knowledge, skills and attributes. The following GAFs are used and will be embedded with the KRAs of the employee's assessment score. The supervisor and employee must agree on at least five out of the fifteen GAFs that are deemed to be most important for effective performance in that particular job.
- b. The service delivery (Batho Pele) imperative must as far as possible be applied in assessing these GAFs.
  - i. Job knowledge
  - ii. Technical skills
  - iii. Acceptance of responsibility
  - iv. Quality of work
  - v. Reliability
  - vi. Initiative
  - vii. Communication
  - viii. Interpersonal relationships
  - ix. Flexibility
  - x. Team work
  - xi. Planning and execution
  - xii. Leadership
  - xiii. Delegation and empowerment
  - xiv. Management of financial resources
  - xv. Management of human resources
- c. Employees should be assessed against the selected GAFs applicable to their jobs. A professional may for example have no employees under his/her control or may have no financial responsibilities. To adapt the GAFs to specific jobs and job contexts, the employee and supervisor will need to decide which of the GAFs apply to the employee's job.
- d. One way of jointly arriving at decisions on how important any specific GAF is to a specific job is to use the factors of impact and frequency. The greater the impact and frequency, the greater the importance that criterion is likely to have on the achievement of effective performance results.

#### **7.4.5 The Performance Development Plan**

The PA must include a Performance Development Plan. The purpose of the development plan is to identify any performance output shortfall in the work of the employee, either historical or anticipated, to relate this to a supporting GAF shortfall and then to plan and implement a specific set of actions to reduce the gap. The competence gap may relate to any of the

GAFs included in this PMDS or any other area of the employee's knowledge, skill and attribute requirement. The PDP should include interventions relating to the technical or occupational "hard skills" of the job, through e.g. appropriate training interventions, on-the-job training, expanded job exposure, and job rotation. The employee and the supervisor are required to take joint responsibility for the achievement of the PDP with allocated accountabilities clearly recorded on the PDP agreement document. This document must be submitted before or on 31 May every year.

#### **7.4.6 Performance monitoring**

Performance at the individual level must be continuously monitored to enable the identification of performance barriers and changes and to address development and improvement needs as they arise, as well as to:

- a. determine progress and/or identify obstacles in achieving objectives and targets
- b. enable supervisors and jobholders to deal with performance-related problems
- c. identify and provide the support needed
- d. modify objectives and targets and
- e. ensure continuous learning and development

#### **7.4.7. Performance assessment and review**

- a. Performance review meetings are an integral part of the monitoring process. These reviews must take place as often as is practical and/ or required by circumstances. The reviews are necessary to motivate and to reveal to the employee areas that need improvement and if required, to modify the PA. The supervisor should use all opportunities to discuss the employee's performance, including component meetings, report backs, and informal discussions. An employee's supervisor shall monitor the employee's performance on a continuous basis and give him/ her oral feedback at least bi-annually if performance is satisfactory and in writing if unsatisfactory. Should the supervisor, as a result of this review, or at any time during the performance cycle, be of the opinion that the employee's performance is markedly below what is required; the supervisor must complete a full and formal assessment, assign ratings to the KRAs, complete all documentation and have the document signed by the employee. This ensures that the employee is left in no doubt that what she or he has been producing as work outputs is not acceptable and that continuation in this poor standard of performance will affect service delivery and is sure to result in a low performance assessment at the end of the cycle, with its resultant consequences.

- b. The supervisor should prepare by –
  - i. reviewing the previous period and objectives and targets for the next period;
  - ii. reviewing support needed and drafting training and development needs;
  - iii. seeking appropriate feedback from relevant role-players to support the process;
  - iv. reviewing and updating all relevant documentation; and
  - v. identifying internal/external factors affecting the jobholder's performance.
  
