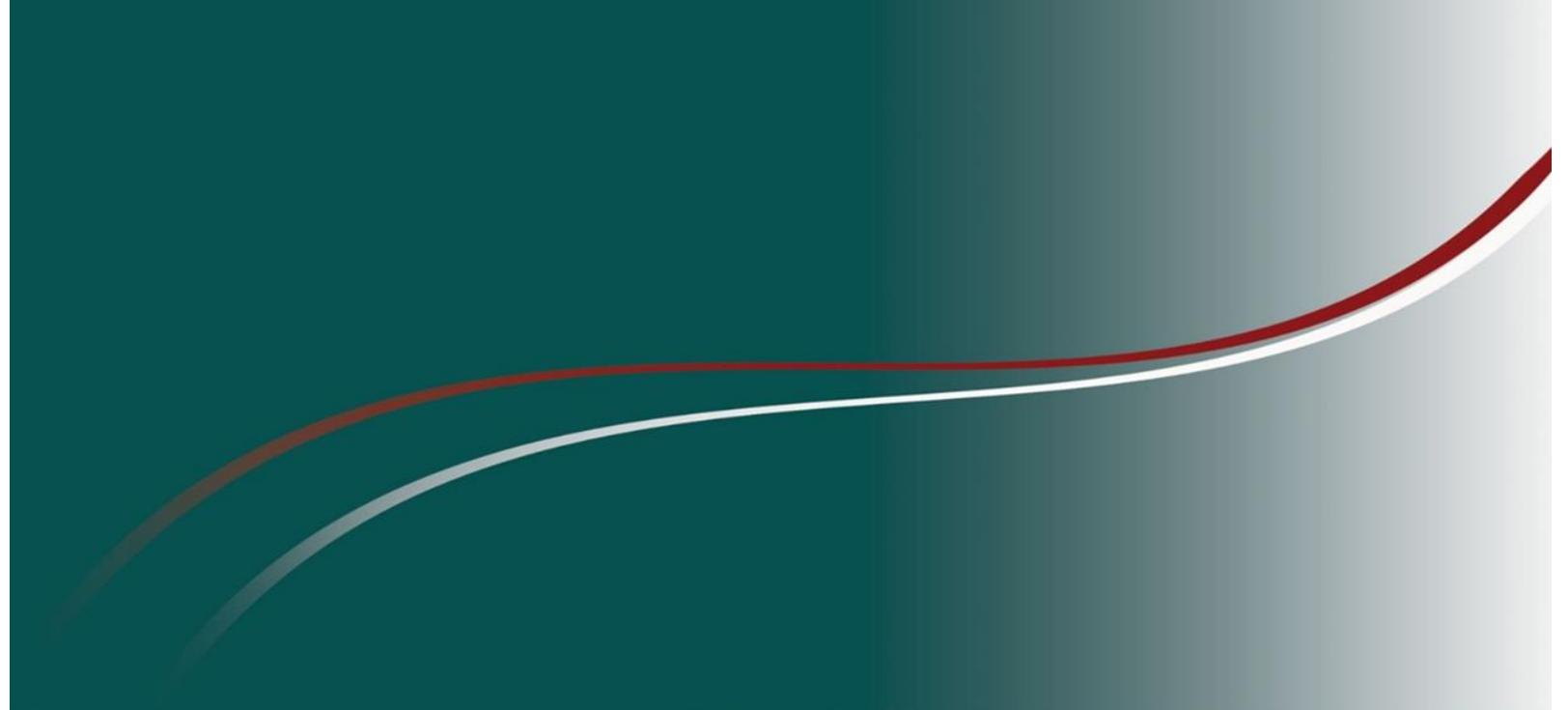


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**REPORT ON THE QUALIFICATIONS OF SENIOR MANAGERS IN THE
PUBLIC SERVICE**

APRIL 2024



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ethical and developmental state.

REPORT ON THE QUALIFICATIONS OF SENIOR MANAGERS IN THE PUBLIC SERVICE

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FOREWORD

In the 2023/2024 financial year, the Public Service Commission (PSC) initiated an inquiry on whether the current members of the Senior Management Service (SMS) possessed the requisite qualifications for the posts they occupy in the Public Service. This decision follows Parliamentary questions into the issue of alleged unqualified SMS members. Parliament's questions were reasonable because departments must appoint qualified people who have the requisite skills, experience and qualifications, particularly in the SMS echelons. The requirements for appointment into SMS positions are clearly articulated in the Department of Public Service and Administration's (DPSA) 2015 Directive on compulsory capacity development, mandatory training days and minimum entry requirements and the Public Service Regulations, 2016.

During the discussions in Parliament in 2022/2023, the attention of the PSC was drawn to the inaccurate and outdated information from the Personnel and Salary System (PERSAL) occasioned by departments' failure to continuously update data on the qualifications of public servants. The methodology for the inquiry included desktop research, engagements with the Department of Public Service and Administration (DPSA) and a survey questionnaire.

The data and response received from the DPSA pointed to the weaknesses of unreliable PERSAL data. Due to shortcomings in the PERSAL system, the PSC decided to conduct an inquiry by approaching departments directly to request detailed information about the qualifications of their senior managers, including other mandatory requirements as per the Public Service Regulations. The report therefore is the outcome of the inquiry. It further highlights the need for an accurate and updated database on the qualifications of senior management in the Public Service, as government consolidates efforts to ensure a competent, ethical and professional Public Service that delivers on its promises to citizens.

It is worth mentioning that discussions regarding the qualifications of senior managers existed throughout the development of the National Framework towards the Professionalisation of the Public Sector, which was ultimately approved by Cabinet in October 2022. Whilst findings from the inquiry indicate that most SMS members possessed relevant qualifications for the posts they hold as required by the 2015 DPSA Directive and 2016 Public Service Regulations, there are few SMS members who were appointed after 2016 without meeting the minimum requirements. Therefore, the Professionalisation Framework will go a long way in tightening pre-entry requirements for appointment into the SMS echelon and ensuring the appointment of suitably qualified persons into SMS positions.



MR VGM MAVUSO

PUBLIC SERVICE COMMISSION

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- National and Provincial Departments that responded to the request for information.

Project team leader:

Mr Sifiso Ngema

Project team members:

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Mses Rose Mashau and Simangele Shabangu – Administration Support and Data Capturing.

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Staff in the PSC Provincial Offices that assisted with data collection.

Supervising Team:

Mr Lusani Madzivhandila: Chief Director: Leadership and Human Resource Reviews, and
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EXECUTIVE SUMMARY

This report on the qualification of Senior Management Service (SMS) members in the Public Service by the Public Service Commission (PSC) follows a number of updates on qualifications by the Minister for Public Service and Administration (MPSA) in Parliament during the years 2022 and 2023. The updates sought to respond to questions raised by members of the Legislature regarding the qualifications of SMS members. The challenge with the update provided by the MPSA related to uncertainties with the data as a result of departments not updating employees' qualifications data on the Personnel and Salary System (PERSAL). This uncertainty with the data, as well as the request from the Portfolio Committee on Public Service and Administration, Performance Monitoring and Evaluation for the PSC to look into matter, prompted the PSC to write to MPSA and request additional details on the matter. It became clear from the data and response received from the MPSA that there were serious gaps with the information on the PERSAL system.

The PSC, therefore, decided to conduct an extensive inquiry into the qualifications of SMS members by approaching departments directly so they can provide details on the qualifications of their senior managers, including other mandatory requirements as per the Public Service Regulations of 2016. The objectives of the inquiry were to establish accurate details on the qualifications of senior managers in the Public Service and the extent to which senior managers comply with additional minimum requirements for occupying positions as SMS members in the Public Service. The inquiry aimed to further identify measures taken by departments to address the gaps where incumbents in SMS posts do not meet the minimum requirements. Not all departments responded to the inquiry by the PSC.

The inquiry by the PSC established the following:

- 96% of the 2047 SMS members from the 23 national departments that responded to the PSC's inquiry are qualified for the positions they occupy, and only 5 (21%) departments said 100% of their SMS members are qualified for their posts. There were only 86 SMS members (4,2% of 2047) who did not meet the NQF qualifications requirements for the posts they occupied and 64 (74,4% of the 86) were appointed before the introduction of the 2015 Directive on minimum entry requirements, whereas the remaining 12 (0,59% of 2047) were appointed after the introduction of the Directive.
- In the Eastern Cape all 11 departments responded to the PSC's inquiry. The findings show that 93% of 604 SMS members are qualified for the posts they were appointed in. A total of 6 departments reported compliance with the qualification requirements by 100% of their respective SMS members.
- In the Free State 11 of the 12 departments participated in the inquiry. The data shows that 77% of the 272 SMS members from the 11 departments met the minimum qualifications

requirements for their posts. Only three departments were able to report that 100% of their SMS members are qualified for their posts, whereas one department reported that only 6% of their SMS members are appropriately qualified for the positions they occupy.

- All 14 departments in Gauteng responded to the inquiry by the PSC, of which 91% of the 641 SMS members met the minimum qualifications requirements for their posts. Only two departments reported a 100% compliance by SMS members with the minimum qualifications requirements.
- Eleven (11) of the 13 departments in KwaZulu-Natal responded to the inquiry by the PSC. The data shows that 94% of the 450 SMS members in those departments are qualified for the posts they were appointed in. Only two departments were able to report that all SMS members met the minimum requirements for their posts.
- All 11 departments in Limpopo responded to the PSC inquiry, and 92% of the 434 SMS members from these departments met the minimum requirements for their respective posts. Only three departments reported that 100% of their SMS qualified for the posts they occupy.
- With only 9 out of 12 departments having responded to the PSC's inquiry, the Mpumalanga provincial administration has the lowest participation rate amongst all provinces. Overall, 94% of the 186 SMS members in those departments are qualified for their posts. There were six departments that reported that 100% of their SMS members have met the qualifications requirements for their posts.
- All 11 departments in the Northern Cape provincial administration responded to the inquiry, and 89% of the 245 SMS members in the province qualified for the posts they were appointed in. Only two departments had 100% compliance with the qualifications requirements for SMS members.
- A total of 11 out of 12 departments in the North West provincial administration responded to the PSC's inquiry, with 70% of the 303 SMS members having qualified for the posts they were appointed in. Two departments provided incomplete information, which impacted on the findings.
- All 13 departments in the Western Cape responded to the PSC inquiry. The data showed that 94% of the 379 SMS members met the minimum qualification requirements. Only three departments were able to report that 100% of their SMS members were qualified for their respective posts.

When it comes to the verification of qualifications, all departments had put measures in place to verify SMS members' qualifications. In some instances, not all qualifications were verified in the sense that departments opted to verify the qualification that is linked with the minimum requirement for the post. While most SMS members' qualifications were verified, there were few

instances of non-compliance and a few instances where the verification process was still in progress.

Given the findings above, the PSC proposes the following measures:

- The DPISA should regulate the capturing of all qualifications information on PERSAL and this should be done within 12 months from the issuing of this report.
- The DPISA should compel departments to comply with the Ministerial Handbook/Guide for all Ministerial appointments and must take action against departments that deviate from the Handbook/Guide.
- The DPISA must issue guidelines on the management of transfers during organisational restructuring/reorganisations that will ensure that SMS members are placed in positions they qualify for, or are properly capacitated to prepare them for their new roles.
- The DPISA must direct all departments with SMS members who still do not meet minimum qualifications requirements to submit plans on how the gaps will be addressed with clear time frames to enable proper monitoring of those plans.
- Departments must complete the verification of qualifications before appointing potential employees within the Public Service, without exonerating employees from misrepresenting their qualifications.
- In line with their oversight mandate, National and Provincial Legislatures should hold departments that did not respond to the PSC's inquiry accountable.
- Accounting Officers must take responsibility for implementing consequence management measures in instances where non-compliance with the relevant prescripts has been reported.
- Departments should encourage employees to register for Recognition of Prior Learning Programmes, where it is deemed relevant.

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LIST OF ACRONYMS

DDG	Deputy Director-General
DFFE	Department of Forestry, Fisheries and the Environment
DOD	Department of Defence
DG	Director-General
DPSA	Department of Public Service and Administration
EA	Executive Authority
HOD	Head of Department
HR	Human Resource
HRM	Human Resource Management
MIE	Managed Integrity Evaluation
MPSA	Minister for the Public Service and Administration
NDP	National Development Plan
MTEF	Medium Term Expenditure Framework
NPC	National Planning Commission
NQF	National Qualifications Framework
RPL	Recognition of Prior Learning
PERSAL	Personnel and Salary System
POPIA	Protection of Personal Information Act
PSA	Public Service Act
PSC	Public Service Commission
PSR	Public Service Regulations
SAQA	South African Qualifications Authority
SMS	Senior Management Service

CHAPTER 1: INTRODUCTION

1.1 Background

In February 2022 the Minister for Public Service and Administration (MPSA) provided Parliament¹ with an update on the qualifications of members of the Senior Management Service (SMS) in the Public Service. The update was a follow up to questions raised by members of Parliament particularly the Portfolio Committee on Public Service and Administration, Performance Monitoring and Evaluation regarding the qualifications of SMS members. The challenge with the update provided by the MPSA related to uncertainties with the data as a result of departments not updating employees' qualifications data on the Personnel and Salary System (PERSAL). The MPSA indicated that departments have been urged to update their information to ensure the accuracy of the data on the PERSAL system.

The questions raised by Parliament were warranted because departments in the Public Service are expected to appoint qualified people who have the requisite skills, experience and qualifications, particularly in the Senior Management Service (SMS) echelons. Another contributing factor to the questions is that concerns have been raised over time regarding the capacity and capability of government departments to deliver on their mandates. Capacity and capability challenges are directly linked with the individual and collective competence of SMS members. They also pose a risk to the overall functioning of the State. In the National Development Plan (NDP), Vision 2030, for example, the National Planning Commission (NPC) highlighted the challenge as follows:

“... the unevenness in state capacity, which leads to uneven performance in local, provincial and national government. The uneven performance of the public service results from the interplay between a complex set of factors, including tensions in the political-administrative interface, instability of the administrative leadership, skills deficits, the erosion of accountability and authority, poor organisational design, inappropriate staffing and low staff morale. The weaknesses in capacity and performance are most serious in historically disadvantaged areas where state intervention is most needed to improve people's quality of life”.²

It is for this reason that government embarked on several initiatives to capacitate and professionalise the Public Service in order to address the issue of state capacity and performance. Specifically, the creation of the SMS in early 2000 consolidated conditions of service for senior managers and created a transparent total cost to employer remuneration system with a view to attract and retain high calibre senior managers and professionals. The SMS was also designed

¹ The South African Parliament consists of two houses: The National Assembly (NA) and the National Council of Provinces (NCOP). The NA consists of various committees, whilst the NCOP is constitutionally mandated to ensure that provincial interests are taken into account in the national sphere of government (refer to <https://www.parliament.gov.za/national-assembly>).

² The Presidency, National Planning Commission. National Development Plan, Vision 2030. November 2011.

to amongst others, develop the career path of senior managers and promote high standards of ethical conduct amongst senior managers in the Public Service.³

Various other initiatives were undertaken in this regard and in 2015 the MPSA issued a Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS.⁴ This Directive set expected minimum qualifications and experiential requirements for entry into SMS positions in the Public Service. Additional pre-entry certification for entry into and progression within the SMS were also identified. Importantly, the Directive requires Heads of Departments (HoDs) to immediately take appropriate disciplinary measures against any employee in the department who does not comply with its provision.

The engagements in Parliament on the qualifications of SMS members were therefore informed by these provisions and the desire to ensure capacity and professionalism in the Public Service. Having allowed sufficient time for departments to update their PERSAL records, the MPSA provided another update to Parliament in June 2022. In terms of this update, the MPSA noted that a total number of 1819 senior managers do not have required qualifications for the positions that they occupy. However, the update also noted that these senior managers were appointed before the Public Service Regulations of 2016, which regulated the minimum qualifications as per the DPSA 2015 Directive discussed above, were introduced.

In response to concerns regarding the slow pace departments were updating their PERSAL records, the MPSA acknowledged that the capturing of qualifications on PERSAL is not mandatory and no punitive measures can be employed until the capturing of qualifications on PERSAL is made mandatory. Nonetheless, she reiterated the need for departments to update employees' qualifications on PERSAL. A report by the DPSA noted that at the end of 2023, the qualifications of 1779 SMS members were not specified on PERSAL and 448 (25%) of those were appointed after 2016.

In the course of deliberations on this matter in Parliament, the Public Service Commission received questions and requests to look into the matter in order to provide a comprehensive response to the questions and concerns raised. The Public Service Commission (PSC) engaged with and made follow-ups with the Department of Public Service and Administration (DPSA) in order to obtain additional information. The PSC's assumption was that departments would have updated their PERSAL data and the DPSA will be in position to extract accurate and updated data from the system. The assumption was wrong as data from many departments remained inaccurate.

The data and response received by the PSC led to the conclusion that, given the challenge of incomplete or unreliable data from PERSAL and the need to go beyond the National Qualifications Framework (NQF) level requirements for each post, there is a need to conduct an extensive

³ South Africa. PSCBC Resolution 9 of 2000.

⁴ DPSA. 2015. Department of Public Service and Administration. Directive on compulsory capacity development, mandatory training days and minimum entry requirement for SMS.

inquiry into the qualifications of SMS members. Thus, the PSC decided to approach departments directly so they can provide details on the qualifications of their senior managers, including all other mandatory requirements as per the Public Service Regulations of 2016. The decision to approach departments directly enabled the PSC, through the data collection instrument, to probe departments on reasons for non-compliance with the 2016 PSR, where applicable, and measures put in place to address problems. Therefore, this report provides an analysis of responses received from departments that cooperated with the PSC's inquiry.

1.2 Mandate of the PSC

The Public Service Commission (PSC) derives its mandate from sections 195 and 196 of the Constitution of the Republic of South Africa, 1996⁵ (Constitution) and the Public Service Commission Act, 1997.⁶ In terms of section 195(1), public administration must be governed by the democratic values and principles enshrined in the Constitution. The PSC is mandated in terms of section 196(4)(a) of the Constitution to promote the values and principles set out in section 195. The values and principles to be promoted by the PSC include the efficient, economic and effective use of resources (section 195(1)(b)), as well as the need for public administration to be accountable (section 195(1)(f)) and to champion the cultivation of good human resources and career management practices (section 195(1)(h)).

