

# ANNUAL REPORT 2020/21





# **Education Labour Relations Council (ELRC)**

## **ANNUAL REPORT**

### **2020/21**



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*Alan Thompson*



*Sello Tshabalala*

***In loving memory***

*Death is a cruel reminder that our passage through the early realm is fleeting, that our limited time should be fixated on the good, that our passions should be such that it enriches the lives of others, that our work should be a monument of a life well lived, in service of others.*

BL

You will be remembered  
as true leaders in the  
education fraternity.



# GENERAL INFORMATION

## 1. ELRC General Information

**Registered Name:** Education Labour Relations Council

**Registration Number:** LR2/6/6/110

**Country of Incorporation:** South Africa

**Nature of Entity's Operations:** Bargaining Council

**Physical Address:** 261 West Avenue  
Centurion  
0046

**Postal Address:** Private Bag X126  
Centurion  
0046

**Telephone Number/s:** +27 12 663 7446

**Fax Number:** +27 12 643 1601

**Email Address:** [enquiries@elrc.org.za](mailto:enquiries@elrc.org.za)

**Website Address:** [www.elrc.org.za](http://www.elrc.org.za)

**External Auditors:** Ngubane & Co (Jhb) Inc.

**Bankers:** First National Bank

## 2. List of Abbreviations and Acronyms

|                  |                                                                                      |
|------------------|--------------------------------------------------------------------------------------|
| <b>Adv</b>       | Advocate                                                                             |
| <b>APP</b>       | Annual Performance Plan                                                              |
| <b>ARC</b>       | Audit and Risk Committee                                                             |
| <b>ATR</b>       | Annual Training Report                                                               |
| <b>BCEA</b>      | Basic Conditions of Employment Act                                                   |
| <b>BCP</b>       | Business Continuity Plan                                                             |
| <b>CCMA</b>      | Commission for Conciliation, Mediation and Arbitration                               |
| <b>CFO</b>       | Chief Financial Officer                                                              |
| <b>COID</b>      | Compensation for Injuries on Duty                                                    |
| <b>COVID-19</b>  | Coronavirus Disease of 2019                                                          |
| <b>CPTD</b>      | Continuing Professional Teacher Development                                          |
| <b>CTLI</b>      | Cape Teaching Leadership Institute                                                   |
| <b>CTT</b>       | Core Training Team                                                                   |
| <b>CTU-ATU</b>   | Combined Trade Union – Autonomous Trade Union                                        |
| <b>DBE</b>       | Department of Basic Education                                                        |
| <b>DCAPS</b>     | Differentiated Curriculum Assessment Policy Statements                               |
| <b>DMS</b>       | Dispute Management Services                                                          |
| <b>DoE</b>       | Department of Education                                                              |
| <b>DPS</b>       | Dispute Prevention Strategy                                                          |
| <b>DPTT</b>      | Dispute Prevention Task Team                                                         |
| <b>DSD</b>       | Department of Social Development                                                     |
| <b>EC</b>        | Eastern Cape Province                                                                |
| <b>ECD</b>       | Early Childhood Development                                                          |
| <b>ECEAC</b>     | Eastern Cape Education Advisory Council                                              |
| <b>ECSECC</b>    | Eastern Cape Socio-Economic Consultative Council                                     |
| <b>EE</b>        | Employment Equity                                                                    |
| <b>EEA</b>       | Employment of Educators Act                                                          |
| <b>EHW</b>       | Employee Health and Wellness                                                         |
| <b>ELRC</b>      | Education Labour Relations Council                                                   |
| <b>EMS</b>       | Education Management Service                                                         |
| <b>ENE</b>       | Estimates of National Expenditure                                                    |
| <b>ETDP SETA</b> | Education Training and Development Practices Sector Education and Training Authority |
| <b>EXCO</b>      | Executive Committee                                                                  |
| <b>FAMSA</b>     | Family and Marriage Society of South Africa                                          |
| <b>FAR</b>       | Fixed Assets Register                                                                |
| <b>FET</b>       | Further Education and Training                                                       |
| <b>FETC</b>      | Further Education and Training Colleges                                              |
| <b>4IR</b>       | Fourth Industrial Revolution                                                         |
| <b>FPP</b>       | Fraud Prevention Plan                                                                |
| <b>FS</b>        | Free State Province                                                                  |
| <b>FSCA</b>      | Free State Collective Agreement                                                      |
| <b>GDE</b>       | Gauteng Department of Education                                                      |

|                |                                                              |
|----------------|--------------------------------------------------------------|
| <b>GET</b>     | General Education and Training                               |
| <b>GP</b>      | Gauteng Province                                             |
| <b>HR</b>      | Human Resources                                              |
| <b>ICT</b>     | Information and Communication Technology                     |
| <b>IFRS</b>    | International Financial Reporting Standards                  |
| <b>IIAL</b>    | Incremental Introduction of African Languages                |
| <b>ILERA</b>   | International Labour and Employment Relations Association    |
| <b>IQMS</b>    | Integrated Quality Management System                         |
| <b>IT</b>      | Information Technology                                       |
| <b>JIT</b>     | Just-in-Time                                                 |
| <b>KPI</b>     | Key Performance Indicator                                    |
| <b>KZN</b>     | KwaZulu-Natal Province                                       |
| <b>LDoE</b>    | Limpopo Department of Education                              |
| <b>LiEP</b>    | Language in Education Policy                                 |
| <b>LOI</b>     | Lesson Observation Instrument                                |
| <b>LP</b>      | Limpopo Province                                             |
| <b>LPTIL</b>   | Long Period Temporary Incapacity Leave                       |
| <b>LRA</b>     | Labour Relations Act                                         |
| <b>LSEN</b>    | Learners with Special Education Needs                        |
| <b>LTSM</b>    | Learning and Teaching Support Material                       |
| <b>MoU</b>     | Memorandum of Understanding                                  |
| <b>MP</b>      | Mpumalanga Province                                          |
| <b>MRTEQ</b>   | Minimum Requirements for Teacher Education Qualifications    |
| <b>MSTA</b>    | Maths, Science and Technology Academy                        |
| <b>MTEF</b>    | Medium-Term Expenditure Framework                            |
| <b>NAPTOSA</b> | National Professional Teachers' Organisation of South Africa |
| <b>NAT</b>     | National                                                     |
| <b>NC</b>      | Northern Cape Province                                       |
| <b>NECT</b>    | National Education Collaboration Trust                       |
| <b>NEHAWU</b>  | National Education Health and Allied Workers' Union          |
| <b>NEPA</b>    | National Education Policy Act                                |
| <b>NSSF</b>    | National School Safety Framework                             |
| <b>NTT</b>     | National Training Team                                       |
| <b>NW</b>      | North West Province                                          |
| <b>OHS</b>     | Occupational Health and Safety                               |
| <b>OSD</b>     | Occupation-Specific Dispensation                             |
| <b>PAM</b>     | Personnel Administrative Measures                            |
| <b>PCTA</b>    | Prevention, Care and Treatment Access                        |
| <b>PELRC</b>   | Provincial Education Labour Relations Council                |
| <b>PERSAL</b>  | Personal and Salary Administration System                    |
| <b>PEU</b>     | Professional Educators Union                                 |
| <b>PFMA</b>    | Public Finance Management Act                                |
| <b>PGC</b>     | Provincial General Council                                   |
| <b>PGP</b>     | Professional Growth Plan                                     |

|               |                                                      |
|---------------|------------------------------------------------------|
| <b>PILIR</b>  | Policy on Incapacity Leave and Ill-Health Retirement |
| <b>PLC</b>    | Professional Learning Communities                    |
| <b>PMDS</b>   | Performance Management Development System            |
| <b>PPE</b>    | Personal Protective Equipment                        |
| <b>PPI</b>    | Programme Performance Indicator                      |
| <b>PM</b>     | Provincial Manager                                   |
| <b>PPM</b>    | Post Provisioning Model                              |
| <b>PPN</b>    | Post Provisioning Norms                              |
| <b>PQLTC</b>  | Provincial Quality of Learning and Teaching Campaign |
| <b>PSCBC</b>  | Public Service Coordinating Bargaining Council       |
| <b>PSLA</b>   | Provincial Strategy on Learner Attainment            |
| <b>PTT</b>    | Provincial Task Team                                 |
| <b>QC</b>     | Quality Control                                      |
| <b>QLTC</b>   | Quality Learning and Teaching Campaign               |
| <b>QMS</b>    | Quality Management System                            |
| <b>QTLP</b>   | Quality Teaching and Learning Programme              |
| <b>REQV</b>   | Relative Education Qualification Value               |
| <b>RPL</b>    | Recognition of Prior Learning                        |
| <b>SACE</b>   | South African Council for Educators                  |
| <b>SADTU</b>  | South African Democratic Teachers' Union             |
| <b>SAOU</b>   | Suid-Afrikaanse Onderwysersunie                      |
| <b>SBD</b>    | Standard Bidding Document                            |
| <b>SCC</b>    | Systems Change Control                               |
| <b>SCM</b>    | Supply Chain Management                              |
| <b>SDL</b>    | Skills Development Levy                              |
| <b>SGBA</b>   | School Governing Body Associations                   |
| <b>SGB</b>    | School Governing Body                                |
| <b>SHE</b>    | Safety, Health and Environment                       |
| <b>SME</b>    | Small and Medium-sized Entity                        |
| <b>SMT</b>    | School Management Teams                              |
| <b>SOP</b>    | Standard Operating Procedure                         |
| <b>SPTIL</b>  | Short-Period Temporary Incapacity Leave              |
| <b>SPW</b>    | Strategic Planning Workshop                          |
| <b>STANCO</b> | Standing Committee                                   |
| <b>TASP</b>   | Teacher Appreciation Support Programme               |
| <b>TD</b>     | Teacher Development                                  |
| <b>ToR</b>    | Terms of Reference                                   |
| <b>TVET</b>   | Technical Vocational Education and Training          |
| <b>UIF</b>    | Unemployment Insurance Fund                          |
| <b>ULP</b>    | Unfair Labour Practice                               |
| <b>VPN</b>    | Virtual Private Network                              |
| <b>WC</b>     | Western Cape Province                                |
| <b>WSP</b>    | Workplace Skills Plan                                |

## 3. STRATEGIC OVERVIEW

### 3.1 Situational Analysis

#### Factors that influence the plans and activities of Council

The following factors influence the core operations of the Council:

##### 3.1.1. *Dispute Management Services*

Dispute Management Services commits to render expedited dispute resolution services to all parties to the Council.

The use of legal representatives impacts the dispute resolution process as cases are not finalised speedily and efficiently, dragging on for more than a year. Legal representatives equate the ELRC arbitration processes to a court of law, instead of conducting processes with minimal legal formalities. Legal representation in the ELRC arbitration processes for alleged misconduct and incapacity hearings are not automatically allowed. Applicants must apply and, after considering the relevant factors associated with such applications, the commissioners either grant or refuse the applications.

The ELRC aims to protect the rights of children by making provision for intermediaries and interpreters during arbitration proceedings. Furthermore, the Council has secured special venues for disputes where learners are either victims or witnesses, such as the magistrate courts.

##### 3.1.2. *Collective Bargaining Services*

The nature of a bargaining council is such that the tension between parties affects the performance of the organisation. The agenda and programme for bargaining is entirely dependent on parties; therefore, the achievement of the Council's objective for collective bargaining is affected if the relationship between parties is not sound.

### 3.2 Performance Delivery Environment

The ELRC is a bargaining council composed of the Department of Basic Education (DBE) and the Department of Higher Education and Training (DHET) as the Employer and the admitted teacher unions.

It operates in the public education labour relations environment and has over the years managed to contribute towards labour peace in public education. To improve the delivery of services, the Council will take steps to improve the efficiencies in dealing with matters of mutual interest and individual rights disputes.

Identified factors that negatively affect the performance of the Council were addressed during the 2020/21 financial year, with the objective of improving areas considered important in contributing to Outcome 1: *"Improved quality of basic education"*.

### 3.3 Vision

To improve the quality of teaching and learning through labour peace.

### 3.4 Mission

Quality services for excellence in teaching.

### 3.5 Values

The Education Labour Relations Council (ELRC) has adopted the following values:

- Professionalism: Promote behaviour that is generally accepted to be correct and proper
- Transparency: Ensure access to information by citizens
- Independence: The right to make informed decisions independently that minimise or avoid conflict of interest
- Accountability: Accepting responsibility for actions and decisions taken with allowance for corrective action and penalty for wrongdoing
- Fairness and equity: Adjudication of grievances and disputes
- Social responsibility: Respond to the social issues of the day
- Efficiency: Delivery of quality services economically

### 3.6 Strategic Outcome-Orientated Goals

**Goal 1:** Research, monitoring and evaluation activities provide an evidence base for improved policies and policy implementation in basic education.

**Goal 2:** Equal importance is attached to proactive dispute prevention and dispute resolution.

**Goal 3:** Collective bargaining processes maximise the scope of the Parties' shared interest.

**Goal 4:** Provide appropriate support and training for all involved in dispute resolution and collective bargaining.

**Goal 5:** Sound communication strategies, special initiatives and campaigns support and complement the core activities of the Council.

**Goal 6:** Strengthen social dialogue through supporting and participating in education initiatives such as the National Education Collaboration Trust (NECT).

## 4. LEGISLATIVE AND OTHER MANDATES

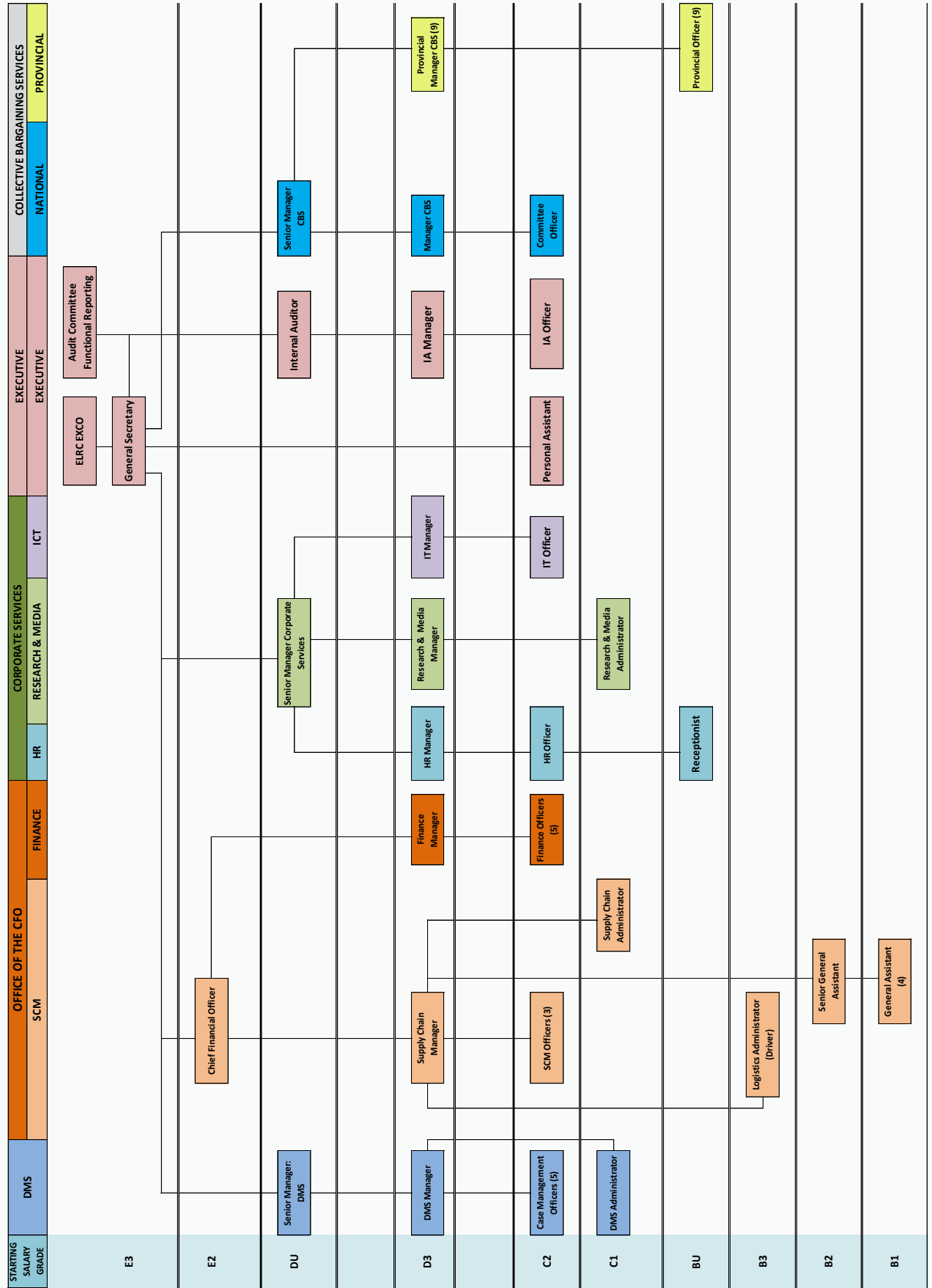
The ELRC operates in terms of the Labour Relations Act (66 of 1995) (as amended) from 01 April 2015.

### **Applicable legislation**

- Labour Relations Act (LRA) 66 of 1995, as amended
- Employment of Educators Act (EEA) 76 of 1998, as amended
- Further Education and Training Colleges (FETC) Amendment Act (3 of 2012)
- Constitution of Republic of South Africa, Section 28(2) – Rights of the Child

## 5. Organisational Structure

ELRC - 2020/21





## 6. Foreword by the Chairperson

It is with great pleasure that I, on behalf of the Executive Committee (EXCO), present the Education Labour Relations Council's annual report for the financial year 01 April 2020 to 31 March 2021. The report demonstrates our commitment to quality education in the public education sector.

The governance structures of the Council demonstrated their commitment to fulfil the ELRC's mandate to maintain labour peace in public education. This is evidenced by the conclusion of key collective agreements during the period under review.

One of the central agreements concluded during this period of improbability in our country was Collective Agreement No. 1 of 2020: *"Concession Process to Follow for Employees with a Comorbidity (COVID-19)."* This agreement demonstrated the commitment of Parties to the Council to ensure the safety of its workforce during the highest alert levels at the beginning of the reporting period.

Parties to Council stood united during this period and were able to continue with the important work to ensure labour peace and contribute significantly to the quality of teaching and learning in public schools. This is evidenced by the exceptional performance of Council in the period under review, despite the challenges brought about by the pandemic in the first quarter of the 2020/21 financial year.

The period under review signals a year of bittersweet victory. Despite overcoming the challenges posed by the pandemic, the Council also laid to rest true champions for public education during this period.

Mr Roger Falken served as the Council's first General Secretary. Mr Sello Tshabalala was a former member of EXCO and a Chief Negotiator for the Employer Party in Gauteng. Mr Alan Thompson was a serving member of EXCO and the Corresponding Officer of the CTU-ATU. Mr Themba Kojana was the Superintendent-General of the Eastern Cape Department of Education, who fiercely supported the initiatives of Council. The Council also lost two of its own employees, Mr Dolin Singh, Provincial Manager of the KwaZulu-Natal PELRC and Mr Frederick Moloisi, Senior Manager: Collective Bargaining Services.

These leaders erected the foundations of the ELRC and will forever remain a central part of our history.

I extend my gratitude to the ELRC management and staff for the strides made during the 2020/21 financial period to achieve the objectives of the Council.

A handwritten signature in black ink, consisting of a stylized 'L' and 'B' intertwined.

---

**Adv. L Bono**

Chairperson, ELRC

## 7. Accounting Officer's Overview



It gives me great pleasure to present the annual report and achievements of the Council for the financial year 01 April 2020 to 31 March 2021.

The start of the 2020/21 financial year depicts an unprecedented period in the history of our country, as a hard lockdown (Level 5) was imposed to minimise the spread of the coronavirus.

Despite the uncertainty and inevitable changes in set plans, the Council managed to record noteworthy achievements during the period under review in relation to its core operations, Dispute Management Services (DMS) and Collective Bargaining Services. The support services achieved a record high of 100% for all units.

In line with our objective to provide efficient dispute resolution services, the Council continued to employ pre-emptive measures to deal with disputes. This includes the dispute prevention committees at provincial level, which continue to contribute to the reduction of disputes on alleged unfair dismissals as well as appointment and promotion disputes.

To accommodate the “new normal” brought about by COVID-19 and in embracing the Fourth Industrial Revolution, the Council's cases were successfully heard through virtual video conferencing, including minimal face-to-face hearings in compliance with set regulations, throughout the period under review.

In giving effect to our intention to provide continuous training for Dispute Resolution Practitioners (DRPs), training was conducted on Collective Agreement No. 3 of 2018 for employee representatives in November 2020 and March 2021. Intermediaries were also trained on the Child Witness and the Arbitration hearing in March 2021.

The training of DRPs improved the efficiencies of the Council in terms of the quality of the outcomes, arbitration awards, settlement agreements and rulings rendered.

At provincial level, five provinces achieved 100%, namely Eastern Cape, Gauteng, KwaZulu-Natal, North West and Northern Cape. The performance at provincial level improved significantly, compared to the 2019/20 financial period. The Western Cape recorded 80%; this was due to the impact that COVID-19 had on the implementation of the Nine-Point-Safe-School planning process. Therefore, the target on safety at educational institutions could not be achieved.

Limpopo recorded 78%. The decline in performance is attributed to reports on curriculum and examinations not presented by the Employer and capacity-building programmes not conducted. The performance of the Free State Chamber also declined during the period under review, due to four targets not being met. The non-achievement primarily relates to the first quarter of the 2020/21 financial year, as no meetings could be convened during the hard lockdown.

The Limpopo Chamber achieved 25% as reports were not presented by the Employer in any of the four quarters of the financial year.

The performance of Collective Bargaining Services: National improved significantly from 60% in the 2019/20 financial year to 75% in the reporting period. Parties to Council demonstrated their commitment to the improvement of education in the public education sector, through the finalisation of a significant collective agreement for the public education system and educators in the 2020/21 period:

- Collective Agreement No. 2 of 2020: Quality Management System (QMS) for School-Based Educators

In actualising the implementation of the agreement, training was provided for all school principals from 01 January 2021. All other school-based educators will receive training from 01 January 2022.

Refresher training on the collective agreement on QMS was also rolled out via virtual means to the Core Training Team (CTT) and the National Training Team (NTT).

