

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 11 FEBRUARY 2021**

**QUESTION NO.: 219**

**Dr M M Gondwe (DA) to ask the Minister for the Public Service and Administration:**

(1) What (a) total number of employees are currently on suspension with pay pending finalisation of their disciplinary cases in each (i) province, (ii) department, (iii) salary level and (b) is the nature of the disciplinary offence that each employee is alleged to have committed;

(2) what is the average turnaround period for cases of employees that have been suspended with pay pending finalisation of their disciplinary cases by various government departments;

(3) what total amount has the Government spent (a) in the 2019-20 financial year and (b) since 1 April 2020 year in salaries for employees that have been suspended with pay pending finalisation of their disciplinary cases;

(4) what measures and/or systems has the department put in place to ensure that a public servant who is suspended with pay in one government department is unable to get employment at another government department until their disciplinary cases are finalised? **NW222E**

**REPLY:**

The information utilised in responding to the above questions is based on information captured on PERSAL for the reporting period ending January 2021.

**Question 1: What (a) total number of employees are currently on suspension with pay pending finalisation of their disciplinary cases in each (i) province, (ii) department?**

|  |  |
| --- | --- |
| **Number of persons actively on Suspension with full pay pending the finalisation of their disciplinary cases**  **as at the end of January 2021** | |
| **Description** | **Number of persons** |
| **Total (ALL)** | **6344** |
| i)Provinces: | 292 |
| Eastern Cape | 31 |
| Free State | 26 |
| Gauteng | 94 |
| KwaZulu-Natal | 43 |
| Limpopo | 11 |
| Mpumalanga | 13 |
| North West | 18 |
| Northern Cape | 31 |
| Western Cape | 25 |
| ii)National Departments: | 6052 |

**Question 1 cont.: What is the (iii) salary level?**

|  |  |
| --- | --- |
| **Salary level of suspended officials**  **as on January 2021** | |
| **Salary level of officials** | **Number of persons** |
| **Total (ALL)** | **6344** |
| Not identified | 2 |
| 2 | 21 |
| 3 | 29 |
| 4 | 12 |
| 5 | 1940 |
| 6 | 1371 |
| 7 | 1129 |
| 8 | 571 |
| 9 | 893 |
| 10 | 184 |
| 11 | 31 |
| 12 | 93 |
| 13 | 46 |
| 14 | 16 |
| 15 | 4 |
| 16 | 2 |

**Question 1 cont.: What (b) is the nature of the disciplinary offence that each employee is alleged to have committed?**

|  |  |
| --- | --- |
| **Number of persons actively on Suspension with  full pay by Misconduct**  **as on January 2021** | |
| **Nature of disciplinary offence** | **Number of persons** |
| Total (ALL) | 6344 |
| Not identified/indicated | 3608 |
| ABSENT FROM WORK WITHOUT REASON OR PERMISSION | 25 |
| ACCEPT COMPENSATION WITHOUT APPROVAL FROM EMPLOYER | 16 |
| DAMAGES AND/OR CAUSES LOSS OF STATE PROPERTY | 31 |
| DISCRIMINATES AGAINST OTHERS | 3 |
| ENDANGERS LIVES BY DISREGARDING SAFETY RULES | 20 |
| FAILS TO CARRY OUT ORDER OR INSTRUCTION | 20 |
| FAILS TO COMPLY WITH OR CONTRAVENES AN ACT | 578 |
| FALSE STATEMENT/EVIDENCE IN EXECUTION OF DUTY | 36 |
| FALSIFIES RECORDS OR ANY DOCUMENTS | 32 |
| INTIMIDATES/VICTIMISE OTHERS | 287 |
| MISUSES POSITION TO PROMOTE POLITICAL PARTY | 7 |
| MONEY LENDING SCHEME IN TIME/ON PREMISES OF STATE | 31 |
| PARTICIPATE IN UNLAWFUL INDUSTRIAL ACTION | 18 |
| PERFORMS POORLY FOR REASONS OTHER THAN INCAPACITY | 84 |
| POSSESSES FIREARM/DANGEROUS WEAPON ON STATE PREMISES | 197 |
| POSSESSES OR WRONGFULLY USES PROPERTY OF STATE | 392 |
| PREJUDICES ADMINISTRATION OF ORGANISATION OR DEPT | 57 |
| PREVENT OTHERS TO BELONG TO TRADE UNION OR BODY | 208 |
| REFUSE TO OBEY SECURITY REGULATIONS | 79 |
| REMUNERATIVE WORK OUTSIDE THE DEPT WITHOUT APPROVA | 46 |
| SEXUAL HARASSMENT | 9 |
| SLEEPS ON DUTY WITHOUT APPROVAL | 285 |
| STEALS, BRIBES OR COMMITS FRAUD | 4 |
| UNDER INFLUENCE OF HABIT-FORMING/STUPEFYING DRUG | 86 |
| WILFULLY OR NEGLIGENTLY MISMANAGES FINANCES | 185 |