- c. The jobholder should prepare by:
  - i. reviewing previous objectives and identifying possible new objectives
  - ii. collecting supporting facts on performance delivered
  - iii. identifying factors that affected his/her performance
  - iv. identifying support that will be needed as well as possible training and development needs
  - v. reflecting on the feedback to be given to the supervisor
  
- d. After face-to-face discussions and consensus reached, between the employee and supervisor, on the review and assessment ratings it becomes a Provisional Assessment Rating (PAR). Such PAR must then be referred to the Director/ Chief Director/ Chief Operations Officer of the unit who need to interrogate the PAR and if satisfied to the next level of motivation. If not is should be referred back to the supervisor for review. A summary of the overall/ outcome of the assessment ratings of both bi-annuals should be in writing within the prescribed Performance Agreement and must be signed of by both parties and submitted to the Directorate: Human Resources a month after the lapse of the relevant bi-annual. At all levels the periodic reviews and assessments must also include a discussion on the employee's Performance Development Plan requirements. The Chief Director: Human Resource Management will communicate the following submission dates for each review and assessment within the financial year as follows:
  - i) Mid-Year Performance Assessment Review (**1 April – 30 September**):- A formal review meeting to be conducted between employee and supervisor to determine whether targets/ goals were achieved within the first six (6) months of the financial year. The due date for the submission of the Mid-Year Performance Assessment Review will be **31 October**.
  
  - ii) Annual Performance Assessment Review (**1 October – 31 March**):- A formal review meeting to be conducted between

employee and supervisor to determine whether targets/ goals were achieved within the last six (6) months of the financial year. The due date for the submission of the Mid-Year Performance Assessment Review will be **30 April**.

As stipulated in the Public Service Regulations, 2016, Regulation 72 (7), no employee shall qualify for performance incentives including pay progression if he/ she did not submit his/ her performance appraisals within the prescribed period as indicated in Paragraph 6.4.7 (d)(i-ii). The employee should provide written proof that he/ she tried by all means necessary to obtain his/ her appraisal from the supervisor before or on the due date. The supervisor must also acknowledge, in writing, that he/ she caused/ did not cause the delay in returning the appraisal to the employee before the due date.

The final assessment and discussion must take place at the end of the performance cycle and coincides with the end of the financial year, i.e. March of each year. In accordance with the latest Directive from the Department of Public Service and Administration (DPSA), employees and supervisors must finalize all outstanding annual performance assessments for the previous financial year by **31 July**. The Moderation Committee will then conclude all moderations for each qualifying employee by **30 November**, and effect all payments due to qualifying employees by **31 December within the same year**. The recommendations to the Head of Department in terms of the individual's overall performance will be based on the ratings agreed to by both parties on the final mark allocated for the individual's KRAs.

- e. The assessment discussion should enable:
  - i. An opportunity for the employee to assess his/ her own performance and its contribution to organisational goals and to identify areas of improvement
  - ii. An opportunity for the supervisor to provide formal feedback on performance over the year and to identify ways of improving what was achieved
  - iii. An opportunity for the employee to contribute to, and respond to comments regarding his/her performance and identify issues beyond his/her control that limit the achievement of results
  - iv. An open discussion between the employee and his/ her supervisor in which achievements can be fully recognised and ideas for problem solving agreed
  - v. Agreement on an overall assessment score reflecting judgment on the level of achievement attained in terms of the performance agreement
  - vi. An opportunity for the supervisor and the employee to agree on areas of personal development

#### **7.4.8 Steps in the assessment process**

The PMDS relies on agreement between the direct supervisor and employee on, first, the expected performance during the cycle (the performance agreement), and second, on the required results achieved during the cycle. Take note of the provisions of PSR, 2016, Chapter 4, Part 5, Section 71 that "*An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.*" However, it is recommended that the standard quarterly probation template, as issued by the DPSA, be used to finalize the probation period of an employee. The supervisor will have the most complete knowledge of the employee's performance and plays a critical role in the assessment process. The annual assessment takes place after the end of the performance cycle on 31 March of each year. The annual assessment provides the final rating score on which decisions pertaining to career incidents such as pay progression and the possible granting of performance awards are based. The process commences with a self-assessment by the employee. The supervisor then assesses the employee and reviews the self-assessment.