In terms of sections 196(4)(b) and (c) of the Constitution, the PSC has, amongst others, the following powers and functions:

- To investigate, monitor and evaluate the organisation and administration and the personnel practices and procedures in the public service; and
- To propose measures to ensure effective and efficient performance within the public service.

In line with this mandate, the PSC decided to conduct an inquiry into the qualifications of SMS members in the Public Service in order to establish the correct status and propose measures that will assist the Public Service to ensure full compliance with the Regulations.

1.3 Objectives

The objectives of the inquiry were to:

- Establish accurate details on the qualifications of senior managers for each department in the Public Service;
- Establish the extent to which senior managers in the Public Service comply with additional minimum requirements for occupying positions as SMS members in the Public Service;
- Identify measures taken by departments in those cases where incumbents in SMS posts do not meet the minimum requirements; and

⁵ The Constitution of the Republic of South Africa, 1996.

⁶ The Public Service Commission Act, Act 47 of 1997.

- Make recommendations that will assist government departments to improve compliance with Regulations and move closer towards a professional Public Service.

1.4 Methodology

1.4.1 Scope

All departments in the Public Service were invited to participate in the inquiry. Letters were directed to all HoDs of national and provincial departments to provide information on their SMS members.

1.4.2 Data Collection

Primary Data Collection

The PSC developed a template for departments to capture information on the qualifications of SMS members. The template included additional mandatory requirements in line with relevant Directives and Public Service Regulations (PSR), 2016. For each department, one template was supposed to be completed and signed off by the Head of Department (HoD).

Secondary Data Collection

A brief analysis of the relevant legislation, regulations, policies, directives and guidelines was conducted to put into context the objectives of the inquiry, findings and recommendations. Relevant literature on the capacitation and professionalisation of the Public Service was also consulted to enrich the inquiry.

1.5 Challenges and Limitations

The following challenges and limitations were encountered during the execution of the inquiry:

- The report is based on responses from 85% (that is 126 of 148) of national and provincial department. While 103 (93% of 111) provincial departments across the Public Service, including the Office of the Premier in each province, responded to the PSC's inquiry, at the national level responses were received from only 23 (62%) of the 37 departments. Since non-cooperating departments constitute 15% of the total number of departments, the overall findings and recommendations can be generalised.
- There were instances where departments omitted crucial information which resulted in difficulties during the data analysis phase. The office had to go back for clarity in some instances.
- Due to capacity constraints, the PSC did not conduct follow-up engagements with all departments that have several SMS members whose qualifications did not comply with

the applicable Directives and the Public Service Regulations, 2016. However, it is noted that most of those SMS members were appointed prior to 2016.

1.6 Ethical Considerations

In Annexure B of the questionnaire departments were assured that the PSC will keep all the information shared by departments confidential. The anonymity of individual employees is thus maintained in the report and will be maintained in the presentation of the findings to Parliament and relevant stakeholders.

1.7 Structure of the Report

The remainder of the report is structured as follows:

Chapter 2: summarises the legislative and regulatory frameworks;

Chapter 3: provides an overview of the demographic profile of SMS members and mandatory requirements;

Chapter 4: presents findings for national departments;

Chapter 5: presents findings for provincial departments; and

Chapter 6: outlines the conclusion and recommendations.

CHAPTER 2: LEGISLATIVE AND REGULATORY FRAMEWORKS

2.1 Introduction

This chapter presents an overview of the relevant legislation, frameworks and policies that set parameters and guidelines to manage the appointment and promotion of employees into and within the SMS echelon in the Public Service in South Africa, prior to and after 2016.

2.2 Legislative and Regulatory Frameworks

The legislative and regulatory prescripts discussed below are guided by the founding values of human dignity, supremacy of the constitution and the rule of law, as outlined in section one of the Constitution of the Republic of South Africa, 1996.⁷ They are also central to government's role and responsibility of ensuring the promotion, protection and realisation of the Bill of Rights, inclusive of, amongst others, the right to life, education, health care, food, water, social security and safe environment. The Constitution and the prescripts referenced are important because senior managers, amongst others, play a critical role in helping government to fulfil its role and responsibility.

2.2.1 Constitution of the Republic of South Africa, 1996

The Constitution of South Africa⁸ is the supreme law that governs every conduct, policy and process in the country. The Public Service is governed by section 195(1) of the Constitution which sets out the nine values and principles of public administration. Section 195(1)(h) deals with the cultivation of good human resource management and career development practices, and principle (i) emphasises the importance of a representative public administration whose employment and personnel management practices are based on ability, objectivity, fairness and the need to redress the imbalances of the past. Section 195(2) stipulates that the constitutional values and principles apply to all spheres of government, organs of state and public enterprises.⁹

Section 196(4)(c) of the Constitution makes provision for the powers and functions of the PSC, which include proposing "measures to ensure effective and efficient performance within the public service" and section 196(4)(b) mandates the PSC to investigate, monitor and evaluate the organisation, administration and personnel practices of the Public Service¹⁰. Thus, the findings and recommendation that emanate from the PSC's studies and enquiries are in line with these constitutional provisions.

⁷ The Constitution of the Republic of South Africa

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

2.2.2 Public Service Act, 1994, as amended

Section 1(c)(f)(i) of the Public Service Act¹¹ (PSA), 1994, as amended, states that the Minister (for the Public Service and Administration) is responsible for establishing norms and standards relating to the conditions of service and other employment practices for employees, information management in the Public Service as well as transformation, reform, innovation and any other matter to improve the effectiveness and efficiency of the Public Service and its service delivery to the public. The Minister has, in accordance with these provisions, issued various Directives and enacted Regulations on personnel practices in the Public Service.

2.2.3 Public Service Regulations, 2001

It is important to start by noting that the Public Service Regulations (PSR), as referenced in section 41 of the Public Service Act, 1994¹² (PSA), were overhauled and amended with effect from 31 July 2016. However, for purposes of this inquiry, reference will be made to the PSR of 2001 as well.

Chapter 1, Part III (B.2) (a) states that an Executive Authority (EA) shall, based on the approved strategic plan determine (after consultation with the Minister for Public Service and Administration - MPSA) the department's organisational structure in terms of its core and support functions. Posts as defined in terms of Chapter 1, Part III (B.2) (b) should be created to perform the relevant functions with due consideration of the budget and the Medium Term Expenditure Framework (MTEF) of the department, of which the defined posts shall constitute the department's approved establishment.

Chapter 1, Part III (B.2) (d) focuses on human resource planning and Chapter 1, Part III (D.1) (a) to (d) is fundamental to the nature of how such human resource capacity was determined during the covered by these regulations. The said regulation states that an EA shall assess the human resources necessary to perform the department's functions, with particular reference to the number of employees required; the competencies which those employees must possess; and the capacities (whether permanent or temporary) in which those employees shall be appointed.

With respect to recruitment, Part VII(C) empowered EAs of departments, in line with the decentralised arrangements for HRM, to determine 'composite requirements for employment in any post on the basis of the inherent requirements of the job.' Amongst others, EAs were required to ensure that "the requirements for employment do not discriminate against persons historically disadvantaged" and they comply with the applicable statutory requirements. It is important to note that there were no prescribed mandatory requirements for appointment into SMS posts in the 2001 Regulations. As such, qualifications requirements for appointment into SMS positions varied from department to department, with some departments requiring a diploma with several or many years of experience and others requiring a degree or post graduate degree and fewer years of work experience.

¹¹ Department of Public Service and Administration. Republic of South Africa. Public Service Act, 1994, as amended.

¹² Department of Public Service and Administration. Republic of South Africa. Public Service Act, 1994.

2.2.4 Public Service Regulations, 2016, as amended

The Public Service Regulations¹³ (PSR) 2016, as amended, prescribe a number of mandatory elements and key principles on which appointment into SMS positions in the Public Service must be based. Some of the principles have general application whilst others focus particularly on the SMS. General principles include open competition and fair selection processes.

According to PSR 2016, section 26(2): “When preparing a human resource plan for his or her department, an executive authority shall (a) assess the human resources necessary to perform his or her department’s functions; (b) assess existing human resources by race, gender, disability, age and any other relevant criteria; (c) identify gaps between what is required under sub-regulation (2)(a) and what exists under sub-regulation(2)(b) and prioritise interventions to address the identified gaps; (d) consider the employment equity plan contemplated in regulation 27; and (e) consider the available budgeted funds, including funds for the remaining period of the relevant medium-term expenditure framework, for the recruitment, retention, utilisation and development of human resources according to the department’s requirements; and (f) take into account any other requirements as may be directed by the Minister.¹⁴

When making appointments into SMS positions, the Regulations empower the MPSA to issue Directives on (a) the desired managerial and leadership competencies of members of the SMS and (b) the selection processes for filling SMS posts. One such Directive is on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, and became applicable from April 2015¹⁵.

The Directive sets mandatory training of 18 days in a three-year cycle, it sets the qualification for entry into the rank of director and chief-director as a degree at NQF level 7 and introduced a requirement of 5 years’ experience at a middle/senior management level for entry into the rank of director, whereas the qualifications requirement for DDG and DG/HOD posts was set at NQF level 8, coupled with 8-10 years’ senior management experience. In terms of this inquiry, all appointments into SMS positions in the Public Service are expected to comply with this Directive, with effect from 2016.

2.2.5 Senior Management Service Handbook, 2003

The Senior Management Service (SMS) Handbook¹⁶ outlines, amongst others, the employment conditions and role of SMS members in the Public Service. In particular, Chapters Two, Three and Five of the Handbook promote good practices in the recruitment of members of the SMS by outlining processes and procedures to assist departments in appointing and retaining high quality

¹³ Department of Public Service and Administration. Republic of South Africa. Public Service Regulations, 2016.

¹⁴ Ibid.

¹⁵ DPSA. 2017. Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended.

¹⁶ DPSA. 2003. Senior Management Service Handbook.

candidates. As such, vacant positions at the senior management level must be advertised nationally to enable eligible persons to apply.

The Handbook, though outdated as it has not been aligned with the PSR, 2016, the 2015 Directive and other prescripts, serves as a central point of reference on SMS related matters. Therefore, the Handbook should always be read in conjunction with the PSA, 1994 as amended, the PSR, 2001 and 2016, as well as other pertinent frameworks, policies, directives, guidelines and the Code of Conduct for public servants.

2.2.6 Executive Protocol: Principles and Procedures for the Employment of Heads of Department (HoDs) and Deputy Directors-General (DDGs) Nationally, 2020¹⁷

The Public Service has been characterised by inconsistency and unparalleled practices in relation to the recruitment and selection (R&S) of executives in government departments. The introduction of the PSR, 2016, warranted a review of the 2013 Executive Protocol in order to ensure alignment

Previously, the qualifications requirements for appointment into executive levels varied from one department to another. Hence, the intention of the Executive Protocol, 2020, is to encourage good practice through providing an overview of the procedural issues related to recruitment, selection and appointment at the level of DDG and DG/HoD. The Executive Protocol provides for the principles and procedures for the appointment of Heads of Department (HoDs) and Deputy Directors-General (DDGs) at national level. The employment practices of HoDs and DDGs at provincial level are facilitated by the Offices of the Premier. One of the fundamental aims of the Executive Protocol is to ensure that the employment of HoDs and DDGs is in line with the values and principles enshrined in section 195 of the Constitution.

2.2.7 Protection of Personal Information Act, 2013

The purpose of the Protection of Personal Information Act, 2013¹⁸ (POPIA) is to give into effect the constitutional right to privacy, as stated in section 14 of the Constitution, 1996, by safeguarding personal information when processed by a responsible authority. The Act regulates the manner in which personal information may be processed, by establishing the conditions and standards that prescribe the minimum threshold requirements for lawful processing of personal information. As was the case in all sectors, researchers and management within the Public Service have to navigate how to ensure maximum communication without comprising individual confidential information of employees. It is for this reason that data was analysed at an aggregate level.

¹⁷ DPSA. 2020. Executive Protocol: Principles and Procedures for the Employment of Heads of Department (HoDs) and Deputy Directors-General (DDGs) Nationally.

¹⁸ Protection of Information Act, 43 of 2013.

2.2.8 White Paper on Human Resource Management in the Public Service (1997)

The purpose of the White Paper on HRM in the Public Service (1997)¹⁹ was to provide a policy framework that will facilitate the development of human resource management practices which support an effective and efficient Public Service, geared for economic and social transformation.

The White Paper aimed to accomplish a shift from *personnel administration to human resource management*. A set of Constitutional values were adopted to underpin the management of human resources in the Public Service, namely, *Fairness; Equity; Accessibility; Transparency; Accountability; Participation and Professionalism*. The White Paper was clear that the Public Service will continue to be staffed mainly by career employees who will be provided with opportunities for professional advancement and personal development. However, it emphasised the need for more effective recruitment practices that open the Public Service up to a far wider pool of talent.

This White Paper, and several other White Papers – such as the *White Paper on the Transformation of the Public Service* (1995) and the *White Paper on Transforming Public Service Delivery* (Batho Pele White Paper, 1997) - had an influence on the PSR, 2001; the SMS Handbook, 2003; and the SMS Competency Framework, 2006.

2.2.9 Competency Framework

The Competency Framework as contained in Chapter 5 of the SMS Handbook,²⁰ defines the generic competencies that are important for the Public Service to be successful, and ensures that SMS members have the requisite competencies and associated proficiency levels to succeed at the strategic level. Cabinet first approved the implementation of competency based assessments for members of the SMS on a compulsory basis in July 2006. However, a Directive on the Implementation of Competency Based Assessment for Members of the SMS in the Public Service²¹ was issued in 2011, and further amended in 2015. In developing the SMS Competency Framework, focus was placed on critical generic competencies, which senior managers would be expected to possess, rather than functional/technical competencies, which are essential to a specific department or a specific job. The SMS Competency Framework consists of a set of eleven generic competencies that specify what is expected of senior managers.

When it comes to the recruitment and selection process, government departments were and are required to send candidates who have gone through the initial interview process for an SMS post and deemed appointable for competency assessment. Though validated for identifying developmental needs, the results of the competency assessment cannot be completely ignored during the recruitment and selection process. Therefore, the results of the competency

¹⁹ DPSA. 1997. White Paper on Human Resource Management in the Public Service.

²⁰ DPSA 2003. Chapter 5 Senior Management Service Handbook.

²¹ Department of Public Service and Administration. 2011, as amended. Directive on the Implementation of Competency Based Assessment for Members of the SMS in the Public Service.

assessment would be utilised by a department in conjunction with other processes associated with recruitment - which include technical competency testing, interviewing, reference checking and written assessment - to make the final determination to appoint. Once appointed, departments are expected to address the SMS members' developmental needs. This was an important standardised requirement prior to the currently established minimum entry requirements in the PSR, 2016 and the relevant directive, and remains an essential competent of SMS recruitment and selection.

2.2.10 National Framework Towards the Professionalisation of the Public Service, 2022

Adopted by Cabinet in October 2022, the National Framework towards the Professionalisation of the Public Sector²² seeks to consolidate efforts to create a professional, ethical and developmental state that delivers services to citizens. The Framework seeks to position the public sector as an employer of choice through institutionalising a career system that is based on, amongst others, meritocratic recruitment, selection and career movement practices. Based on a critique of the available prescripts, the Framework alluded to inconsistencies in how the 2015 Directive on SMS mandatory appointment requirements are formulated, and further proposes that the Directive should be amended to make provision for the following mandatory qualifications requirements: “for entry into SMS level 13 and 14, a minimum qualification should be at least NQF Level 8, while for SMS levels 15 and 16 should be NQF Level 8; and Level 9 will be highly recommended (not NQF Levels 7 and 8 respectively)”.

The professionalisation framework for the public sector may be recent but it is an important intervention towards the creation of a competent, capable and professional Public Service and will also give effect to section 195(1)(a) of the Constitution, i.e. ensuring that good human - resource management and career development practices to maximise human potential are cultivated. The proposal outlined in the professionalisation framework demonstrates the importance of ensuring that public servants in the senior management service are qualified and competent for the work they are required to do.

2.3 Overview

The analysis in this section shows that the recruitment and selection of SMS members in the Public Service is highly regulated and has evolved over a period of time. Prior to the promulgation of the PSA, 1994, appointments and promotion into senior management positions were guided by a combination of seniority, work experience and competence, whereas academic qualifications were not overly emphasised, hence some senior managers who possessed NQF level 6 and below were appointed/promoted. During that period, the personnel management system was a career system, which means that entry into the Public Service was mostly through entry ranks and people were then promoted through the ranks to higher posts. Whilst promotion was based on seniority, this is only partly true. The PSC maintained so-called preferential lists (voorkeur

²² National School of Government. 2022. National Framework Towards the Professionalisation of the Public Sector.

lyste) for the administrative division of the Public Service. Based on officers' performance assessments, they were categorised as "preferentially promotable", "promotable out of turn" and "promotable when your turn comes". Seniority played a major role only in the last category.²³

The newly introduced reforms will strengthen recruitment, selection and promotion practices at the SMS levels. In particular, the 2016 PSR increased the minimum qualification to at least NQF 7 for entry level SMS posts. The new requirements applied only to new appointments and there was inconsistent implementation of the new requirements across departments and provinces – with some departments/provinces requiring NQF 8 and 9 for some positions. The Executive Protocol and Directive sought to introduce consistency and ensure compliance by providing detailed guidance in the recruitment process for DDGs and DGs/HODs. The Professionalisation Framework has further proposed that the qualifications requirements for entry into the different SMS levels should be increased for all level to NQF 8, while for levels above the Director and Chief Director NQF 9 is highly recommended to ensure differentiation.

Though the recommendations of the Professionalisation Framework are yet to be implemented, the focus of this inquiry is on the level of compliance with the 2015 Directive and PSR, 2016, which are explored further in Chapter 3 below.

²³ Public Service Commission, 2024. Public Service Reforms towards Professionalisation. A Public Service Commission Perspective.

