



NORTH WEST PROVINCIAL LEGISLATURE

PORTFOLIO COMMITTEE ON PUBLIC SAFETY AND PROVINCIAL AFFAIRS

REPORTS ON THE PUBLIC SERVICE COMMISSION (PSC)

1. INTRODUCTION

This report is intended to provide a brief analysis on matters dealt by the Public Service Commission with specific focus to the North West Province, on the following areas, report on grievance trends in the public service for period 01 April 2006 to 31 March 2007 and 01 April 2007 to 31 March 2008, facts sheet: monitoring compliance with the requirements of the financial disclosure framework for the 2007/2008 financial year. The Public Service Commission is mandated by the Public Service Commission Act to conduct inspection on public service delivery and good governance so as to inform the public, including the parliament on the effective or ineffective service delivery across provinces.

The following Public Service Commission reports are;

- Report on grievance trends in the public service for the period 01 April 2006 to 31 March 2007 and 01 April 2007 to 31 March 2008
- Fact sheet – monitoring compliance with the requirements of the financial disclosure framework on the 2007/2008
- Report on financial misconduct for the 2007/2008 financial year
- Management of job applicants with a criminal record in the public sector

2. REPORT ON GRIEVANCE TRENDS IN THE PUBLIC SERVICE FOR THE PERIOD 01 APRIL 2006 TO 31 MARCH 2007 AND 01 APRIL 2007 TO 31 MARCH 2008

The objective of consideration of grievances by the Public Service Commission (PSC) is amongst others to ensure that labour peace is promoted and to enhance service delivery. Narrow literature review of publications relating to the promotion of labour relations with specific reference to management of grievances was conducted.

2.1. FINDINGS

- North West province reports on grievances increased from 151 in 2006/2007 to 155 in 2007/2008, resulting in a total of 306.
- Although the grievances lodged with departments increased from the financial years 2006/2007 to 2007/2008, the total number of grievances received by the PSC in the corresponding periods decreased. This may be an indication that there is a level of understanding of grievance rules, namely that referral to the Public Service Commission (PSC) for consideration of grievances has to be done only through an executive authority and only after the internal procedure has been finalized.
- Performance assessment related problems remain the major cause for dissatisfaction amongst employees in the public service including provincial administration of North West.
- As a result of delays in finalization of grievances internally, the aggrieved employees or their labour unions continue to refer cases to the Public Service Commission (PSC) prematurely.
- The North West Provincial department has finalized 153 grievances, out of total of 306 during two reporting periods.
- Only 38 out of 153 grievances were finalized within prescribed time frame in respect of both reporting periods.
- 50% of the grievances received during the two reporting periods, remain unsolved. 88 out of 151 cases were reported as pending during the financial year 2006/2007, and 65 out of 155 cases are still pending for the year end 2007/2008.

2.2 CAUSES OF GRIEVANCES IN THE NORTH WEST PROVINCE

- Performance assessment increased from 63 in 2006/2007 to 64 in 2007/2008
- Salary problems (adjustment, increase/payments) increased from 32 in 2006/2007 to 37 in 2007/2008
- Recruitment and selection decrease from 29 in 2006/2007 to 2007/2008

- Unfair treatment increase from 14 in 2006/2007 to 18 in 2007/2008
- Application approval /refusal to approve application decreased from 9 in 2006/2007 to 5 in 2007/2008
- Disciplinary matter increased from 4 in 2006/2007 to 6 in 2007/2008
- Undermining of authority increased from 0 in 2006/2007 to 4 in 2007/2008

2.3 RACIAL DISTRIBUTION OF AGGRIEVED EMPLOYEES IN THE NORTH WEST PROVINCE

- African – decreased from 137 in 2006/2007 to 126 in 2007/2008
- Whites - increased from 8 in 2006/2007 to 23 in 2007/2008
- Coloured - increased from 0 in 2006/2007 to 3 2007/2008
- Indian-00
- Unknown-decreased from 6 in 2006/2007 to 3 in 2007/2008

2.4 STATUS OF GRIEVANCE WITHIN DEPARTMENTS (REFER TO PAGE 34, TABLE 22)

- Department of Agriculture, Conservation and Environment - 22 cases pending
- Developmental Local Government and Housing - 4 cases pending
- Department of Economic Development and Tourism - 5 cases pending
- Department of Education - 18 cases pending
- Department of Finance - 4 cases pending
- Department of Health - 34 cases pending
- Office of the Premier - 1 case pending
- Department of Public Works- 11 cases pending
- Department of Roads, Transport and Community Safety-37 cases pending
- Department of Social Development - 14 cases pending
- Department of Sports, Arts and Culture - 3 cases pending

2.5 CHALLENGES

- The failure by departments to timely provide the Public Service Commission (PSC) with the complete and accurate reports on the resolution of grievances within departments, impact negatively on the effective monitoring of the management of grievance resolutions by departments.
- Non adherence to the prescribed time frames during processing of grievances, submission of inaccurate and insufficient information by departments to the Public Service Commission (PSC) upon request, remains a major stumbling block for the Public Service Commission (PSC).