The Council recognises that employees are the most valuable assets of any organisation. For this reason, staff wellness programmes were conducted during the period under review to enhance staff morale and encourage a healthy life-work balance. For the period under review, primary focus was placed on the effects of the COVID-19 pandemic on the workforce. Training was provided on COVID-19 and an awareness campaign was launched to remind staff of the practices to ensure safety in the workplace. Regular communication was also fostered to keep staff abreast of countrywide developments in relation to the pandemic. With the adjustment of the alert levels, Council also adapted the work schedule to ensure the safety of employees.

Information and Communication Technology (ICT) is an integral support service of the Council as it serves to safeguard the ELRC's business information and ensure that there are no interruptions in services.

ICT controls were strengthened during the period under review. This includes regular disaster recovery testing and server health checks.

The Office of the General Secretary continues to strengthen financial management, including reviewing and updating the business policies and standard operating procedures. These are anticipated to improve the internal control environment.

Significant effort has been invested in ensuring that financial risks are effectively managed, delivering services on time and in line with the budget, and with all oversight controls in place and rigorously operating.

Identifying risks and opportunities through a systematic process is central to our strategic planning process. Quarterly meetings were convened to review and discuss the strategic and operational risks contained in the Council's risk register. This helped to validate the identified risks and reflect on progress made to monitor these risks.

The level of compliance with laws governing the ELRC is stringently monitored and reported on, including the development of action plans to address areas of non-compliance.

As the Accounting Officer of the ELRC, I am satisfied with the output and delivery of the core business services of the Council. This report demonstrates the commitment of the Council to the principles of transparency, accountability and service delivery.

A handwritten signature in black ink, appearing to read 'Ms NO Foca', is written over a horizontal line.

**Ms NO Foca**  
General Secretary, ELRC





*Frederick Moloisi*



*Dolin Singh*

***In loving memory***

*Our forlorn plea,  
... when the heavens opened to receive its angel,  
for your earthly duty was fulfilled.*

*Our torn hearts hold on to you with reluctance,  
our love for you,  
our appreciation and admiration,  
is out of tune...*

*still living fervently for an angel that must  
now ascend to the heavens.*

*We cannot stop this instant,  
... in synch with your departure,  
to accept the loss of friendship and kinship.*

*Not when your voice is still so clear,  
not when your smile is still so vivid.  
The sweet aroma that was your charming presence,  
still lingers in the air.*

*Angels cannot inhibit this earthly realm  
forever, your presence was meant to  
touch our lives for a minute,  
and remember your gentle ways and teachings  
for a lifetime.*

*Rest well, dear husband, father, brother,  
friend and colleague.*

*Someday our tears will dry,  
we will look to the heavens,  
in remembrance of an honourable man,  
with a heart so pure.*

BL

You will be remembered as  
exemplary colleagues who served the ELRC  
with fierce dedication and passion.



# PERFORMANCE INFORMATION

## 1. Statement of Responsibility for Performance Information

### Statement of Responsibility for Performance Information for the year ended 31 March 2021

In my opinion, the performance information fairly reflects the actual achievements against the planned objectives, indicators and targets, as per the strategic and Annual Performance Plan (APP) of the ELRC for the financial year ended 31 March 2021.

The performance information of the ELRC set out on page 27 to page 155 has been approved by the Executive Committee (Exco) of the Council.

A handwritten signature in black ink, appearing to read 'Ms NO Foca', is written over a horizontal line.

**Ms NO Foca**

General Secretary, ELRC

## 2. OVERVIEW OF ELRC'S PERFORMANCE

### 2.1. Dispute Management Services (DMS)

Dispute Management Services (DMS) commits to render expedited dispute resolution services to all Parties to the Council. For the period under review, the Council ensured that its dispute resolution processes were minimally disrupted by the COVID-19 pandemic. In an effort not to prejudice the parties to the disputes, the Council decided to schedule its cases virtually through Zoom and Microsoft Teams, starting from the first quarter of the 2020/21 financial year. Parties have over time adapted and adjusted themselves seamlessly to the virtual processes.

The use of legal representatives impacts the dispute resolution process as cases are not finalised speedily and efficiently and drag on for more than a year. Legal representatives equate the ELRC arbitration processes to a court of law, instead of conducting processes with minimal legal formalities. Legal representation in the ELRC arbitration processes for alleged misconduct and incapacity hearings are not automatically allowed. Applicants must apply and, after considering the relevant factors associated with such applications, the commissioners either grant or refuse the applications.

The ELRC aims to protect the rights of children by making provision for intermediaries and interpreters during arbitration proceedings. Furthermore, the Council has secured special venues for disputes where learners are either victims or witnesses, such as magistrate courts.

#### 2.1.1. Dispute prevention

The objective of the Council in dispute prevention is to employ a proactive approach and intervene to resolve grievances before they develop into disputes. The Council provides training for practitioners, to both panellists and Parties.

Another mechanism put in place by the Council to prevent disputes is the establishment of dispute prevention committees in all Provincial Chambers. The committees provide a forum for Parties to engage in all areas that are considered to be sites for potential disputes.

#### 2.1.2. Facilitation and intervention

No facilitation and intervention processes were dealt with during the period under review.

#### 2.1.3 Dispute resolution

##### ***Special disputes where a child is a victim***

The Council has observed that there is a considerable number of disputes which are referred to wherein learners are victims or involved as witnesses.

The Council concluded a collective agreement in which all cases of sexual misconduct will be dealt with through section 188A (Inquiry by Arbitrator) of the Labour Relations Act. All matters pertaining to sexual misconduct are referred to the Council once the Department has concluded its investigation. The collective agreement was concluded in September 2018. The Council is continuously engaging with the Department of Justice and Constitutional Development to assist with the utilisation of the Courts for these special cases. The Council is also fulfilling its mandate to report the educators who are found guilty of sexual misconduct to the Department of Social Development to include them in the Register of Sexual Offenders in terms of the Children's Act.

The Council also aims to increase its pool of intermediaries to ensure that all cases in which children appear before the commissioners are dealt with expeditiously and with all the required resources being in place to protect the vulnerability of the children from secondary trauma or victimisation.

## ***Appointments and promotions***

The Council manages appointment and promotion disputes through a collective agreement concluded in the 2016/17 financial year. This collective agreement serves as a guideline for departments, commissioners and practitioners alike when dealing with appointments and promotion issues in the education sector. The guidelines ensure consistent application of the law relating to appointment and promotions in the education sector and to an extent stabilise the labour environment.

## ***Monitoring of implementation of collective agreements and enforcement***

The Council, through its Provincial Chambers, continues to ensure that implementation of collective agreements is monitored. In instances where such is not done, the provisions of the Council's constitution are invoked to ensure enforcement.

## ***Proactive measures in place to deal with disputes:***

- The Council established dispute prevention committees in all Provincial Chambers with the aim to analyse statistics on the above disputes in a bid to address these issues and to identify training needs where necessary.
- The Council continues to provide training to parties and panellists to ensure that they operate effectively and are kept abreast of current labour developments.
- The Council has amended its constitution to align it with the CCMA rules and the LRA.
- The Council continuously recruits panellists, intermediaries and interpreters in order to manage the increased number of referral of disputes.

## **2.2. Collective Bargaining Services**

### ***2.2.1. Early Childhood Development (ECD) work stream***

Due to the COVID-19 pandemic during the period under review, the Education Indaba could not be convened. Council in its bargaining meeting resuscitated the work of the ECD work stream to continue its work. The work of the ECD work stream will continue in the new financial year.

### ***2.2.2. Quality Management System (QMS)***

As a way of providing a standardised framework for employee performance for educators, the Council concluded a QMS collective agreement in the 2015/16 financial year. However, training and advocacy on the agreement could not be conducted as planned during the year under review, as the collective agreement still had to be signed by all Parties.

The QMS collective agreement was signed by all Parties on 10 September 2019 and the training of the CTT and the NTT was conducted in three clusters in February and March 2020.

During the period under review, Council took a decision to review the QMS collective agreement by concluding Collective Agreement No. 2 of 2020 "Quality Management System (QMS) for School-Based Educators" whereby it would be implemented for principals from 01 January 2021 and all other school-based educators from 01 January 2022.

Refresher training on the newly signed collective agreement on QMS was rolled out via virtual means to the CTT and NTT. Council will be monitoring the roll-out of the QMS training.

### ***2.2.3. TVET bargaining unit***

The TVET bargaining unit was resuscitated during the 2020/21 financial year and a number of bargaining meetings were held to discuss matters of mutual interest.

## 2.3. Organisational Environment

### 2.3.1 Funding model

The income of the Council is generated through contributions by the Employer and deductions from the educators. The rate of contributions is determined through negotiations by the Parties to Council. The levy income is fixed for a period of five years, which will end in March 2022; this results in static and fixed flow of secured income.

Parties to Council renegotiate for a further increase in the rate of contributions prior to the end of the five-year period.

The Council's immediate cash requirements are met from the guaranteed income collection, without utilising the accumulated cash reserves which are in place. Council has developed a proposal and the discussions on levy increase continue at the level of Parties to the Council.

### 2.3.2 Human Capital

The Council maintains its status as an employer of choice by attracting professional and credible incumbents.

The Human Resources (HR) unit has a primary responsibility of managing, assisting and dealing with all employee-related matters, including functions such as policy administration, recruitment processes, benefits administration, employee relations and health and safety/risk compliance.

The COVID-19 pandemic posed serious challenges for many organisations, including the Council. The organisation was consequently forced to think out of the box by finding innovative ways of working productively under these unforeseen circumstances.

To ensure a happy workforce, Employee Health and Wellness (EHW) and health and safety remain a key priority of Council. The focus of the HR unit for the 2020/21 financial period was to ensure that the Council's health and wellness programmes were above board to assist in curbing the spread of the virus. HR ensured that Personal Protective Equipment (PPE) was always available for all employees.

The Council strives for excellence and continuous improvement in staff performance, therefore necessary and relevant training was also provided to all staff for the period under review.

Employee performance was closely monitored to ensure that targeted deliverables were achieved timeously.

Council recorded attrition of four employees for the year 2020/21, where two staff members passed on and two resigned.

### 2.3.3 Information and Communication Technology

The ICT strategic plan guides the Council in delivering services of Dispute Management Services and Collective Bargaining Services, respectively. It highlights how ICT supports the Council in achieving its strategic objectives.

As part of ICT's strategic plan and embracing the Fourth Industrial Revolution (4IR), also known as the digital revolution, ICT together with DMS digitised the manual dispute referral process flow to ensure efficiency and resolving disputes in real time to completely eliminate the paper-based system.

A network monitoring strategy, which encompasses the tools and techniques to analyse and measure network performance with early warning systems (real-time alerts) in line with the ELRC strategic objective of a Risk-Based Model (RBM), was implemented.

The Department further adopted the Value, Capacity and Support (VCS) business model to add value, provide resources and replace obsolete ICT equipment.

The independent Chairperson of the ICT Steering Committee was appointed to strengthen the committee and to ensure that the ICT policies are aligned to the Council's strategic objective and the unit is fully compliant with ICT governance frameworks.

### **2.3.4 Supply Chain Management**

During the year under review, there were no major key policy developments and/or legislative changes that affected the mandate of the ELRC. Supply Chain Management (SCM) reviewed its policies to ensure they remained relevant and considered any developments within the environment for the Council as well as outside procurement trends.

For this financial year, the approved procurement plan consisted of one tender that was cancelled and deferred to the 2021/22 financial year. This has not resulted in a material impact on service delivery.

The SCM unit keeps a database of prospective suppliers of goods and services that may be used for the procurement of the requirements of the Council through formal written price quotations. This database is updated continuously as and when required or when applications are received.

### **2.3.5 Internal Audit**

The internal audit function provides independent, objective assurance and consulting activity designed to add value and improve the ELRC's operations. The internal audit reports functionally to the Audit and Risk Committee (ARC) and administratively to the General Secretary.

The internal audit plan for 2020–21 was developed using a risk assessment process that combined financial, reputational, compliance and operational criteria. Sources for determining risk and plan priorities included discussions with senior management, current and emerging risks, management requests, themes from previous audits and significant change initiatives.

The internal audit function completed 100% audit projects and engagement results have been reported to the appropriate levels of management. The ARC, including performing follow-up of internal and external audit recommendations and action plans through Management Action Plans (MAPs) to ensure that management actions have been effectively implemented and appropriate controls and processes, has been put in place to mitigate risks identified during the audit.

## **2.4. Impact of COVID-19 on Council performance**

The start of the 2020–21 financial year depicts an unprecedented period in the history of our country, where a hard lockdown (Level 5) was imposed to minimise the spread of the coronavirus. Council's core operations, namely Dispute Management Services and Collective Bargaining Services: Provinces (Free State & Mpumalanga), were affected for the first quarter of the 2020–21 financial year. This is because the achievement of the planned targets depends on Parties and commissioners. The planned targets for these programmes could therefore not be realised. Administrative operations continued uninterrupted under the Level 5 lockdown.

The Council put in place effective measures to ensure that core operations resumed effectively and efficiently from the second quarter onwards, which is supported by the exceptional results attained for the said quarters.

## **2.5. Key policy developments and legislative changes**

There were no significant changes to the legislative and other mandates.

## 2.6. Strategic Outcome-Orientated Goals

| Strategic Outcome-Orientated Goals                                                                                                                           | Progress                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Goal 1</b><br>Research, monitoring and evaluation activities provide an evidence base for improved policies and policy implementation in basic education. | <b>Not applicable</b><br>No research was undertaken during the period under review, due to the travel and assembly restrictions as a result of the COVID-19 pandemic. Planned research activities were cancelled as a result.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Goal 2</b><br>Equal importance is attached to proactive dispute prevention and dispute resolution.                                                        | <b>Not applicable</b><br>No facilitation and intervention processes were dealt with during the period under review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Goal 3</b><br>Collective bargaining processes maximise the scope of the parties' shared interest.                                                         | <b>Achieved</b><br>Council concluded the following collective agreements: <ul style="list-style-type: none"> <li>• Collective Agreement No. 1 of 2020: "Concession Process to Follow for Employees with a Comorbidity (COVID-19)"</li> <li>• Collective Agreement No. 2 of 2020: "Quality Management System (QMS) for School-Based Educators"</li> <li>• Collective Agreement No. 3 of 2020: "Amendment of Part C of the ELRC constitution: Dispute Resolution Procedures (Basic Education and TVET) as Ratified by the Registrar of Labour Relation on 29 November 2016"</li> </ul> Council ratified the following provincial collective agreements: <ul style="list-style-type: none"> <li>• Limpopo Provincial Chamber Collective Agreement No. 1 of 2020: "Amendment of Limpopo's Collective Agreement No. 1 of 2009 on the selection criteria for the appointment of Grade 12 NSC Markers"</li> <li>• Limpopo Provincial Chamber Collective Agreement No. 2 of 2020: "Amendments of Limpopo's Collective Agreement No. 1 of 2008: Guidelines for sifting, shortlisting and interview procedure for school and office-based educators"</li> </ul> |
| <b>Goal 4</b><br>Provide appropriate support and training for all involved in dispute resolution and collective bargaining.                                  | <b>Achieved</b><br>The Council conducted professional training of dispute resolution practitioners (Employee representative) Collective Agreement No. 3 of 2018 as follows: <ul style="list-style-type: none"> <li>• Western Cape on 25 November 2020</li> <li>• Eastern Cape on 12 March 2021</li> </ul> The Council also trained intermediaries on Child Witness and the arbitration hearing as follows: <ul style="list-style-type: none"> <li>• Session 1 on 16 March 2021</li> <li>• Session 2 on 23 March 2021</li> </ul> All training took place virtually through Zoom.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Strategic Outcome-Orientated Goals                                                                                                                                               | Progress                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Goal 5</b></p> <p>Sound communication strategies support and complement the core activities of the Council.</p>                                                            | <p><b>Achieved</b></p> <p><b><i>Marketing on social media platforms</i></b></p> <p>Weekly updates were made on the Council's social media platform of Council developments.</p> <p><b><i>National media coverage</i></b></p> <p>The ELRC's donation to the Solidarity Fund received media coverage from the following news outlets:</p> <ul style="list-style-type: none"> <li>• Article in News24 on 18 April 2020</li> <li>• Interview on ENCA on 19 April 2020</li> <li>• Interview on SABC News on 19 April 2020</li> <li>• Interview on Newzroom Africa on 21 April 2020</li> </ul> <p>The ELRC received media coverage on the return to school of educators with comorbidities in News24 and Daily Maverick on 20 September 2020.</p> <p><b><i>Advertising in publications of Parties to Council</i></b></p> <p>The Council's advertisement was published in NAPTOSA's Insight Magazine.</p> <p>The Council's advert was also placed in SADTU's 30th Anniversary Publication.</p> <p><b><i>Advertising in diaries of unions (SADTU, PEU, NAPTOSA, NATU)</i></b></p> <p>The ELRC advertised in the diaries of the following unions:</p> <ul style="list-style-type: none"> <li>• SADTU</li> <li>• NATU</li> <li>• PEU</li> <li>• NAPTOSA</li> </ul> <p>The Council's two external publications on its core functions, namely Labour Bulletin and New Negotiator, were also published and disseminated during the period under review.</p> |
| <p><b>Goal 6</b></p> <p>Strengthen social dialogue through supporting and participating in education initiatives, such as the National Education Collaboration Trust (NECT).</p> | <p><b>Achieved</b></p> <p>The Council participated in all the World Teachers' Month and World Teachers' Day virtual activities conducted in October 2020 as follows:</p> <ul style="list-style-type: none"> <li>• Virtual seminar hosted by the Minister of Basic Education on 05 October 2020</li> <li>• Financial sector conduct authority presentation on the financial wellbeing of educators on 11 October 2020</li> <li>• LEAP meeting with the British Council and the DBE on 15 October 2020</li> <li>• Violence presentation and child protection on 26 October 2020</li> <li>• SchoolNet digital teaching and learning on 27 October 2020</li> <li>• Teachers' workshop by Ngwanamago Primary School on 28 October 2020</li> <li>• Closing seminar of World Teachers' Month on 30 October 2020</li> </ul> <p>The Council also participated in the following meetings, hosted by the NECT:</p> <ul style="list-style-type: none"> <li>• 6<sup>th</sup> NECT Civil Society Meeting on 15 September 2020</li> <li>• 7<sup>th</sup> NECT Civil Society Meeting on 20 November 2020</li> </ul>                                                                                                                                                                                                                                                                                                                                            |

### 3. Performance Information by Programme

#### 3.1 Programme 1: Collective Bargaining Services – National

##### **Purpose**

The purpose of Programme 1 is to contribute to the Council's vision of a strengthened social contract between government, teacher unions and civil society that helps to create a conducive environment for improved quality in teaching and learning. Such is done by promoting collective bargaining at national and provincial levels to ensure the development of effective policies for quality public education in a non-disruptive environment for teaching and learning.

##### **Sub-Programmes**

- Collective Bargaining (Provincial)
- Research Services
- Dispute Prevention Support Services

##### **Strategic Objectives**

- To facilitate bargaining on identified matters of mutual interest in public education
- To facilitate consultation and information on matters of policy in line with the National Education Policy Act (NEPA)
- To conduct training and advocacy on the revised personnel administrative measures (PAM)
- To regulate the appointment of foreign educators
- Training and advocacy on the amended ELRC constitution
- To conclude a collective agreement on job descriptions and education management service (EMS) for office educators
- Legal sub-committee to finalise draft collective agreement on appointment of temporary educators
- A consolidated report on the consultation process for post provisioning is available
- To review the incentives policy
- To convene a national budget workshop
- Annually table the management plans for approval for the next bargaining cycle
- To conclude a collective agreement or recommendations submitted to Minister on standardised conditions of service for ECD practitioners
- To facilitate dispute prevention support services through providing effective administrative functions to shop stewards
- Implementation of collective agreements/policies

### Key Performance Indicators (KPIs), Planned Targets and Actual Achievements

| Collective Bargaining Services: National                                                                                                                                                       |                                                                                                                                                                                                                     |                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                 |                                                                                                                                             |                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Programme Performance Indicator                                                                                                                                                                | Actual Achievement 2019/20                                                                                                                                                                                          | Planned Target 2020/21                                                                                                                                             | Actual Achievement 2020/21                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Deviation from planned target to Actual Achievement for 2020/21 | Comment on deviations                                                                                                                       | Status                                                                 |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                                                       |                                                                                                                                                                                                                     |                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                 |                                                                                                                                             |                                                                        |
| Schedule bargaining meetings where agreed matters of mutual interest, as identified on the management plan, would be tabled, including the conclusion of the Vote Weights collective agreement | <b>Achieved</b><br>Bargaining meetings: <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 28 August 2019</li> <li>• 10 September 2019</li> <li>• 30 January 2020</li> <li>• 23 March 2020</li> </ul> | Matters of mutual interest in public education are identified and tabled at bargaining meetings, including the conclusion of collective agreement on vote weights. | <b>Achieved</b><br>Matters of mutual interest in public education were identified and tabled at the following bargaining meetings: <ul style="list-style-type: none"> <li>• 27 May 2020</li> <li>• 30 May 2020</li> <li>• 10 June 2020</li> <li>• 20 July 2020</li> <li>• 05 August 2020</li> <li>• 03 September 2020</li> <li>• 16–17 September 2020</li> <li>• 09 November 2020</li> <li>• 09 February 2021</li> <li>• 12 February 2021</li> <li>• 25 March 2021</li> </ul> | None                                                            |                                                                                                                                             |                                                                        |
|                                                                                                                                                                                                | <b>Achieved</b><br>Collective Agreement No. 1 of 2019: <i>Vote Weights for the Trade Unions that are Parties to Council</i> was adopted at the bargaining meeting held on 10 September 2019.                        |                                                                                                                                                                    | <b>Not Achieved</b><br>Council did not conclude a collective agreement on vote weights.                                                                                                                                                                                                                                                                                                                                                                                       | One (1) collective agreement                                    | CTU-ATU declared a dispute on the calculations of the vote weights and withdrew the dispute in the bargaining meeting held on 25 March 2021 |                                                                        |
| To monitor Dispute Prevention Task Team meetings convened at provincial level:                                                                                                                 | <b>Not Achieved</b><br>Quarterly reports were not received from all nine Provincial Chambers                                                                                                                        | n/a                                                                                                                                                                | n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | n/a                                                             | The Education Indaba was not convened due to lack of progress reports from Work Streams.                                                    | <i>*Target was removed with the mid-Term review in September 2020.</i> |

| Collective Bargaining Services: National                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                 |                       |        |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                             | Actual Achievement 2019/20                                                                                                                                                                                                                                                                                                                                                                                                                            | Planned Target 2020/21                                                                                                    | Actual Achievement 2020/21                                                                                                                                                                                                                                                                                                                                                                                           | Deviation from planned target to Actual Achievement for 2020/21 | Comment on deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                 |                       |        |
| Training and advocacy on the implementation of collective agreements and policies.                                                          | <b>Achieved</b><br>Training on the QMS collective agreement was conducted as follows: <ul style="list-style-type: none"> <li>• CTT on 18-19 February 2020</li> <li>• NTT – Cluster 1 (Free State, KwaZulu-Natal and Mpumalanga) on 27–28 February 2020</li> <li>• NTT – Cluster 2 (Eastern Cape, Northern Cape, and Western Cape) on 02–03 March 2020</li> <li>• NTT – Cluster 3 (Gauteng, Limpopo, and North West) on 27–28 February 2020</li> </ul> | Conducting training and advocacy on the recently revised policies and signed collective agreements to parties to Council. | <b>Achieved</b><br>QMS refresher training was conducted as follows: <ul style="list-style-type: none"> <li>• CTT on 05 October 2020</li> <li>• NTT – Cluster 1 (Free State, KwaZulu-Natal and Mpumalanga) on 09 October 2020</li> <li>• NTT – Cluster 2 (Eastern Cape, Northern Cape and Western Cape) on 13 October 2020</li> <li>• NTT – Cluster 3 (Gauteng, Limpopo and North West) on 15 October 2020</li> </ul> | None                                                            |                       |        |
| Schedule technical and vocational education and training (TVET) bargaining meetings where agreed matters of mutual interest would be tabled | n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Agreed matters of mutual interest in higher education are concluded successfully in bargaining meetings                   | <b>Achieved</b><br>Agreed matters of mutual interest in higher education were concluded at the following TVET bargaining meetings: <ul style="list-style-type: none"> <li>• 12 May 2020</li> <li>• 13 August 2020</li> <li>• 21 September 2020</li> <li>• 10 November 2020</li> <li>• 15 January 2021</li> <li>• 23 February 2021</li> <li>• 02 March 2021</li> </ul>                                                | None                                                            |                       |        |

## Performance Overview of Collective Bargaining Services: National for the 2020/21 Financial Year

The outbreak of the COVID-19 pandemic affected Council's operations due to the strict lockdown regulations. Council provided Parties with data to conduct its meetings virtually. All meetings were conducted virtually and the meetings were attended well by Parties.