CHAPTER 3: DEMOGRAPHIC PROFILE OF SMS MEMBERS AND MANDATORY REQUIREMENTS

3.1 Introduction

This chapter presents the total number and profile (in terms of gender, age and race) of the entire population of SMS members within the Public Service as at September 2023.²⁴ The profile is provided based on the data sourced from the Department of Public Service and Administration (DPSA). The chapter includes a summary reminder of the existing mandatory requirements that serve as guidelines in the appointment of SMS members in the Public Service.

3.2 Demographic Profile of SMS members in the Public Service

As at September 2023, the total number of SMS members in the Public Service stood at 9 461, and **Figure 1** below shows the total number of SMS members for national departments and per province. The majority of these SMS members - 57% to be precise - are employed by national departments – of which some of those national departments have a provincial/regional footprint. At the provincial level, Gauteng (8%), KwaZulu-Natal (7%) and Eastern Cape (6,5%) provincial administrations employ the highest number of SMS members, and they are remotely followed by the Limpopo provincial administration at 4,7%. The remaining five provincial administrations (i.e. Western Cape – 4%; North West – 5%; Free State – 5%; Mpumalanga – 3%; Northern Cape – 3%), employ between 2,5% and 4% of SMS members.

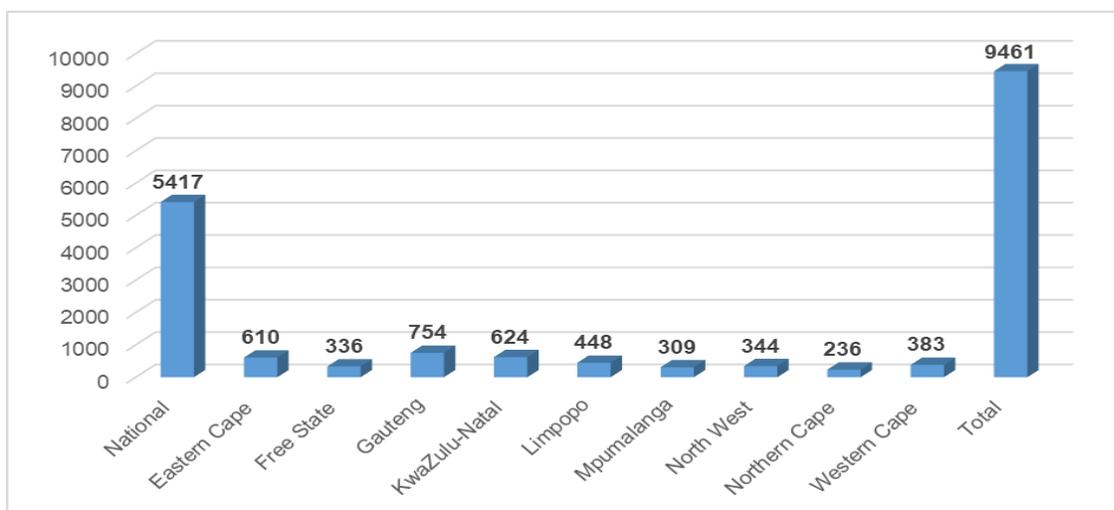


Figure 1: Total SMS members in the Public Service as at September 2023

Given the importance of gender representivity at the SMS level, **Figure 2** below shows that the 9 461 SMS members comprised of 4295 (45%) female and 5166 (55%) male employees, which is indicative of a 5% under-representation of females at the SMS level.

²⁴ It is noted that the total number and profile of SMS members change rapidly due to new appointments, departmental cross transfers, resignations, retirement and other factors that are beyond the control of the Public Service. These fluctuations can be observed from data reported by provincial departments in chapter five of this report.

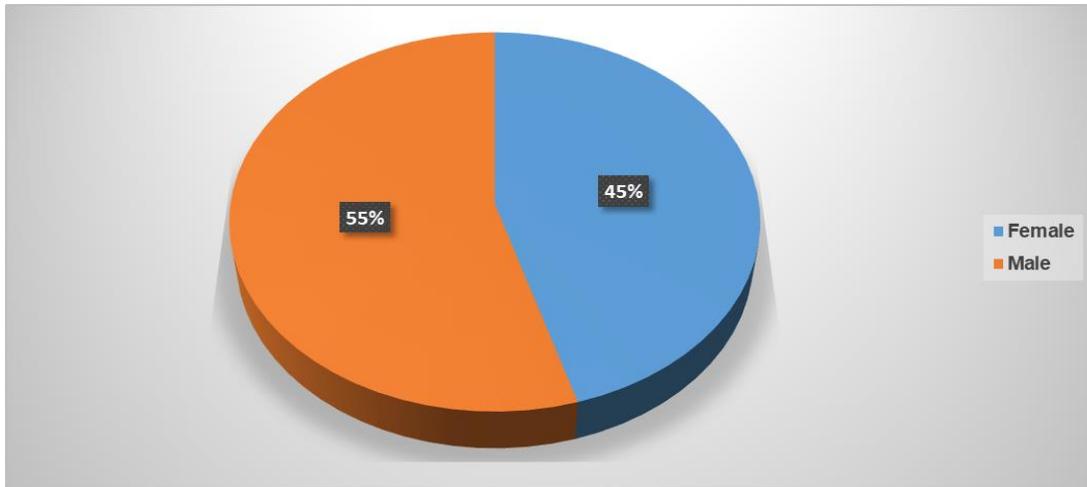


Figure 2: Total SMS members in the Public Service disaggregated by gender as at Sept 2023

The statistics in **Figure 3** below indicate that as at September 2023, a small percentage of SMS members were below the age of 39. Only 4 (0,04%) SMS members were 29 years of age and below, whilst 497 (5,25%) were between 29 and 39 years of age. The majority of SMS members were between the ages of 40 and 59, with 35,74% between the ages of 40 and 49, 48,51% between the ages of 50 and 59 years and a further 10,45% being between the ages of 60 and 65. This shows that the majority of the SMS echelon comprises of members who are nearing pension or have reached the pensionable age.

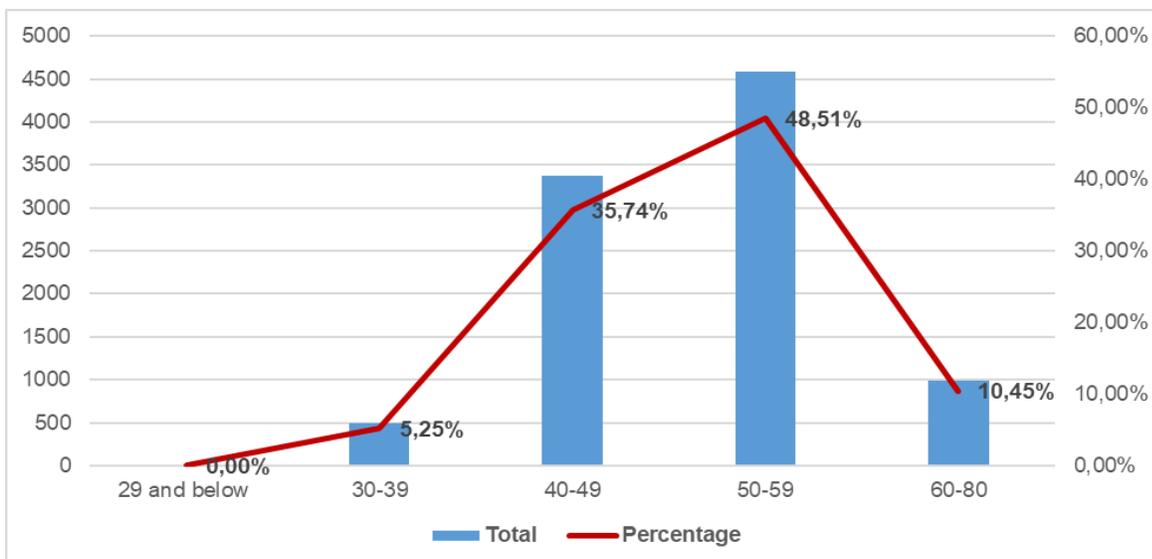


Figure 3: Total number of SMS members in the Public Service disaggregated by age

With regard to race, the majority of members of the SMS are African. As indicated in the **Figure 4** below, 78% of the total SMS members in the Public Service comprised of Africans, the remaining 22% was split between Asians (6%), Coloureds (7%) and Whites (9%), which is a broad reflection of the national demographic profile.

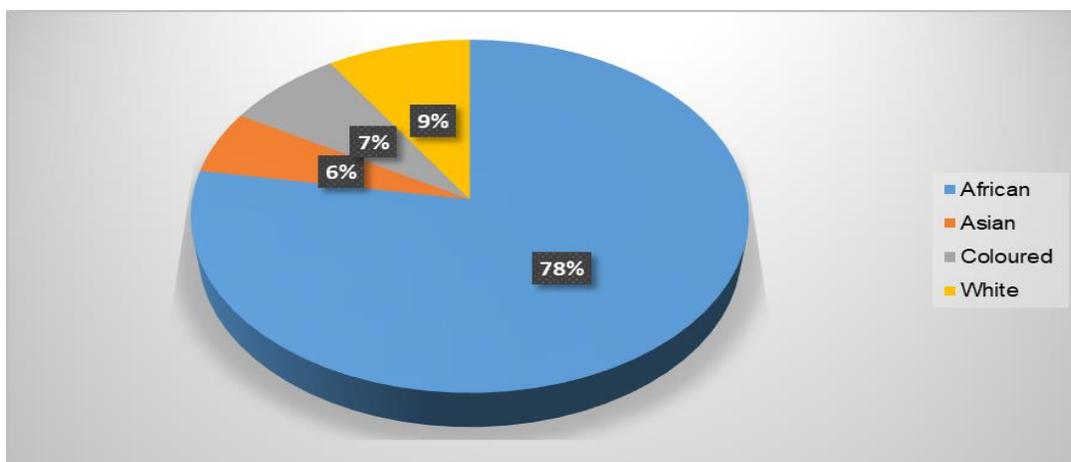


Figure 4: Total SMS members in the Public Service disaggregated by race

3.3 Mandatory requirements for appointment and promotion of SMS members in the Public Service

In an attempt to professionalise the Public Service, with effect from the year 2017, the minimum qualification for appointment for any SMS member is a relevant qualification at NQF 7 level or higher. The qualification must also be recognised by the South African Qualifications Authority (SAQA). The NQF level requirements increases depending on the salary level within the SMS category. According to the DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended,²⁵ all SMS members must have a qualification that is recognised by SAQA at a NQF Level 7 or higher. It is imperative that all qualifications should be verified with SAQA before an employee is appointed as stated in the National Qualifications Framework Act. Departments are required to comply with the relevant recruitment and selection legislation and prescripts highlighted in chapter 2 of this report.

Since compliance with the relevant legislative frameworks in the process of recruiting and appointing employees in the Public Service is mandatory, in the event that employees were transferred or appointed in terms of the ministerial handbook, the incumbents were still required to comply with the minimum requirements of the posts. The grading of posts according to the various SMS levels was further guided by job evaluations that departments were required to conduct prior to, amongst others, creating and advertising posts per the applicable DPSA circulars at the time.

In the sections below, the findings of the inquiry are presented, starting with data from national departments, then followed by provincial departments.

²⁵ DPSA. 2015. Department of Public Service and Administration. Directive on compulsory capacity development, mandatory training days and minimum entry requirement for SMS

CHAPTER 4: PRESENTATIONS OF FINDINGS FOR NATIONAL DEPARTMENTS

4.1 Introduction

This chapter presents findings based on an analysis of information provided by the national departments that responded to the Public Service Commission's request. The chapter focuses on the SMS members' qualifications and the extent that they qualify for their respective posts. The qualification aspect is considered in two ways: qualification relevance in relation to the post and the NQF level of the qualification. The chapter also outlines the status of the SMS members' qualification verification to ensure that the qualifications are recognised by the South African Qualifications Authority (SAQA). Finally, the chapter highlights the interventions that departments instituted to ensure that SMS members who did not meet the newly introduced minimum requirements were upgraded and capacitated.

4.2 National Response rate

At the national level there are 37 departments and all were invited to participate in the inquiry, however, only 23 (62%) departments complied with the PSC request for information on the qualification of SMS members by submitting a duly completed and signed document. The Department of Defence (DoD); the Department of Forestry, Fisheries and the Environment (DFFE); and the National Treasury submitted unsigned documents. Unsuccessful follow-ups were made to obtain signed document, as a result, their submissions could not be included in the inquiry. The remaining 11 (30%) departments did not provide the requested information, despite the PSC's efforts of sending out reminders and extending the submission deadlines. **Table 1** below shows the names of departments that participated in the inquiry, as well as those that did not participate.

Table 1: Submission rate by national departments

Name of Department	Signed	Not Signed	Not Submitted
Agriculture, Land Reform and Rural Development			X
Basic Education	Yes		
Civilian Secretariat for Police Service	Yes		
Communications and Digital Technologies			X
Cooperative Governance			X
Correctional Services			X
Defence		X	
Employment and Labour	Yes		
Forestry, Fisheries and the Environment		X	
Government Communication and Information System	Yes		
Government Printing Works			X
Health			X
Higher Education and Training	Yes		
Home Affairs			X
Human Settlements			X
Independent Police Investigative Directorate	Yes		
International Relations and Cooperation	Yes		

Name of Department	Signed	Not Signed	Not Submitted
Justice and Constitutional Development	Yes		
Military Veterans			X
Mineral Resources and Energy			X
National School of Government	Yes		
National Treasury		X	
Planning, Monitoring and Evaluation			X
Presidency	Yes		
Public Enterprises	Yes		
Public Service and Administration	Yes		
Public Service Commission (Office)	Yes		
Public Works and Infrastructure	Yes		
Science and Innovation	Yes		
Small Business Development	Yes		
Social Development	Yes		
Tourism	Yes		
Trade, Industry and Competition	Yes		
Traditional Affairs	Yes		
Transport	Yes		
Water and Sanitation	Yes		
Women, Youth and Persons with Disabilities	Yes		

Some of the departments that did not participate in the inquiry -such as Agriculture, Land Reform and Rural Development; Correctional Services; Home Affairs and Human Settlements - are big and diverse in terms of mandates, budgets and personnel numbers. Their non-participation will, undoubtedly have a negative impact on the ‘generalisability’ of the findings for national departments.

4.3 The extent that SMS members qualified for their respective posts

As at 30 November 2023, the 23 national departments that participated in the inquiry had a total of 2047 SMS members, which is 38% of the 5417 SMS members employed by national departments as at September 2023, as reported in Figure 1 above. **Table 2** below shows the total number of SMS members in each of the 23 participating departments who hold the required qualifications for the posts they were appointed in.

Table 2: The extent that SMS members qualified for their posts per national department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Basic Education	74	74	0	100%
Civilian Secretariat of Police Service	25	25	0	100%
Employment and Labour	146	124	22	84, 93%
Government Communication and Information System	52	47	5	90,38%
Higher Education and Training	121	121	0	100%
Independent Police Investigative Directorate	33	31	2	93,94%

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
International Relations and Cooperation	150	150	0	100%
Justice and Constitutional Development	155	150	5	96,77%
National School of Government	44	44	0	100%
Presidency	56	49	7	87,50%
Public Enterprise	41	30	11	73,17%
Public Service and Administration	65	62	3	95,38%
Public Service Commission (Office)	46	46	0	100%
Public Works and Infrastructure	179	179	0	100%
Science and Innovation	78	75	3	96,15%
Small Business Development	36	35	1	92,22%
Social Development	83	78	5	93,98%
Tourism	64	60	4	93,75%
Trade Industry and Competition	238	228	10	95,80%
Traditional Affairs	27	24	3	88,88%
Transport	103	103	0	100%
Water and Sanitation	191	189	2	98,95%
Women, Youth and Persons with Disabilities	40	37	3	92,50%
Total	2047	1961	86	95,80%

According to the data submitted by departments as illustrated in **Table 2** above and **Figure 5** below, 96% of the 2047 SMS members qualified for the positions they were appointed in. As shown in **Table 2** above, a total of 86 SMS members from the 23 national departments do not have the requisite qualifications for the positions they hold. This number represents 4.25% of all SMS members in those departments. Only 5 (21%) of the 23 departments reported that 100% of their SMS members are qualified for the posts that they have been placed in.

It should be noted that some SMS members were only deemed not to qualify for the posts they occupy after the introduction of the 2015 DPSA Directive or after the posts were job evaluated. However, at the time of their appointment, they were deemed to be qualified for their posts in terms of the requirements that applied at the time.

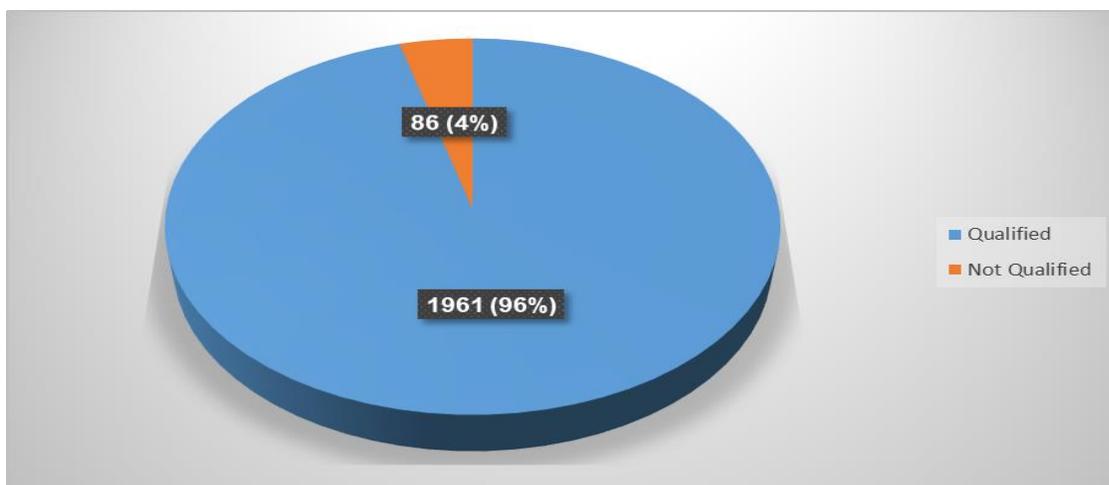


Figure 5: National SMS Members who qualified in terms of the 2015 DPSA Directive

In terms of SMS members who did not have the requisite qualifications for the positions they hold as per the 2015 Directive, the Department of Public Enterprises had the highest percentage at 27% (11 of 41), followed by the Department of Employment and Labour at 15% (22 of 146) and The Presidency at 12% (7 of 56). Though 96% of SMS members had the required qualifications, the Department of Trade Industry and Competition had 17 SMS members who were not appointed through the normal recruitment and selection process, with no verification of qualifications on record. The aforementioned SMS members were appointed through Section 14 transfers (internal in the department as well as from other departments) or appointments in the Office of the Executive in terms of the PSR Section 66.