##### **7.4.8.1 Self assessment**

The role of the employee whose performance is being assessed is the following:

- a. assess his/ her own progress according to his/her performance agreement and workplan, during the period under review and allocate performance ratings
- b. bring to his/ her manager's attention, significant other outputs that were delivered during this period which are not contained in the performance plan and/ or performance which he/she regards as being meritorious
- c. provide inputs on areas of performance, which the manager has identified as not being fully effective
- d. review his/ her performance agreement for validity
- e. discuss and initiate possible amendments to the performance agreement

##### **7.4.8.2 Supervisory assessment**

The role of the employee's supervisor in the assessment is the following:

- a. facilitate the assessment session
- b. assess the employee's performance according to his/ her performance agreement and workplan during the period under review and allocate performance ratings
- c. give recognition to the employee for good performance during the review period
- d. recognise other significant outputs that were delivered during this period which are not contained in the performance plan and/or performance which he/ she regards as being meritorious

- e. identify performance areas which have been identified as being not fully effective
- f. allow the employee opportunity to give his/ her input during the session
- g. identify remedial steps which will be taken to eliminate factors which have hampered the employee's performance
- h. review the employee's performance agreement and workplan, for validity
- i. discuss and initiate possible amendments to the employee's performance plan
- j. record his/her comment about the performance of the employee

**7.4.8.3 Disagreements over rating and assessment**

Refer to Paragraph 7.6 of this policy.

**7.4.9 Outcomes of the Performance Assessment (to be read with 'The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)')**

**7.4.9.1 Category of performance:**

<b>Salary levels 1 to 12</b>					
<b>Performance category</b>	<b>Total score</b>	<b>Probation</b>	<b>Development</b>	<b>Pay progression</b>	<b>Cash bonus</b>
<b><u>Rating 1</u></b>					
Not effective - Performance does not meet the expected standard for the job. The review / assessment indicates that the jobholder has achieved less than fully effective results against all or almost all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.	69% And below	Extent probation or terminate i.t.o. Incapacity Code	Agree on development programme	None	None
<b><u>Rating 2</u></b>					
Partially effective - Performance meets some of the standards expected for the job. The review/assessment	70% - 99%	Extent probation	Agree on development programme	None	None



indicates that the jobholder has achieved less than fully effective results against (partially achieved) more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan.					
<b><u>Rating 3</u></b>					
Fully effective - Performance fully meets the standard expected in all areas of the job. The review / assessment indicates that the jobholder has achieved as a minimum effective results against all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.	100% - 119%	Confirm appointment	Agree on development programme	Awarding a higher notch	None
<b><u>Ratings 4</u></b>					
Highly effective - Performance far exceeds the standard expected of a jobholder at this level. The review/assessment indicates that the jobholder has achieved above fully effective results against all of the performance criteria and indicators as specified in the PA and Work plan and maintained this in all areas of responsibility throughout the performance cycle.	120% - 133%	Confirm appointment	Agree on development programme	Awarding a higher notch	Cash Bonus to be determined taking the Compensation of Employees Budget into consideration.  Cash Bonus incentive to be discontinued from 1 April 2021 (2021/ 2022 financial year) according to DPSC Circular No. 01 of 2019, Paragraph 10.

#### 7.4.9.2 **Managing performance that is not fully effective**

- a. Supervisors are required to first identify and then, in line with a developmental approach, deal with unacceptable performance of employees under their supervision. The supervisor must comply with the procedural requirements of PSCBC Resolution 10 of 1999 and Resolution 1 of 2003 – “Incapacity Code”. The PMDS provides for the early identification and resolution of unacceptable performance. The employee’s performance rating as “not fully effective” or lower during the annual performance assessment should not be the first indication of the employee’s shortcomings. Performance monitoring, including the performance reviews, provide opportunities to ensure this does not happen. Interventions by the supervisor to overcome performance shortfalls on the part of the employee can include any or all of the following:
  - i. Personal counseling
  - ii. On-the-job mentoring and coaching
  - iii. Formal training/ re-training
  - iv. Restating the workplan performance requirements
  - v. Work environment audits to establish other factors affecting performance.
- b. Should the employee not respond to reasonable and continuous attempts to improve performance and an overall performance assessment score of less than 100% is consistently the result of the assessment process, the employee must be formally registered on an “Incapacity Programme” and advised of this in writing.