Parties to the ELRC accomplished a major feat as the only bargaining Council in the country to conclude Collective Agreement No. 1 of 2020 *"Concession Process to follow for Employees with Comorbidity (COVID-19)"* at its special bargaining meeting held on 30 May 2020. The collective agreement aimed to provide a concession for educators employed in terms of the Employment of Educators Act (76 of 1998), who were affected due to risk factors of severe COVID-19. It also provided guidance to evaluate and manage vulnerable employees in the context of the SARS-CoV-2 pandemic as mentioned in the regulations in terms of section 27(2) of the Disaster Management Act 57 of 2002.

Parties to Council also reviewed the QMS Collective Agreement by concluding Collective Agreement No. 2 of 2020, *"Quality Management System (QMS) for School-Based Educators"*, which would be implemented for principals from 01 January 2021 and all other school-based educators from 01 January 2022. Council also reviewed the management plan: QMS planning, capacity-building, training and implementation and adopted it at the special bargaining meeting held on 16 September 2020.

In giving effect to the implementation of the management plan, refresher training on the newly signed collective agreement on QMS was rolled out via virtual means to the CTT and NTT as follows:

- Refresher training of the CTT was held on 05 October 2020
- Refresher training of the NTT Cluster 1 (Free State, KwaZulu-Natal and Mpumalanga) was held on 09 October 2020
- Refresher training of the NTT Cluster 2 (Eastern Cape, Northern Cape and Western Cape) was held on 13 October 2020
- Refresher training of the NTT Cluster 3 (Gauteng, Limpopo and North West) was held on 15 October 2020

Council concluded the following collective agreements:

- Collective Agreement No. 1 of 2020: *"Concession Process to Follow for Employees with a Comorbidity (COVID-19)"*
- Collective Agreement No. 2 of 2020: *"Quality Management System (QMS) for School-Based Educators"*
- Collective Agreement No. 3 of 2020: *"Amendment of Part C of the ELRC constitution: Dispute Resolution Procedures (Basic Education and TVET) as Ratified by the Registrar of Labour Relation on 29 November 2016"*

Council ratified the following provincial collective agreements:

- Limpopo Provincial Chamber Collective Agreement No. 1 of 2020: *"Amendment of Limpopo's Collective Agreement No. 1 of 2009 on the selection criteria for the appointment of Grade 12 NSC Markers"*
- Limpopo Provincial Chamber Collective Agreement No. 2 of 2020: *"Amendments of Limpopo's Collective Agreement No. 1 of 2008: Guidelines for sifting, shortlisting and interview procedure for school and office-based educators"*

The Council also convened its Annual General Meeting on 15 September 2020 virtually. Adv. L Bono was elected as the independent Chairperson of Council and Mr M Cele (SADTU), Ms C Barnes (CTU-ATU), Ms M Mogale (Employer) and Mr H Ngwenya (Employer) were elected as Deputy Chairpersons of Council.

Of note is the EXCO's approval of the ELRC's contribution to the Solidarity Fund, established by President Cyril Ramaphosa to support the fight against the COVID-19 pandemic with donations from individuals and organisations. While there was no provision made in the ELRC budget for donations, the Council identified savings to contribute towards this national effort and fulfil one of the ELRC's core values to respond to the social issues of the day through social responsibility efforts.

The TVET bargaining unit was successfully resuscitated and a number of TVET bargaining meetings were convened. The TVET bargaining unit convened a special bargaining meeting on 21 September 2020, where Ms Elizabeth Maluleka (Employer) was elected Chairperson of the TVET unit and Ms Judy Nair (CTU-ATU) and Mr Sekitla Mogapi (SADTU) were elected as Deputy Chairpersons.

### **Strategy to overcome areas of underperformance**

- 1) Council is to address the issues raised by CTU-ATU on the dispute they had withdrawn so that there is no repeat on those issues when the vote weights for 2021 are tabled.
- 2) The performance indicator “to monitor Dispute Prevention Task Team meetings convened at provincial level” was removed from the APP for the 2021/22 financial year.

### **Changes to planned targets**

The following change was made to the planned targets (mid-term review) and was adopted at the EXCO meeting held on 04 November 2020:

- Programme performance indicator 5.1.2.1.2: “Provincial Dispute Prevention Reports.” The target was removed in the third and fourth quarters.

### **Linking performance to budget**

| Apr 2020 – Mar 2021                   |               |                    |                          |
|---------------------------------------|---------------|--------------------|--------------------------|
| Programme Name                        | Budget        | Actual Expenditure | (Over)/Under Expenditure |
| <b>Collective Bargaining Services</b> | <b>R'000</b>  | <b>R'000</b>       | <b>R'000</b>             |
| National                              | 23 907        | 16 320             | 7 588                    |
| CBS: Provincial                       | 4 342         | 2 396              | 1 946                    |
| Governance Support Services           | 365           | 108                | 257                      |
| <b>Total</b>                          | <b>28 614</b> | <b>18 824</b>      | <b>9 791</b>             |

### 3.1.1 Programme 1: Collective Bargaining – Provincial

#### Purpose

The purpose of the Provincial Chambers is to promote collective bargaining at the provincial level to ensure the development of effective policies for quality public education in a non-disruptive environment for teaching and learning.

#### 3.1.1.1 Eastern Cape

##### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Eastern Cape                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                            | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                   |                       |        |
| <b>Post Provisioning</b><br>A consolidated report on the consultation process for post provisioning is available and presented to Chamber. | <b>Achieved</b><br>The report on the implementation of the 2019 PPN was tabled in the Post Provisioning Task Team meeting held on 26 May 2019 and adopted in the Chamber meeting of 27 June 2019<br>Progress reports on the management plan for the implementation of the 2019 school's post establishments were tabled in the Chamber meetings held on 17 September 2019 and 22 November 2019<br>The PPN and the management plan for the implementation of the 2020 schools post establishment were tabled and adopted in the Chamber meeting of 22 November 2019<br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> <li>• 26 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>The report on the implementation of the 2020 PPN was tabled in the Post Provisioning Task Team meeting held on 21 September 2020 and adopted in the Chamber meeting of 23 September 2020<br>Progress reports on the management plan for the implementation of the 2020 schools post establishment were tabled in the Chamber meeting held on 26 November 2020<br>The PPN and the management plan for the implementation of the 2021 schools post establishment were tabled and adopted in the Chamber meeting of 18 March 2021<br>Four (4) Chamber meetings were convened during the period under review where reports on PPN were presented<br><b>Chamber Meeting dates:</b> <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Eastern Cape                                                                                                             |                                                                                                                                                                                                                                                                                                                                |                          |                                                                                                                                                                                                                                                                                                                                      |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                          | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                   | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                         | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                 |                                                                                                                                                                                                                                                                                                                                |                          |                                                                                                                                                                                                                                                                                                                                      |                                                                   |                       |        |
| <b>Employee Health and Wellness (EHW)</b><br>Monitor the introduction and implementation of EHW activities and report presented to Chamber.              | <b>Not Achieved</b><br>Three Chamber meetings were convened during the period under review where reports on PPN were presented.<br><br><b>Chamber Meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul>                                 | Reports (4)              | <b>Achieved</b><br>The reports on the EHW Task Team were convened and adopted in the following Chamber meetings:<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul>                             | None                                                              |                       |        |
| <b>Teacher Development</b><br>Monitoring reports on provision of teacher development programmes and reports present to Chamber meeting.                  | <b>Not Achieved</b><br>Three Chamber meetings were convened and reports presented and adopted.<br><br><b>Chamber Meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul>                                                                  | Reports (4)              | <b>Achieved</b><br>The reports of the Teacher Development Task Team meetings were adopted in the Chamber meetings that were held as follows:<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Incentives for Educators</b><br>Monitoring reports on the implementation of incentives for educators are available and presented to Chamber meeting.. | <b>Not Achieved</b><br>Three Chamber meetings were convened during the period under review, at which reports on teacher development were presented and adopted.<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul> | Reports (4)              | <b>Achieved</b><br>The reports were tabled and adopted in the Chamber meetings that were held as follows:<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul>                                    | None                                                              |                       |        |

| Collective Bargaining Services: Eastern Cape                                                                                                                               |                                                                                                                                                                                                                                                                                                                            |                          |                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                            | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                               | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                                   |                                                                                                                                                                                                                                                                                                                            |                          |                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
| <b>Dispute Prevention</b><br>Monitoring reports on the categories and status of the grievances, misconduct and disputes lodged are available and presented to the Chamber. | <b>Not Achieved</b><br>The Chamber meetings were convened and sat during the period under review, where reports were presented and adopted.<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul>                 | Reports (4)              | <b>Achieved</b><br>The reports were tabled and adopted in the Chamber meetings that were held as follows:<br><br><b>Chamber Meeting dates:</b> <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Recruitment and Filling of Posts</b><br>Monitoring reports on the recruitment and filling of posts and present to Chamber.                                              | <b>Not Achieved</b><br>Three Chamber meetings were convened during the period under review: reports on incentives for educators were presented and adopted.<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul> | Reports (4)              | <b>Achieved</b><br>The reports were adopted at the Chamber meetings that were held as follows:<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul>                                     | None                                                              |                       |        |

| Collective Bargaining Services: Eastern Cape                                                                                                                       |                                                                                                                                                                                                                                                                                                                            |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                    | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                               | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                           |                                                                                                                                                                                                                                                                                                                            |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |                       |        |
| <b>Realignment, merger and closure of small schools</b><br>Monitoring reports on the realignment, merger and closure of small schools and presented to the Chamber | <b>Not Achieved</b><br>Three Chamber meetings were convened during the period under review: reports on incentives for educators were presented and adopted.<br><br><b>Chamber meeting dates:</b> <ul style="list-style-type: none"> <li>• 27 June 2019</li> <li>• 17 September 2019</li> <li>• 22 November 2019</li> </ul> | Reports (4)              | <b>Achieved</b><br>The reports of the Rationalisation Task Team meetings were tabled in the meetings held on the following dates: <ul style="list-style-type: none"> <li>• 23 April 2020</li> <li>• 23 July 2020</li> <li>• 22 October 2020</li> <li>• 25 February 2021</li> </ul> The reports were adopted in the Chamber meetings held as follows: <ul style="list-style-type: none"> <li>• 02 July 2020</li> <li>• 23 September 2020</li> <li>• 26 November 2020</li> <li>• 18 March 2021</li> </ul> | None                                                              |                       |        |

## Performance Overview of the Eastern Cape Chamber for the 2020/21 Financial Year

Task team meetings were scheduled and convened for the period under review as follows:

### Dispute prevention – 22 February 2021

The Employer presented the fourth quarter statistics as follows:

The most common disputes declared in the fourth quarter are:

- Unfair labour practice for benefits = 6
- ULP promotions = 5
- Unfair dismissals = 5
- Collective Agreement No. 1 of 2012 – Interpretation or Application = 3

### Employee health and wellness – 22 February 2021

The Employer presented the report on the four pillars:

- HIV/AIDS and TB management
- Health and productivity management
- Safety health environment risk quality management (SHERQ)
- Wellness management

The Department gave a detailed report on COVID-19 with regard to:

- Return to work according to Instruction Note 53
- Statistics
- Support given
- Challenges

### Teacher development – 23 February 2021

#### **Programmes for the year 2020/21**

Human resource development (HRD) on:

- Critical / Scarce skills
- IQMS
- QMS
- Skills development
- Bursaries / Internships and learnerships

#### **Inclusive education**

The Department further gave a report on inclusive education.

Education language policy:

- The Department also gave a report on education language policy
- The unit wanted Parties to come up with possible intervention mechanisms to be done for a long-lasting solution

### **Teacher development programmes**

The Department further gave a report on teacher development programmes on the following:

- Curriculum FET
- GET

### **Provincial teacher development institutes (PTDIs)**

The Department gave a report on PTDIs for the following institutes:

- Queenstown were 196
- Nelson Mandela Metro were 578
- Mthatha were 357
- Mandla Makupula were 487

### **Quality promotions and standards**

The Department gave a report on quality promotions and standards on the following:

- Quality promotions and standards activities
- Nine areas for evaluation
- Whole school evaluation activities
- Whole school development activities
- Quality education outcomes programmes (QEOP) as a new programme

### **South African Council for Educators (SACE)**

- SACE briefed the meeting on the following:
- Registration
- Teacher professionalism
- Code of ethics

### **Incentives – 24 February 2021**

The Department tabled the report on incentives:

- 7096 received payment (94.1%)
- 443 outstanding payments
- 27 exception payments (not on DTT select schools)

## Staffing for the recruitment and filling of posts – 24 February 2021

The Department of Education reported on the posts filled from January to December 2020 on the four bulletins that were issued:

| Bulletin volume | Posts             | Date issued      | Closing date     | Amount       |
|-----------------|-------------------|------------------|------------------|--------------|
| 1 of 2020       | Principals        | 29 January 2020  | 24 February 2020 | 124          |
| 2 of 2020       | Deputy principals | 29 January 2020  | 24 February 2020 | 543          |
| 3 of 2020       | Grade R           | 11 February 2020 | 20 March 2020    | 311          |
| 4 of 2020       | Principals        | 10 November 2020 | 30 November 2020 | 270          |
| <b>Total</b>    |                   |                  |                  | <b>1 248</b> |

## Filling of posts in districts:

| Bulletins        | Filled | Not filled | Total |
|------------------|--------|------------|-------|
| Volume 1 of 2020 | 72     | 16         | 88    |
| Volume 2 of 2020 | 353    | 83         | 436   |
| Volume 3 of 2020 | 160    | 94         | 254   |
| Volume 4 of 2020 | 104    | 0          | 104   |

- The reasons for the none filling of posts were given
- The database of schools not filled was provided to unions
- There would be a bulletin issued by the end of March 2021
- Districts were requested to verify the bulletin

## Rationalisation, realignment, merger and closure of small schools – 22 October 2020

The Department of Education tabled the updated report and parties were expected to give an assessment of the workshop on the rationalisation of schools, the terms of reference for the task team and the guiding document for the rationalisation of schools.

## Post Provisioning Norms (PPN) for 2021

The Department presented reports on the following:

- Characterisation of the implementation report in the period with regard to additional educators
- The role of the Provincial Task Team (PTT) on PPN 2021/22 posts
- Actual implementation report

The Department further presented recommendations on:

- The head of department (HOD) to establish a project to ensure identification and placement of additional educators
- The districts to provide on-site or actual vacancies
- The PTT to discuss and adopt the contents of the six-point plan proposals
- The Department to present the plan to Treasury in preparation for the new PPN 2022 consultation cycle

A strategic planning session was scheduled for 18 January 2021. The strategic planning session prepared and drafted the Annual Performance Plans for 2021/22. The strategic planning session further presented the draft budget for 2021/22.

### **Strategy to overcome areas of underperformance**

Not applicable.

### **Changes to planned targets**

No changes were made to planned targets.

### **Linking performance to budget**

| Apr 2020 – Mar 2021                             |            |                    |                          |
|-------------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                  | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                                 | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>Eastern Cape | 495        | 338                | 157                      |
| <b>Total</b>                                    | <b>495</b> | <b>338</b>         | <b>157</b>               |

### 3.1.1.2 Free State

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Free State                                                                                                                                                             |                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                      |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                        | Actual Achievement 2019/2020                                                                                                                                                                                          | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                         | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                                                               |                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                      |                                                                   |                       |        |
| <b>Monitoring of collective agreement</b><br>Monitor the implementation of recruitment and filling of posts in terms of FS Collective Agreement No. 1 of 2019 as amended and present report to Chamber | <b>Achieved</b><br>Recruitment report was presented in Chamber on: <ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Recruitment report was presented in the Chamber on: <ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul>            | None                                                              |                       |        |
| <b>Monitor implementation of 37% in lieu of benefits</b><br>Report on 37% in lieu of benefits for educators employed for less than six months is presented to Chamber                                  | <b>Achieved</b><br>Report on 37% was presented in Chamber on: <ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>      | Reports (4)              | <b>Achieved</b><br>37% report was presented in the Chamber on: <ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul>                    | None                                                              |                       |        |
| <b>Monitoring Collective Agreement No. 4 of 2018</b><br>Monitor implementation of ELRC CA 4 of 2018 and present report to Chamber                                                                      | <b>Achieved</b><br>Conversions report in terms of ELRC 4 of 2018 was presented in Chamber on: <ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 20 March 2020</li> </ul>  | Reports (4)              | <b>Achieved</b><br>The conversion report was presented in the Chamber meeting on: <ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Free State                                                                                                               |                                                                                                                                                                                                                           |                          |                                                                                                                                                                                                                     |                                                                   |                                                                                          |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                          | Actual Achievement 2019/2020                                                                                                                                                                                              | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                        | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                    | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                 |                                                                                                                                                                                                                           |                          |                                                                                                                                                                                                                     |                                                                   |                                                                                          |        |
| <b>Post provisioning</b><br>Free State Department of Education conduct consultation on post provisioning and present report to Chamber.                  | <b>Achieved</b><br>Post provisioning report was presented in Chamber on: <ul style="list-style-type: none"> <li>• 13 Sept 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>                            | Reports (2)              | <b>Achieved</b><br>The PPN report was presented in the Chamber meeting on: <ul style="list-style-type: none"> <li>• 11 September 2020</li> <li>• 13 November 2020</li> </ul>                                        | None                                                              |                                                                                          |        |
| <b>Monitoring Collective Agreement No. 4 of 2016</b><br>Monitor implementation of ELRC Collective Agreement No. 4 of 2016 and present report to Chamber  | <b>Achieved</b><br>Report was presented in Chamber on: <ul style="list-style-type: none"> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>                                         | Reports (3)              | <b>Achieved</b><br>Placement of educators' report was presented in Chamber on: <ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 12 March 2021</li> </ul>               | None                                                              |                                                                                          |        |
| <b>INFORMATION SHARING</b>                                                                                                                               |                                                                                                                                                                                                                           |                          |                                                                                                                                                                                                                     |                                                                   |                                                                                          |        |
| <b>Monitor functionality of Curriculum Forum</b><br>Free State Department of Education submit report to Chamber on the functionality of Curriculum Forum | <b>Achieved</b><br>PSIA reports were tabled in the Chamber on: <ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>         | Reports (4)              | <b>Achieved</b><br>The Forum report was presented in Chamber on: <ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul> | None                                                              |                                                                                          |        |
| <b>Monitor functionality of Equity Forum</b><br>Free State Department of Education submit report to Chamber on the functionality of Equity Forum         | <b>Achieved</b><br>Equity Forum reports were tabled in the Chamber on: <ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul> | Reports (2)              | <b>Not Achieved</b><br>The Equity Forum report was presented only on 11 September 2020                                                                                                                              | Report (1)                                                        | The Equity Forum Report for the fourth quarter was not presented in the Chamber meeting. |        |

| Collective Bargaining Services: Free State                                                                                                                       |                                                                                                                                                                                                                                                 |                          |                                                                                                                                                                                                                                    |                                                                   |                                                                                                                                             |        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                                  | Actual Achievement 2019/2020                                                                                                                                                                                                                    | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                       | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                                                                       | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                         |                                                                                                                                                                                                                                                 |                          |                                                                                                                                                                                                                                    |                                                                   |                                                                                                                                             |        |
| <b>Policy on incapacity leave and ill-health retirement (PILIR)</b><br>Monitoring the implementation of PILIR                                                    | <b>Achieved</b><br>The reports on PILIR were tabled in the Chamber meeting upon request                                                                                                                                                         | Reports (4)              | <b>Achieved</b><br>The PILIR report was presented in the Chamber on:<br><ul style="list-style-type: none"> <li>• 26 June 2020</li> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul>         | None                                                              |                                                                                                                                             |        |
| <b>Employee health and wellness (EHW)</b><br>Free State Department of Education submit report to Chamber on the functionality of the Employee and Wellness Forum | <b>Achieved</b><br>EHW reports were tabled in the Chamber on:<br><ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>                             | Reports (3)              | <b>Not Achieved</b><br>Reports were only presented in two Chamber meetings on:<br><ul style="list-style-type: none"> <li>• 11 September 2020</li> <li>• 12 March 2021</li> </ul>                                                   | Report (1)                                                        | EHW report was not presented in first quarter due to the outbreak of COVID -19 and lockdown restrictions.                                   |        |
| <b>Integration of Grade R into mainstream of Foundation Phase</b><br>Monitor progress in the integration of Grade R into Foundation Phase                        | <b>Achieved</b><br>ECD Task Team meetings were held and reports tabled in the Chamber on:<br><ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul> | Reports (4)              | <b>Not Achieved</b><br>Reports were only presented in three Chamber meetings on:<br><ul style="list-style-type: none"> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul>                     | Report (1)                                                        | ECD Report was not collated and presented in the first quarter Chamber meeting, due to the outbreak of COVID -19 and lockdown restrictions. |        |
| <b>Dispute prevention</b><br>Monitoring reports on the categories and status of grievances and disputes lodged                                                   | <b>Achieved</b><br>The Dispute Prevention Task Team Report was presented in Chamber on:<br><ul style="list-style-type: none"> <li>• 07 June 2019</li> <li>• 13 September 2019</li> <li>• 01 November 2019</li> <li>• 20 March 2020</li> </ul>   | Reports (4)              | <b>Not Achieved</b><br>Report on dispute prevention was only presented in three Chamber meetings on:<br><ul style="list-style-type: none"> <li>• 11 September 2020</li> <li>• 13 November 2020</li> <li>• 12 March 2021</li> </ul> | Report (1)                                                        | The Dispute Prevention Task Team report was not available in the first quarter due to the outbreak of COVID-19 and lockdown restrictions.   |        |

## Performance Overview of the Free State Chamber for the 2020/21 Financial Year

The Provincial Chamber activities have been adversely affected due to the COVID-19 outbreak, which resulted in some of the 2020/21 quarterly targets not being attained within the set timelines. Notwithstanding the negative impact of the COVID-19 national disaster, progress reports were presented for deliberation in virtual meetings held since the beginning of the financial year, 01 April 2020 to 31 March 2021.