4.4 Qualification verification status at national level

Since departments are required to verify the qualification of all employees, including SMS members, before they can be appointed, **Table 3** below shows the qualification verification status of SMS members in the participating departments.

Table 3: Qualification verification status per national department

Name of Department	Qualification Verification Status
Basic Education	60 of the 74 SMS members' qualifications were verified and the remaining were partially verified
Civilian Secretariat for Police Service	All SMS members' qualifications were verified.
Employment and Labour	134 of the 146 SMS members' qualifications were verified and 10 SMS members' qualifications were not verified and no information was provided for the remaining two.
Government Communication and Information System	All SMS members' qualifications were verified.
Higher Education and Training	All SMS members' qualifications were verified.
Independent Police Investigative Directorate	All SMS members' qualifications were verified.
International Relations and Cooperation	123 SMS members' qualifications were verified with SAQA whereas the remaining 27 were either not verified or their results are still pending. The reason for non-verification for 10 of the 27 SMS members was due to the member not submitting the

Name of Department	Qualification Verification Status
	required documents when requested to do so by HR and the remaining 17 were still waiting for their results.
Justice and Constitutional Development	151 of the 155 SMS members' qualifications were verified.
National School of Government	All SMS members' qualifications were verified.
Public Service Commission	All SMS members' qualifications were verified.
Presidency	55 of the 56 SMS members' qualifications were verified.
Public Enterprises	5 SMS members' qualifications were not verified, 3 were submitted for verification but two were not submitted as they were both ministerial appointments.
Public Service and Administration	62 SMS members' qualifications were verified.
Public Works and Infrastructure	All qualifications were verified, however the majority of the qualifications were verified through internal Security Management using the Managed Integrity Evaluation (MIE) system
Science and Innovation	All SMS members' qualifications were verified.
Small Business Development	All but only one SMS member's qualifications were not verified.
Social Development	All SMS members' qualifications were verified.
Tourism	Nine (9) SMS members' qualifications were not verified, however, the department indicated that they had started the verification process.
Trade, Industry and Competition	There were no records for 23 SMS qualifications', however, the department indicated that the records will be updated if found or will be resubmitted if not found.
Traditional Affairs	25 of the 27 SMS members' qualifications were verified, and there were 2 posts that still had to be verified
Transport	All SMS members' qualifications were verified.
Water and Sanitation	156 of the 191 SMS members' qualifications were verified. The department indicated that they only verified the minimum requirement with the exception of one SMS whereby the highest qualification was verified.
Women, Youth and Persons with Disabilities	Only 1 SMS member still had to go through the qualification verification process as they were appointed in terms of the Guide for Members of the Executive.

Based on the data reviewed, most of the departments verified their SMS members' qualifications through SAQA. There were few departments that utilised service providers such as the Kroll and Managed Integrity Evaluation (MIE). The Department of Small Business and Development indicated that they used a service provider to verify employees' qualifications but did not disclose the name of the service provider. The same applied to the Department of Tourism that utilised an in-house/insourced service provider but did not give specific details.

The Department of Employment and Labour and the Department International Relations and Cooperation experienced challenges with some SMS members who did not submit their qualifications when requested to do so by their respective HR units. This made it difficult for them to verify their qualifications. Some departments conducted partial verifications in the sense that not all qualifications for a particular SMS member were verified. In some instances, departments indicated that they only verified selected qualifications or the minimum qualification required for the post. This is concerning as the qualifications above the minimum may contribute towards the possibility of some SMS members being promoted or allocated specific assignments.

4.5 Interventions introduced to address circumstances where incumbents did not meet requirements

Departments were required to indicate the interventions that were put in place in the event that SMS members did not meet the minimum requirements. **Table 4** below outlines the various interventions (*if any*) by the respective departments.

Table 4: Interventions by departments for SMS members who did not meet minimum requirements

Name of Department	No. of SMS who did not meet qualifications or other mandatory requirements	Appointed before or after 2016	Reason for not meeting qualification requirements	Interventions introduced to address circumstances where incumbent does not meet requirements
Employment and Labour	22	17 SMS members were appointed before 2016 and 5 were appointed after 2016.	Of the 22 SMS members, 8 did not meet the requirements in terms of the NQF level whilst 14 SMS members did not meet the requirements in terms of the required qualification.	There were no interventions recorded by the department.
Government Communication and Information System	5	All 5 were appointed before 2016	The qualification did not meet the requirements in terms of the NQF level, 3 SMS members only had NQF 6 while two had NQF 4.	The department indicated that there are bursary opportunities available but only one employee registered to upgrade their qualification.
Independent Police Investigative Directorate	2	Both appointed before 2016	Both SMS members did not meet the requirements in terms of NQF level	The were no interventions recorded by the department
Justice and Constitutional Development	5	3 appointed before 2016 and 2 were appointed after 2016	All 5 SMS members did not meet the requirements in terms of NQF levels.	There were 2 SMS members who were consulted on possible earlier retirement and one SMS member accepted that offer. The other (1) member was subjected to the RPL process and given 3 years to complete the qualification. There was no intervention for the other three (3) employees as the department did not see the need for intervention.
Presidency	6	Two were appointed before 2016 and 4 appointed after 2016	There were two SMS members who had NQF 7 qualifications however, the qualifications were not relevant to their	No interventions on record.

Name of Department	No. of SMS who did not meet qualifications or other mandatory requirements	Appointed before or after 2016	Reason for not meeting qualification requirements	Interventions introduced to address circumstances where incumbent does not meet requirements
			posts. The remaining four SMS members only had matric/senior certificates.	
Public Enterprises	11	7 SMS members were appointed before 2016, whereas 4 SMS members were appointed after 2016	3 of the SMS members did not meet the NQF level requirement. The 8 remaining SMS members did meet the requirements in terms of NQF levels, however the qualifications were not relevant to the posts.	There was only one intervention noted whereby a deviation was approved by MPSA.
Public Service and Administration	3	2 were appointed before 2016 and there is no appointment date recorded for one SMS member.	2 of the SMS members were transferred due to structural changes within the department and do meet the NQF level requirement. One SMS member who was appointed before 2016 did not meet the requirements as he/she only had an NQF level 4 (Matric).	No interventions were recorded by the department.
Public Service Commission (Office)	1	1 SMS before 2016	The SMS member did not meet the requirements in terms of the NQF level.	A bursary was granted to the incumbent, but the qualification was not completed.
Science and Innovation	3	2 SMS members were appointed after 2016 and one was appointed before 2016	The two posts were linked to the Minister's office, one had NQF level 4 and the other had NQF 6. The third SMS member also had an NQF 4 and was transferred internally from one section to another section.	A bursary was granted to one incumbent with NQF 4 but the incumbent did not pursue it.
Small Business and Development	1	The SMS member was appointed before 2016	The SMS member did not meet the requirements in terms of the NQF level.	A bursary was offered and studies are still in progress.
Social Development	5	5 SMS members were appointed before 2016	All 5 SMS members did not meet the requirements in terms of NQF levels.	No interventions were recorded by the department.

Name of Department	No. of SMS who did not meet qualifications or other mandatory requirements	Appointed before or after 2016	Reason for not meeting qualification requirements	Interventions introduced to address circumstances where incumbent does not meet requirements
Tourism	4	3 were appointed after 2016 and only 1 appointed before 2016	One (1) SMS member did not meet the qualification requirements in terms of the NQF level and the other two (2) did not have relevant qualifications at NQF level 7.	One member was appointed with terms/conditions and has undertaken to register for an NQF 7 qualification. The organisation offers bursaries and this is an option available to all other official.
Trade, Industry and Competition	10	9 of the ten members were appointed before 2016 while one was appointed after 2016.	All 10 members did not meet the requirements in terms of the NQF level.	Bursaries were offered to 9 SMS members, however, all the affected employees elected not to apply to further their studies. There was no intervention for the 1 SMS member who was appointed after 2016 as his/her contract was linked to the Deputy Minister's term.
Traditional Affairs	3	2 were appointed before 2016 and one appointed after 2016	The 3 SMS members did not meet qualification requirements in terms of NQF level	All SMS members were granted a bursary: 2 incumbents received bursaries to improve their qualifications in 2 years while the 3 rd one was required to complete the qualification in 3 years.
Water and Sanitation	2	1 SMS member was appointed before 2016 and the second one was appointed after 2016	Both SMS members did not meet the qualification requirements in terms of NQF level.	There was no intervention for the one SMS member who was employed before 2016 as the employee is closer to retirement. The department plans to engage the other SMS member to encourage him/her to study further in order to obtain a NQF 7.
Women, Youth and Persons with Disabilities	3	2 SMS members were appointed before 2016 and one after 2016	All 3 SMS members did not meet qualification requirements in terms of NQF level.	There was no intervention on record for all 3 SMS members, however, the department stated that the SMS member who was appointed before 2016 did meet the minimum requirements at the time of appointment.

The data from departments suggest that most (i.e. 74%) of the employees (64 of 86) who did not qualify for the posts they occupy were appointed before the introduction of the 2015 Directive on

minimum entry requirements, and the remaining 12 were appointed after the 2015 Directive. Whilst a few departments did not intervene to address the gaps, other departments encouraged the non-qualifying SMS members to use the bursary option available to employees to upgrade their qualifications. There are, however, instances where SMS members opted not to upgrade their qualifications. In such instances, departments did not indicate if any further action was taken against the employees who refused to upgrade their qualifications.

It is worth noting that in instances where the incumbents did not possess the required qualification in terms of areas of specialisation/discipline, there is no record of those SMS members being encouraged to study for a qualification in the relevant discipline they have been appointed or transferred into. There is acknowledgement that some departments had to transfer or place employees in positions that they did not qualify for due to restructuring – the challenge is that there was no specific intervention to address the transition. The lack of support or intervention can have a negative effect on the performance of the affected employees and the units they are assigned to.

The above analysis has also revealed that there were few cases where interventions were not implemented because the non-qualifying employees, (in terms of the 2015 directive and 2016 regulations) were closer to retirement. The reason for not intervening in such instances is sensible, but care should be taken not to allow such a practice for people who still have several years of service before retirement.

4.6 Overview for national departments

According to the data submitted by participating national departments, 96% of the 2047 SMS members qualified for the positions they were appointed in and only 5 of the 23 departments reported that 100% of their SMS members are qualified for the posts that they have been placed in. In terms of verification of qualifications, the reviewed data showed that most of the departments verified their SMS members' qualifications through SAQA. However, there were few departments that utilised service providers such as the Kroll and Managed Integrity Evaluation (MIE).

Amongst the 23 participating national departments, there were only 86 SMS members (4% of 2047) who did not meet the NQF qualification requirement for the posts they occupy and 64 (74% of the 86) were appointed before the introduction of the 2015 Directive on minimum entry requirements and the 2016 PSR, and the remaining 12 (0,59% of 2047) were appointed after the introduction of the Directive. From the 12 non-qualifying SMS members who were appointed after 2015, a deviation was sought for one and three were linked to the offices of Executive Authorities. The processes followed in appointing the remaining eight members are unclear.

There were several departmental interventions to address the gaps, such as, encouraging the non-qualifying SMS members to use the bursary option available to all employees to upgrade their qualifications, some SMS members are in the process of upgrading their qualifications.

CHAPTER 5: PRESENTATIONS OF FINDINGS FOR PROVINCIAL DEPARTMENTS

5.1 Introduction

The findings from information provided by provincial departments that responded to the PSC's inquiry are presented in this chapter. The findings on SMS members' qualifications and the extent that they qualify for their respective posts are disaggregated by province. The qualification aspect is considered in two ways: qualification relevance in relation to the post and the NQF level of the qualification. In addition to providing an overview of the status of verifying the qualifications of SMS members according to SAQA's NQF levels, the chapter highlights the interventions implemented by various provincial departments to ensure that SMS members who did not and still do not comply with the 2015 Directive on minimum requirements are upgraded and properly capacitated.

5.2 Provincial Response rate

In total, there are 111 provincial departments across the Public Service, including the Offices of the Premier in each province. The PSC received a total of 103 responses, which is 93% of the provincial departments. All departments from the Eastern Cape, Limpopo, Northern Cape and Western Cape provincial administration responded to the PSC's inquiry. Overall, the high response rate makes the provincial findings more representative and reliable. The findings per province are presented in alphabetical order.

5.3 Findings for Eastern Cape provincial departments

Table 5 shows that all 13 provincial departments in the Eastern Cape, inclusive of the Office of the Premier, complied with the request from the PSC.

Table 5: Submission rate by Eastern Cape provincial departments

Name of Department	Signed and submitted	Not submitted
Cooperative Governance and Traditional Affairs	Yes	
Community and Safety	Yes	
Economic Development, Environmental Affairs and Tourism	Yes	
Education	Yes	
Health	Yes	
Human Settlements	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Public Works and Infrastructure	Yes	
Rural Development and Agrarian Reform	Yes	
Social Development	Yes	
Sport, Recreation, Arts and Culture	Yes	
Transport	Yes	

5.3.1 Eastern Cape SMS Members Qualifications profile

As at 30 November 2023, all 13 departments had 604 SMS members, which slightly lower than the 610 reported in **Figure 1** above. **Table 6** below shows the total number of SMS members in each department that have the required qualifications for the posts they were appointed in and those who did not meet the NQF qualification level.

Table 6: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Cooperative Governance and Traditional Affairs	51	51	0	100%
Community and Safety	13	13	0	100%
Economic Development, Environmental Affairs and Tourism	31	29	2	93,55%
Education	73	44	Information not provided, but it is assumed that the 29 SMS members did not have the requisite qualifications.	60,27%
Health	72	71	Information not provided, but it is assumed that the 1 member did not have the requisite qualification.	98,61%
Human Settlements	43	43	0	100%
Office of the Premier	50	47	Information not provided, but it is assumed that 3 SMS members did not have the requisite qualifications.	94%
Provincial Treasury	60	60	0	100%
Public Works and Infrastructure	50	50	0	100%
Rural Development and Agrarian Reform	49	48	1	97,97%
Social Development	42	39	Information not provided; it is assumed that 3 SMS members did not have the requisite qualifications.	92,86%
Sport, Recreation, Arts and Culture	28	28	0	100%
Transport	42	39	3	92,86%
Total	604	562	42*	93,05%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications

According to **Table 6** above and **Figure 6** below, 93% of the 604 SMS members are qualified for the posts they occupy in line with the 2015 Directive, and the remaining percentage are not. A total of six departments reported a 100% qualification compliance rate for their respective SMS

members. The Department of Education had the lowest percentage of employees who qualified for their posts at 60%, and no reasons were provided for the 40% of SMS members who did not qualify.

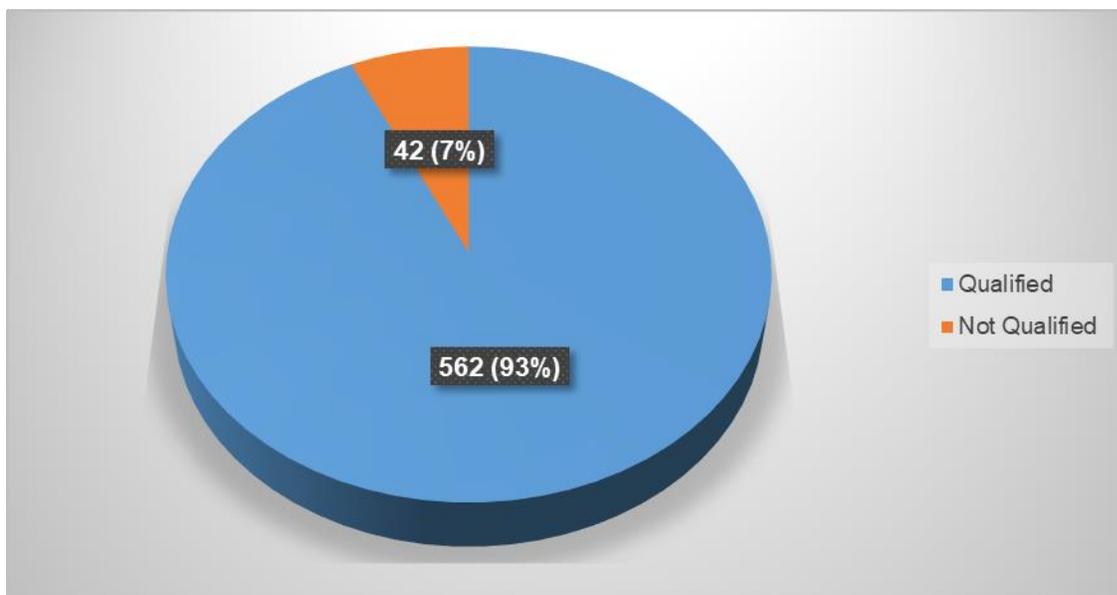


Figure 6: Eastern Cape SMS Members who qualified in terms of the 2015 DPSA Directive

The data shows that most of the SMS members who did not meet the minimum requirements were appointed before 2016. It should be noted that this could not be determined for the other four departments that did not provide the PSC with the requisite information including the dates of appointment. The four departments are; Education, Health, Social Development and Office of the Premier.