**Question 2: What is the average turnaround period for cases of employees that have been suspended with pay pending finalisation of their disciplinary cases by various government departments?**

|  |  |  |  |
| --- | --- | --- | --- |
| **Average number of months employees are suspended**  **for the Financial Year 2019/2020 to 2020/2021** | | | |
| **National and Provincial Departments** | | | **Average Number of Months** |
| Eastern Cape |  |  |  |
| Cooperative Governance and Traditional Affairs |  | 1 |
| Health |  | 4 |
| Human Settlements |  | 2 |
| Office of the Premier |  | 0 |
| Provincial Treasury |  | 13 |
| Roads and Public works |  | 6 |
| Rural Development and Agrarian Reform |  | 3 |
| Safety and Liaison |  | 2 |
| Social Development |  | 2 |
| Sport, Recreation, Arts and Culture |  | 2 |
| Transport |  | 2 |
| Free State |  |  |  |
| Health |  | 0 |
| Human Settlements |  | 5 |
| Office of the Premier |  | 0 |
| Police, Roads and Transport |  | 6 |
| Provincial Treasury |  | 0 |
| Public Works |  | 2 |
| Social Development |  | 13 |
| Gauteng |  |  |  |
| Community Safety |  | 1 |
| E-Government |  | 0 |
| Education |  | 3 |
| Health |  | 1 |
| Human Settlements |  | 3 |
| Provincial Treasury | Provincial Treasury | 4 |
| Roads and Transport |  | 1 |
| KwaZulu-Natal |  |  |  |
| Agriculture and Rural Development |  | 0 |
| Arts and Culture |  | 2 |
| Co-operative Governance and Traditional Affairs |  | 6 |
| Economic Development, Tourism and Environmental Affairs |  | 7 |
| Education |  | 2 |
| Finance |  | 3 |
| Health |  | 1 |
| Human Settlements |  | 4 |
| Public Works |  | 2 |
| Social Development |  | 2 |
| Sport and Recreation |  | 4 |
| Limpopo |  |  |  |
| Co-operative Governance, Human Settlements and Traditional Affairs |  | 0 |
| Education |  | 2 |
| Health |  | 1 |
| Public Works, Roads and Infrastructure |  | 1 |
| Social Development |  | 0 |
| Transport and Community Safety |  | 0 |
| Mpumalanga |  |  |  |
| Agriculture, Rural Development, Land and Environmental Affairs |  | 7 |
| Community Safety, Security and Liaison |  | 0 |
| Economic Development and Tourism |  | 21 |
| Education |  | 2 |
| Human Settlements |  | 3 |
| Public Works, Roads and Transport |  | 0 |
| Social Development |  | 1 |
| National |  |  |  |
| Agriculture, Forestry and Fisheries |  | 4 |
| Agriculture, Land Reform and Rural Development |  | 2 |
| Correctional Services |  | 3 |
| Employment and Labour |  | 1 |
| Health |  | 1 |
| Higher Education and Training |  | 3 |
| Home Affairs | Home Affairs | 0 |
| Human Settlements |  | 12 |
| Independent Police Investigative Directorate |  | 0 |
| International Relations and Cooperation |  | 4 |
| Justice and Constitutional Development | Justice and Constitutional Development | 7 |
| National Prosecuting Authority | 3 |
| Military Veterans |  | 2 |
| National Treasury | Government Pensions Administration Agency | 3 |
| National Treasury | 2 |
| Office of the Chief Justice |  | 6 |
| Office of the Public Service Commission |  | 4 |
| Planning, Monitoring and Evaluation |  | 0 |
| Police |  | 2 |
| Public Enterprises |  | 6 |
| Public Service and Administration | Public Service and Administration | 0 |
| Public Works and Infrastructure |  | 0 |
| Science and Innovation |  | 3 |
| Small Business Development |  | 3 |
| Social Development |  | 2 |
| Sport and Recreation South Africa |  | 1 |
| Sport, Arts and Culture |  | 1 |
| Statistics South Africa |  | 2 |
| Tourism |  | 0 |
| Trade, Industry and Competition |  | 10 |
| Transport |  | 4 |
| Water and Sanitation |  | 4 |
| Women, Youth and Persons with Disabilities |  | 5 |
| North West |  |  |  |
| Agriculture and Rural Development |  | 2 |
| Cooperative Governance and Traditional Affairs |  | 5 |
| Economic Development, Environment, Conservation and Tourism |  | 2 |
| Health |  | 2 |
| Human Settlements |  | 9 |
| Provincial Treasury |  | 0 |
| Northern Cape |  |  |  |
| Education |  | 2 |
| Health |  | 1 |
| Social Development |  | 2 |
| Sport, Arts and Culture |  | 1 |
| Transport, Safety and Liaison |  | 5 |
| Western Cape |  |  |  |
| Community Safety |  | 10 |
| Education |  | 0 |
| Health |  | 1 |
| Local Government |  | 6 |
| Social Development |  | 3 |

**Question 3: What total amount has the Government spent (a) in the 2019-20 financial year and (b) since 1 April 2020 year in salaries for employees that have been suspended with pay pending finalisation of their disciplinary cases?**

1. Financial year 2019-20 : Total amount R2,418,531,658.20
2. Financial year 2020-21 (end of January 2021) : Total amount R2,080,977,700.20

**Question 4: What measures and/or systems has the department put in place to ensure that a public servant who is suspended with pay in one government department is unable to get employment at another government department until their disciplinary cases are finalised?**

In January 2021, a revisedZ83 form (application for employment form) was introduced which amongst others addresses the issue of employees trying to escape disciplinary procedures, as one question in the form requires the employee to indicate if he or she is facing disciplinary charges. After a person is employed and it is discovered that she/he lied on the application form, the person will be dismissed.

Furthermore, section 16B (4) and (5) of the Public Service Act, 1994 allows for employees to be disciplined for misconduct allegedly committed in their former department, when they are appointed in a new department.

End