### Monitoring of collective agreement

The recruitment and filling of posts in terms of FSCA 1 of 2019 progress report was presented regarding Vacancy List 1 and 2 of 2019 as well as Vacancy List 1 of 2020, highlighting the number of posts filled and reasons in instances where posts could not be filled.

### Monitoring implementation of 37% in lieu of benefits

The implementation report showed schools and names of 93 educators who received 37% in lieu of benefits at the end of November 2020 and reduced to 41 beneficiaries by the end of March 2021.

### Monitoring Collective Agreement No. 4 of 2018

The report on the implementation of ELRC Collective Agreement No. 4 of 2018 on the permanent appointment of temporary educators presented an increase according to statistics provided for each district, which was as follows:

| District           | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter |
|--------------------|-------------|-------------|-------------|-------------|
| Motheo             | 14          | 27          | 53          | 52          |
| Xhariep            | 40          | 45          | 27          | 29          |
| Lejweleputswa      | 101         | 105         | 120         | 120         |
| Fezile Dabi        | 87          | 94          | 101         | 101         |
| Thabo Mofutsanyana | 115         | 181         | 224         | 224         |

### Monitoring implementation of QMS, IQMS and PMDS

A comprehensive report in relation to IQMS, PMDS and QMS presented the background and context, including implementation timelines, QMS training of principals and mop-up process, evaluation of training and overall feedback by participant principals, the non-participation of labour in the QMS training of principals, and the QMS communication to schools.

The report also highlighted that ELRC Collective Agreement No. 2 of 2020 has put in place a performance management system for school-based educators that seeks to enhance educator efficiency, effectiveness and professional accountability in relation to teaching and learning. It was communicated in QMS-IQMS Circular 3/2020 that QMS will be implemented in two phases:

| Target Group                                               | Training Timeline             | Full Implementation |
|------------------------------------------------------------|-------------------------------|---------------------|
| Principals                                                 | November 2020 – December 2020 | January 2021        |
| Deputy principals, departmental heads and Educators (PL 1) | January 2021 – December 2021  | January 2022        |

- The focus of training was on defining and understanding QMS, roles and responsibilities of role-players, guidelines on implementation of QMS, performance standards, instruments and work plans. The purpose was to prepare principals for the implementation of QMS.

- b) The number of principals who participated in the QMS training is stated as:
- Xhariep District on 19 November 2020 = 58
  - Lejweleputswa District on 24 November 2020 = 205
  - Fezile Dabi District on 26 November 2020 = 167
  - Motheo District on 01 December 2020 = 276
  - Thabo Mofutsanyana District from 10 to 16 February 2021 = 303
  - Mop-up training conducted for principals who could not attend in November and December 2020 – the number increased to = 1067
  - Evaluation of training and overall feedback was submitted by participant principals
- c) Non-participation of Labour in QMS training of principals was reported as a matter of concern in that:
- Labour withdrew from the QMS process and did not participate in the QMS training of principals after participating in the preparations and planning for 2020 QMS training.
  - SAOU (as part of CTU-ATU) withdrew following a directive from their head office; SADTU withdrew at short notice due to financial constraints and participated in only the training of circuit managers.
  - All attempts to explore the possible return of SADTU to the National Training Team/Provincial Training Team for participation in the QMS training of principals were spurned by the General Secretary as no response was received to two letters written.
  - NAPTOSA (as part of CTU-ATU) – no reasons were advanced for their no-show in relation to participation on NTT/PTT for QMS training in Free State.
  - The non-participation of Labour in the QMS training of principals begs the question as to the extent to which they are committed to the QMS process as signatories to ELRC Collective Agreement No. 2 of 2020.
  - It is vital to recognise that this matter was also raised as a concern by participant principals during the QMS training sessions.
- d) QMS Circular 1/2021 was sent to districts, officially notifying schools about implementation timelines on signing of work plans between principals and circuit managers.
- e) On-site monitoring and support visits were not conducted in January to February 2021, due to the impact of COVID-19 on school calendars and the focus on concluding the QMS training of principals.
- f) Coordination and implementation of IQMS results on PERSAL and summary in relation to levels of compliance with 2020 summative evaluation provided a preliminary overview per district as follows:

| Districts       | Number of Schools | Schools Not Submitted | Educators Evaluated | Educators Not Evaluated | Educators eligible for progression |
|-----------------|-------------------|-----------------------|---------------------|-------------------------|------------------------------------|
| Xhariep         | 61                | 2                     | 882                 | 27                      | 909                                |
| Motheo          | 286               | 13                    | 5701                | 66                      | 6044                               |
| Lejweleputswa   | 232               | 20                    | 3960                | 50                      | 4013                               |
| TMED            | 367               | 62                    | 4244                | 49                      | 4272                               |
| Fezile Dabi     | 191               | 0                     | 3456                | 44                      | 3500                               |
| <b>Province</b> | <b>1 137</b>      | <b>97</b>             | <b>17 323</b>       | <b>236</b>              | <b>18 738</b>                      |

- g) Support for PMDS monitored on an ongoing basis to ensure compliance, focusing on the conclusion of the 2019/20 cycle, which has been concluded and the necessary payment made in relation to pay progression.
- h) Necessary adjustments have been made for completion of the end-of-cycle performance assessment 2020/21, as well as the submission of mid-term reviews 2020/21 that was cancelled based on the DPSA directive to government departments due to the impact of the COVID-19 pandemic on the operating environment.

## Monitoring implementation of Collective Agreement No. 4 of 2016

The statistics presented regarding the placement of educators in the first, second and third quarters of the 2020/21 financial year are depicted below:

| Categories regarding placements          | Quarter 1 | Quarter 2 | Quarter 4 |
|------------------------------------------|-----------|-----------|-----------|
| Temporary educators on substantive posts | 591       | 782       | 195       |
| Educators against promotional posts      | 122       | 136       | 47        |
| Funza Lushaka bursary holders            | 97        | 149       | 70        |
| FSDoE bursary holder                     | 7         | 14        | 25        |
| Ad hoc posts                             | 41        | 128       |           |
| Post Level 1                             | 83        | 88        | 46        |

## Functionality of Curriculum Forum

Forum recommendations presented and accepted by Chamber highlighted the following:

- Curriculum and Examination Committee (CEC) has been established in the province with its members including social partners
- Mediation process has been conducted with subject advisors, educators and school management teams (SMTs) and mediation will continue prior to any grade resuming classes
- Monitoring of what must be presented on radio stations continues
- Deployment of educators will not take place to grades for which they are not readily prepared
- Substitute educators will be deployed in places of educators with comorbidities to make sure no learner will be left without a teacher
- Virtual platform for educators' website has been developed to strengthen remote teaching and learning practices
- ETDP SETA projects continue, ICT for digital classroom training and mathematics for Grade 4 educators
- General improvement across all the grades due to revised promotion and progression requirements, Grade 4–9, 80:20; Grade 10–11, 60:40 contribution
- Learning losses per subject per grade and the plans to address them
- Intensifying monitoring of the conduct of exams and support of school-based professional development activities
- Support to General Education and Training (GET) from exam is gaining momentum and dedicated focus is on school-based assessment in this band as of 2021 as well as the procurement of laptops for educators
- Grade R Diploma approved and accredited by University of the Free State

## Policy and Procedure on Incapacity Leave and Ill-Health Retirement (PILIR)

The PILIR progress report was presented quarterly on incapacity cases that are six months and above, the names of individual educators per district and the status in terms of cases that have been approved and those pending.

## Employee Health and Wellness (EHW) and Equity Forum

Progress reports and recommendations presented in Chamber on a quarterly basis signified that all these structures were functioning as expected and parties adequately represented in meetings to execute respective mandates. The EHW report highlighted that OHS representatives reported on the workplace inspection and management of offices/buildings, and that professional nurses in special schools were identified as vaccinators and master trainers who shall further cascade the training to other officials in schools.

## Post provisioning consultation

The consultation process on the budget allocation and distribution of posts for 2021/22 was concluded on 21 August 2020. Labour parties accepted the Department's decision concerning the retention of the existing educator posts for the 2021/22 academic year. The final staff / posts establishment for 2021 had been issued to all schools in the province and the provincial summary on excess educators in the system was presented in the Chamber meeting.

## Task team meetings

Task team meetings were held quarterly. All parties represented and dealt with the terms of reference as assigned, analysed reports and presented recommendations in the Chamber meetings for endorsement.

## OTHER ACHIEVEMENTS

### COVID-19 HR plan

The Employer presented the state of readiness in terms of the procedures and measures in dealing with comorbidities concessions / special leave concessions, substitutes, cleaners, screeners and additional educators, highlighting some of the following:

- a) A total of 327 996 learners were expected to return on 6 July 2020
- b) The task team comprising District Management, representatives of the Principal Council and unions met in June/July 2020 to discuss the following matters:
  - Phased-in return approach
  - Social distancing and timetable models
  - Concession process to follow for employees with comorbidity
  - Develop a guideline on the work to be performed by the educators at home
  - Guideline on the deviation from the phased-in return to school
- c) Options for social distancing:
  - Review the timetables as per the guidelines
  - Apply flexi hours where possible to be within seven hours
  - Profile comorbidities according to grades, subjects, gender and age for prioritisation
  - Critical grades for substitutes may be 12,7 and 1
- d) Employees with 60 years and above, information and procedure on comorbidities
- e) A total of 2 124 required substitutes and the financial implications thereof
- f) Substitute and social distance posts in terms of different scenarios
- g) Cleaners and screeners required at schools – one per 250 learners
- h) Costing for schools' professional support staff and OHS guidelines

### Implementation of incentives policy

The Department reported that 485 educators received incentives, 6 did not benefit as they are underqualified and 179 due to terminations or transfers resulting from the closure of farm schools.

## Role of QLTC during COVID-19 pandemic

The QLTC report compiled in line with the COVID-19 Regulation Compliance Tool presented the following challenges:

- Infrastructural problems, especially in ablution facilities
- Schools that did not amend policies to include COVID-19 protocols
- Teaching time being lost, and learners falling behind with their work
- Schooling rotation system poses challenges towards the National School Nutrition Programme (NSNP), as learners do not receive food if it is not their turn to attend classes
- Burglaries and vandalism have increased during the COVID-19 period
- Training of QLTC structures relaunched in schools were not conducted
- Interventions and plans have been put in place to address the above challenges

## **Strategy to overcome areas of underperformance**

To ensure reports are subjected to due processes, dual/special meetings shall be convened in the event that predetermined events cannot be held due to circumstances beyond the control of the Chamber.

## **Changes to planned targets**

No changes were made to planned targets.

## **Linking performance to budget**

| Apr 2020 – Mar 2021                           |            |                    |                          |
|-----------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                               | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>Free State | 550        | 361                | 189                      |
| <b>Total</b>                                  | <b>550</b> | <b>361</b>         | <b>189</b>               |

### 3.1.1.3 Gauteng

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Gauteng                                                                                                             |                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                                                                                                                                        |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                     | Actual Achievement 2019/2020                                                                                                                                                                                                                                                          | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                           | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements</b>                                                                         |                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                                                                                                                                        |                                                                   |                       |        |
| <b>Strategic planning workshop</b><br>Develop an APP and budget for the next financial year (2021/22) and a report is received by Chamber.          | <b>Achieved</b><br>The workshop for strategic planning to conclude APP and budget for 2020/21 was held on:<br><b>Workshop dates:</b> <ul style="list-style-type: none"> <li>25–26 November 2019</li> </ul> The workshop report was tabled in the Chamber meeting of 28 November 2019, | Workshop (1)             | <b>Achieved</b><br>The target was planned for the fourth quarter of the 2020/21 financial year. The strategic planning workshop, however, took place earlier in the third quarter on 26 and 27 November 2020.<br>The report was ratified in the Chamber meeting held on 4 December 2020.                                                               | None                                                              |                       |        |
| <b>Safety in schools workshop and monitoring strategy</b><br>Convene a safety strategy and monitoring workshop and a report is received by Chamber. | <b>Achieved</b><br>The Education Summit on Safety in Schools was held on 06 March 2020.                                                                                                                                                                                               | Workshop (1)             | <b>Achieved</b><br>The target was planned for quarter 2 of 2020/21. The meeting to receive reports on safety strategy and monitoring took place on 24 November 2020 and 08 March 2021<br>Reports were tabled and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>04 December 2020</li> <li>16 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Gauteng                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                              |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                                                                                                                                                                                                              | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                 | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Dispute prevention</b><br>Monitor reports from the employer on categories of misconducts, types, nature, status of grievances and disputes lodged; also, report is received by Chamber                                                                                                                                                                                                    | <b>Achieved</b><br>Reports to monitor categories of misconduct cases, grievances and disputes were tabled and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 14 June 2019</li> <li>• 17 September 2019</li> <li>• 28 November 2019</li> <li>• 18 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Reports to monitor categories of misconduct cases, grievances and disputes lodged were presented by the Employer in the following Dispute Prevention Task Team meetings: <ul style="list-style-type: none"> <li>• 08 September 2020 (reports for first quarter and second quarter of 2020/21 were presented)</li> <li>• 08 November 2020</li> <li>• 12 March 2021</li> </ul> The reports were presented and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 29 September 2020 (reports for first quarter and second quarter of 2020/21 were presented and adopted)</li> <li>• 04 December 2020</li> <li>• 16 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Implementation of collective agreements</b><br>Monitor the implementation of Collective Agreement No. 8 of 2003 on Integrated Quality Management System (IQMS) for School-Based Educators and Collective Agreement No. 3 of 2017 on Education Management Service (EMS): Performance Management and Development System (PMDS) For Office-Based Educators; reports are received by Chamber. | <b>Achieved</b><br>The reports to monitor the implementation of IQMS-EMS/PMDS were tabled and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 14 June 2019</li> <li>• 17 September 2019</li> <li>• 28 November 2019</li> <li>• 18 March 2020</li> </ul>                 | Reports (4)              | <b>Achieved</b><br>The reports to monitor the implementation of IQMS-EMS/PMDS were presented by the Employer in the following IQMS PMDS Task Team meetings: <ul style="list-style-type: none"> <li>• 21 August 2020 (reports for first quarter and second quarter of 2020/21 were presented)</li> <li>• 17 November 2020</li> <li>• 22 February 2021</li> </ul> The reports were presented and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 29 September 2020 (reports for first quarter and second quarter of 2020/21 were presented and adopted)</li> <li>• 04 December 2020</li> <li>• 16 March 2021</li> </ul>                                 | None                                                              |                       |        |

| Collective Bargaining Services: Gauteng                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                                                       | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                          | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Educator resourcing</b><br>Monitor the extent of utilisation of temporary educators and conversion into permanent appointments based on allocated posts through post provisioning norms (PPN) and reports are received by Chamber. | <b>Achieved</b><br>Reports to monitor the extent of utilisation of temporary educators and conversion into permanent appointments based on allocated posts through PPN were tabled and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 14 June 2019</li> <li>• 17 September 2019</li> <li>• 28 November 2019</li> <li>• 18 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Reports to monitor the extent of utilisation of temporary educators and conversion into permanent appointments based on allocated posts through PPN were tabled in the following Educator Resourcing Task Team meetings: <ul style="list-style-type: none"> <li>• 19 August 2020</li> <li>• 18 September 2020</li> <li>• 20 November 2020</li> <li>• 10 March 2021</li> </ul> The reports were presented and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 29 September 2020 (first quarter reports were also ratified)</li> <li>• 04 December 2020</li> <li>• 16 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Employee health and wellness</b><br>Monitor the introduction and implementation of EHW programmes; a report is received by Chamber.                                                                                                | <b>Achieved</b><br>Meetings to monitor the introduction and implementation of employee wellness activities were held. Reports were tabled and adopted in Chamber.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 03 June 2019</li> <li>• 22 August 2019</li> <li>• 11 November 2019</li> <li>• 18 February 2020</li> </ul>                                         | Reports (4)              | <b>Achieved</b><br>Reports to monitor the introduction and implementation of EHW programmes were tabled and ratified in the following Employee Health and Wellness Task Team meetings: <ul style="list-style-type: none"> <li>• 26 August 2020</li> <li>• 10 November 2020</li> <li>• 05 March 2021</li> </ul> The reports were presented and ratified in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 29 September 2020 (first quarter reports were also ratified)</li> <li>• 04 December 2020</li> <li>• 16 March 2021</li> </ul>                                                                                   | None                                                              |                       |        |

## Performance Overview of the Gauteng Chamber for the 2020/21 Financial Year

The performance of Chamber during the 2020/21 was in line with the set targets as contained in the approved APP. Despite challenges due to the outbreak of the COVID-19 pandemic, most set targets and other priorities of mutual interest were achieved. The Standing Sub-Committee (STANCO) meetings were held to agree on the quarterly schedule of meetings and other priorities of mutual interest. The task team reports were presented and ratified by Chamber meetings held as reported in the table above. Progress of the activities of Chamber during the reporting period is recorded as follows.

### Safety in schools summit and monitoring strategy

This annual target was planned to take place during the second quarter of 2020/21. However, due to challenges related to COVID-19, it was not achieved in that quarter. The consolidated report was presented in meetings held in quarter 3 and 4 of 2020/21. Those meetings were held on 24 November 2020 and 08 March 2021, respectively. The meetings took place after the Summit, which was held on 06 March 2020, and its report was ratified by a Chamber meeting held on 18 March 2020. The following were highlights of the two meetings' reports:

- A report on schools' safety strategy after having noted that criminals were targeting schools that have ICT equipment and have also resorted to the use of weapons and arms that could not be matched by the schools' security
- 5 095 community patrollers deployed in schools would have minimal impact unless supported by an effective armed response team(s)
- There were incidents of vandalism, arson and theft of PPEs and ICT equipment in schools
- Improvement of schools' safety strategy by reviewing patrollers' programme
- Appointment of project management team (five persons) responsible for managing well-resourced response teams (160 persons)
- To follow a multi-sectoral approach to schools' safety and cluster guarding of high-risk schools

### Dispute prevention

The reports presented gave analysis of statistics on grievances, disputes and misconduct cases. The annual target for quarter 1 of 2020/21 was not realised during that quarter due to the outbreak of COVID-19. Areas of underperformance were presented in a consolidated report in the third and fourth quarters of 2020/21. The following were highlights:

- Concerns over delays in concluding engagements on the Draft Review of Provincial Collective Agreement No. 2 of 2005, particularly on the issue of Provincial Appeals Committee (PAC)
- Compliance on Schedule 8 of the Labour Relations Act (LRA)
- Analysis and proposed recommendations on dispute prevention strategies on identified ranked risks
- On the analysis of dispute management, out of 316 grievances, 247 have been finalised, which translated into 80% of the completion rate. The annual target was set at 85%. Grievances relating to promotion were the highest at 219 of 316 total grievances, which constituted 66% of the grievances. Of the 247 grievances finalised, 185 cases were promotion related, which constituted 72% of the completed cases. Unfair treatment was the second highest at 42 and 28 have been finalised. Salary-related cases were at 11 and six were finalised. That showed that there were delays in processing payments, which led to grievances
- A comprehensive report on intermediary services still to be presented
- Comprehensive reports were tabled on the proper breakdown of cases into specifics

## **Integrated Quality Management System (IQMS) / Education Management Service (EMS): Performance Management and Development System (PMDS)**

During the reporting period, Chamber monitored the implementation of collective agreements on performance agreements:

- Collective Agreement No. 8 of 2003 on *Integrated Quality Management System (IQMS) for School-Based Educators*
- Collective Agreement No. 3 of 2017 on *Education Management Services (EMS): Performance Management and Development System (PMDS) For Office-Based Educators*

Due to the outbreak of COVID-19, the set target for quarter 1 of 2020/21 could not be realised in the same quarter. However, areas of underperformance were covered in a consolidated report in the second and third quarters of 2020/21 in meetings held on 21 August 2020 and 17 November 2020. The presented reports highlighted the following:

The year 2020 was the year for the evaluation of school-based educators. The IQMS scores for 2020 were recorded as follows:

- Number of educators: 66 835
- Number of scores and reasons: 847
- % number scored and no reason: 1,27%
- Payments of pay progression on IQMS for 52 964 qualifying educators, including shop stewards for the 2019/20 cycle. It totalled R201 263 200,00
- 1 584 qualified for pay progression in EMS: PMDS, 102 were outstanding payments due to various reasons
- A brief report on Quality Management Service (QMS) was presented
- The year 2021 would be the year for the evaluations of school principals

### ***Educator resourcing***

During the reporting period, consultative meetings were held on 19 August 2020, 18 September 2020, 20 November 2020 and 10 March 2021. Consolidated reports of quarters two, three and four covered the work of quarter 1 of 2020/21. The Special Educator Resourcing Task Team meeting held on 18 September 2020 dealt with the report on PPN consultation on post establishment 2021. Further, it dealt with PPN 2021 Draft Circular, which was ratified in the Chamber meeting held on 29 September 2020.