#### 7.4.10 **Payable incentives (to be read with ‘The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)’**

##### 7.4.10.1 **Performance bonus**

A performance bonus is a financial award granted to an employee in recognition of sustained performance that is significantly above expectations and is rated as such in terms of the rating scale. In order to qualify for the granting of a bonus, an employee must complete a continuous period of at least twelve months on her/ his salary level on 31 March of a year. The cycle for the granting of a bonus runs over a continuous period of 12 months from 1 April of one year to 31 March of the next year. The value of a bonus is calculated on the employee’s actual notch (levels 1 – 10) or remuneration package (levels 11 and 12), but not exceeding the maximum notch of the scale attached. To understand the relationship between scoring an individual KRAs on the 4 point rating scale, on the one hand, and total scores on the other hand, it

must be kept in mind that a total score can be a variable mix of the four categories (1, 2, 3 and 4). For payable incentives refer to '**The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)**'.

#### 7.4.10.2

#### **Pay progression**

- a. Employees on salary levels 1 to 12 are eligible for pay progression to the maximum notch of the salary level attached to their posts. Progression to the next higher notch within the employee's salary level as of 1 July 2003 shall be based on a period of continuous service and performance, and is not automatic. An employee must complete a continuous period of at least 12 months on her or his notch (1 April to 31 March) and must be performing at least at the level of fully effective (satisfactory), as assessed in terms of the PMDS. The Incentive Policy Framework issued by the DPSA is mandatory by nature. In respect of performance rewards, other than pay progression, the maximum of 18% for a bonus (levels 1 to 10) can be awarded and 14% of package (levels 11 and 12). For payable incentives refer to '**The 2019 Incentive Policy Framework for Employees in the Public Service (December 2018)**'. The pay progression cycle (and the assessment cycle) runs over a continuous period of 12 months, commencing on 1 April of a particular year. Progression takes place annually on 1 July of each year and is based on:
  - i. actual service in a particular salary level for the period 1 April to 30 March prior to the pay progression date (one years' continuous service on a notch);
  - ii. an assessment of at least satisfactory performance for the said period in line with the PMDS. Only valid notches on the salary level must be used in the process of progression. Employees on personal notches (therefore on a notch above the maximum of the salary level attached to his or her post), shall not qualify for pay progression, but shall receive any annual salary adjustments on the salary scale; and
  - iii. As part of Resolution 1 of 2012 of the Public Service Coordinating for Bargaining Council (PSCBC), the Directive compels all employees who entered Public Service employment for the first time after 1 July 2012 to enroll and complete one (1) year Compulsory Induction Programme.
  - iv. The DPSA Circular No.: HRD 1 of 2015 have recently clarified that employees who had met all other requirements for employment, including Module 1 of the CIP, are now eligible for pay progression to be paid in accordance with the prescripts governing pay progression in the Public Service.

- b. The pay progression system does not impede the Executive Authority to award a higher salary to employees in terms of the PSR, 2016 (Chapter 4, Part 1, Section 44). Therefore:
  - i. employees, who are awarded a higher salary level by the Executive Authority, that does not correlate to the job weight attached to their job, shall not qualify for pay progression on the higher salary level
  - ii. employees, who are awarded a higher notch within the salary level that correlates to the job weight attached to their job shall qualify for pay progression, provided they comply with the set criteria
- c. Employees who benefit from pay progression during a financial year will receive the benefit in addition to possible annual cost-of-living adjustments. Employees may in the same financial year receive pay progression and other performance related incentives (e.g. bonuses) provided for in departmental performance related incentive schemes.

7.4.11 **Other factors that may have an influence on the performance assessment**

7.4.11.1 **Acting in higher position**

When an employee is appointed to act in a higher position for shorter than six weeks, the workplan should be based on the post that the employee is permanently appointed to. Depending on the employee's performance during the periods of acting, recognition for performance of the duties of the higher position should be given during the performance assessment, on the workplan of the permanent post. When acting in a higher position for longer than three (3) months, where an acting allowance is being paid, a workplan must be compiled for the higher position that the employee would be expected to perform against. The performance of the employee, acting in the higher position, will be assessed in terms of the amended workplan, against the standards applicable to the level of the employee's permanent position. Performance incentives must be calculated at the salary level of the post, to which the employee is permanently appointed, based on the employee's salary notch on 31 March of the cycle.