5.3.2 Eastern Cape SMS Members' Qualification Verification Status

As reflected in **Table 7** below, only four departments had verified all SMS members' qualifications at the time of reporting and these departments are, the Department of Cooperative Governance and Traditional Affairs, Economic Development, Environmental Affairs and Tourism, Public Works and Infrastructure and Sport, Recreation, Arts and Culture. The Department of Community and Safety only verified one SMS member's qualifications and did not provide reasons for not verifying the outstanding qualifications. Other departments verified the majority of their SMS members' qualifications, with some departments indicating that the verification results are either pending or the verification process is still in progress.

Table 7: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Cooperative Governance and Traditional Affairs	All Qualifications were verified	
Community and Safety	1 of the 13 SMS Members' Qualifications were verified	No reasons provided

Name of Department	Qualification Verification Status	Reason for non-verification
Economic Development, Environmental Affairs and Tourism	All Qualifications were verified	
Education	61 of the 73 SMS members' qualifications were verified	No reasons provided
Health	68 of the 72 SMS members' qualifications were verified	No reasons provided
Human Settlements	38 of the 43 SMS members' qualifications were verified	The department was waiting for results from SAQA
Office of the Premier	47 of the 50 SMS members' qualifications were verified	No reasons provided
Provincial Treasury	57 of the 60 SMS members' qualifications were verified	The verification was in progress at the time of reporting; department was waiting for results for some from SAQA
Public Works and Infrastructure	All Qualifications were verified	
Rural Development and Agrarian Reform	48 of the 49 SMS members' qualifications were verified	No reasons provided
Social Development	27 of the 42 SMS members' qualifications were verified	No reasons provided
Sport, Recreation, Arts and Culture	All Qualifications were in the process of being verified	The verification was in progress and the department was still waiting for results from SAQA
Transport	31 of the 42 SMS members' qualifications were verified	No reasons provided

Only three departments were still in the process of verifying SMS members' qualifications, whereas other departments did not give reasons for not verifying the qualifications of all SMS members.

5.3.3. Interventions introduced to address circumstances where incumbents did not meet requirements

The Department of Economic Development, Environmental Affairs and Tourism was the only department that indicated that there was intervention in the form of a bursary that was awarded to one of the two SMS members who did not qualify for the posts they occupy. Other departments, especially Education, Office of the Premier, Social Development and Economic Development, Environmental Affairs and Tourism, did not provide any information on specific interventions to support or upgrade SMS members who did not qualify for their posts.

5.3.4 Overview for Eastern Cape provincial departments

In the Eastern Cape, 93% of SMS members are qualified for the posts they occupy. The Department of Education data shows that only 60% of senior managers are qualified to be in their posts in terms of the requirements of the 2015 Directive. The department did not provide details on the remaining 39.7%. In instances, where some SMS members did not qualify fully for their posts, departments did not report on interventions to address the gaps and this needs to be addressed. There was also a concern noted with regards to the verification of SMS members'

qualifications as only four departments had verified all their qualifications while other departments still had pending verifications. The Eastern Cape provincial administration should commend departments that have done well and where possible, prioritise the upgrading of qualifications for SMS members who do not meet the current requirements. Furthermore, priority should be given to the verification of qualifications for existing members who were or may have been appointed prior to 2015 and 2016, and mechanisms should be put in place to curb the appointment non-qualifying SMS members.

5.4 Findings for Free State provincial departments

There are 12 departments in the Free State and 11 complied with the request from the PSC to provide data for the inquiry. As indicated in **Table 8** below, only the provincial Department of Health did not provide the required information.

Table 8: Submission rate by Free State provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture and Rural Development	Yes	
Cooperative Governance and Traditional Affairs	Yes	
Community Safety	Yes	
Economic, Small Business Development, Tourism and Environmental Affairs	Yes	
Education	Yes	
Free State Provincial Treasury	Yes	
Human Settlements	Yes	
Office of the Premier	Yes	
Public Works and Infrastructure	Yes	
Social Development	Yes	
Sport, Arts, Culture and Recreation	Yes	
Health		No

5.4.1 Free State SMS members' qualifications profile

As at 30 November 2023, the 11 departments that participated in the inquiry had 272 SMS members, which is 64 less than the number reported in Figure 1 above. This is not surprising, partly due to the lack of participation by the Department of Health and factors such as resignations and retirements. **Table 9** below shows the total number of SMS members who possess the required qualifications for the posts they occupy in each department or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements.

Table 9: The extent that SMS members qualified for their posts per provincial department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture and Rural Development	33	2	Information not provided, it is thus assumed the 31 SMS	6.06%

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
			members did not have the required qualifications	
Cooperative Governance and Traditional Affairs	20	20	0	100%
Community Safety	27	19	8	70,37%
Economic, Small Business Development, Tourism and Environmental Affairs	27	22	5	81,48%
Education	29	29	0	100%
Human Settlements	26	15	11	57,69%
Office of the Premier	26	22	4	84,62%
Provincial Treasury	23	22	1	95,64%
Public Works and Infrastructure	21	21	0	100%
Social Development	23	23	0	100%
Sport, Arts, Culture and Recreation	17	14	3	82,35%
Total	272	209	63*	76,84%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications

As shown in **Table 9** above, all SMS members in four departments (i.e. Education; Social Development; Cooperative Governance and Traditional Affairs; and Public Works and Infrastructure) have the required NQF level qualifications.

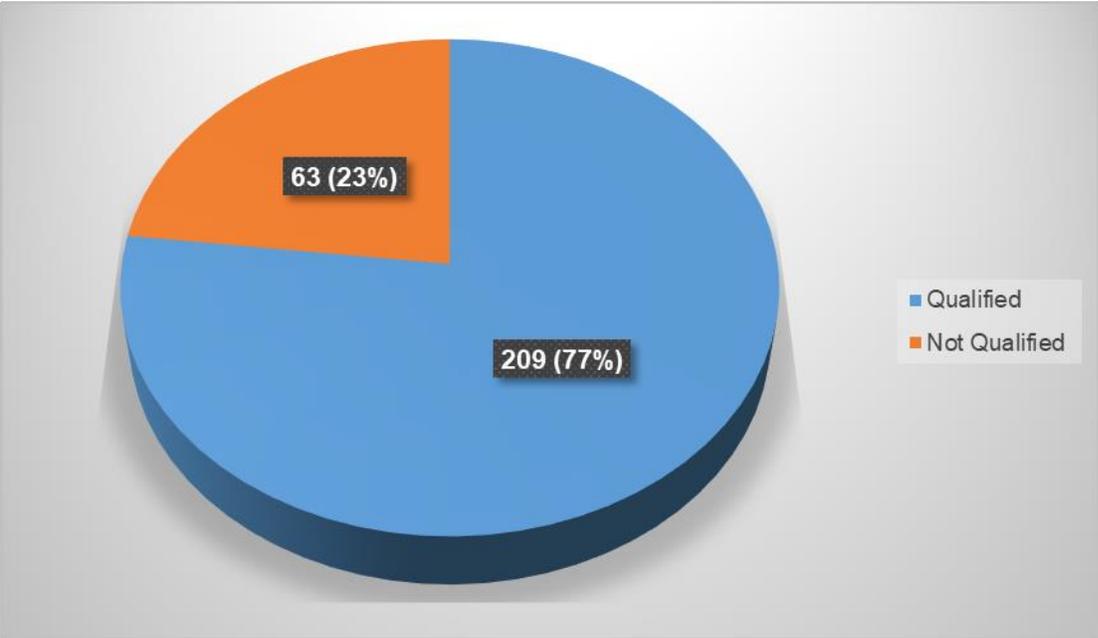


Figure 7: Free State SMS Members who qualified in terms of the 2015 DPSA Directive

Due to varied levels of compliance, **Figure 7** shows that 77% of the 272 SMS members in the 11 participating Free State provincial departments met the minimum qualifications for their posts. While 63 (23%) SMS members did not meet the minimum requirement, 39 were appointed before the 2015 Directive came into effect and 24 were appointed after 2016. Of concern is that the Department of Agriculture and Rural Development could only confirm that two SMS members are qualified for the posts they occupy, but did not provide information or an explanation for the remaining 31 SMS members and there is no clarity on what interventions were introduced to address the gaps.

5.4.2 Free State SMS Members' qualification verification status

The Public Service is required to comply with the relevant legislative frameworks in the process of recruiting and appointing employees. According to the DPSA Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended,²⁶ all SMS members must have a qualification that is recognised by SAQA at a NQF Level 7 or higher. It is imperative that all qualifications should be verified with SAQA before an employee is appointed as stated in the National Qualifications Framework act, but in practice this is not always the case. **Table 10** below shows the status of qualification verifications per department and reasons for non-verification.

Table 10: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture and Rural Development	All qualifications were verified	
Cooperative Governance and Traditional Affairs	No qualifications were verified	The department indicated that the qualifications of SMS members will be verified when the need arises.
Community Safety	6 of the 27 SMS members' qualifications were verified	Only verified six SMS members' qualifications, it should, however, be noted that the verification was conducted by LexisNexis and not SAQA.
Economic, Small Business Development, Tourism and Environmental Affairs	6 of the 27 SMS members' qualifications were verified and 4 of the 27 were partially verified whereby only the required qualification was verified.	The department verified six members' qualifications only; the remaining verifications were still in progress
Education	All qualifications were verified	
Human Settlements	All qualifications were verified	
Office of the Premier	23 of the 26 SMS members' qualifications were verified	One SMS member was transferred and the other two were appointment prior to implementation of the 2015 Directive and implementation of the Nyukela certificate from 1 April 2020.
Provincial Treasury	20 of the 23 SMS members' qualifications were verified	The department did not verify the three SMS members' qualifications

²⁶ DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

Name of Department	Qualification Status	Verification	Reason for non-verification
			as they were transferred into the posts and the department.
Public Works and Infrastructure	All qualifications were verified		
Social Development	All qualifications were verified		
Sport, Arts, Culture and Recreation	Only 1 of the 17 SMS members' qualifications were verified		No reasons were provided for verifying only one SMS member's qualifications

Table 10 above shows that only five departments verified all their SMS members' qualifications, as per the Public Service Regulations, 2016, requirements. The provincial Department of Cooperative Governance and Traditional Affairs did not verify any of the members' qualifications, while the Department of Sport, Arts, Culture and Recreation only verified one SMS member's qualifications out of 17. The Department of Economic, Small Business Development, Tourism and Environmental Affairs verified qualifications of only six SMS members out of 27 and verified only the highest qualifications for four SMS members. The department did, however, indicate that they were in the process of verifying the qualifications of other SMS members. Similarly, the Department of Community Safety also verified 6 qualifications, but through a different service provider. A concern was, however, noted in the Department of Cooperative Governance and Traditional Affairs that indicated that the verification will only be conducted when the need arises.

5.4.3 Interventions introduced to address circumstances where incumbents did not meet requirements

With respect to SMS members who did not qualify, various interventions were put in place by some departments. The Department of Community Safety indicated that there were investigations undertaken to determine reasons for the seven members who did not qualify for their posts and further confirmed that one SMS member was in the process of upgrading their qualification. In addition to awarding bursaries, the Department of Economic, Small Business Development, Tourism and Environmental Affairs also made provision for in-service training in attempt to capacitate SMS members who were transferred into positions that they did not qualify for. The Office of the Premier had four SMS members who did not meet the requirements for their posts and all four were appointed before implementation of the 2016 PSR. The department indicated that bursaries were availed to all officials but did not indicate if any of the four SMS members were granted and utilised the bursaries.

5.4.4 Overview for Free State provincial departments

The data shows that 77% of SMS members from the eleven participating departments in the Free State met the minimum qualifications' requirements for their posts. Only four departments reported that 100% of their SMS met the requirements of the posts they were appointed into. Some departments indicated that interventions such as bursaries and in-service training were put in place to assist SMS members who did not meet the requirements.

It is interesting to note that is the Department of Agriculture and Rural Development indicated that all SMS members' qualifications were verified, and the data suggest that 94% of SMS members

in the department did not meet the minimum qualifications requirements for their posts or the department simply does not have information at its disposal. And yet, no interventions were reported to assist the members to upgrade their qualifications. the lack of information on interventions represents a disregard of the basic values and principles governing public administration and Human Resources Management good practices, in particular recruitment and selection prescripts in the Public Service.

There is room for improvement with regards to the verification of qualifications in the province as only five departments reported that all SMS members' qualifications had been verified. There are cases whereby no verifications were conducted and in other instances only some SMS members' qualifications were verified within a department. In particular, the lack of verification of all or most SMS member's qualifications by other departments (namely Community Safety; Sport, Arts, Culture and Recreation; Cooperative Governance and Traditional Affairs; Economic, Small Business Development, Tourism and Environmental Affairs), is also a major concern due to an increase in reported incidences of 'fake' qualifications around the country. The Provincial Office of the PSC will follow-up will the non-complying departments in order to strengthen recruitment and selection practices at SMS level in departments. Oversight institutions such as the Provincial Legislature should hold the executive and administrative leadership of the non-complying departments accountable for such non-compliance with government prescripts.

5.5. Findings for Gauteng provincial departments

There is a total of 14 provincial departments in the province, including the Office of the Premier. All departments complied with the request from the PSC to provide data for the inquiry. However, data received from the Department of e-Government could not be included in the analysis as the information submitted was not fully compliant with the PSC's request. This is the reason why the Department of e-Government is not included in the list of departments that have submitted the required information, thus reducing the total number of participating departments to 13. **Table 11** below shows the total provincial departments in the Gauteng that participated in the inquiry.

Table 11: Submission rate by Gauteng provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture and Rural Development	Yes	
Co-operative Governance and Traditional Affairs	Yes	
Community Safety	Yes	
Economic Development	Yes	
Education	Yes	
Health	Yes	
Human Settlements	Yes	
Infrastructure Development	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Roads and Transport	Yes	
Social Development	Yes	

Name of Department	Signed and submitted	Not submitted
Sport, Arts, Culture and Recreation	Yes	
e-Government		No

5.5.1 Gauteng SMS Members' Qualifications profile

As at 30 November 2023, the 13 departments that participated in the inquiry had 641 SMS members, 114 less than the numbers reported in Figure 1. **Table 12** below shows the total number of SMS members in each department that hold the required qualifications for the posts they occupy or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements.

Table 12: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture and Rural Development	34	32	2	94.12%
Co-operative Governance and Traditional Affairs	32	28	4	87.50%
Community Safety	27	27	0	100%
Economic Development	45	33	12	73%
Education	94	86	1 (Information not provided for the other 7 outstanding SMS members, it is assumed the members did not have the requisite qualifications)	91.49%
Health	72	62	5 (Information not provided for the other 5 outstanding SMS members, it is assumed that the members did not have the requisite qualifications)	86.11%
Human Settlements	48	41	5 (Information not provided for the other 2 outstanding SMS members, it is assumed that the members did not have the requisite qualifications)	85.42%
Infrastructure Development	63	63	0	100%
Office of the Premier	47	47	0	100%
Provincial Treasury	73	72	1	98.63%
Roads and Transport	44	35	9	79.55%
Social Development	35	33	2	94.29%

Sport, Arts, Culture and Recreation	22	20	2	90.91%
Total	641	582	59*	90.80%

Table 12 and **Figure 8** below shows that 91% of the 641 SMS members from Gauteng provincial departments met the minimum qualification requirements. The Department of Community Safety, the Department of Infrastructure Development and Office of the Premier were the only departments that reported that 100% of SMS members within their departments met the minimum requirements for their respective posts.

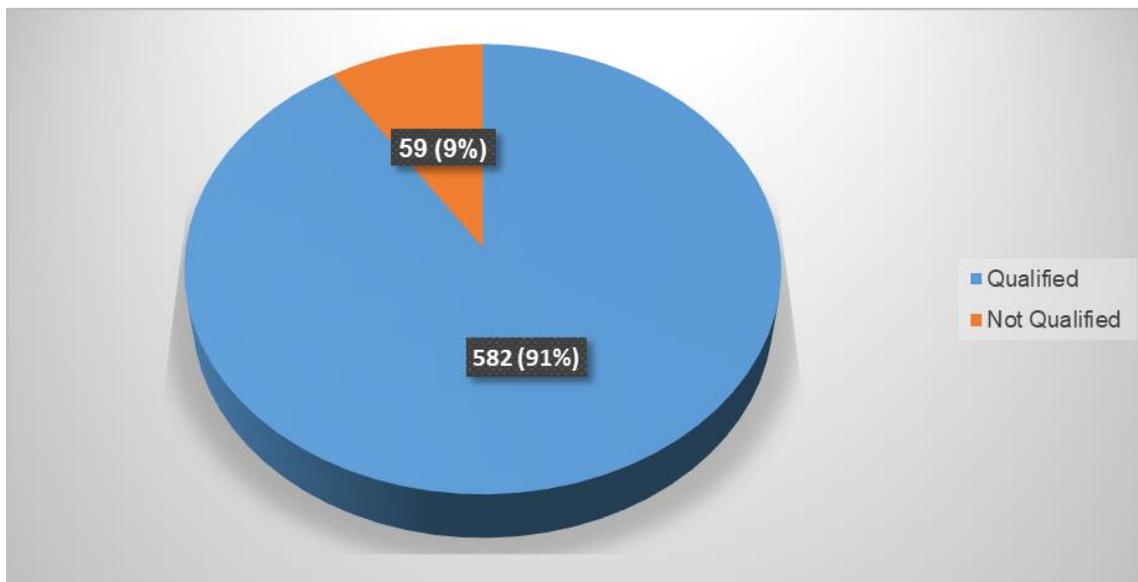


Figure 8: Gauteng SMS Members who qualified in terms of the 2015 DPSA Directive

There was a total of 59 (9%) SMS members who were considered to not have qualified for their posts; this number includes SMS members whose information was not provided by departments. From the 59 SMS members, the data showed that nine were appointed after 2016 (5 Economic Development, 2 Human Settlement, and 2 Social Development), and details could not be confirmed from the three departments that did not provide full details as requested.

5.5.2 Gauteng SMS Members' Qualification Verification Status

With respect to the verification SMS members' qualification, **Table 13** below shows that there were five departments that verified the qualifications of all their SMS members. The remaining departments still had pending verifications.