A report was also presented on the draft Circular on the permanent appointment of PL 1 educators / education therapists, filling of office-based posts, update on Educator Vacancy Circulars from 2018 to 10 March 2021 (outstanding grievances on Educator Vacancy Circulars dating back as far as 2018 was a serious concern) and conversion of temporary educators / education therapists. On conversion of temporary educators / education therapists, the following statistical information was highlighted:

- From January 2021 to 10 March 2021, there were approximately 5 181 temporary PL 1 educators / education therapists
- Nearly 1 734 of 5 181 were appointed on normal fixed establishment / vacant substantive posts. The following might qualify after meeting requirements:
  - Less than 3 months = 354, total conversion = 149, new entrants awaiting SACE registration = 259, forms not submitted from schools = 630 and forms being processed = 342
- About 3 337 of the 5 181 were appointed in ad hoc posts / substitute and growth posts. They did not meet the requirements for conversion. Further, 110 also did not meet conversion requirements because they might be foreign educators / unqualified educators.

Parties agreed on the development of a memorandum to curb alleged fraudulent activities and abuses on conversion of temporary educators / education therapists. The progress report presented on the recruitment plan for the 2020/21 financial year for the filling of posts for office-based educators was summarised as follows:

- 161 total office-based educator advertised posts, 20 chief education specialists / circuit team managers, 48 deputy chief education specialists / cluster leaders, five education psychologists and 88 senior education specialists

The overall analysis of advertised posts for 2020/21 was 161; total filled were 16; outstanding were 98; in progress were 43 and success rate was 9,9%. On Educator Vacancy Circulars from 2018 to date in relation to Vacancy Circular 03/2020 (Educator Promotional and Therapists), 862 posts were advertised, 232 posts were filled, 15 grievances were outstanding with a 27% completion rate. On Vacancy Circular 01/2020 (Educator Promotional and Therapists), 940 posts were advertised, 673 filled, 11 grievances outstanding and a 72% completion rate reported.

### **Employee health and wellness (EHW)**

In 2020/21, the Employer presented implementation reports on the EHW programme against set targets. The meetings were held on 26 August 2020, 10 November 2020 and 05 March 2021. However, in quarter 1 of 2020/21, the target was not realised due to the outbreak of COVID-19. Areas of underperformance were, however, covered in a consolidated report in quarter 2 of 2020/21. The quarter 2 report was covered in the report of quarter 3 of 2020/21 while the report for quarter 3 was covered in the report presented on 05 March 2021.

The Employer established a Gauteng Department of Education (GDE) COVID-19 steering committee, which included organised labour. Furthermore, a GDE COVID-19 safety booklet was developed. A total of 429 cases from the top ten identified problem areas were managed through individual self-referral by using the 24-hour support line.

A total of 154 cases were recorded on stress, 92 on bereavement, 48 on trauma, 14 on COVID-19, 35 on phase-of-life/adjustment issues, 19 on anxiety, 30 on depression, 21 on suicide risks, 15 on health-related cases and 1 case on sexual abuse.

Out of a total of 5 800 office-based employees, total infections were 190, total recoveries 183 and seven fatalities recorded since the outbreak of the pandemic. Sixty-two (62) were confirmed school-based educator infections.

### **Additional achievements:**

#### **Monitoring and evaluation (M&E)**

The Special Monitoring & Evaluation (M&E) Technical Task Team met on 05 August 2020, 29 October 2020 and 15 February 2021. The purpose of the task team meetings was for the development of impact analysis of training programmes offered. Further, there was an M&E pilot workshop which took place on 02 March 2021. The meeting and the workshop highlighted the following:

- The implementation management plan and classroom observation tool for the M&E pilot project for quarter 4 of 2020/21
- The workshop was for the head of departments and educators in mathematics and accounting subjects from the identified participating nine secondary schools in the Gauteng West District

## Educator development

The Educator Development Task Team met on 18 August 2018, 11 February 2021 (Special), 15 February 2021 (Special) and 11 March 2021. The Employer presented reports on bursary allocations, reprioritisation of training programmes, online registration for teacher training, training programmes post COVID-19, data management systems, a revised draft of quarter 4 of the 2020/21 financial year and teacher training schedule. A revised management plan on the M&E pilot project and its recommendations were also presented. The issue of “lead teachers” remained a serious concern to organised labour as it was not covered by the PAM.

## Grade R (universalisation)

During the reporting period, the Grade R (universalisation) Task Team meeting met on 21 September 2020 and 18 February 2021. The Employer presented reports on COVID-19 and Grade R practitioners’ vulnerability due to exclusion in Collective Agreement No. 1 of 2020 and Grade R Memo 2/2020: *Guidelines for Implementation of Gauteng Department of Education’s Transitional Arrangement for Grade R Dispensation*. The memorandum highlighted the following: implementation of transitional arrangements, qualifications, contracts, and maternity leave. Contracts may not be terminated for practitioners during maternity leave. Further, practitioners on such leave were to receive their stipends. Finally, revised Grade R practitioners’ training schedules for quarter 4 of 2020/21 were finalised.

## Procedure on incapacity leave and ill-health retirement (PILIR)

During the reporting period, the PILIR Task Team was able to meet on 10 November 2020 and 05 March 2021. During quarter 2, the PILIR unit received and processed 341 applications for assessment by the health risk manager. A total of 206 short-term incapacity leave applications were submitted and 206 applications were finalised, 121 long-term incapacity leave applications were submitted for assessment and 121 applications were finalised. Fourteen (14) ill-health retirement applications were submitted for assessment and all were finalised. A total of 198 school-based educators were substitutes appointed by PERSAL at a cost of R5 913 300,89. The following were the most dominating diagnoses during quarter 2:

- Mental and behavioural disorders
- Multisystemic diseases
- Diseases of the musculoskeletal system and connective tissue

During the months of October, November and December 2020, the PILIR unit received and processed 1 201 applications for assessment by the health risk manager. A total of 879 short-term incapacity leave applications were submitted and 879 applications were finalised. Three hundred and six (306) long-term incapacity leave applications were submitted for assessment and all applications were finalised. Sixteen (16) ill-health retirement applications were submitted for assessment and finalised. There were also approximately 36 applications received and processed by independent medical assessments. There were 70 total rejections of the 1 2001 applications received. Nearly 725 substitute appointments were appointed at the overall cost of R22 266 093,05. The following were the most dominating diagnosis during quarter 3:

- Mental and behavioural disorders: 231 applications were assessed at 19%
- Multisystemic diseases: 188 applications were assessed at 16%
- Diseases of the musculoskeletal system and connective tissue: 168 applications were assessed at 14%

## Magnet schools

The Magnet Schools (focus schools) Task Team met twice on 17 November 2020 and 24 February 2021. The meeting dealt with the memo on magnet schools' learning teaching and support materials (LTSM) transfer for 2020/21, magnet schools monitoring 2021 and inclusion of performing arts as a subject, relocation of some magnet schools due to infrastructure needs and safety of staff as well as learners. The following were affected: FJL Wells Magnet School to LS Rapportryer (Gauteng West), Realogile Magnet School to Sandown SS (Johannesburg East), Kwadedalengela Magnet to Curtis Nkondo School of Specialisation (Johannesburg Central) and Lefa Ifa Magnet School (Gauteng East). Adding creative arts/performing arts as a subject in magnet schools. The following were able to accommodate performing areas: East Rand School of the Arts, Hoërskool Randburg, Hoërskool Monument and Pro Arte Pretoria. The following were also highlighted:

- Advertisement of promotional in 2021 for magnet schools
- Revised curriculum implementation for 2021
- Currently, a curriculum guide is available for music, but there is a need for the formalisation of a curriculum for dramatic arts and dance studies

## Grade 12 markers

The Grade 12 Markers Task Team meeting was held on 06 October 2020 and 24 February 2021. The Employer presented reports on e-marking and re-marking, marking of 2020 combined National Senior Certificate and Senior Certificate examinations, appointment of markers, and COVID-19 compliance at marking centres. The following were highlights of the marking of the 2020 National Senior Certificate and Senior Certificate Examinations:

- Total number of confirmed COVID-19 cases was 16
- Total number of COVID-19 fatalities from the marking centres was four
- Payment of markers

## Curriculum

In 2020/21, the Curriculum Task Team meetings were held on 4 November 2020 and 08 March 2021. The Employer tabled a presentation on the Oral Fluency Reading Assessment Study 2021 and its proposed management plan. The highlight was that the Draft Memorandum on the Oral Reading Assessment and the management plan had to be finalised.

## Quality Management System (QMS)

During the reporting period, in monitoring the implementation of QMS Collective Agreement No. 2 of 2020, three meetings were held on 21 August 2020, 17 November 2020 and 22 February 2021. Consolidated reports were presented, which covered the activities of quarter 1 of 2020/21. The reports for 2020/21 highlighted the following:

- QMS trainings and the impact of COVID-19
- Training of 1 039 of Provincial Training Team (PTT) members
- Status of QMS and IQMS for 2021
- Implementation of QMS collective agreement for principals by 01 January 2021
- Training of newly appointed principals and final mop-up of principals training from 25 January to 26 February 2021
- Refresher training of the PTT from 01–26 February 2021
- Planning for the training of PL 1–3's educators by 01–19 March 2021
- Finalisation of work plans for principals to take place by 26 February 2021
- Training of school-based educators (PL 1–3s) from 01 April to 30 September 2021
- QMS implementation by PL 1–3s educators by 30 September 2021

## Quality learning and teaching campaign (QLTC)

The QLTC Task Team meetings were held on 03 December 2020 and 11 March 2021. The purpose of the meetings was to monitor the role of QLTC during the COVID-19 pandemic and to ensure that COVID-19 non-negotiables are adhered to in Gauteng. The following were the highlights of the meeting:

- The provincial QLTC coordinator to be appointed as a matter of urgency
- A comprehensive report to be tabled by the Employer in the next meeting in quarter 1 of 2021/22
- In the next meeting, parties to engage on the role of PELRC in QLTC, given its scope

## Policies

The Policies Task Team meeting was held on 17 February 2021. The Employer presented for consultation the GDE's draft HR policies. Those draft policies were Draft GDE Retention Policy, Draft GDE Bursary Policy and Draft GDE Occupational Health and Safety (OHS) Policy. Further, the Employer presented a Draft Memorandum of Understanding (MoU) with GDE and the unions. The following were the highlights of the deliberations:

- Terms of Reference (ToR) of the MoU
- Revised draft policies to be availed timeously for further engagements

## Strategy to overcome areas of underperformance

Not applicable.

## Changes to planned targets

No changes were made to planned targets.

## Linking performance to budget

| Apr 2020 – Mar 2021                     |                    |            |                          |
|-----------------------------------------|--------------------|------------|--------------------------|
| Programme Name                          | Actual Expenditure | Budget     | (Over)/Under Expenditure |
|                                         | R'000              | R'000      | R'000                    |
| Collective Bargaining Services: Gauteng | 565                | 281        | 284                      |
| <b>Total</b>                            | <b>565</b>         | <b>281</b> | <b>284</b>               |

### 3.1.1.4 KwaZulu-Natal

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: KwaZulu-Natal                                                                                                   |                                                                                                                                                                                                                                                       |                             |                                                                                                                                                                                                                                                                                                             |                                                                   |                       |        |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                 | Actual Achievement 2019/2020                                                                                                                                                                                                                          | Planned Target 2020/2021    | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                        |                                                                                                                                                                                                                                                       |                             |                                                                                                                                                                                                                                                                                                             |                                                                   |                       |        |
| <b>Post Provisioning</b><br>Facilitate the consultation process for post provisioning and reports presented to Chamber.                         | <b>Achieved</b><br><b>Workshop held on:</b> <ul style="list-style-type: none"> <li>• 07 June 2019</li> </ul> <b>Meetings held on:</b> <ul style="list-style-type: none"> <li>• 23 August 2019 and</li> <li>• 19 September 2019</li> </ul>             | Workshop (1)<br>Reports (2) | <b>Achieved</b><br>A report on the Consultation meetings on post creation between the MEC and educator unions and post distribution between the head of department (HOD) and educator unions was presented to the Chamber meeting on 30 September 2020; this included the first and second quarter reports. | None                                                              |                       |        |
| <b>Incentives for Educators</b><br>Monitoring reports on the implementation of incentives for educators are available and presented to Chamber. | <b>Not Achieved</b><br>The workshop on incentives was held on 20 June 2019<br>The Chamber meeting to receive reports on incentives for educators was held on 19 March 2020, but adjourned soon after commencement, without the report being presented | Workshop (1)<br>Reports (3) | <b>Achieved</b><br>Reports by the Payment of Incentives Task Team for 2020 were presented covering quarter 1 and quarter 2 and were adopted at the Chamber meetings held on: <ul style="list-style-type: none"> <li>• 30 September 2020</li> <li>• 14 December 2020</li> <li>• 20 April 2021</li> </ul>     | None                                                              |                       |        |

| Collective Bargaining Services: KwaZulu-Natal                                                                                                                                                                                                  |                                                                                                                                                |                          |                                                                                                                                                                                                                                                                                                                                             |                                                                   |                       |        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                                                                | Actual Achievement 2019/2020                                                                                                                   | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Employee health and wellness (EHW)</b><br>Monitoring reports on the implementation of EHW programmes are available and presented to Chamber.                                                                                                | <b>Not Achieved</b><br>The Chamber meeting was held on 19 March 2020 but adjourned soon after commencement, without the report being presented | Reports (4)              | <b>Achieved</b><br>Reports from the task team on the implementation of Employee Health and Wellness Programmes were presented covering quarter 1 and quarter 2 and were adopted at the Chamber meetings held on: <ul style="list-style-type: none"> <li>• 30 September 2020</li> <li>• 14 December 2020</li> <li>• 20 April 2021</li> </ul> | None                                                              |                       |        |
| <b>Teacher Development</b><br>Monitoring reports on implementation of new and/or existing teacher development programmes and reports presented to Chamber.                                                                                     | <b>Not Achieved</b><br>The Chamber meeting was held on 19 March 2020 but adjourned soon after commencement.                                    | Reports (4)              | <b>Achieved</b><br>Progress reports on the implementation of teacher development programmes was presented and adopted in the Chamber meetings held on: <ul style="list-style-type: none"> <li>• 30 September 2020</li> <li>• 14 December 2020</li> <li>• 20 April 2021</li> </ul>                                                           | None                                                              |                       |        |
| <b>Dispute Prevention</b><br>Monitor and analyse statistical reports presented to Chamber on the categories and status of grievances, misconduct and disputes lodged as well as from time to time, adopting new dispute prevention strategies. | <b>Not Achieved</b><br>The Chamber meeting was held on 19 March 2020 but adjourned soon after commencement, without the report being presented | Reports (4)              | <b>Achieved</b><br>Reports from the Dispute Prevention Task Team were presented covering quarter 1 and quarter 2 and were adopted at the Chamber meetings held on: <ul style="list-style-type: none"> <li>• 30 September 2020</li> <li>• 14 December 2020</li> <li>• 20 April 2021</li> </ul>                                               | None                                                              |                       |        |

## **Performance overview of KwaZulu-Natal (KZN) Chamber for the 2020/21 Financial Year**

During April/May 2020, the Employer was tasked with an unprecedented responsibility of preparing for the roll-out of education amidst great uncertainty fuelled by the growing surge in the number of infections of the COVID-19 pandemic. The Employer had to immediately act at the start of the lockdown period by forming task teams (outside the ambit of Chamber to involve relevant stakeholders) to manage the pandemic in terms of the reopening of schools, making provision of replenishing stocks of PPE and preparing to roll-out the newly concluded National Collective No. 1 of 2020, which deals with educators with comorbidities.

The earliest the parties could respond to a Chamber meeting was at the beginning of May 2020. A virtual STANCO meeting was held on 08 May 2020 for the leaders of parties to assess the impact of the pandemic on the work of Chamber and how best to respond. The rest of May 2020 was indisposed due to extreme demands placed on them to work together in the various task teams outside Chamber to prepare for the reopening of schools, and to deal with prevailing uncertainties and queries.

The remainder of the virtual task team meetings were convened from the beginning of June 2020. Unfortunately, Parties were unavailable to convene a Chamber meeting to receive reports from task teams, due to time constraints occasioned by the huge demands on the time of Parties.

The pandemic also affected the convening of the indicative budget workshop. The Employer needed more time to reconfigure its budget allocation to funding programmes and to re-assess its priorities so that monies are made available to purchase replenishing stocks of PPE for schools and to prepare for an unprecedented spike in the demand for substitute educators.

The challenges caused a time delay in convening a Chamber meeting as per the predetermined objectives. However, it is heartening to report on the commendable work done by parties (through the four staffing task team meetings) to address queries related to the ELRC Collective Agreement No. 1 of 2020. The convening of these meetings ensured that there was a meeting of minds between parties on some uncertain areas which had the potential to hinder the fluid implementation of Collective Agreement No. 1 of 2020.

Parties to the KZN PELRC Chamber played a relevant and crucial role in ensuring it was to a large extent “business as usual” insofar as calling of emergency (albeit virtual meetings sometimes after hours). Produced and released with immediate effect was a series of Human Resource Management (HRM) Circulars to guide through the smooth implementation of the collective agreement.

Despite the many setbacks experienced by the Chamber during the period under review, it is pleasing to report that all predetermined objectives were met by utilising online meeting platforms. In addition to achieving all predetermined objectives and to ensure business continuity, the reports that were presented to the Chamber meeting held on 19 March 2020 (which adjourned due to the outbreak of the COVID-19 pandemic) as well as the work of the various task teams during the first quarter were presented to the Chamber meeting held on 30 September 2020.

The financial year 2020/21 culminated with the KZN Chamber enduring complexities, resulting in the demise of Mr D Singh, ELRC Provincial Manager. Despite these limitations, the Parties continued working tirelessly to ensure that the Chamber remained functional and implemented objectives in accordance with the APP for the purpose of maintaining labour peace in the KZN education sector.

The comprehensive reports were discussed in task team meetings convened during the year and presented at the Chamber meeting for consideration and adoption by all the parties.

## Staffing Committee

The Employer presented staffing reports that focus on recruitment processes and include the following matters:

### Withdrawal of Circular on Concession

The Department attempted to align its practices to the directives of DBE Circular No. 1 of 2020 in terms of application for concessions for educators with comorbidities. DBE Circular No. 2 ceased the operation of DBE Circular No 1/2020. It became necessary that the Department withdraw its proposed Circular and parties agreed that the intended Circular for concessions be withdrawn following the President's announcement that the country would move to Alert Level 1 in terms of COVID-19 regulations.

### Implementation of HRM 61 of 2020

The statistics were presented regarding phase 1 and 2 for all the districts on the placement of surplus educators:

#### **Placement 1 (Phase 1):**

| District       | No. of level 1 surpluses declared for PTT | No. of SMT surpluses declared for PTT | Total surpluses | No. of level 1 placed at PTT | No. of SMT placed at PTT | Total remained unplaced after PTT |
|----------------|-------------------------------------------|---------------------------------------|-----------------|------------------------------|--------------------------|-----------------------------------|
| Amajuba        | 64                                        | 4                                     | 68              | 14                           | 1                        | 53                                |
| Harry Gwala    | 91                                        | 12                                    | 103             | 62                           | 12                       | 29                                |
| Ilembe         | 31                                        | 13                                    | 44              | 15                           | 0                        | 29                                |
| King Cetshwayo | 118                                       | 12                                    | 130             | 7                            | 0                        | 123                               |
| Pinetown       | 128                                       | 19                                    | 147             | 102                          | 12                       | 33                                |
| Ugu            | 96                                        | 6                                     | 102             | 24                           | 6                        | 72                                |
| Umgungundlovu  | 120                                       | 19                                    | 139             | 28                           | 18                       | 93                                |
| Umkhanyakude   | 165                                       | 14                                    | 179             | 18                           | 10                       | 151                               |
| Umlazi         | 44                                        | 8                                     | 52              | 2                            | 1                        | 49                                |
| Umzinyathi     | 132                                       | 14                                    | 146             | 0                            | 10                       | 136                               |
| Uthukela       | 98                                        | 4                                     | 102             | 18                           | 0                        | 84                                |
| Zululand       | 310                                       | 38                                    | 348             | 4                            | 3                        | 341                               |
| <b>Total</b>   | <b>1 397</b>                              | <b>163</b>                            | <b>1 560</b>    | <b>294</b>                   | <b>73</b>                | <b>1 193</b>                      |

#### **Placement 2 (Phase 2):**

| District       | No. of level 1 surpluses declared for PTT | No. of SMT surpluses declared for PTT | Total surpluses | No. of level 1 placed at PTT | No. of SMT placed at PTT | Total remained unplaced after PTT |
|----------------|-------------------------------------------|---------------------------------------|-----------------|------------------------------|--------------------------|-----------------------------------|
| Amajuba        | 50                                        | 3                                     | 53              | 9                            | 1                        | 43                                |
| Harry Gwala    | 29                                        | 0                                     | 29              | 6                            | 0                        | 23                                |
| Ilembe         | 16                                        | 13                                    | 29              | 2                            | 12                       | 15                                |
| King Cetshwayo | 111                                       | 12                                    | 123             | 25                           | 9                        | 89                                |
| Pinetown       | 26                                        | 7                                     | 33              | 1                            | 1                        | 31                                |
| Ugu            | 72                                        | 0                                     | 72              | 18                           | 0                        | 54                                |
| Umgungundlovu  | 92                                        | 1                                     | 93              | 12                           | 1                        | 80                                |

| District     | No. of level 1 surpluses declared for PTT | No. of SMT surpluses declared for PTT | Total surpluses | No. of level 1 placed at PTT | No. of SMT placed at PTT | Total remained unplaced after PTT |
|--------------|-------------------------------------------|---------------------------------------|-----------------|------------------------------|--------------------------|-----------------------------------|
| Umkhanyakude | 147                                       | 4                                     | 151             | 16                           | 2                        | 133                               |
| Umlazi       | 42                                        | 7                                     | 49              | 26                           | 2                        | 21                                |
| Umzinyathi   | 132                                       | 4                                     | 136             | 15                           | 3                        | 118                               |
| Uthukela     | 80                                        | 4                                     | 84              | 15                           | 4                        | 65                                |
| Zululand     | 306                                       | 35                                    | 341             | 22                           | 29                       | 290                               |
| <b>Total</b> | <b>1 103</b>                              | <b>90</b>                             | <b>1 193</b>    | <b>167</b>                   | <b>64</b>                | <b>962</b>                        |

#### Expedited processes: Appointment of Level 1 educators

The Department, together with organised labour, reached consensus that learners will be disadvantaged with the non-availability of Level 1 educators if there are unplaced surplus educators. A total of 962 surplus educators remain unplaced due to a mismatch in curriculum offerings. To further complicate the problem, it seemed that it was taking longer to appoint substitute educators in terms of the Department processes. In view thereof, parties agreed to an expedited process to appoint substitute educators. The expedited process entailed principals' making their own recommendations for appointment to substitute posts for a period to be decided by parties. To date, 705 substitute educators have been appointed through this process.