7.4.11.2 **Staff movement**

When employees are transferred at the same level, it is **their responsibility** to provide their most recent performance assessment to the new department. Where staff members change jobs within the department during the performance management cycle, performance reviews related to the employee vacating the post have to be

completed prior to moving to the new position. If the employee changing jobs is a supervisor or manager, performance reviews for each employee under her/ his control should be completed prior to her/ his movement. When an employee is transferred to another department, a progress review discussion will be conducted for the current performance management cycle prior to the employee leaving the department. In the case of supervisors, regardless of the reason for their departure, they will be required to assess their staff prior to departure.

#### 7.4.11.3 **Misconduct and suspension**

**a.** Decisions pertaining to performance rating should be based on an employee's actual performance. In the event of alleged misconduct, some questions need to be posed.

What was the nature of the misconduct (e.g. financial, management)?

- i. Was the person found guilty or not?
- ii. If found guilty, what was the nature of the sanction (e.g. discharge, suspension)?
- iii. Did the misconduct and/or the sanction impact on performance?
- iv. Was the employee suspended for a prolonged period?

**b.** It is difficult to lay down a general rule and each case must be judged on its own merit. If a misconduct charge, and/or the hearing, and/or any sanctions have a serious negative impact on an employee's performance, it would be difficult to motivate for awarding a 3-rating or higher and therefore for the granting of a performance bonus.

#### 7.4.11.4 **Absence during a cycle**

Normal periods of leave for example vacation leave and/ or short periods of sick leave do not usually interfere unduly with the employee's performance management cycle. In the case of other forms of absence for a continuous prolonged period of time, supervisors and employees should have a discussion to reach mutual agreement on the ability to execute a meaningful rating for that period or for an annual assessment. This leave will include:

- a) Long study leave
- b) Incapacity leave longer than 30 days
- c) Vacation leave longer than 30 days
- d) Unpaid leave

If it is not possible to make a meaningful review or annual rating, it must be indicated in writing. New work plans may also need to be

developed on return from a prolonged absence. While an employee is not penalised for any form of formally approved leave, it is also true that an employee who has been absent for a prolonged period, has not rendered the same extent of service as an employee who did not have such prolonged. This usually becomes an issue when bonuses are considered. In this regard the principle is that “doing all the work” translates to a 3-rating (“effective performance”) for which an employee receives a full salary, a 13th cheque and pay progression. Supervisors must carefully consider the rating and assessment of an employee who had been on prolonged leave of absence, to balance the rights of those who were absent with the contribution of those who had to do more work because others were absent.

All employees who intend to take planned leave should ensure that he/ she completed and submitted all documents (Performance Agreements, Mid-Year and Annual Performance Assessment Reviews) especially if the due date for submission will be during the leave period.

If need be, supervisors should still consider a full assessment for employees who has been on continues prolonged leave for more than three (3) months on condition that he/ she has signed a Performance Agreement and has completed at least one (1) informal assessment with his/ her direct supervisor during a performance cycle.

#### **7.5 Budget implications**

- a. The Incentive Policy Framework introduced flexibility in the awarding of performance incentives, but placed a ceiling of a maximum of 18% of basic salary for non-SMS performance bonuses. It also determined that a department should not overspend on its annual remuneration budget for employees on levels 1 to 12 on performance incentives.
- b. An Inclusive Remuneration Package System was introduced with effective from 1 July 2005, for employees on salary levels 11 and 12 (Middle Management Service or MMS) who are appointed in terms of the Public Service Act, 1994. In terms of the Incentive Policy Framework (IPF):
  - i. MMS members qualify for pay progression; and
  - ii. Performance awards/ bonuses (merit awards), payable in terms of the departmental incentive scheme, and which is limited to a maximum of 14% of the MMS members’ package.

#### **7.6 Grievance procedure**

Agreement between an employee and her/ his supervisor, and/ or with review and moderation actions on an issue such as rating, is not always guaranteed. If the requirements of the system are met for regular

consultation and discussion between the supervisor and the employee, there should normally be little cause for continued disagreement. However, disagreement may occur (a) between the employee and her/ his supervisor; (b) between an employee and her/ his supervisor on the one hand, and the IMC on the other hand; (c) between the IMC and the DMC; and even between the DMC and the DG or Executive Authority.