The Department of Health indicated that the reason for not verifying over 50% of their SMS members' qualifications was due to financial constraints. The Department of Education on the other hand did not verify the qualifications of 48% of their SMS members as they were appointed prior to the introduction of the 2015 DPSA Directive and adoption of the 2016 PSR. The Provincial Treasury confirmed that there was no proof on record to confirm the status of the outstanding qualification verifications. In the case of the Department of Roads of Transport, one SMS member

was transferred and the department could not confirm if the previous department verified their qualification or not.

Table 13: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture and Rural Development	All qualifications were verified	
Co-operative Governance and Traditional Affairs	30 of the 32 SMS members' qualifications were verified	One SMS member did not submit the qualifications as requested and no information was provided for the other SMS member
Community Safety	All qualifications were verified	
Economic Development	All qualifications were verified	
Education	49 of 94 SMS members' qualifications were verified	Appointment prior to SMS Requirements 1/4/2016
Health	30 of the 72 SMS members were verified and 2 were partially verified.	Verification of qualifications was not done due to financial constraints.
Human Settlements	47 of the 48 SMS members' qualifications were verified	No information provided
Infrastructure Development	59 of the 63 SMS members' qualifications were verified	No information provided
Office of the Premier	All qualifications were verified	
Provincial Treasury	63 of the 73 SMS members' qualifications were verified	No proof that the qualifications were verified
Roads and Transport	23 of the 44 SMS members' qualifications were verified	No information provided
Social Development	All qualifications were verified	
Sport, Arts, Culture and Recreation	All qualifications were verified	

While some departments did not give reasons for non-compliance with the verification of qualifications requirements, other departments provided the following reasons: non-submission of qualifications by one SMS member (Department of Co-operative Governance and Traditional Affairs); SMS members were appointment prior to the implement of the requirements in April 2016 (Department of Education); and financial constraints (Department of Health).

5.5.3 Interventions introduced to address circumstances where incumbents did not meet requirements

To address the gaps, the provincial Department of Agriculture and Rural Development reported that SMS members who did not possess the relevant qualifications were issued with a letter to upskill their qualifications. It was however not clear if this will be at the expense of the department or the individuals themselves. The Department of Human Settlements followed two approaches to address these gaps. SMS members were either granted bursaries or encouraged to participate in a Recognition of Prior Learning (RPL) programme. The remaining departments indicated that they did not implement any steps to address the gap as these SMS members were appointed before the introduction of the 2015 DPSA Directive and the 2016 PSR.

5.5.4 Overview for Gauteng provincial departments

Overall, 91% of SMS members in Gauteng provincial departments met the minimum qualifications requirements. In terms of addressing gaps whereby some SMS members did not meet the requirements, bursaries were offered or SMS members were encouraged to enrol in RPL programmes. In terms of the verification of qualifications, the qualifications of most SMS members were verified, but measures should be put in place to ensure that the qualifications of all SMS members are verified in line with the relevant legislation.

5.6 Findings for KwaZulu-Natal provincial departments

There is a total of 13 departments in the province of KwaZulu-Natal and only 11 departments complied with the request from the PSC to provide data for the inquiry. As shown in **Table 14** below, the two departments that did not submit the required information were the departments of Economic Development, Tourism and Environmental Affairs as well as Health.

Table 14: Submission rate by KwaZulu-Natal provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture and Rural Development	Yes	
Community Safety and Liaison	Yes	
Cooperative Governance and Traditional Affairs	Yes	
Education	Yes	
Human Settlements	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Public Works	Yes	
Social Development	Yes	
Sport and Culture	Yes	
Transport	Yes	
Economic Development, Tourism and Environmental Affairs		No
Health		No

5.6.1 KwaZulu-Natal SMS Members' Qualifications profile

As at 30 November 2023, the 11 departments that participated in the inquiry had a total of 450 SMS members, which 174 is less than the 624 reported in **Figure 1**. It is highly unlikely that the 174, which is a very high number, would represent the missing SMS members for the two non-participating departments. It can thus be assumed that the number includes SMS members who were employed by the two non-participating departments and SMS members who would have exited from the Public Service through retirement, resignation or other processes.

Table 15 below shows the total number of SMS members who hold the required qualifications for the posts they occupy or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements from each of the 11 participating departments.

Table 15: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture and Rural Development	46	42	4	91,30%
Community Safety and Liaison	15	13	2	86,67%
Cooperative Governance and Traditional Affairs	49	48	1	97,96%
Education	54	54	0	100%
Human Settlements	26	26	0	100%
Office of the Premier	55	45	1 (information not provided for the other 9, it can, however, be assumed that they do not have the requisite qualifications.	81,82%
Provincial Treasury	58	56	2	96,55%
Public Works	30	29	1	96,67%
Social Development	44	41	3	91,18%
Sport and Culture	34	33	n/a **	97,06%
Transport	39	36	n/a**	97,31%
Total	450	423	23*	94%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications/**The posts were not advertised or evaluated due to internal transfers

The data provided by the KwaZulu-Natal provincial departments, as reflected in **Table 15** above and **Figure 9** below, indicates that 94% of the 450 SMS members qualified for the posts they were appointed in. There were only two departments where all SMS members met the minimum requirements for their posts and these are the departments of Education and Human Settlements.

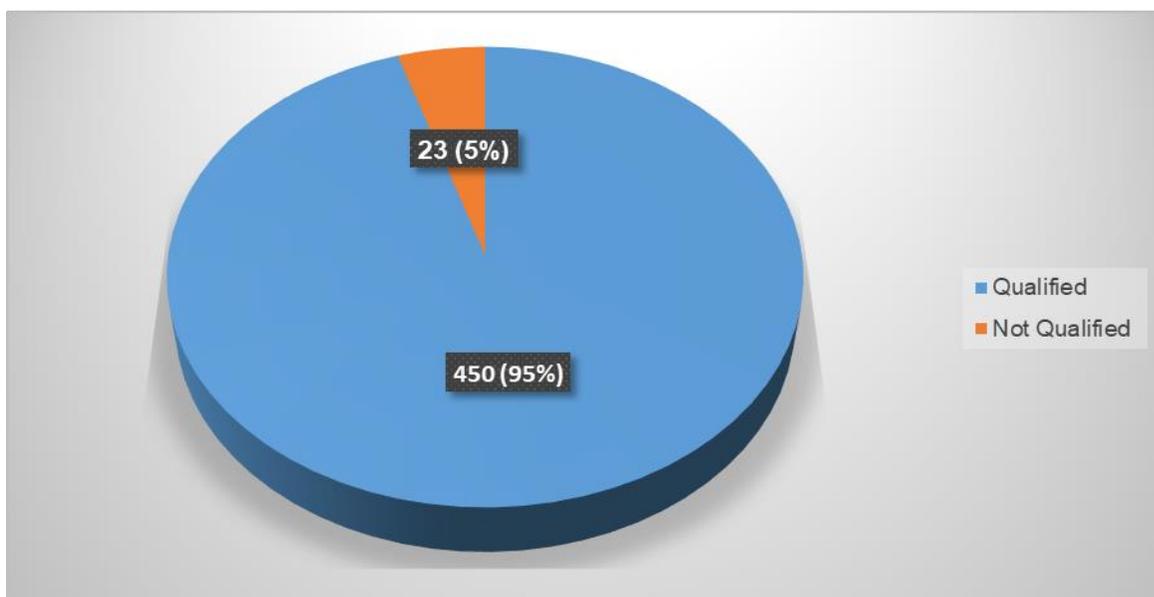


Figure 9: KwaZulu-Natal SMS Members who qualified in terms of the 2015 DPSA Directive

In some departments, the few SMS members who did not meet the NQF qualifications levels were appointed before the introduction of the Directive on minimum entry requirements for the SMS. Only four (4) of the 23 SMS members were confirmed to have been appointed after the adoption of the 2016 PSR, however it was a challenge to confirm for the Office of the Premier as they did not provide full details for nine (9) of the non-qualifying SMS members.

5.6.2 KwaZulu-Natal SMS Members' Qualification Verification Status

According to the information provided in **Table 16** below, only five departments verified all SMS members' qualifications, as per the Public Service Regulations, 2016, requirements. The departments of Public Works and Social Development verified all SMS members' qualifications, however they also reported that some SMS members' qualifications were partially verified in the sense that only their junior qualifications were verified and not their postgraduate qualifications.

Table 16: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture and Rural Development	All qualifications were verified	
Community Safety and Liaison	14 of the 15 SMS members' qualifications were verified	No reason provided
Cooperative Governance and Traditional Affairs	All qualifications were verified	
Education	All qualifications were verified	
Human Settlements	All qualifications were verified	
Office of the Premier	All qualifications were verified	
Provincial Treasury	57 of the 58 SMS members' qualifications were verified	No reason provided
Public Works	28 of the 30 were fully verified and the remaining 2 only were partially verified	
Social Development	24 of the 44 were fully verified, and 5 of the 44 were partially verified	The Department is currently in a process of securing service provider to conduct personnel checks for the remaining SMS members' qualifications
Sport and Culture	31 of the 34 SMS Members' qualifications were verified	No reason provided
Transport	37 of the 39 SMS Members' qualifications were verified	No reason provided

The Department of Social Development was in the process of securing a service provider to conduct personnel checks for the remaining SMS members' qualifications. Other departments had pending verifications and no reasons were provided for not verifying the outstanding qualifications.

5.6.3 Interventions introduced to address circumstances where incumbents did not meet requirements

Departments such as Agriculture and Rural Development; Community Safety and Liaison; and Social Development reported that they granted bursaries to some of the SMS members who did not meet the minimum requirements. In the Department of Agriculture, one SMS member opted

to complete several short courses instead of starting a new qualification. The Office of the Premier enrolled one SMS member for Recognition of Prior Learning in order to establish their qualification level. According to the Department Cooperative Governance and Traditional Affairs, one SMS member met the requirements at the time of their appointment as they were appointed before the introduction of the Directive on minimum requirements for the SMS. As such, the department did not take any further action. The Provincial Treasury indicated that they did not institute any process to assist the SMS members who did not meet the minimum requirements because they were close to retirement age.

5.6.4 Overview for KwaZulu-Natal departments

Overall, 94% of the 450 SMS members from the 11 KwaZulu-Natal provincial departments that participated in the study are qualified for the posts they were appointed in. While there were only two departments that confirmed that all their SMS members met the minimum requirements for their posts, seven other departments reported compliance levels of over 90%, while the remaining two reported more than 80% compliance. Furthermore, the measures put in place by some departments to support SMS who do not possess the applicable qualifications requirements, are commendable and many other SMS members should be encouraged to take advantage of these opportunities.

In terms of verification of qualifications, only five departments verified all SMS members' qualifications, as per the Public Service Regulations of 2001 and 2016 while two departments indicated that some SMS members' qualifications were partially verified. The other four departments that had a few SMS members who still had to undergo qualification verifications did not report on progress regarding the outstanding verifications and did not give reasons for the non-verification. This is an area that should be improved upon to ensure full compliance with prescripts.

5.7 Findings for Limpopo provincial departments

As shown in **Table 17** below, all Limpopo provincial departments participated in the inquiry.

Table 17: Submission rate by Limpopo provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture and Rural Development	Yes	
Cooperative Governance, Human Settlements and Traditional Affairs	Yes	
Economic Development, Environment and Tourism	Yes	
Education	Yes	
Health	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Public Works, Roads and Infrastructure	Yes	
Social Development	Yes	
Sport, Arts and Culture	Yes	
Transport and Community Safety	Yes	

5.7.1 Limpopo SMS Members' Qualifications profile

As at 30 November 2023, the 11 departments that participated in the inquiry had 434 SMS members, which is 15 less than the 448 SMS members reported in Figure 1, as at September 2023. **Table 18** below shows the total number of SMS members in each department that hold the required qualifications for the posts they occupy or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements.

Table 18: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture and Rural Development	32	32	0	100%
Cooperative Governance, Human Settlements and Traditional Affairs	37	37	0	100%
Economic Development, Environment and Tourism	36	35	1	97,22%
Education	55	53	2	96,36%
Health	60	57	3	95%
Office of the Premier	56	54	2	96,43%
Provincial Treasury	51	49	2	96,08%
Public Works, Roads and Infrastructure	30	8	Information not provided, but it is assumed the 22 SMS members did not have the requisite qualifications	26,66%
Social Development	23	23	0	100%
Sport, Arts and Culture	21	19	2	90,48%
Transport and Community Safety	33	31	2	93,94%
Total	434	398	36*	91,71%

**The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications*

According to **Table 18** above and **Figure 10** below, 92% of the 434 SMS across the Limpopo provincial departments met the minimum requirements for their respective posts. Only three departments reported that 100% of their SMS qualified for the posts they occupy, while most of the departments reported that over 90% qualified. Most of the employees who did not meet the minimum requirements in these departments were appointed before 2016, with the exception of one SMS member at the Department of Sport, Arts and Culture who was appointed after 2016.

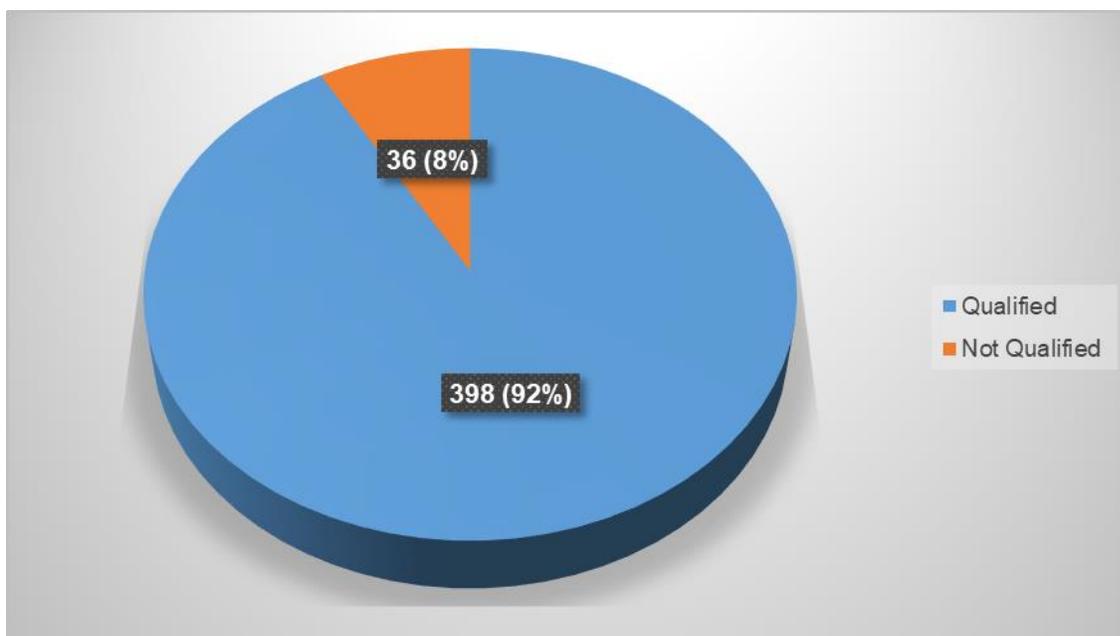


Figure 10: Limpopo SMS Members who qualified in terms of the 2015 DPSA Directive

The PSC noted with concern that the Department of Public Works and Infrastructure had the lowest percentage of SMS members (26%) who are qualified for their posts, and no further information was provided with regards to other members.

5.7.2 Limpopo SMS Members' Qualification Verification Status

According to the DPSA Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended²⁷, it is imperative that all SMS members' qualifications should be verified with SAQA before an employee is appointed. The table below shows seven departments complied with this requirement in full and the remaining departments verified the qualifications of most of their SMS members.

Table 19: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture and Rural Development	All Qualifications were verified	
Cooperative Governance, Human Settlements and Traditional Affairs	All Qualifications were verified	
Economic Development, Environment and Tourism	28 of the 36 SMS Members' Qualifications were verified	No reasons for non-verification
Education	All Qualifications were verified	
Health	46 of the 60 SMS Members' Qualifications were verified	The qualifications were not verified because the appointments were done before implementation of the 2015 Directive on verification of qualification

²⁷ DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

Name of Department	Qualification Verification Status	Reason for non-verification
Office of the Premier	All Qualifications were verified	
Provincial Treasury	50 of the 51 SMS Members' Qualifications were verified	No information provided for non-verification
Public Works, Roads and Infrastructure	15 of the 30 SMS Members' Qualifications were verified	No information provided for non-verification
Social Development	All Qualifications were verified	
Sport, Arts and Culture	All Qualifications were verified	
Transport and Community Safety	All Qualifications were verified	

The Department of Health verified 46 (77%) of the 60 SMS members' qualifications in the department. The reason provided by the department for this was that the appointments were concluded before implementation of the 2015 Directive on verification of qualifications. The reason is indicative of lack of understanding of prescripts given that the Public Service Regulations of 2001 already required that an *“Executive Authority should before making a decision on an appointment or the filling of a post, satisfy herself or himself that the candidate qualifies in all respects for the post and that the claims made in the application for the post have been verified, and also record in writing that verification”*²⁸. The department did however indicate to the PSC that the verifications are underway, now that the department has procured an in house verification system. The Department of Public Works, Roads and Infrastructure (PWRI), which has the least number of SMS members who meet the 2016 PSR requirements in the province, had only verified 50% of SMS members' qualifications.

5.7.3 Interventions introduced to address circumstances where incumbents did not meet requirements

All Limpopo provincial departments did not report on any interventions that were put in place to ensure all SMS members upgrade their qualifications. This was also the case for the Department of Public Works, Roads and Infrastructure that did not provide reasons for the high number of 'unqualified' senior managers, or senior managers whose qualifications are 'unknown'.

5.7.4 Overview for Limpopo provincial departments

The data provided indicates that 92% of SMS members met the minimum requirements for the posts they occupy. There was, however, a concern noted as the Department of Public Works, Roads and Infrastructure confirmed that only 26% of SMS members possessed the minimum requirements for their posts, but the department did not provide reasons for the failure to comply with the relevant recruitment and selections prescripts. The data also showed that most provincial departments complied with the verification of SMS members' qualifications. Few departments, in the exception of the Department of Public Works, Roads and Infrastructure, had few outstanding cases that still needed to be verified. While other departments are encouraged to finalise all outstanding processes, the Legislature and the Provincial Office of the PSC should engage with the Department of Public Works, Roads and Infrastructure regarding its recruitment and selection practises at SMS level.