#### Proposal to place unplaced surplus educators

The PTT decided that it would be appropriate to protract its existence to accommodate more placements and 962 surplus educators that remain unplaced into vacant posts. The management plan and next phase of PTT categorised into three steps were presented.

### **Incentives for educators**

The progress report on the implementation of incentives for educators was presented and covered in the Staffing Task Team meeting held on 19 February and 11 March 2021, and the Staffing Task Team report was tabled in the Chamber meeting of 20 April 2021 and other reports in previous quarters.

The Department also presented the proposal for payment of incentives at the last Staffing Task Team meeting and Labour requested that a comparative analysis be provided to consider the Department's proposal. The following comparative analysis will be deliberated in the next Staffing Task Team meeting.

| District       | Allocation 2020 | Ppn 221      | Difference  |
|----------------|-----------------|--------------|-------------|
| Harry Gwala    | 311             | 311          | 0           |
| Ilembe         | 1 372           | 1 303        | -69         |
| King Cetshwayo | 1 052           | 973          | -79         |
| Umgungundlovu  | 3               | 3            | 0           |
| Umkhanyakude   | 887             | 873          | -14         |
| Umzinyathi     | 2 423           | 2 318        | -105        |
| Zululand       | 105             | 105          | 0           |
| <b>Total</b>   | <b>6 153</b>    | <b>5 886</b> | <b>-267</b> |

## Schools-based promotion posts

The progress report on the filling of HRM Circular No. 13 of 2020 presented a total number for all the districts:

| No. of posts advertised | No. of posts withdrawn | No. of live posts | No. of posts placed | Posts with no suitable candidates | Posts outstanding | Posts with grievances | % Outstanding |
|-------------------------|------------------------|-------------------|---------------------|-----------------------------------|-------------------|-----------------------|---------------|
| 982                     | 19                     | 963               | 871                 | -                                 | 92                | -                     | 9.55          |

## Implementation of employee health and wellness programmes

The Employer presented a detailed report relating to EHW activities conducted in each district:

| Activity                           | Number of attendees |
|------------------------------------|---------------------|
| COVID-19 testing                   | 59                  |
| COVID-19 training                  | 216                 |
| EHW advocacy                       | 294                 |
| Financial literacy workshop        | 38                  |
| Trauma debriefing                  | 135                 |
| Eye wellness screening             | 21                  |
| Anxiety management workshop        | 84                  |
| COVID-19 compliance check-up       | 39                  |
| Distribution of COVID-19 materials | 105                 |
| Leave management workshop          | 32                  |
| <b>Total</b>                       | <b>1 023</b>        |
| Male condoms                       | 4 500               |
| Female condoms                     | 654                 |

## Teacher Development Task Team – 04 March 2021

The report provided an update on five teacher development programmes that were conducted during the year and presented at the Teacher Development (TD) Task Team meetings.

### Quality management system training for principals (Phase 1)

At the time of presenting the report at the task team meeting, the QMS PTT members trained stood at 350 (86%) out of 405. Districts had commenced with the training of principals, some of which had already completed training; the results stood at 5 197 (88%) principals trained out of 5 891.

The Task Team meeting resolved that a meeting of the NTT, PTT members and TD Task Team be convened to reflect on lessons learnt from the roll-out of Phase 1 of training, with a view to enhancing preparedness for the massive next phase of roll-out involving over 84 000 educators.

### Jika Imfundo KZNDoe TD/PILO SMT work plan 2021

A joint presentation was done by both the PILO Team and Employer on programmes and activities planned for SMTs on curriculum leadership and management planned for 2021. The work plan and detailed schedule of training of SMTs indicate the details of training activities targeting both district SMTs training teams and SMTs themselves who will be trained by those training teams established in each district.

### Update on professional learning communities (PLCs) work in KZN

A presentation was delivered by WVOB South Africa on the work done thus far in respect of training of circuit managers and the training team comprising TD, Curriculum GET & FET and teacher unions. The presentation reveals that 172 circuit managers and 134 training team members were trained on PLCs in October 2020. The presentation further unpacks, among other concepts, the concept of PLCs, rationale and the benefits.

### DBE coding and robotics pilot overview and progress report

A presentation on coding and the robotics DBE pilot was made, providing details of the project. It was explained that through this pilot, the Basic Education Sector intends introducing coding and robotics as a subject. The six districts involved in this project are Amajuba, Zululand, Uthukela, Umkhanyakude, King Cetshwayo and Pine Town. The matters also covered in the presentation include the establishment of a project management team, the steering committee, the need to resource the identified schools and the training of educators at the piloting schools.

### Curriculum Grades 10–12 – Just-in-Time (JIT)

A presentation on JIT was made to apprise task team members on the Department's plan regarding implementation of this programme in 2021. The modus operandi of this content and methodology enhancement programme essentially entails that, once a quarter, educators are assisted with content and methodology in respect of the work they will teach in that term. The parties appreciated all the presentations on TD programmes.

## **Dispute prevention task team**

The statistics were presented on disputes lodged with the ELRC, grievances and misconduct cases and some of the information was reported as follows:

- Grievance statistics presented included HRM 61 PPN grievances, specifically regarding cases that have arisen from PTT placements in terms of HRM 61 of 2020
- At the last meeting of the Provincial Task Team in February/March 2021, 16 grievances were lodged because of dissatisfaction of PTT placement and educators are directed to follow the normal grievance produces in terms of provisions of Annexure E as contained in the manual and HRM 61 of 2020, dictating that grievances must be referred to the Employee Relations Directorate within the district

## **Misconduct and suspension cases**

### **A: Misconduct**

| Type of offence                   | Non-finalised previous cases | New cases for this quarter | Total      | Finalised cases this quarter | Not yet finalised | Finalised within 90 days |
|-----------------------------------|------------------------------|----------------------------|------------|------------------------------|-------------------|--------------------------|
| Fraud/ theft                      | 25                           | 0                          | 25         | 7                            | 18                | 0                        |
| Social grant misconduct           | 0                            | 0                          | 0          | 0                            | 0                 | 0                        |
| Misuse of state property          | 2                            | 0                          | 2          | 15                           | 0                 | 29                       |
| Insubordination                   | 36                           | 0                          | 36         | 10                           | 26                | 0                        |
| Absenteeism                       | 6                            | 0                          | 6          | 2                            | 4                 | 0                        |
| Sexual harassment                 | 31                           | 2                          | 33         | 6                            | 27                | 0                        |
| Under influence of alcohol/ drugs | 0                            | 0                          | 0          | 0                            | 0                 | 0                        |
| Assault                           | 11                           | 1                          | 12         | 1                            | 11                | 0                        |
| Other                             | 39                           | 0                          | 39         | 4                            | 35                | 0                        |
| <b>Totals</b>                     | <b>150</b>                   | <b>3</b>                   | <b>153</b> | <b>31</b>                    | <b>122</b>        |                          |

## Precautionary suspensions

| Total number of employees on precautionary suspension | Number of precautionary suspensions finalised/uplifted | Financial implication for the quarter | Total financial Implication |
|-------------------------------------------------------|--------------------------------------------------------|---------------------------------------|-----------------------------|
| 54                                                    | 5                                                      | R10 572 066.75                        | R 39 038 755                |

## B: Grievances

### Office-based grievances – provincial grievance committee

There were approximately 15 cases lodged with the Provincial General Council (PGC) regarding office-based posts. Of these, 4 grievances related to the filling of public service posts. In the absence of a collective agreement to address these grievances, they were also dealt with by the PGC and resolved within a 14-day period. Outstanding grievance relates to public service post and a submission was made to the HOD to finalise it.

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| Number of grievances carried over unresolved / not finalised from previous ¼ | 19  |
| Number of grievances received                                                | 124 |
| Number of grievances resolved / finalised                                    | 86  |
| Number of grievances remaining unresolved                                    | 38  |
| Number of grievances referred to PSC                                         | Nil |
| Number of grievances referred to Bargaining Council                          | Nil |

## Reinstatement applications (deemed dismissal – Section 14)

The Employer stated that three cases were reported and finalised. Of the three cases, two applications for reinstatement were upheld and one dismissed. These employees had exhausted external remedies afforded by the Courts and the ELRC dispute resolution mechanism. Applicants were unsuccessful until they applied provisions arising in the Phenithi judgement, read in conjunction with dictum of Judge André van Niekerk.

## Case law discussions

The parties discussed and agreed that there is a need for committee members to be empowered in terms of new laws/regulations and a discussion document in terms of avoiding unnecessary suspensions and reducing the time for precautionary suspensions would be discussed at the HR workshop to be arranged in 2021.

## Government Gazette 44433

The parties agreed that Government Gazette 44433 shall find expression at the HR workshop and an extensive workshop to capacitate all the educators on the contents.

**Additional activities dealt with in KZN PELRC during the year under review:**

- Progress report tabled and discussed on the grading of institutions
- Progress report tabled and discussed on the payment of stipend to ECD practitioners
- Increase in stipend payment / travel subsistence for lead educators (TD Task Team) – Adopted at a special Chamber meeting held on 01 September 2020
- Progress reports tabled on the filling of promotion posts
- Discussion and adoption of a series of HRM Circulars pertaining to the COVID-19 pandemic
- Convening of the Grade R Task Team meetings to deal with, among other matters, the functioning of Grade R classes during the pandemic
- Progress report tabled and discussed at the Dispute Prevention Task Team meeting on the framing of misconduct charges
- Progress report tabled and discussed at the Dispute Prevention Task Team meeting on the auditing of provincial collective agreements

**Strategy to overcome areas of underperformance**

Not applicable.

**Changes to planned targets**

No changes were made to planned targets.

**Linking performance to budget**

| Apr 2020 – Mar 2021                           |                    |            |                          |
|-----------------------------------------------|--------------------|------------|--------------------------|
| Programme Name                                | Actual Expenditure | Budget     | (Over)/Under Expenditure |
|                                               | R'000              | R'000      | R'000                    |
| Collective Bargaining Services: KwaZulu-Natal | 666                | 266        | 400                      |
| <b>Total</b>                                  | <b>666</b>         | <b>266</b> | <b>400</b>               |

### 3.1.1.5 Limpopo

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Limpopo                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                   | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Information Sharing</b>                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                   |                       |        |
| <b>Human resource management</b><br>Monitoring HR reports on the provisioning of human resources and reports presented in Chamber | <b>Achieved</b><br>The report on the implementation of the 2019 PPN was tabled in the Post Provisioning Task Team meeting held on 25 June 2019 and adopted in the Chamber meeting held on 28 June 2019.<br>Progress reports on the management plan for the implementation of the 2019 schools' post establishments were tabled in the Chamber meetings held on 20 November 2019 and 30 September 2019<br>The PPN and the management plan for the implementation of the 2020 schools' post establishment were tabled and adopted in the Special Chamber meeting held on 20 November 2019 | Reports (4)              | <b>Achieved</b><br>Reports on the provisioning of human resources were discussed and monitored in the HRM sub-committee and Chamber meetings held as follows:<br><b>Sub-committee meetings:</b> <ul style="list-style-type: none"> <li>• 18 June 2020</li> <li>• 03 September 2020</li> <li>• 09 November 2020</li> <li>• 05 March 2021</li> </ul> <b>Chamber meetings:</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 23 November 2020</li> <li>• 26 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Limpopo                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                          | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                     | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Rationalisation of schools</b><br>Monitoring in Chamber, the LDoE's HRM reports in the Chamber meeting on rationalisation of schools                  | <b>Achieved</b><br>Parties discussed the report on educators who applied for incentives in the task team meetings held as follows: <ul style="list-style-type: none"> <li>• 25 June 2019</li> <li>• 06 March 2020</li> </ul> <b>Chamber meetings held on:</b> <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> <li>• 20 November 2019</li> <li>• 15 April 2020</li> </ul> | Reports (3)              | <b>Achieved</b><br>The HRM reports on rationalisation of schools were tabled in the four sub-committee and Chamber meetings on the following dates: <b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 18 June 2020</li> <li>• 03 September 2020</li> <li>• 09 November 2020</li> <li>• 05 March 2021</li> </ul> <b>Chamber meetings</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 23 November 2020</li> <li>• 26 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Policy on incapacity leave and ill-health retirement (PILIR)</b><br>Monitoring in Chamber the LDoE's HRM reports on the processing of PILIR referrals | <b>Achieved</b><br>The reports were tabled in the following meetings: <b>Task team meeting held on:</b> <ul style="list-style-type: none"> <li>• 10 May 2019</li> <li>• 06 March 2020</li> </ul> <b>Chamber meetings held on:</b> <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 Sept 2019</li> <li>• 15 April 2020</li> </ul>                                                              | Reports (3)              | <b>Achieved</b><br>The Employer's HRM reports on the processing of PILIR referrals were discussed and monitored in: <b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 03 September 2020</li> <li>• 09 November 2020</li> <li>• 05 March 2021</li> </ul> The reports of the above sub-committee meetings were adopted in the Chamber meetings held as follows: <ul style="list-style-type: none"> <li>• 29 September 2020</li> <li>• 23 November 2020</li> <li>• 26 March 2021</li> </ul>   | None                                                              |                       |        |

| Collective Bargaining Services: Limpopo                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                         | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Incentivised posts</b><br>Reports on the payment of incentives for educators are available and presented to Chamber                  | <b>Achieved</b><br>The reports were tabled and discussed in the following meetings:<br><b>Task team meetings held on:</b> <ul style="list-style-type: none"> <li>• 13 June 2019</li> <li>• 21 August 2019</li> <li>• 01 November 2019</li> <li>• 18 February 2020</li> </ul> All task team reports were adopted in the respective Chamber meetings held on: <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> <li>• 20 November 2019</li> <li>• 15 April 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Reports on the payment of incentives for educators were presented and discussed in:<br><b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 18 June 2020</li> <li>• 03 September 2020</li> <li>• 09 November 2020</li> <li>• 05 March 2021</li> </ul> <b>Chamber meetings</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 23 November 2020</li> <li>• 26 March 2021</li> </ul>           | None                                                              |                       |        |
| <b>Employee safety, health and wellness</b><br>Monitoring the implementation of the wellness programmes and report presented in Chamber | <b>Achieved</b><br>The reports were tabled in the following meetings:<br><b>Task team meeting held on:</b> <ul style="list-style-type: none"> <li>• 10 May 2019</li> <li>• 06 March 2020</li> </ul> <b>Chamber meetings held on:</b> <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> </ul>                                                                                                                                                                             | Reports (3)              | <b>Achieved</b><br>Reports on monitoring the implementation of the employee safety, health and wellness programmes were discussed in the following sub-committee meetings:<br><b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 08 June 2020</li> <li>• 22 July 2020</li> <li>• 10 February 2021</li> </ul> <b>Chamber meetings</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 26 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Limpopo                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                   |                       |        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                              | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Dispute Prevention</b><br>Monitor reports on the categories and status of the misconduct cases, grievances and disputes lodged and reports presented in Chamber quarterly | <b>Achieved</b><br>The reports were tabled and discussed in the following meetings:<br><b>Task team meetings held on:</b> <ul style="list-style-type: none"> <li>• 13 June 2019</li> <li>• 21 August 2019</li> <li>• 01 November 2019</li> <li>• 18 February 2020</li> </ul> All task team reports were adopted in the respective Chamber meetings held on: <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> <li>• 20 November 2019</li> </ul> | Reports (4)              | <b>Achieved</b><br>Reports on the categories and status of the misconduct cases, grievances and disputes lodged were presented, monitored and discussed in the following meetings:<br><b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 11 June 2020</li> <li>• 17 August 2020</li> <li>• 22 October 2020</li> <li>• 18 February 2021</li> </ul> <b>Chamber meetings</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 23 November 2020</li> <li>• 26 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Educators' performance management</b><br>Monitor the implementation of performance management instruments and presents reports in the Chamber                             | <b>Achieved</b><br>The reports were tabled and discussed in the following meetings:<br><b>Task team meeting held on:</b> <ul style="list-style-type: none"> <li>• 12 June 2019</li> <li>• 02 March 2020</li> </ul> <b>In the Chamber meetings held on:</b> <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> </ul>                                                                                                                              | Reports (3)              | <b>Achieved</b><br>Reports on the implementation of performance management instruments were tabled, monitored and discussed in the following meetings:<br><b>Sub-committee meetings</b> <ul style="list-style-type: none"> <li>• 09 June 2020</li> <li>• 20 August 2020</li> <li>• 24 February 2021</li> </ul> <b>Chamber meetings</b> <ul style="list-style-type: none"> <li>• 29 June 2020</li> <li>• 29 September 2020</li> <li>• 26 March 2021</li> </ul>                                                                                    | None                                                              |                       |        |

| Collective Bargaining Services: Limpopo                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                          |                              |                                                                   |                                                                                                                                                                                      |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                                      | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planned Target 2020/2021 | Actual Achievement 2020/2021 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                                                                                                                | Status |
| <b>Curriculum and examinations</b><br>Monitor the implementation of the curriculum policies and the management of examinations and reports are presented to Chamber. | <b>Achieved</b><br>The reports were tabled and discussed in the following meetings:<br><b>Special task team meetings held on:</b> <ul style="list-style-type: none"> <li>• 16 April 2019</li> <li>• 23 July 2019</li> <li>• 22 October 2019</li> <li>• 04 November 2019</li> <li>• 07 August 2019</li> </ul> <b>Various task team reports were adopted in various Chamber meetings held on:</b> <ul style="list-style-type: none"> <li>• 28 June 2019</li> <li>• 30 September 2019</li> <li>• 20 November 2019</li> </ul> | Reports (3)              | <b>Not Achieved</b>          | Reports (2)                                                       | Only one meeting was held on 22 June 2020. The official who was representing the Employer went on retirement and the Employer took time to find a replacement in the fourth quarter. |        |
| <b>Capacity-building programmes</b><br>Monitor capacity-building programmes for negotiators as well as circuits and districts sub- committee members                 | Reports (2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Reports (2)              | <b>Not Achieved</b>          | Reports (2)                                                       | Capacity-building workshops could not take place because the Council officials had other programmes/ trainings to conduct in other provinces.                                        |        |

## **Performance Overview of Limpopo Chamber for the 2020/21 Financial Year**

This financial year was marked by sporadic disruption of activities which was occasioned by the necessary national lockdown to curb the spread of COVID-19. For the same reason, all Chamber meetings were held online.

The advent of online meetings has brought about a reduction in the rate of postponement of Chamber meetings because the need for travelling to these meetings was obviated. Parties cooperated and generally worked in unison towards the attainment of the set targets of the Chamber. In compliance with the ELRC constitution, Parties re-elected the Chairperson Mr PP Kgomo and Deputy Chairperson Mr WM Raholane as officials of the Chamber in the first meeting of the Chamber in 2021. Chamber made great strides in terms of the quality of performance. This performance included the signing of two collective agreements in the second and third quarters. The first is Collective Agreement No. 1 of 2020, which was the amendment of Limpopo's Collective Agreement No. 1 of 2009 (on the selection criteria for the appointment of Grade 12 NSC markers) and Collective Agreement No. 2 of 2020 on the appointment of school and office-based educators. Collective Agreement No. 2 of 2020 was the amendment of Limpopo's Collective Agreement No. 1 of 2008 (dealing with the sifting, shortlisting and shortlisting procedures). Pursuant to Council's directive, parties to Chamber implemented the management plan for the training of educators on the QMS, whereby circuit managers and school principals were trained amid some delays caused by the national lockdown.

The identified targets of Chamber were achieved as follows:

### **Post provisioning**

Consultations on the PPN took place outside of Chamber and the outcome, which was to utilise the 2020 post establishment, was for the first time adopted timeously in the special Chamber meeting held on 25 September 2020. Parties agreed on the management plan for the implementation of the 2021 post establishment. Chamber monitored the absorption of educators identified as being additional to the staff establishment.

### **The absorption of educators identified as being in excess of the 2019 post establishment**

The filling of vacant posts with educators identified as being in excess elsewhere in Limpopo was ongoing. A total of 643 out of 1 002 excess educators have been absorbed in posts at other schools which need their skills and services most. A total of 301 out of 843 excess Post Level 1 educators were matched and absorbed into other equivalent posts at different schools. Three (3) out of 13 excess school principals were matched and absorbed into new equivalent posts in other schools. The number of matched excess deputy principals was 13 out of the 36.

Forty-two (42) out of 110 excess departmental heads of schools were also absorbed into equivalent posts at other schools.

### **Incentives / rural allowance for qualifying educators**

A total of 101 submitted cases of rural allowance were being investigated as reported by the Employer in June 2020. The processing of these cases was delayed by the need to obey the COVID-19 protocols at the time. Only one case was finalised from the 62 applications for rural allowance, which were received in the September 2020 meetings as reported. In November 2020, 69 out of 71 applications were reported as finalised.

A total of 747 applications/submissions for the payment of incentives to educators were received and processed from January to March 2021; 676 of these were finalised and 71 were outstanding.

## **Dispute prevention**

In the fourth quarter, a total of 11 grievance cases were handled, seven were finalised and four were outstanding.

In the third quarter, a total of 14 grievances were handled, three of them were finalised, seven ULP (Unfair Labour Practice) and five unfair dismissal cases were referred to the ELRC. One case on interpretation of the collective agreement was also referred.

In the second quarter, cases referred were as follows: seven on ULP; five cases referred to as others; three unfair dismissal; three interpretation of collective agreement; one unilateral change of conditions; 10 conciliations and 21 arbitrations. Two disputes were withdrawn and one award was given. A total of 21 arbitrations were heard. One postponement and five adjournments were registered.

In the first quarter, five grievance cases were finalised. Three grievances were pending. The cases referred to others are mostly on rural allowance. In the first quarter, three ULP cases and one unfair dismissal case were referred, 14 arbitrations were processed and two rulings were made. Eight postponements were issued. A total of 14 grievances were handled and three of them were finalised. The Employer was still working out mechanisms of workshopping educators such that the number of disputes could be minimised.