Disagreements at the levels of the IMC and/or the DMC may be limited or minimised if the assessment of senior managers is done before the assessment of non-managers. This may assist in limiting possible contradictions or inequities between the assessments of, for example, particular cascading KRAs found on the different levels. This approach may set certain parameters of performance that may partially serve as benchmarks when assessing individuals below the management level in the department. If there are fundamental disagreements between the IMC and the DMC, or if the DG does not wish to approve recommendations of the DMC, such issues should be resolved through the Assessment Appeal Panel (AAP). If this process results in changes to individual assessment scores, and employees refuse to accept the changes, employees may follow the formal grievance rules of the Public Service. As is the case with other aspects of the PMDS, employees must be informed of the route and processes to be followed in the event of disagreement over performance assessments. If the above processes ultimately fail to resolve the disagreement or grievance, the employee is entitled to seek redress through other means available in law.

**To standardize the dispute cases in DSAC, the following guidelines will be applicable should employees be aggrieved:**

**Pre-moderation (To obtain a Provisional Assessment Rating):**

- a) An aggrieved employee will liaise with his/ her mediator first to determine the lowering of specific ratings by the supervisor.
- b) The mediator will provide a report to the IMC as part of his/ her intervention to resolve the case between the employee and supervisor.

**During moderation (To obtain a Confirmed and Validated Assessment Ratings)**

- a) The IMC will review and evaluate the ratings of the employee taking the mediators report into consideration to finalise the Confirmed Assessment Rating for the employee.
- b) The IMC will then forward its findings to the DMC to confirm the Validated Assessment Rating for the employee.

### **Post-moderation**

- a) Should the employee still be dissatisfied with the ratings approved by the DG, then he/ she may refer his/ her case to the Assessment Appeal Panel for an intervention.
- b) If the above processes also ultimately fail, to resolve the disagreement or grievance, the employee is entitled to seek redress through other means available in law by lodging a formal grievance in accordance with the departmental grievance procedure.

### **7.7 Procedure for Non-Compliance**

Staff member who does not complying with this policy will be dealt with in terms of SRSA's disciplinary procedures and the Public Service Commission's Code of Conduct, Paragraph 4.4.9.

### **7.8 Monitoring and Evaluation**

- a. Evaluation of the PMDS should help determine whether the system is functioning effectively. An evaluation schedule should be established in the early stages of the performance cycle. This will assist supervisors in targeting what the generally desired outcomes of the PMDS as a system are. It is important to determine initially the types of data required throughout the performance management process. SRSA will obtain baseline data with which to compare future data. The data desired and the available timeframes for collecting the data will determine the types of data collection techniques and analyses used. The evaluation strategy will be determined as the performance management programme is being rolled out and should change if it does not provide appropriate data on which to base future decisions. Some of the questions that should be asked and answered in an evaluation include:
  - i. Is the programme addressing the department's needs?
  - ii. Does the programme fit the department's values and culture?
  - iii. Do managers have the necessary skills to use the programme?
  - iv. Does it provide useful data for making personnel decisions?
- b. The Chief Director: Human Resource Management should conduct an audit of the implementation of PMDS at the end of the performance cycle. The methodology applied shall be a survey questionnaire to a representative sample within the department. Following the development of performance agreements and workplans and during the course of the year, management should ascertain the following in respect of the system:
  - i. Whether the system meets the specifications.
  - ii. Whether the users understand it and are able to use it.
  - iii. Whether the department is achieving its initial objectives.



- c. The system review process is based on the legal guidelines, best practice guidelines and monitoring and evaluation guidelines. The Moderating Committee, with technical support from HR will determine if the legal requirements in the PSR, 2016 Chapter 4, Part 5 are being met:
  - i. All employees are being assessed at least on an annual basis.
  - ii. Employees know which supervisor will be responsible for their assessment.
  - iii. The details of the performance management system are communicated to employees before the process starts.
  - iv. Employees are given the right to refuse to sign a performance assessment form.
  - v. Identifying the disagreement and resolution route; and
  - vi. Permitting employee representatives to represent an employee in grievance processes.

**8. DATE AND SIGNATURE OF APPROVAL**

Policy approved:

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**Mr Vusimusi Mkhize**  
**DIRECTOR-GENERAL: DEPARTMENT OF SPORT,**  
**ARTS AND CULTURE**

\_\_\_\_\_  
**Date**