2.6 THE PUBLIC SERVICE COMMISSION (PSC) RECOMMENDS THAT DEPARTMENTS GIVE THE FOLLOWING URGENT ATTENTION

- Grievance management must be a standard item for the inclusion into managers performance agreements and supervisors workplace agreements
- Managers and supervisors should be provided with training and guidance on interpersonal and technical skills to deal with grievances.
- Managers and supervisors do not receive adequate advisory and facilitation support from human resource and labour relations practitioners.
- Human relation and labour relation practitioners should follow up on outstanding grievances and use this opportunity to provide assistance and advice.
- Department should establish a monitoring system to analyse their own grievance trends in order to identify typical policies and practices, and the manner in which these are replied.
- As the delay in finalization of grievances adds to the dissatisfaction of employees, it is imperative that departments seriously consider existing human resource in order to ensure the speedy resolution of grievances.

3. FACT SHEET: MONITORING COMPLIANCE WITH THE REQUIREMENTS OF THE FINANCIAL DISCLOSURE FRAMEWORK ON THE 2007/8 FINANCIAL YEAR.

Purpose is to give an overview of the submission of the financial disclosure forms for the year. The framework is aimed at preventing conflict of interest by requiring of senior managers to disclose their financial interests.

3.1 FINDINGS

- Only 38% of the forms of national departments and 59% of the forms of provincial departments were received by the Public Service Commission (PSC).
- The North West provincial departments submitted 277 forms, whilst 29 are still outstanding.

3.2 LIST OF DEPARTMENTS WITH OUTSTANDING FORMS (REFER TABLE 11, PG 19)

- Department of Developmental Local Government and Housing - 4
- Department of Economic Development and Tourism - 1
- Department of Education - 3
- Department of Health - 8
- Office of the Premier - 3
- Department of Social Development - 1
- Department of Transport, Roads and Community Safety – 2

The North West Province is the only province that had a compliant rate of 100% for the previous year 2006/2007. By due date 31 May 2008 the compliance rate for the province is 90%. By 30 June 2008 only 22 designated officials are still to submit their disclosure forms to the Public Service Commission (PSC). The Public Service Commission (PSC) also emphasizes that the province always has a good compliance rate. However, this was achieved in the past mainly after the due date.

4. REPORT ON FINANCIAL MISCONDUCT FOR THE 2007/2008 FINANCIAL YEAR

Limited state resources coupled with service delivery backlogs from past inequities places a stringent requirement on departments to ensure that public funds are managed in an efficient, effective and economic manner.

4.1 FINDINGS

- North West Province is amongst the least provinces with less cases reported i.e. (20)
- North West Province reported an amount of R300 600.56 in respect of unauthorized, irregular and fruitless and wasteful expenditure and losses resulting from criminal conduct.(refer table 12,pg 36)
- The North West Province managed to recover R63 115.94 at the time departments reported on the outcome of cases to the PSC.
- Department of Economic Development and Tourism indicated that they had not made any recovery in respect of unauthorized, irregular, fruitless and wasteful expenditure, as well as losses resulting from cases of financial misconduct finalized during the 2007/2008 financial year.

5. MANAGEMENT OF JOB APPLICANTS WITH A CRIMINAL RECORD IN THE PUBLIC SECTOR

The Public Service Act, 1994 states that "no person shall be appointed permanently, whether on probation or not, to any post on the establishment of a department unless he or she is a fit and proper person". However currently there are limited policy guidelines on the employment of persons with criminal records in the public service. The Public Service Commission (PSC) has conducted an investigation with a view to assist departments by raising important aspects relating to the practice and to provide strategic direction in this regard.

5.1 FINDINGS

- Overall total of persons employed on full time capacity in the public service is 223.pg 26
- 29 percent of these persons are employed by national treasury whilst 22% by correctional services
- North West Province do not have any person with criminal record as office bearers

6. CONCLUSION

The Public Service Commission (PSC) indicates the overall performance of government department amongst others. The reports showed that the North West Province is doing better on matters of compliance with the Public Service Commission (PSC) rules and regulations as compared with other provinces. The committee is very pleased with the work that is done by the Public Service Commission (PSC).



PP **HON L.P. PELELE**

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