²⁸ DPSA 2001. Public Service Regulations, Part VII D(8).

5.8 Findings for Mpumalanga provincial departments

The Mpumalanga provincial government consists of 12 provincial departments, however, only seven (7) departments complied with the request from the PSC. The departments of Agriculture, Rural Development, Land and Environmental Affairs and Co-operative Governance and Traditional Affairs submitted documents that were not signed off by the Head of Department and as a result the departments could not be included in the inquiry. The three departments that did not participate were the Department of Community Safety, Security and Liaison, Department of Economic Development and Tourism and the Department of Health.

Table 20: Submission rate by Mpumalanga provincial departments

Name of Department	Signed and submitted	Not submitted
Culture, Sport and Recreation	Yes	
Education	Yes	
Human Settlements	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Public Works, Roads and Transport	Yes	
Social Development	Yes	
Agriculture, Rural Development, Land and Environmental Affairs		No
Co-operative Governance and Traditional Affairs		No
Community Safety, Security and Liaison		No
Economic Development and Tourism		No
Health		No

5.8.1 Mpumalanga SMS Members' Qualifications profile

As at 30 November 2023, the nine departments that participated in the inquiry had a total of 186 SMS members. **Table 21** below shows the total number of SMS members in each department that hold the required qualifications for the posts they occupy or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements.

Table 21: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Culture, Sport and Recreation	7	7	0	100%
Education	35	33	2	94.29%
Human Settlements	25	25	0	100%
Office of the Premier	39	39	0	100%
Provincial Treasury	18	18	0	100%
Public Works, Roads and Transport	38	38	0	100%

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Social Development	24	14	Information not provided, it is assumed the 10 SMS members did not have the required qualifications.	58,33%
Total	186	174	12*	93.55%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications

Based on the information provided in **Table 21** and **Figure 11** below, 94% of the 249 SMS members are qualified for the posts they occupy, whilst 6% did not possess the minimum required qualifications.

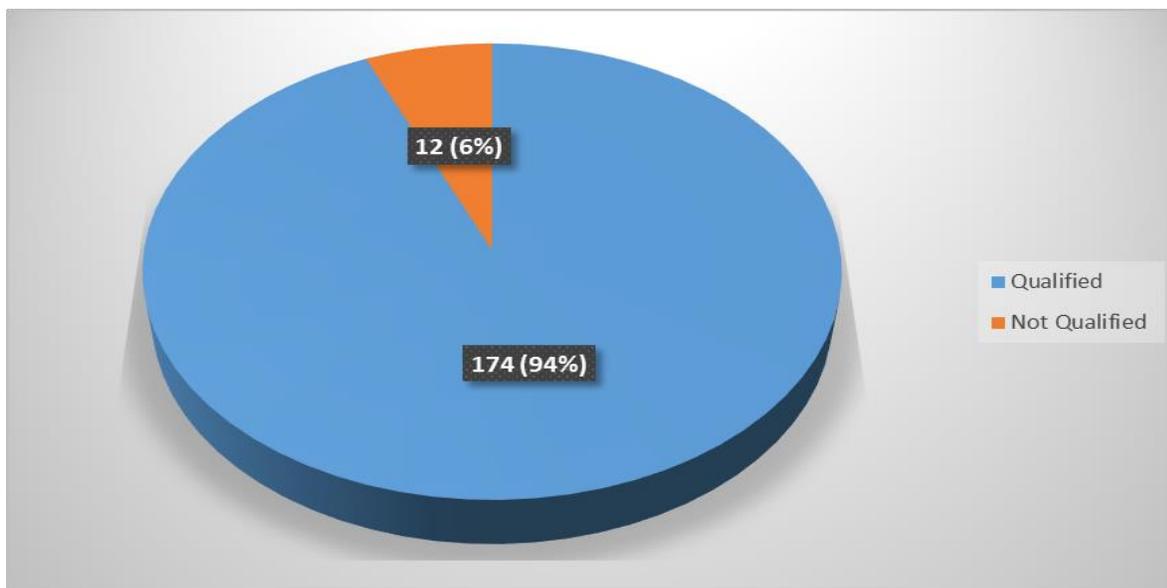


Figure 11: Mpumalanga SMS Members who qualified in terms of the 2015 DPSA Directive

There were six departments that reported that 100% of their SMS members are qualified for their posts, whereas the other three departments still had SMS members that did not qualify. The lowest percentage (58%) of non-qualifying SMS members was reported by the Department of Social Development. The appointment date for the Department of Social Development SMS members who did not meet the minimum requirements was not provided.

5.8.2 Mpumalanga SMS Members' Qualification Verification Status

In line with the DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended²⁹, **Table 22** below shows that five of the nine participating department verified the qualifications of all SMS members.

²⁹ DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

Table 22: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture, Rural Development, Land and Environmental Affairs	All qualifications were verified	
Co-operative Governance and Traditional Affairs	21 of the 24 SMS members' qualifications were verified	No reasons provided
Culture, Sport and Recreation	All qualifications were verified	
Education	30 of the 35 SMS members' qualifications were verified	No reasons provided
Human Settlements	All qualifications were verified	
Office of the Premier	All qualifications were verified	
Provincial Treasury	All qualifications were verified	
Public Works, Roads and Transport	36 of the 38 SMS members' qualifications were verified	No reasons provided
Social Development	13 of the 24 SMS members' qualifications were verified	Reasons were only provided for two SMS members. The first reason was that one SMS member was transferred and the other was recently appointed and verifications had not been done.

Table 22 above shows that the Department of Cooperative Governance and Traditional Affairs; Education; and Public Works, Roads and Transport still had outstanding qualification verifications but did not provide reasons for the not certain qualifications. The Department of Social Development on the other hand verified only 13 of the 24 SMS members' qualifications but only provided reasons for two SMS members. The reason for the first SMS member was that the incumbent was transferred and second SMS member was newly appointed and there the verification process had not been done yet at the time of reporting.

5.8.3 Interventions introduced to address circumstances where incumbents did not meet requirements

It should be noted that none of the three departments with SMS members who did not meet the minimum qualification requirement reported any measures or interventions put in place to try address the gaps. The Provincial Legislature should engage with these departments, especially Social Development, to deliberate on the reasons and the plans to address these gaps.

5.8.4 Overview for Mpumalanga provincial departments

In Mpumalanga, 94% of SMS members from the participating departments are qualified for the posts they occupy and six departments reported that 100% of SMS members in their respective departments met the minimum requirements, while the Department of Education reported 94% in this regard. There were two departments that reported compliance at 58% and yet none of these departments still had put measures in place to ensure that SMS members who do not meet the current qualifications requirements for their respective posts are upgraded in line with prescripts.

In terms of verification of SMS members' qualifications, only five departments in Mpumalanga verified all SMS members' qualifications and reasons were not provided by other non-compliant for failure to verify the qualifications of all their SMS members. While the Provincial Legislature

should engage with these departments, especially Social Development, regarding the reasons for non-compliance and plans to address these gaps, the three departments that did not provide the information requested should be urged to submit such information and concise reports to the Provincial Legislature and the PSC before September 2024.

5.9 Findings for Northern Cape provincial departments

The Northern Cape provincial departments participated in the inquiry and **Table 23** shows that all the 11 provincial departments complied with the request from the PSC.

Table 23: Northern Cape Submission Rate

Name of Department	Signed and submitted	Not submitted
Agriculture, Environmental Affairs, Rural Development and Land Reform	Yes	
Co-operative Governance, Human Settlement and Traditional Affairs	Yes	
Economic Development and Tourism	Yes	
Education	Yes	
Health	Yes	
Office of the Premier	Yes	
Provincial Treasury	Yes	
Roads and Public Works	Yes	
Social Development	Yes	
Sport, Arts and Culture	Yes	
Transport, Safety and Liaison	Yes	

5.9.2 Northern Cape SMS Members' Qualifications profile

As at 30 November 2023, the 11 departments that participated in the inquiry had 245 SMS members, this represents a slight increase from the 236 that reported in Figure 1 for the period ending September 2023. **Table 24** below shows the total number of SMS members in each department who meet the required qualifications for the posts they occupy or were appointed into in terms of the 2016 PSR, as well as those who do not meet the requirements.

Table 24: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture, Environmental Affairs, Rural Development and Land Reform	20	19	1	95%
Co-operative Governance, Human Settlement and Traditional Affairs	24	23	1	95,83%

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Economic Development and Tourism	19	10	Information not provided, but it is assumed that the 9 SMS members did not have the requisite qualifications	52,63%
Education	33	30	3	90,91%
Health	35	33	2	94,29%
Office of the Premier	31	28	3	90,32%
Provincial Treasury	21	21	0	100%
Roads and Public Works	19	17	2	89,47%
Social Development	22	20	2	90,91%
Sport, Arts and Culture	12	12	0	100%
Transport, Safety and Liaison	9	6	3	66,67%
Total	245	219	26*	89,39%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications

According to information provided in **Table 24** above and **Figure 12** below, 89% of SMS members in the province are qualified for the posts they were appointed in. Only two departments, the Provincial Treasury and the Department of Sport, Arts and Culture reported that 100% of their SMS members are qualified for the posts they occupy. The Department of Economic Development and Tourism reported that only 52% of their SMS met the minimum requirements for their posts, whereas the Department of Transport, Safety and Liaison reported 67%.

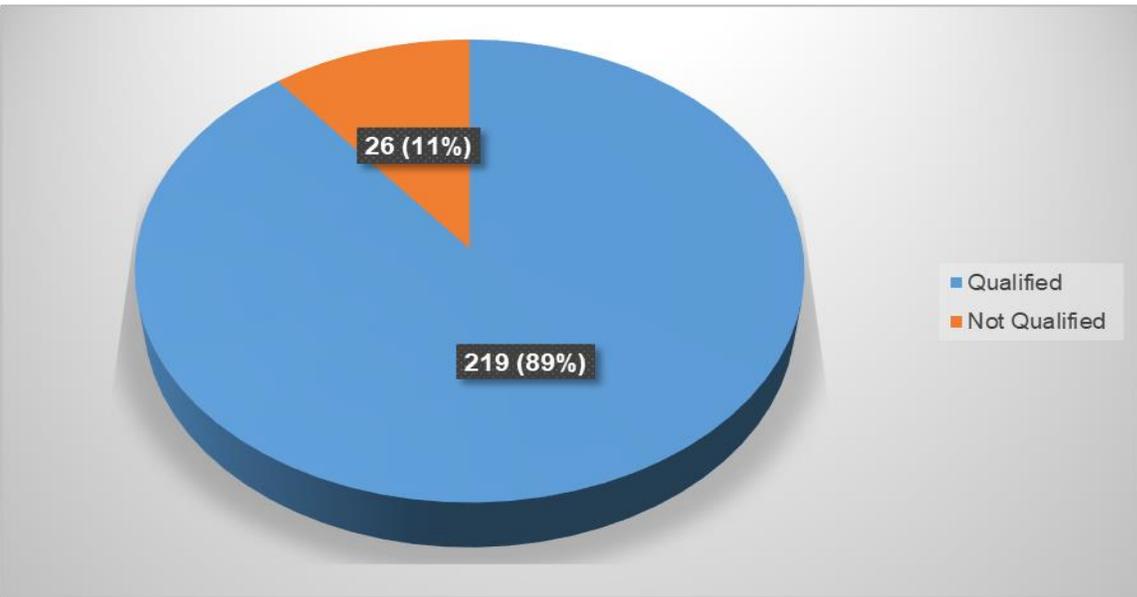


Figure 12: Northern Cape SMS Members who qualified in terms of the 2015 DPSA Directive

The data provided by departments shows that most of the SMS members who do not meet the minimum qualification requirements were appointed before 2016, and only two were appointed after 2016. It should be noted that some departments did not complete the appointment date for some of the SMS members that did not qualify, it was thus difficult to determine if those SMS members were appointed before or after 2016.

5.9.2 Northern Cape SMS Members' Qualification Verification Status

According to the DPSA Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended³⁰, departments are expected to ensure that all SMS members have a qualification that is recognised by SAQA at a NQF Level 7 or higher. **Table 25** below shows that there is general non-compliance with this requirement by most departments in the province.

Table 25: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture, Environmental Affairs, Rural Development and Land Reform	12 of the 20 SMS members' qualifications were verified	No reasons provided
Co-operative Governance, Human Settlement and Traditional Affairs	No Qualifications were verified	No reasons provided
Economic Development and Tourism	2 of the 19 SMS members' qualifications were verified	No evidence for verification of SMS qualifications as they were either absorbed or transferred
Education	No Qualifications were verified	The department did not verify qualifications due to HR capacity challenges and others were not verified as they were transferred into the department
Health	26 of the 35 SMS members' qualifications were verified	The remaining positions were not verified as they were acting positions that were not filled permanently
Office of the Premier	All Qualifications were verified	
Provincial Treasury	13 of the 21 SMS members' qualifications were verified	No reasons provided
Roads and Public Works	11 of the 19 SMS members' qualifications were verified	Reasons only provided for 2 SMS members and it was due to transfers
Social Development	All Qualifications were verified	
Sport, Arts and Culture	All Qualifications were verified	
Transport, Safety and Liaison	8 of the 9 SMS members' qualifications were verified	The one SMS member's qualifications were not verified as it was a political appointment

Table 25 above shows that only the Office of the Premier, the departments of Social Development as well as Sport, Arts and Culture verified all their SMS members' qualifications. The Department

³⁰ DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

of Transport, Safety and Liaison did not verify one SMS member's qualifications because they considered the appointment as a political appointment. The main reason for not verifying qualifications cited by other departments was that the candidates were transferred from other departments. It is worth noting that both the departments of Co-operative Governance, Human Settlement and Traditional Affairs (COGHSTA) as well as Education reported that they did not verify any SMS members' qualifications, which is a clear transgression of the Public Service prescripts. The Department of COGHSTA did not provide reasons thereof, however, the Department of Education indicated that it did not verify qualifications due to HR capacity challenges and others were not verified as they were transferred into the department. The Department of Health reported that the outstanding verifications were not conducted as the posts in question were occupied in an 'acting'.

5.9.3 Interventions introduced to address circumstances where incumbents did not meet requirements

The Department of Economic Development and Tourism indicated that all SMS members had access to the departmental bursary scheme, but did not indicate if the affected SMS members were granted bursaries or if any have since improved their qualifications. The Department of Transport, Safety and Liaison indicated that a bursary was granted to one of the SMS members, however, the qualification had not been completed at the time of reporting. The Office of the Premier and the Department of Roads and Public Works reported that in the event that SMS members' do not meet the minimum requirements, affected officials are encouraged to study further but no outcome has been reported as a result. The Department of Health went further by engaging the affected officials to assist them to develop a qualification improvement plan in line with the Workplace Skills Plan (WSP). The results of these interventions were not reported.

5.9.3 Overview for Northern Cape provincial departments

The data shows that in the Northern Cape, 89% of SMS members are qualified for the posts they occupy. Only two departments, Provincial Treasury and the Department of Sport, Arts and Culture reported that 100% of their SMS members are qualified for the posts they occupy. A key department such as Economic Development and Tourism has nearly 50% of their senior managers not meeting the qualifications levels the positions they occupy. The interventions to address the qualifications gaps highlighted by some departments included offering bursaries and encouraging SMS members without qualifications to further their studies.

There were only two departments that verified all SMS members' qualifications and other departments had cases whereby some SMS members' qualifications were not verified mainly due to the fact that the employees were transferred from other departments. Other reasons for not verifying qualifications included HR capacity constraints, political appointment or transfers. There were even more extreme cases whereby two departments did not verify any of the SMS members' qualifications.

The OTP and the Provincial Legislature should hold these departments accountable for the flagrant transgression of government prescripts and should further urge these departments to submit information and concise reports regarding the verification of qualifications of their SMS members to the Provincial Legislature and the PSC before September 2024.

5.10 Findings for North West provincial departments

Table 26 below shows the total number of provincial departments in the North West that participated in the inquiry. The Table shows that 11 of the 12 departments complied with the request from the PSC to provide data for the inquiry. The Department of Education was the only department that did not provide the required information.

Table 26: Submission rate by North West provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture and Rural Development	Yes	
Arts, Culture, Sports and Recreation	Yes	
Community Safety and Transport Management	Yes	
Cooperative Governance and Traditional Affairs	Yes	
Economic Development, Environment, Conservation and Tourism	Yes	
Health	Yes	
Office of the Premier	Yes	
Human Settlements	Yes	
Provincial Treasury	Yes	
Public Works and Roads	Yes	
Social Development	Yes	
Education		No

5.10.2 North West SMS Members' Qualifications profile

As at 30 November 2023, the 11 departments that participated in the inquiry had 303 SMS members, which is 41 below the 344 total number of SMS members across all provincial departments, as depicted in Figure 1 above. Possibly, the 41 could be attributed to the non-participation of the Department of Education. **Table 27** below shows the total number of SMS members in each department who hold the required qualifications for the posts they occupy, and those who do not meet the requirements.

Table 27: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture and Rural Development	25	22	3	88%
Arts, Culture, Sports and Recreation	16	13	3	81,25%
Community Safety and Transport Management	27	25	2	92,59%

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Cooperative Governance and Traditional Affairs	20	19	1	95%
Economic Development, Environment, Conservation and Tourism	23	Information not provided	Information not provided	
Health	50	49	(information not provided, it is assumed that the 1 SMS member did not have the requisite qualifications)	98%
Human Settlements	14	12	2	85,71%
Office of the Premier	44	28	2 SMS members were PSA Section 12A appointments and no information was provided for the remaining 14, but it can be assumed that they did not meet the requisite qualifications.	63,64%
Provincial Treasury	36	Information not provided	Information not provided	
Public Works and Roads	24	19		79.17%
Social Development	24	24	0	100%
Total	303	211	56*	69,64%

*The total number includes cases whereby departments did not provide the information and the PSC assumed the members did not have the required qualifications

Table 27 above Figure 13 below shows that 70% of the 303 SMS members from the participating North West departments are qualified for the posts they occupy and the remainder do not.