## **Employee health and wellness**

### **Marketing of employee health and wellness programmes**

A total of 5 787 educators were reached through the marketing initiatives of the Employer at various institutions of the Employer in the province.

### **Observing calendar/commemorative days**

Calendar/commemorative days observed were observed on oral health in the second and third quarters during implementation of the above-mentioned marketing initiatives.

### **Provision of psycho-social support to employees**

All (163) wellness requests and referrals were attended to. Of the 163 requests, 121 were on the Employee assistance programme and 30 were on HIV. The clients were predominantly females.

### **Number of employees provided with HCT (HIV counselling and testing)**

A total of 104 employees were exposed to HIV testing services in the third quarter only; 38 of them were males and 66 were females.

### **Number of employees reached through medical screenings (compliance with OHSA 85, 1993)**

A total of 110 employees in Mopani East received medical screenings services. Twenty-eight (28) of them were males and 82 were females.

### **Training of safety committee members**

A total of 14 meetings were held in the first and second quarters. Seventeen (17) safety committee members were trained on COVID-19 in the third quarter only.

### **Number of workplace OHS audits performed**

A total of 172 audits and waste monitoring were done in most districts in the second and third quarters. Parties identified the need for the LDoE to also do audits in schools and circuits.

### **Injuries and diseases on duty victims attended to (Compliance with the COVID-19 Act (130 of 1993) in all LDoE premises)**

The categories of cases attended to were as follows: 168 injuries on duty, 38 diseases on duty and 12 PILIR cases. The gender representation was as follows: 118 females and 56 males.

There was a considerably higher number of females accessing/utilising the EHW programmes than males.

### **Merging of schools**

From a total of 323 reported in the previous annual report, a total number of 359 schools were merged, 183 of them were moved from their old stations to new ones. Forty-three (43) schools were closed. Some qualifying merged schools were provided with scholar transport.

### **Curriculum and examinations**

Parties discussed the Employer's report on the impact of COVID-19 on examination and assessment activities, which indicated, among other results, the following.

Two sets of examinations, one in May/June and the other in October/November had to be written amid the COVID-19 pandemic, in a different format. This was so because candidates were citizens under different circumstances. Therefore, none of the candidates to these examinations were to be left out in the cold due to COVID-19 related disruptions which were beyond their control.

HEDCOM had approved and consequently the Council of Education Ministers endorsed a proposal for the "full merger of the June 2020 and November 2020 examinations". Candidates would write the same examinations with 2020 NSC full-time learners and repeat part-time candidates who wrote examinations prior to 2019 (but later 2007). There was going to be no writing of mid-year internal examination.

The LDoE undertook to:

- Administer and manage Grade 12 NSC Preparatory Examination in compliance with COVID-19 protocols
- Withdraw/cancel Grades 10 and 11 Common Examination owing to limitations in writing space and informed by the trimmed/adjusted curriculum
- Ensure that schools set, manage and administer their internal examinations in such a way that it would not clash with Grade 12 examination due to possible writing space limitations/challenges in some schools

### **Implications of COVID-19 on the conduct, administration and management of examinations**

There was going to be a need for more writing space. Schools were to ensure each examination room accommodates 20–25 candidates for social distancing, depending on the size of the examination room or hall.

There was going to be a need for extra invigilators due to the numbers involved, in particular for SC and NSC repeat part-time centres for which private invigilators were appointed.

### **Report on Grade 7 and 12 trimmed and reorganised curriculum**

The Employer went further to apprise Chamber on progress made in managing the Grades 7 and 12 trimmed and reorganised curriculum as follows:

- To mitigate the impact of time lost due to the COVID-19 lockdown, DBE working in collaboration with Provincial Education Departments (PEDs) and teacher unions reorganised and trimmed the Grades R–11 curriculum to be in line with revised school calendar (Gazette 43372 of 29 May 2020 as amended by Gazette 43381 of 01 June 2020)
- The Grade 12 curriculum was only repackaged to be in line with the remaining school days of the academic year
- School-based assessment was also reduced to allow for more teaching and learning time. Relevant documents relating to the trimmed and reorganised curriculum were forwarded to districts for mediation to schools
- The mediation was done in hybrid form (both virtual and face-to-face)
- There was face-to-face mediation for schools where network connectivity was difficult; this was done under strict measures to ensure compliance with COVID-19 regulations

### **Educators' performance management (EPM)**

The national lockdown referred to above caused the 2019/20 cycle to end abruptly. This resulted in the abnormal beginning of the 2020/21 cycle. The planned fourth quarter and first quarter activities were negatively affected. At some stage, officials were alternating in terms of reporting for duty. The new “normal” way of working forced the first quarter activities to be finalised in the second quarter.

### **IQMS**

All the districts managed to do summative evaluation verification in the third term. The fourth term was set aside to consolidate the summative evaluation scores and produce a snapshot for the district. During the process of consolidation, there was a pronouncement of the national lockdown intended to curb the spread of the COVID-19 pandemic. Districts submitted their snapshots and the reasons for non-evaluations.

### **QMS**

Parties implemented the programme for the QMS training of educators; however, the management plan for QMS was placed on hold due to the COVID-19 pandemic. All NTT members were trained from 27–28 February 2020. The NTT then trained the circuit managers in the province, who in turn trained the school principals by the end of March 2021. Training of all PL1 educators, deputy principals and departmental heads was scheduled to start in April 2021.

### **Streamlined IQMS implementation for 2020**

The annual cycle for 2020 was limited to self-appraisal by educators and the principal. The documents for the outcomes were submitted to the Developmental Support Group and circuit manager respectively for verification. The appraisal of educators was informed by the activities of the first term as well as activities undertaken after the reopening of schools in the second term. The date of submission of educators' IQMS documentations was extended to 11 December 2020.

### **PILIR**

A total of 120 temporary short incapacity/ill-health, 155 temporary long incapacity/ill-health and four permanent ill-health retirement applications were submitted to the health risk manager in the three quarters of reporting. These statistics are a reduction compared to what had been received and reported in the previous year.

From the above numbers, advices for enforcement were received from the health risk manager as follows: 77 on temporary short incapacity/ill-health retirement applications, 91 on temporary long incapacity/ill-health retirement and four on permanent incapacity/ill-health retirement applications. All of these advices from the health risk manager were accepted and enforced.

## **Additional achievements**

### **Progress on the appointment of educators produced by Funza Lushaka**

Out of 505 Funza Lushaka bursary holders (beneficiaries) who were reported to have been allocated to Limpopo by the end of 2020, a total of 392 were placed into vacant posts. The fate of the remaining number will be tabled in the Chamber meeting to be held in the first quarter of the 2021–22 financial year. In the Chamber meeting held in March 2021, the Employer reported that 492 bursary holders allocated to Limpopo for 2021 were yet to be placed.

### **The filling of vacancy lists for promotional posts**

Chamber monitored the filling of vacancy lists for promotional posts, namely departmental heads, deputy principals and principals. This monitoring has assisted in information sharing about the progress made in filling of the vacant posts and ensuring that these posts are promptly filled. Where there were some delays, mitigating mechanisms were developed and their implementation was reported in the progress reports of subsequent meetings.

Chamber was still monitoring the implementation of the ToR for the Grade R management plan for PEDs in the ECD task team.

### **Employment Equity (EE) targets**

Chamber monitored the progress made in achieving the set provincial “EE targets” in promotional posts for educators. There was a gradual and favourable movement in the appointment of people from designated groups as defined in the Employment Equity Act. The most under-represented designated group is people with disabilities.

### **Strategy to overcome areas of underperformance**

In the first quarter of 2021/22, parties will be reminded of the importance of developing a Specific, Measurable, Achievable, Realistic and Timely (SMART) APP and to ensure that they submit in the first quarter names of their substitute representatives in task team and sub-committee meetings.

### **Changes to planned targets**

No changes were made to planned targets.

### **Linking performance to budget**

| Apr 2020 – Mar 2021                     |            |                    |                          |
|-----------------------------------------|------------|--------------------|--------------------------|
| Programme Name                          | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                         | R'000      | R'000              | R'000                    |
| Collective Bargaining Services: Limpopo | 530        | 294                | 236                      |
| <b>Total</b>                            | <b>530</b> | <b>294</b>         | <b>236</b>               |

### 3.1.1.6 Mpumalanga

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Mpumalanga                                                                                           |                              |                             |                                                                                                                                                                                                                                                                                                                                      |                                                                   |                                                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                      | Actual Achievement 2019/2020 | Planned Target 2020/2021    | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                         | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                 | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                             |                              |                             |                                                                                                                                                                                                                                                                                                                                      |                                                                   |                                                       |        |
| <b>Post Provisioning</b><br>A report on the consultation process for post provisioning is available and tabled in Chamber.           | <b>Not Achieved</b>          | Workshop (1)<br>Reports (3) | <b>Achieved</b><br>One workshop and three reports on the consultation process for post provisioning were available and tabled in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 26 March 2021</li> <li>• 03 March 2021</li> <li>• 25 March 2021</li> </ul> | None                                                              |                                                       |        |
| <b>Employee Health and Wellness</b><br>Monitor the introduction and implementation of EHW activities and present reports to Chamber. | <b>Not Achieved</b>          | Reports (4)                 | <b>Not Achieved</b><br>One presentation was made on 25 March 2021                                                                                                                                                                                                                                                                    | Reports (3)                                                       | Three reports were not presented to Chamber meetings. |        |
| <b>Teacher development</b><br>Monitoring reports on provisioning of TD programmes and reports presented to Chamber                   | <b>Not Achieved</b>          | Workshop (1)<br>Reports (3) | <b>Not Achieved</b><br>Two monitoring reports on the provisioning and implementation of TD programmes were presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 25 March 2021</li> </ul>                                                                                            | None                                                              |                                                       |        |

| Collective Bargaining Services: Mpumalanga                                                                                                                     |                                                                                                                                                                                   |                          |                                                                                                                                                                                                                                                                                                    |                                                                   |                                                                                                   |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                                | Actual Achievement 2019/2020                                                                                                                                                      | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                       | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                             | Status |
| <b>Incentives for Educators</b><br>Monitoring reports on the implementation of incentives for educators are available and presented to Chamber.                | <b>Achieved</b><br>Reports were presented to Chamber on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 02 December 2019</li> <li>• 11 February 2020</li> </ul> | Reports (4)              | <b>Not Achieved</b><br>Workshop was not convened and three reports on the implementation of incentives for educators were available and presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 25 March 2021</li> </ul> | Report (1)                                                        |                                                                                                   |        |
| <b>Dispute Prevention</b><br>Monitoring the implementation of a strategy to minimise the level grievances, misconduct and disputes lodged presented to Chamber | <b>Not Achieved</b><br>Reports were only presented to Chamber on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 02 December 2019</li> </ul>                    | Reports (4)              | <b>Not Achieved</b><br>Three reports were presented to Chamber on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 25 March 2021</li> </ul>                                                                                                        | Report (1)                                                        | One report was not presented due to the fact that the last planned Chamber meeting was postponed. |        |
| <b>Collective Agreements</b><br>To monitor the implementation of collective agreements and reports presented to Chamber.                                       | <b>Not Achieved</b><br>Reports were only presented on 26 July 2019                                                                                                                | Reports (4)              | <b>Achieved</b><br>Four reports on the monitoring of the implementation of collective agreements were presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 26 February 2021</li> <li>• 03 March 2021</li> <li>• 25 March 2021</li> </ul>          | None                                                              |                                                                                                   |        |
| <b>Inclusive education / LSEN</b><br>To monitor the implementation of inclusive education policy and reports presented to Chamber                              | <b>Not Achieved</b><br>Reports were only tabled to Chamber on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 26 July 2019</li> </ul>                           | Reports (4)              | <b>Not Achieved</b><br>Two reports on the monitoring of the implementation of inclusive education policy were presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 25 March 2021</li> </ul>                                                       | Reports (2)                                                       | Two reports were not presented.                                                                   |        |

| Collective Bargaining Services: Mpumalanga                                                                                                                                                               |                                                                                                                                                     |                          |                                                                                                                                                                                                                                                                                                         |                                                                   |                                   |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------|--------|
| Programme Performance Indicator                                                                                                                                                                          | Actual Achievement 2019/2020                                                                                                                        | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                            | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations             | Status |
| <b>Early Childhood Development (ECD)</b><br>To monitor progress in the provisioning of practitioners in ECD and progress on the training conducted on ECD in the province, reports presented to Chamber. | <b>Not Achieved</b><br>Reports were tabled only on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 11 February 2020</li> </ul>    | Reports (4)              | <b>Not Achieved</b><br>Three progress reports in the provisioning of practitioners in ECD and progress on the training conducted on ECD were presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 25 March 2021</li> </ul> | Report (1)                                                        | One report was not presented.     |        |
| <b>Employment Equity</b><br>To monitor the implementation of the EE plan.                                                                                                                                | <b>Not Achieved</b><br>Reports were tabled only on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 02 December 2019</li> </ul>    | Reports (4)              | <b>Not Achieved</b><br>Three reports on the monitoring of the implementation of EE plan were presented to Chamber meetings on: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 25 March 2021</li> </ul>                                                 | Report (1)                                                        | One report was not presented.     |        |
| <b>Curriculum and examinations</b><br>Monitoring implementation of the curriculum policy and the management of examinations, reports presented to Chamber                                                | <b>Not Achieved</b><br>Reports were tabled on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 11 February 2020</li> </ul>         | Reports (4)              | <b>Not Achieved</b><br>One report on the implementation of curriculum policy and the management of examinations was presented to Chamber meeting of 25 March 2021.                                                                                                                                      | Reports (3)                                                       | Three reports were not presented. |        |
| <b>Maths, science and technology academy (MSTA)</b><br>To monitor the implementation of MSTa programmes and reports presented to Chamber                                                                 | <b>Achieved</b><br>Progress reports were presented on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 02 December 2019</li> </ul> | Reports (4)              | <b>Not Achieved</b><br>Two progress reports on the implementation of MSTa programmes and reports were presented to the Chamber meetings of: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> </ul>                                                             | Reports (2)                                                       | Two reports were not presented.   |        |

| Collective Bargaining Services: Mpumalanga                                                                                                                         |                                                                                                                                                                     |                          |                                                                                                                                                                                                                                                   |                                                                   |                                          |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                                    | Actual Achievement 2019/2020                                                                                                                                        | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                    | Status |
| <b>Policy and procedure on incapacity and ill-health retirement (PILIR)</b><br>To monitor the implementation of the policy on PILIR and present reports to Chamber | <b>Achieved</b><br>Reports were tabled on: <ul style="list-style-type: none"> <li>• 26 July 2019</li> <li>• 02 December 2019</li> <li>• 11 February 2019</li> </ul> | Reports (4)              | <b>Not Achieved</b><br>Three reports on the implementation of policy on PILIR were presented to the Chamber meetings of: <ul style="list-style-type: none"> <li>• 08 October 2020</li> <li>• 08 December 2020</li> <li>• 25 March 2021</li> </ul> | Report (1)                                                        | One report was not presented to Chamber. |        |

### Performance overview of the Mpumalanga Chamber for the 2020/21 Financial Year

The Chamber managed to facilitate two special Chamber and three Chamber meetings, one special STANCO meeting and meetings of task teams, and formed a task team on Collective Agreement No. 4 of 2018 (expedite forward the implementation of the Collective Agreement No. 4 of 2018). The parties received and analysed reports on the PPN consultative processes for 2021. The Employer reported that for teacher incentives, all qualifying 312 beneficiaries have been incentivised.

The decisions of the STANCO and recommendations of the task teams were discussed and ratified and the parties further agreed that they be implemented. The Employer reported that contracts of temporary educators have been extended to 30 June 2021, with 3 699 being re-employed. Their outstanding salaries have been paid and a commitment was made to ensure that all outstanding temporary educators would have been re-appointed by end of March 2021.

The parties were briefed of the positive progress made with the extension of all contracts for Grade R practitioners to March 2022 and that 993 have been translated into full time.

The parties were able to discuss the finalisation of PILIR cases or applications and agreed that the service provider (SOMA) be invited to clarify the delays in the processing of the cases or applications.

In addition, Chamber was briefed to share information on the health status of the Department's employees and the implementation and introduction of all programmes to confront challenges experienced by the EHW unit in managing the testing campaign. The EE targets recorded non-improvement for female employees in senior positions and people living with disabilities for the 2020/21 financial year.

In monitoring the implementation of the IQMS, moderated self-evaluation scores will be used for summative evaluation and pay progression is expected to be paid by the end of July 2021. The Teacher Education and Development Directorate reported that the PTT on the QMS managed to train 69 circuit managers and 1 678 principals of schools with 1 565 signing their work plans.

The Chamber was not able to record any achievement on the following:

- Employee health and wellness
- Dispute prevention
- Employment equity
- Inclusive education
- Examinations
- Maths science and technology academy
- Policy and procedure on incapacity and ill health
- Retirement (PILIR)
- Early childhood development institute

### **Strategy to overcome areas of underperformance**

The Standing Committee is to discuss the 2020/21 annual report to improve the performance of the Chamber in 2021/22.

### **Changes to planned targets**

No changes were made to planned targets.

### **Linking performance to budget**

| Apr 2020 – Mar 2021                           |            |                    |                          |
|-----------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                               | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>Mpumalanga | 330        | 153                | 177                      |
| <b>Total</b>                                  | <b>330</b> | <b>153</b>         | <b>177</b>               |

### 3.1.1.7 Northern Cape

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Northern Cape                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                   |                       |        |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                      | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                   |                       |        |
| <b>Post Provisioning</b><br>A consolidated report on the consultation process for post provisioning is made available and tabled at Chamber meeting. | <b>Achieved</b><br>The post provisioning consultation process took place in various meetings and adopted in the following Chamber meetings: <ul style="list-style-type: none"> <li>• Special Chamber meeting: 10 September 2019</li> <li>• Chamber meeting: 07 November 2019</li> <li>• Chamber meeting: 12 March 2020</li> </ul> The report for the first quarter was presented on 08 July 2020 and for the second quarter on 31 July 2019 and 19 August 2019, both reports were adopted in the Special Chamber meeting of 10 September 2019 | Reports (3)              | <b>Achieved</b><br>The post provisioning consultation process took place in various meetings and was adopted in the following meetings: <ul style="list-style-type: none"> <li>• Special Chamber meeting on 15 September 2020 and endorsed in the Chamber meeting on 22 September 2020 (second quarter)</li> </ul> The other reports on post provisioning were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 14 December 2020 (third quarter)</li> <li>• 29 March 2021 (fourth quarter)</li> </ul> | None                                                              |                       |        |
| <b>Educators Incentives</b><br>Monitoring reports on the implementation of incentives for educators are available and presented at Chamber meeting.  | <b>Achieved</b><br>The reports on the incentives of educators were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 04 April 2019</li> <li>• 18 June 2019</li> <li>• 10 September 2019</li> <li>• 07 November 2019</li> <li>• 12 March 2020</li> </ul>                                                                                                                                                                                                                                              | Reports (3)              | <b>Achieved</b><br>The reports on the incentives for educators were presented and adopted in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 22 September 2020</li> <li>• 14 December 2020</li> <li>• 29 March 2021</li> </ul>                                                                                                                                                                                                                                                                                         | None                                                              |                       |        |

| Collective Bargaining Services: Northern Cape                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                  |                          |                                                                                                                                                                                                                                                                                        |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                           | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                     | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                           | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Temporary educators and conversion</b><br>Consolidated report on the appointment and conversions of temporary educators presented to Chamber                                                           | <b>Achieved</b><br>The reports on appointment of temporary educators and the conversion of educators were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 18 June 2019</li> <li>• 07 November 2019</li> <li>• 12 March 2020</li> </ul>                                                | Reports (3)              | <b>Achieved</b><br>The reports on appointment of temporary educators and the conversion of educators were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 22 September 2020</li> <li>• 14 December 2020</li> <li>• 29 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Integrated quality management system (IQMS) and performance management development system (PMDS)</b><br>Consolidated report on assessed and paid employees was made available and presented to chamber | <b>Achieved</b><br>The reports on the assessments and payments made for the integrated quality management system (IQMS) and performance management development system (PMDS) were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 18 June 2019</li> <li>• 07 November 2019</li> </ul> | Reports (2)              | <b>Achieved</b><br>The reports on the assessments and payments made for IQMS and PMDS were both presented and adopted in the Chamber meeting of 29 March 2021                                                                                                                          | None                                                              |                       |        |
| <b>Advertisement and filling of promotional posts</b><br>Consolidated reports on the advertisement and filling of SMT posts tabled at Chamber meeting                                                     | <b>Achieved</b><br>The reports on the advertisements and filling of posts were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 07 November 2019</li> <li>• 12 March 2019</li> </ul>                                                                                                   | Reports (2)              | <b>Achieved</b><br>The reports on the statistics and preface of advertisement and filling of posts were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 14 December 2020</li> <li>• 29 March 2020</li> </ul>                                | None                                                              |                       |        |

| Collective Bargaining Services: Northern Cape                                                                                              |                                                                                                                                                                                                                                                                                                 |                          |                                                                                                                                                                                                                                                                                                                                                        |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                            | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                    | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                           | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Teacher development</b><br>Consolidated reports on implementation of TD programmes presented to Chamber.                                | <b>Achieved</b><br>The reports for curriculum and TD were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• Curriculum: 04 April 2019</li> <li>• TD: 18 June 2019</li> <li>• Curriculum &amp; TD: 07 November 2019</li> <li>• 12 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>The reports on the management plan, the implementation of TD programmes and the examination results of the fourth quarter were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 25 June 2020</li> <li>• 22 September 2020</li> <li>• 14 December 2020</li> <li>• 29 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Curriculum and exams</b><br>Consolidated reports on the implementation of the curriculum programmes and examination results to Chamber. | <b>Achieved</b><br>The reports for curriculum and TD were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• Curriculum: 04 April 2019</li> <li>• TD: 18 June 2019</li> <li>• Curriculum &amp; TD: 7 November 2019</li> <li>• 12 March 2020</li> </ul>  | Reports (4)              | <b>Achieved</b><br>The reports for the management plan and the implementation of curriculum programmes were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 25 June 2020</li> <li>• 22 September 2020</li> <li>• 14 December 2020</li> <li>• 29 March 2021</li> </ul>                                       | None                                                              |                       |        |

| Collective Bargaining Services: Northern Cape                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                                                                                                                                                                                                                                                                                                                                                  |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                          | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                     | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Dispute prevention</b><br>Reports on the grievances, misconduct and disputes lodged tabled to Chamber | <b>Achieved</b><br>The reports on the categories and status of the grievances, misconduct and disputes lodged were presented and adopted in the following Chamber meetings: <ul style="list-style-type: none"> <li>• 18 June 2019</li> <li>• 07 November 2019</li> <li>• 12 March 2020</li> </ul> The report for the second quarter was presented on 17 October 2019 and for the third quarter on 01 November 2019, both reports were adopted in the Chamber meeting of 07 November 2019 | Reports (4)              | <b>Achieved</b><br>Four district prevention reports on the grievances, misconduct and disputes were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 22 September 2020</li> <li>• 14 December 2020</li> <li>• 29 March 2021</li> </ul>                                                                 | None                                                              |                       |        |
| <b>Schools' safety</b><br>Implementation of programmes on safety in schools are presented in Chamber     | <b>Achieved</b><br>The reports on the programmes of safety in schools were presented and adopted in the Chamber meetings of: <ul style="list-style-type: none"> <li>• 18 June 2019</li> <li>• 07 November 2019</li> <li>• 12 March 2020</li> </ul> The report for the second quarter was presented on 17 October 2019 and for the third quarter on 01 November 2019, both reports were adopted in the Chamber meeting of 07 November 2019                                                | Reports (3)              | <b>Achieved</b><br>The reports for Curriculum and Teacher Development were presented and adopted in the Chamber Meetings of: <ul style="list-style-type: none"> <li>• Curriculum: 4 April 2019</li> <li>• Teacher Development: 18 June 2019</li> <li>• Curriculum &amp; Teacher Development: 7 November 2019</li> <li>• 12 March 2020</li> </ul> | None                                                              |                       |        |

## Performance Overview of the Northern Cape Chamber for the 2020/21 Financial Year

During the period under review, the Provincial Chamber was able to realise all the planned activities as contained in the approved APP for 2020/21. Parties to Chamber focused their efforts on the implementation of the APP for 2020/21, as well as engaging in responding to narratives submitted by parties on any issues relating to education. In dealing with these, parties acted in a disciplined, professional and collaborative manner within a space of robust engagement on issues of mutual interest.