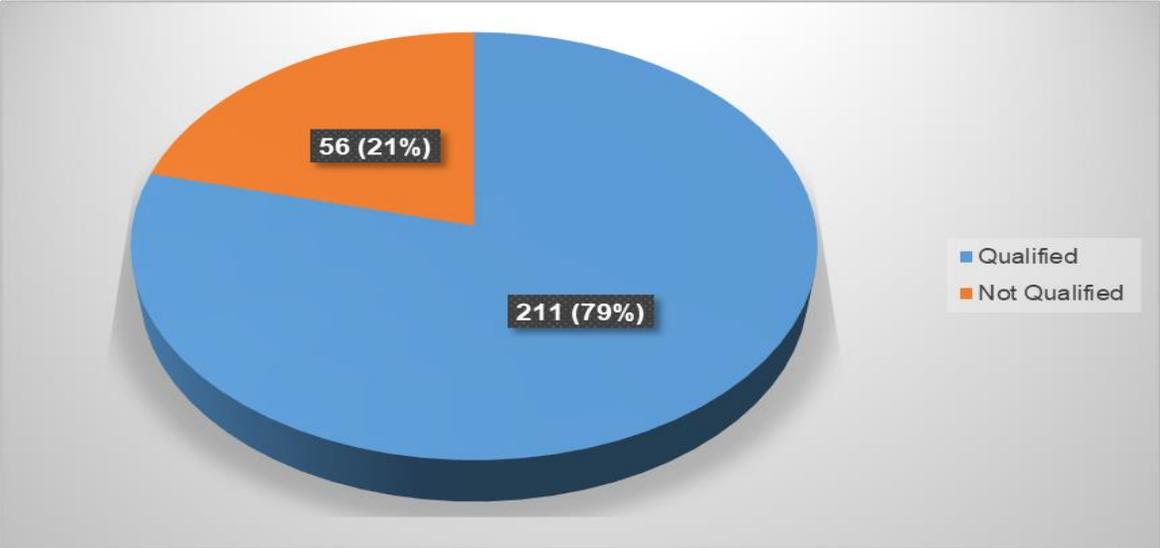


Figure 13: North West SMS Members who qualified in terms of the 2015 DPSA Directive

It should, however, be noted that the Department of Economic Development, Environment, Conservation and Tourism and Provincial Treasury did not complete all the required information and this caused challenges in terms of computing the totals from the data. The Department of Social Development was the only department that indicated that all SMS members within their department met the minimum requirements for their respective posts. Most of the departments that did not meet the minimum were appointed before 2016 and only five (5) SMS were appointed after April 2016 - these statistics exclude the two departments that did not complete the required information properly.

5.10.2 North West SMS Members' Qualification Verification Status

Public Service departments are expected to comply with relevant legislative frameworks when recruiting and appointing employees. According to the DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended³¹, all SMS members must have a qualification that is recognised by SAQA at a NQF Level 7 or higher. And it is imperative that all qualifications should be verified with SAQA before an employee is appointed as stated in the National Qualifications Framework act, but in practice this is not always the case. **Table 28** below shows the status of qualification verifications per department and reasons non-verification.

Table 28: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture and Rural Development	23 of the 25 SMS members' qualifications were verified	No reasons provided
Arts, Culture, Sports and Recreation	All qualifications were verified	
Community Safety and Transport Management	23 of the 27 SMS members' qualifications were verified	No reasons provided
Cooperative Governance and Traditional Affairs	16 of the 20 SMS members' qualifications were verified	No reasons provided
Economic Development, Environment, Conservation and Tourism	All qualifications were verified	
Health	49 of the 50 SMS members' qualifications were verified	No reasons provided
Human Settlements	All qualifications were verified	
Office of the Premier	42 of the 44 SMS members' qualifications were verified	PSA Section 12A appointments
Provincial Treasury	All qualifications were verified	
Public Works and Roads	All qualifications were verified	
Social Development	23 of the 24 SMS members' qualifications were verified	No reasons provided

³¹ DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

Table 28 above shows that only four departments verified all their SMS members' qualifications. Other departments did not provide reasons for not concluding all the qualification verifications, with the exception of the Office of the Premier that indicated that the two SMS members whose qualifications were not verified were appointed in terms of Section 12A of the Public Service Act, 1994, as amended.

5.10.3 Interventions introduced to address circumstances where incumbents did not meet requirements

Departments did not provide information regarding SMS members who do not possess the required qualifications or interventions implemented to address the gaps. What could be described as unacceptable given their role in championing good governance in a province, the Office of the Premier could only confirm that 64% of their SMS members' as qualified for the posts they are appointed into. None of the departments that participated in the inquiry provided any interventions or measures that were put in place to ensure that gap in terms of qualification is addressed. The Department of Public Works and Roads indicated that three of the five SMS members who did not meet the minimum requirements were in the process of furthering their studies. The other two SMS members were transferred or placed into their current posts and the department did not put any interventions in place.

5.10.4 Overview for North West provincial departments

The data provided shows that 70% of SMS members from the 11 North West provincial departments that participated in the inquiry are qualified for the posts they occupy. There are, however, departments that did not complete all the relevant information and the omission may have distorted the results. In terms of the verification of qualifications, only four departments verified all their SMS members' qualifications and other departments did not provide reasons for not concluding all the qualification verifications, with the exception of the Office of the Premier. The low level of compliance is an area of concern that requires the Provincial Government and the Legislature to place under scrutiny. The Provincial Office of the PSC would also need to conduct a follow-up engagement with departments on the recruitment and selection practices at SMS level amongst certain departments in the province.

5.11 Findings for Western Cape provincial departments

The Western Cape provincial administration consists of 13 departments and the Department/Office of the Premier consolidated responses on behalf of all departments. **Table 29** below shows that all provincial departments in the Western Cape participated in the study.

Table 29: Submission rate by Western Cape provincial departments

Name of Department	Signed and submitted	Not submitted
Agriculture	Yes	
Cultural Affairs and Sport	Yes	
Economic Development and Tourism	Yes	
Education	Yes	

Name of Department	Signed and submitted	Not submitted
Environmental Affairs and Development Planning	Yes	
Health and Wellness	Yes	
Infrastructure	Yes	
Local Government	Yes	
Mobility	Yes	
Office of the Premier	Yes	
Police Oversight and Community Safety	Yes	
Provincial Treasury	Yes	
Social Development	Yes	

5.11.1 Western Cape SMS Members' Qualifications profile

As at 30 November 2023, the 13 departments that participated in the inquiry had 379 SMS members, a slight reduction from the 383 depicted in Figure 1 based on the September 2023 statistics. **Table 30** below shows the total number of SMS members in each department who are appropriately qualified for the posts they occupy and those who do not meet the qualifications requirements.

Table 30: The extent that SMS members qualified for their posts per department

Name of Department	Total SMS members	SMS members who qualified for posts in terms of qualifications / NQF levels	SMS members who did not qualify for posts in terms of qualifications / NQF levels	% of SMS members who met requirements
Agriculture	15	15	0	100%
Cultural Affairs and Sport	11	10	1	90.91%
Economic Development and Tourism	22	20	2	90.91%
Education	45	42	3	91.11%
Environmental Affairs and Development Planning	24	23	1	95.83%
Health and Wellness	64	61	3	95.31%
Infrastructure	45	40	5	88.89%
Local Government	15	14	1	93.33%
Mobility	18	17	1	94.44%
Office of the Premier	63	59	4	93.65%
Police Oversight and Community Safety	11	11	0	100%
Provincial Treasury	23	23	0	100%
Social Development	23	21	2	91.30%
Total	379	356	23	93.93%

The data as illustrated in **Table 30** above and **Figure 14** below showed that 94% of the 379 SMS members in the Western Cape met the minimum educational requirements and approximately 6% did not meet the minimum requirements.

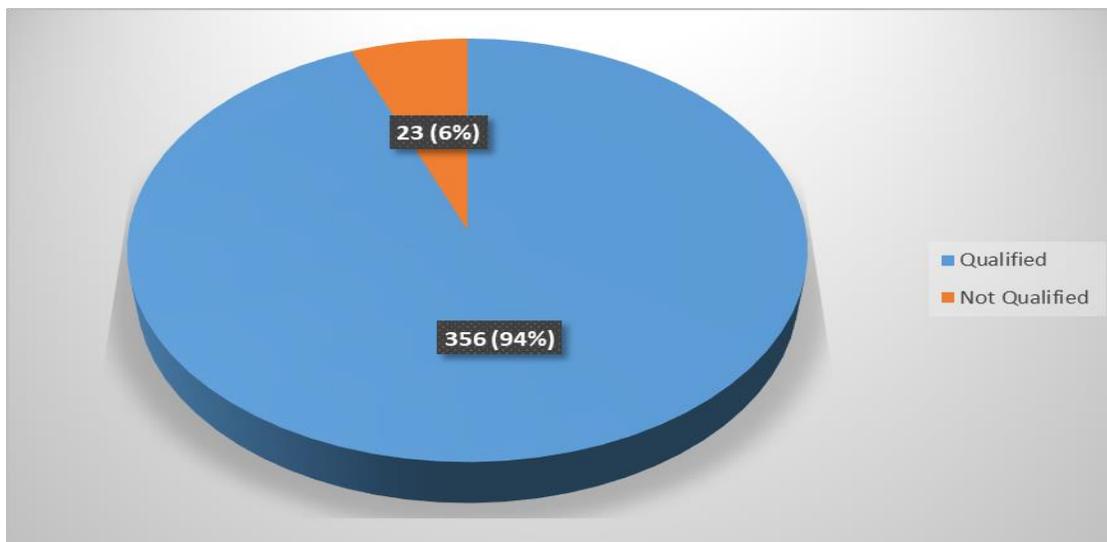


Figure 14: Western Cape SMS Members who qualified in terms of the 2015 DPSA Directive

The Department of the Premier indicated that SMS members who did not meet the requirements were appointed prior to the introduction of the DPSA Directive on Compulsory Capacity Development, Mandatory Training days and Minimum Entry Requirements and Competency Based Assessments in 2015. The departments of Agriculture, Police Oversight and Community Safety and the Provincial Treasury were the only departments that reported that 100% of SMS members within their departments are qualified for their respective posts. All other departments reported 90%-95%, whereas the only department that reported less than 90% is Infrastructure, with 89%.

5.11.2 Western Cape SMS Members' Qualification Verification Status

According to the DPSA Directive, 2017 as amended³², departments are expected to ensure that all SMS members have a qualification that is recognised by SAQA at a NQF Level 7 or higher. **Table 31** below shows that there is general non-compliance with this requirement by most departments in the province.

Table 31: Qualification verification status per department

Name of Department	Qualification Verification Status	Reason for non-verification
Agriculture	9 of the 15 SMS members' qualifications were verified	Files not available for the remaining 6 SMS members
Cultural Affairs and Sport	8 of the 11 SMS members' qualifications were verified	Files not available for the remaining 3 SMS members
Economic Development and Tourism	All qualifications were verified	

³² DPSA.2017. DPSA: Directive on compulsory capacity development, mandatory training days and minimum entry requirements for SMS, 2017 as amended

Name of Department	Qualification Verification Status	Reason for non-verification
Education	No verification conducted	No reasons provided
Environmental Affairs and Development Planning	18 of the 24 SMS members' qualifications were verified	Files not available for the remaining 6 SMS members
Health and Wellness	46 of the 64 SMS members' qualifications were verified and 5 of the 64 SMS members' qualifications were partially verified	There were no files available for 12 SMS members and the OTP was awaiting for confirmation for 1 SMS member at the time of reporting
Infrastructure	24 of the 45 SMS members' qualifications were verified	Files not available for the 14 SMS members and 7 SMS members were transferred into their posts
Local Government	9 of the 15 SMS members' qualifications were verified	Files not available for the remaining 6 SMS members
Mobility	Only 1 of the 18 SMS member's qualifications were verified	17 SMS members were transferred into their current posts and as a result their qualifications were not verified
Office of the Premier	35 of the 63 SMS members' qualifications were verified	Files not available for the remaining 28 SMS members
Police Oversight and Community Safety	8 of the 11 SMS members' qualifications were verified	Files not available for the remaining 3 SMS members
Provincial Treasury	21 of the 23 SMS members' qualifications were verified	Files not available for the remaining 3 SMS members
Social Development	19 of the 23 SMS members' qualifications were verified	Files not available for the remaining 3 SMS members

Table 31 above shows that the Department of Economic Development and Tourism was the only department in the Western Cape that verified all their SMS members' qualifications. In contrast the Department of Education was the only department that did not verify any of the SMS members' qualifications and no reasons were provided. Due to restructuring and other reasons, the OTP did not have files for all their SMS members, as a result could not confirm the verification status for the outstanding SMS members' qualifications. The Department of Health and Wellness said they used Dots Africa and the Managed Integrity Evaluation (MIE) to verify their SMS members' qualifications.

5.11.3 Interventions introduced to address circumstances where incumbents did not meet requirements

With regards to SMS members who did not possess the relevant qualifications, the Department of the Premier indicated that departments did not institute any measures or interventions after recognizing the imminent retirement of some of the SMS members and the potentially limited timeframe for realizing a return on investment in formal qualifications. The observation regarding retirement is consistent with the fact that approximately 59% of SMS members in the Public Service, as depicted in **Figure 3** above, are between the age of 50 and 65.

5.11.4. Overview for Western Cape provincial departments

Data from the Western Cape provincial departments showed that 94% of SMS members met the minimum educational requirements for their posts. In terms of the verification of qualifications,

only one department has verified all their SMS members' qualifications while other departments did not comply. The Department of Education did not verify any qualification and no reasons were provided. This should be followed upon by the Premier's office. Interesting,

CHAPTER 6: CONCLUSION AND RECOMMENDATIONS

6.1 Introduction

This section presents the overall observations and conclusion resulting from the analysis of data from both national and provincial departments. While specific suggestions and recommendations are made at the end of the analysis for national departments (in Chapter 4) and under each provincial administration sub-section (in Chapter 5), cross cutting recommendations are outlined in this section.

6.2 Conclusion

In terms of qualifications, the existing regulatory frameworks have gradually resulted in SMS members, especially those who were appointed after April 2016, being in possession of the minimum requisite qualifications (NQF 7 and NQF 8) for their positions than was the case before. While most departments are doing well in ensuring that appointed SMS members meet the required requirements, it is concerning that there are isolated instances in few departments that have not fully complied with ensuring that newly appointed or promoted SMS members meet the minimum requirements that were introduced through the 2015 MPSA Directive on minimum entry requirements, and further strengthened through the adoption of the PSR, 2016. What makes matters worse is that in many instances of such non-compliance with the Directive, departments did not request a deviation from the MPSA before effecting the appointments and the reasons for non-compliance are unclear.

The findings further suggest that whilst departments were urged to implement interventions to address SMS member's qualifications gaps, there was little they could do especially if the affected employees were not willing or able to upgrade their qualifications. In several departments, bursaries were offered to incumbents but the offtake seems to have been minimal. In instances where the non-qualifying employees who did not want to further their studies or accepted the departmental bursary but did not complete their studies, departments had no alternative solutions/interventions. Furthermore, the inquiry has revealed that many departments have not updated the qualifications of their SMS members on PERSAL, and there are instances of failure to verify qualifications. The failure to update PERSAL has and will continue to contribute to misinformation about the qualifications of SMS members in the Public Service.

With regard to other mandatory requirements, there was consistency across all departments in complying with advertisements for various posts. The advertisements of posts in departments included the qualifications requirements, NQF level and the minimum years of experience required for each post. In addition, the findings confirmed that most departments advertised posts in line with the job evaluation results. There are however instances where posts were not advertised due to transfers, ministerial appointments or organisational restructuring.

Departments also updated the advertisements of their posts to include the Nyukela pre-entry programme for SMS members, which was introduced in 2020. In the case of specialised roles such as health professionals and construction professionals who are required to register with relevant professional bodies, such requirements are also stipulated. Furthermore, there were departments that required legal experts to be admitted as advocates or attorneys.

Departments are also required to evaluate their posts before they advertise them. However, the data showed that some departments are not complying. As a result of this situation, some departments are still issuing ambiguous requirements such as 'appropriate or relevant qualification', which leaves room for manipulation. Such challenge can be remedied easily if departments took time to ensure that job descriptions, job evaluations and advertisements contain specific qualifications requirements for each post.

In the case of ministerial appointments, the handbook is clear on the processes to be followed and the appointment requirements are also specified. However, there were departments that filled posts through the ministerial handbook and only three of those SMS members met the minimum requirements of the posts.

6.3 Recommendations

The Public Service has made great progress in implementing relevant legislative frameworks that guide the recruitment and selection of SMS members. Most SMS members are in possession of the NQF levels 7 and 8 as expected, though not all reported qualifications have been verified. Therefore, there are areas of improvement to ensure complete compliance in an effort to professionalise the Public Service. Therefore, the PSC proposes the following measures:

- The DPSA should regulate the capturing of all qualifications information on PERSAL and this should be done within 12 months from the issuing of this report.
- The DPSA should compel departments to comply with the Ministerial Handbook/Guide for all Ministerial appointments and must take action against departments that deviate from the Handbook/Guide.
- The DPSA must issue guidelines on the management of transfers during organisational restructuring/reorganisations that will ensure that SMS members are placed in positions they qualify for, or are properly capacitated to prepare them for their new roles.
- The DPSA must direct all departments with SMS members who still do not meet minimum qualifications requirements to submit plans on how the gaps will be addressed with clear time frames to enable proper monitoring of those plans.
- Departments must complete the verification of qualifications before appointing potential employees within the Public Service, without exonerating employees from misrepresenting their qualifications.

- In line with their oversight mandate, National and Provincial Legislatures should hold departments that did not respond to the PSC's inquiry accountable.
- Accounting Officers must take responsibility for implementing consequence management measures in instances where non-compliance with the relevant prescripts has been reported.
- Departments should encourage employees to register for Recognition of Prior Learning Programmes, where it is deemed relevant.