### Post provisioning

Post provisioning MTEF consultation meetings started in August 2020 with the presentation of the indicative budget. This is normally presented by the CFO of the Northern Cape Department of Education, followed by the presentation of the PPN, which determines the losses and gains for the post establishments.

### Proposed posts provisioning for 2021

|                          |   |        |
|--------------------------|---|--------|
| Global posts             | = | 10 847 |
| Educator posts           | = | 8 924  |
| ECD, OB and NOA 32 posts | = | 1 340  |
| Ad hoc posts             | = | 513    |
| Project posts            | = | 70     |

The data on schools (public ordinary = 518, special = 11 and full-service schools = 26) losing and gaining posts were as follows:

- Schools that have remained stable – 238
- Schools that have gained posts – 119
- Schools that have lost posts – 108

### Educators' incentives

Chamber agreed to a two-year fixed term agreement on the payments on the incentives for educators and that payments would be made monthly instead of once a year. The criteria agreed upon for the fixed term duration are:

- Flat rate of R1 200.00
- 25 km radius distance
- Walk-in banking facility
- Medical facility with a medical doctor
- Shopping facility
- Multi-graded schools within the 25 km radius
- All special schools
- The two-year agreement expired at the end of March 2021; a task team was established to determine the criteria for schools that qualify to be incentivised.

The incentives are paid out every month to the deserving educators and the Employer has been consistent in that regard. By 15 March 2021, R36 506 486.03 was paid to 2 761 educators of 264 schools that qualified for incentives.

## Temporary educators and conversion

Conversions of educators appointed in temporary post for three months had been taking place but at a slow pace. The following statistics are the number of temporary posts and the conversions that took place per quarter.

| Number of Temporary Educators appointed | Substitute Posts |
|-----------------------------------------|------------------|
| Frances Baard                           | 431              |
| JT Gaetsewe                             | 146              |
| Namakwa                                 | 268              |
| Pixley Ka Seme                          | 763              |
| ZF Mgcawu                               | 401              |
| <b>Total</b>                            | <b>2009</b>      |

| District       | Conversion Statistics<br>Quarter 1 & 2 2020 |            |           | Conversion Statistics<br>Quarter 3 2020 |            |           | Conversion Statistics<br>Quarter 4 2020 |           |           |
|----------------|---------------------------------------------|------------|-----------|-----------------------------------------|------------|-----------|-----------------------------------------|-----------|-----------|
| Frances Baard  | 84                                          | 63         | 21        | 36                                      | 32         | 4         | 16                                      | 16        | 0         |
| JT Gaetsewe    | 44                                          | 29         | 15        | 71                                      | 66         | 5         | 59                                      | 44        | 15        |
| Namakwa        | 35                                          | 25         | 10        | 62                                      | 44         | 11        | 31                                      | 22        | 09        |
| Pixley Ka Seme | 5                                           | 5          | 0         | 0                                       | 0          | 0         | 0                                       | 0         | 0         |
| ZF Mgcawu      | 33                                          | 20         | 13        | 49                                      | 39         | 9         | 0                                       | 0         | 0         |
| <b>Total</b>   | <b>201</b>                                  | <b>142</b> | <b>59</b> | <b>218</b>                              | <b>181</b> | <b>29</b> | <b>201</b>                              | <b>82</b> | <b>24</b> |

## Dispute prevention

The following are the four reports of dispute prevention statistics for the financial year 2020/21:

|                                 | 01 January 2020 – 31 March 2020 |           |                      | 01 April 2020 – 30 June 2020 |           |         | 01 July – 30 September 2020 |           |         | 01 October – 31 December 2020 |           |         |
|---------------------------------|---------------------------------|-----------|----------------------|------------------------------|-----------|---------|-----------------------------|-----------|---------|-------------------------------|-----------|---------|
|                                 | Total Received                  | Finalised | Pending              | Total Received               | Finalised | Pending | Total Received              | Finalised | Pending | Total Received                | Finalised | Pending |
| <b>Grievances</b>               | 17                              | 12        | 5                    | 06                           | 01        | 5       | 07                          | 04        | 03      | 07                            | 06        | 01      |
| <b>Misconduct</b>               | 24                              | 17        | 07                   | 07                           | 00        | 07      | 17                          | 06        | 11      | 21                            | 12        | 09      |
| <b>Precautionary Suspension</b> | 09                              | 03        | 06                   | 06                           | 00        | 06      | 07                          | 01        | 06      | 05                            | 05        | 00      |
|                                 | Total cost = R1 693 976.75      |           |                      | Total cost = R1 962 576.50   |           |         | Total cost = R2 414 342.41  |           |         |                               |           |         |
| <b>Conciliation</b>             | 12                              | 09        | 03                   | 07                           | 03        | 04      | 10                          | 04        | 06      | 10                            | 05        | 05      |
| <b>Arbitration</b>              | 26                              | 08        | 18                   | 18                           | 01        | 17      | 21                          | 03        | 18      | 17                            | 06        | 11      |
| <b>Labour Court</b>             | 02                              | 00        | 02 (taken on review) | 03                           | 00        | 03      | 03                          | 00        | 03      | 03                            | 01        | 03      |
| <b>Appeals</b>                  | 03                              | 00        | 03                   | 03                           | 00        | 03      | 03                          | 01        | 02      | 03                            | 01        | 02      |

## IQMS/PMDS

The Employer presented the summative assessments for the cycle ending 31 December 2019 and the payments awarded for salary progression per district.

| DISTRICT             | Professional-Management & Development System (PMDS) |              |                  |                          |                  |            |              |  | Integrated Quality Management System (IQMS) |          |              |
|----------------------|-----------------------------------------------------|--------------|------------------|--------------------------|------------------|------------|--------------|--|---------------------------------------------|----------|--------------|
|                      | Total number of educators                           | No. assessed | No. not assessed | No. qualified by default | No. disqualified | No. paid   | No. not paid |  | Total number                                | No. paid | No. not paid |
| <b>Head Office</b>   | 152                                                 | 136          | 16               | 3                        | 2                | 139        | 13           |  |                                             |          |              |
| <b>Frances Baard</b> | 84                                                  | 80           | 4                | 3                        | 1                | 83         | 1            |  | 2 861                                       | 2 840    | 21           |
| <b>JT Gaetsewe</b>   | 70                                                  | 69           | 1                | 1                        | 0                | 70         | 0            |  | 2 109                                       | 2 049    | 25           |
| <b>Namaqua</b>       | 47                                                  | 46           | 1                | 0                        | 1                | 46         | 1            |  | 319                                         | 311      | 8            |
| <b>PK Seme</b>       | 51                                                  | 50           | 1                | 0                        | 1                | 50         | 1            |  | 978                                         | 969      | 9            |
| <b>ZF Mgcawu</b>     | 51                                                  | 44           | 7                | 4                        | 3                | 48         | 3            |  | 1 604                                       | 1 536    | 25           |
| <b>Total</b>         | <b>455</b>                                          | <b>425</b>   | <b>40</b>        | <b>11</b>                | <b>8</b>         | <b>436</b> | <b>19</b>    |  |                                             |          |              |

## Advertisements and filling of posts

The table below is the number of vacant substantive SMT posts that were advertised in September 2020:

| SUMMARY OF SMT POSTS ADVERTISED |           |                  |                   |            | NUMBER OF POSTS FILLED |                  |                   |            |
|---------------------------------|-----------|------------------|-------------------|------------|------------------------|------------------|-------------------|------------|
| District                        | Principal | Deputy Principal | Departmental Head | Total      | Principal              | Deputy Principal | Departmental Head | Total      |
| <b>Frances Baard</b>            | 9         | 14               | 51                | 74         | 6                      | 13               | 29                | 48         |
| <b>JT Gaetsewe</b>              | 19        | 16               | 77                | 112        | 19                     | 12               | 39                | 70         |
| <b>Namaqua</b>                  | 13        | 3                | 13                | 29         | 5                      | 6                | 17                | 28         |
| <b>Pixley ka Seme</b>           | 12        | 7                | 33                | 52         | 8                      | 1                | 20                | 29         |
| <b>ZF Mgcawu</b>                | 5         | 9                | 24                | 38         | 7                      | 3                | 2                 | 12         |
| <b>Total</b>                    | <b>58</b> | <b>49</b>        | <b>198</b>        | <b>305</b> | <b>39</b>              | <b>22</b>        | <b>77</b>         | <b>150</b> |

Fourteen (14) posts were lost; the posts to be re-advertised are 139 and there are still 4 posts outstanding.

## Curriculum and examinations

The curriculum programmes include: lock-in sessions (learners camping for a weekend and focusing on one subject), Saturday classes (consolidation of problematic content) and extended centre-based and school-based spring schools (consolidation and revision sessions).

The examinations unit has been reporting on the results analysis of the examinations written every quarter; the intervention strategies were dealt with by the Curriculum unit.

| PROVINCIAL PASS % |                 |        |       |       |       |         |     |       |        |                 |        |        |        |                 |        |
|-------------------|-----------------|--------|-------|-------|-------|---------|-----|-------|--------|-----------------|--------|--------|--------|-----------------|--------|
| 2020 – Region     | Grade 12 – 2020 |        |       |       |       |         |     |       |        | Grade 11 – 2020 |        |        |        | Grade 10 – 2020 |        |
|                   | Entered         | Wrote  | Pass  | Bach. | Dip.  | H- Cert | NCS | Endo. | Pass % | Wrote           | Pass   | Pass % | Wrote  | Pass            | Pass % |
| Frances Baard     | 4 115           | 4 010  | 2 605 | 1 213 | 888   | 499     | 0   | 5     | 65,0%  | 4 868           | 4 486  | 92,2%  | 7 465  | 5 946           | 79,7%  |
| JT Gaetsewe       | 3 316           | 3 166  | 1 900 | 705   | 697   | 498     | 0   | 0     | 60,0%  | 4 290           | 3 569  | 83,2%  | 6 344  | 4 382           | 69,1%  |
| Namakwa           | 821             | 810    | 637   | 273   | 256   | 108     | 0   | 0     | 78,6%  | 947             | 888    | 93,8%  | 1 258  | 1 074           | 85,4%  |
| Pixley Ka Seme    | 1 511           | 1 461  | 983   | 443   | 346   | 194     | 0   | 0     | 67,3%  | 1 864           | 1 677  | 90,0%  | 2 780  | 2 012           | 72,4%  |
| ZF Mgcawu         | 2 258           | 2 161  | 1 540 | 662   | 610   | 268     | 0   | 0     | 71,3%  | 2 554           | 2 290  | 89,7%  | 3 531  | 2 735           | 77,5%  |
| PROVINCE          | 12 021          | 11 608 | 7 665 | 3 296 | 2 797 | 1 567   | 0   | 5     | 66,0%  | 14 523          | 12 910 | 88,9%  | 21 378 | 16 149          | 75,5%  |

| PROVINCIAL PASS % |          |        |          |        |          |        |          |        |          |        |          |        |          |        |          |        |          |        |
|-------------------|----------|--------|----------|--------|----------|--------|----------|--------|----------|--------|----------|--------|----------|--------|----------|--------|----------|--------|
| Year              | Gr 1     |        | Gr 2     |        | Gr 3     |        | Gr4      |        | Gr 5     |        | Gr 6     |        | Gr 7     |        | Gr 8     |        | Gr 9     |        |
|                   | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % | Enrolled | Pass % |
| 2020              | 25 859   | 86.0%  | 24 949   | 90.3%  | 24 127   | 92.1%  | 26 557   | 84.4%  | 23 997   | 91.0%  | 23 783   | 94.3%  | 22 971   | 90.8%  | 21 802   | 86.7%  | 17 018   | 92.1%  |

## Teacher development

The TD programmes include:

- Advanced Diploma in Education – The training of Senior Phase educators in mathematics and natural science to be done by North-West University
- ETDP SETA – The aim was to have the training in October and November 2020. An agreement with the service provider was reached that the training would take place in 2021. The training of SMT members on project management (curriculum management) took place from 19 to 23 October 2020
- SACE activities – Refresher session on CPTD, teacher's rights and code of ethics
- ICT programmes include: COVID-19 online training, training on the following platforms: Microsoft Teams, Zoom, Google meet and Skype, and distribution of training manuals and video clips
- Teacher Appreciation and Support Programme – Celebration of World Teachers' Day in October month in partnership with Sol Plaatjie University, pictures, names and schools of educators who succumbed to COVID-19, virtual financial wellness programmes for educators with Old Mutual and recruitment of Funza Lushaka Bursary applicants

## Safety in schools

Vandalism in schools during lockdown: a total of 129 schools were vandalised from the beginning of the lockdown on 20 March to 31 August 2020.

The breakdown is as follows:

| DISTRICT       | 20/03/ – 24/07/2020 | 25/07 – 31/08/2020 | TOTAL |
|----------------|---------------------|--------------------|-------|
| Frances Baard  | 36                  | 10                 | 46    |
| JT Gaetsewe    | 13                  | 03                 | 16    |
| Namaqua        | 10                  | 10                 | 20    |
| Pixley ka Seme | 27                  | 0                  | 27    |
| ZF Mgcawu      | 19                  | 01                 | 20    |
| Total          | 105                 | 24                 | 129   |

| Number of Arrests |           |
|-------------------|-----------|
| Frances Baard     | 9         |
| JT Gaetsewe       | 10        |
| Namaqua           | 7         |
| Pixley ka Seme    | 24        |
| ZF Mgcawu         | 15        |
| <b>Total</b>      | <b>65</b> |

The following progress has been recorded in preventing vandalism in identified vulnerable schools.

- Quotations have been sourced for installation of alarms in 40 schools
- The processing of transferring funds is currently underway

## QMS

The Employer has been reporting on the QMS trainings and the updates on the roll-out plans. Thus far, all the principals in all districts have been trained; the last training took place on 25 March 2021 in the JT Gaetsewe District. The reports include: the training dates for principals, the work plans completed by principals, the summary of the QMS management plan moving forward and the recommendations in terms of the progress made.

## Quality learning and teaching campaign (QLTC)

The Employer reported on the progress made to date, which included:

- Provincial QLTC meeting schedule circulated to all District Directors and District Coordinators
- Back-to-school campaign done in nine schools throughout the province
- Part of national roadshow of DBE on coding and robotics where the functional school QLTC structures to principals were advocated
- Francis Baard District, ZF Mgcawu have identified and seconded QLTC focal persons coordinators
- All districts have QLTC coordinators and QLTC meeting schedule dates were distributed
- The QLTC COVID-19 Schools Regulation Compliance Reporting Tool was presented on the districts and schools that were monitored

The strategic planning workshop was held virtually on 20 January 2021 and was chaired by the Deputy Chairperson of Northern Cape PELRC. All items on the agenda were dealt with in a professional manner.

It was evident in the strategic planning workshop that the parties understood the business of Chamber and the importance of the APP.

## Strategy to overcome areas of underperformance

Not applicable.

## Changes to planned targets

No changes were made to planned targets.

## Linking performance to budget

| Apr 2020 – Mar 2021                              |            |                    |                          |
|--------------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                   | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                                  | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>Northern Cape | 486        | 239                | 247                      |
| <b>Total</b>                                     | <b>486</b> | <b>239</b>         | <b>247</b>               |

### 3.1.1.8 North West

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: North West                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                          |                          |                                                                                                                                                                                                                                                                                                              |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                        | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                             | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Consultation, Implementation and Monitoring of Collective Agreements and Policies</b>                                                                                               |                                                                                                                                                                                                                                                                                                                                          |                          |                                                                                                                                                                                                                                                                                                              |                                                                   |                       |        |
| <b>Post Provisioning</b><br>A consolidated report on the consultation process and distribution of post provisioning for the following financial year received and analysed by Chamber. | <b>Not Achieved</b><br>Four (4) meetings were held during the period under review and only two reports instead of three were received at first two meetings<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2020</li> <li>• 12 September 2020</li> <li>• 05 March 2020</li> <li>• 17 March 2020</li> </ul> | Reports (3)              | <b>Achieved</b><br>Three (3) Chamber meetings were held during the period under review and reports on post provisioning were received<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 09 and 10 September 2020</li> <li>• 16 September 2020</li> <li>• 12 March 2021</li> </ul>        | None                                                              |                       |        |
| <b>Employee Health and Wellness</b><br>The report on the nature and number of Employee wellness activities introduced and implemented presented in Chamber                             | <b>Achieved</b><br>Two (2) meetings were convened during the period under review on employee wellness<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 15 November 2019</li> </ul>                                                                                                          | Reports (2)              | <b>Achieved</b><br>Four (4) Chamber meetings were convened during the period under review on programmes related to TD<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 09 and 10 September 2020</li> </ul>                                                      | None                                                              |                       |        |
| <b>Teacher Development</b><br>Monitoring progress reports on provisioning of TD programmes are presented in Chamber.                                                                   | <b>Achieved</b><br>Four (4) meetings were held during the period under review on programmes related to TD<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 12 September 2019</li> <li>• 15 November 2019</li> <li>• 12 March 2020</li> </ul>                                                | Reports (4)              | <b>Achieved</b><br>Four (4) Chamber meetings were convened during the period under review on programmes related to TD<br><br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 09 and 10 September 2020</li> <li>• 13 November 2020</li> <li>• 05 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: North West                                                                                                                                                 |                                                                                                                                                                                                                                                                                                          |                          |                                                                                                                                                                                                                                                                                                                                          |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                            | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                             | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                             | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Dispute Prevention</b><br>Monitoring reports on the categories and status of the disputes lodged presented in Chamber.                                                                  | <b>Achieved</b><br>Four meetings were held during the period under review to receive reports on disputes from the task team.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 12 September 2019</li> <li>• 15 November 2019</li> <li>• 12 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Four (4) Chamber meetings were held during the period under review to receive reports on grievances, misconduct cases and disputes<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 24 June 2020</li> <li>• 09 and 10 September 2020</li> <li>• 13 November 2020</li> <li>• 05 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Terminations (contract expiry; resignations; retirements; deceased; and dismissals):</b><br>Consolidated reports on the category of terminations is available and presented to Chamber. | <b>Achieved</b><br>Three meetings were convened to receive reports on termination<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 12 September 2019</li> <li>• 12 March 2020</li> </ul>                                                                        | Reports (3)              | <b>Achieved</b><br>Three (3) Chamber meetings were convened to receive reports on termination<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 09 and 10 September 2020</li> <li>• 05 March 2021</li> </ul>                                                                                     | None                                                              |                       |        |
| <b>Quality of learning and teaching campaign (QLTC)</b><br>The report on progress made in relation to QLTC activities presented in Chamber                                                 | <b>Achieved</b><br>Two meetings were held during the period under review to receive information related to QLTC activities<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 12 September 2019</li> <li>• 12 March 2020</li> </ul>                                                       | Reports (2)              | <b>Achieved</b><br>Three (3) Chamber meetings were convened during the period under review to receive information related to QLTC activities<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 09 and 10 September 2020</li> <li>• 13 November 2020</li> <li>• 05 March 2021</li> </ul>                                  | None                                                              |                       |        |

| Collective Bargaining Services: North West                                                                                                                                                          |                                                                                                                                                                                                                                                                      |                          |                                                                                                                                                                                                                                                                               |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                     | Actual Achievement 2019/2020                                                                                                                                                                                                                                         | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                  | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Safety in Schools</b><br>Implementation of programmes on safety in schools is presented in Chamber.                                                                                              | <b>Achieved</b><br>Two meetings were held during the period under review.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 15 November 2019</li> </ul>                                                                      | Reports (3)              | <b>Achieved</b><br>Three (3) Chamber meetings were held during the period under review to receive reports on safety in schools<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 13 November 2020</li> <li>• 05 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Advertisement and Filling of Posts</b><br>Sharing information on the advertisement and filling of posts in Chamber.                                                                              | <b>Achieved</b><br>Two Chamber meetings were convened during the period under review to receive reports on advertisement and filling of posts.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 15 November 2019</li> </ul> | Reports (2)              | <b>Achieved</b><br>Two (2) Chamber meetings were held during the period under review to receive reports on advertisement and filling of posts<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 13 November 2020</li> </ul>           | None                                                              |                       |        |
| <b>Integrated Quality Management System/ Performance management and development system (IQMS/ PMDS)</b><br>Consolidated report on assessed and paid employees is available and presented in Chamber | <b>Achieved</b><br>Two meeting was convened during the period under review on IQMS/PMDS reports.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 12 September 2019</li> <li>• 12 March 2020</li> </ul>                                             | Reports (2)              | <b>Achieved</b><br>Two (2) Chamber meetings were held during the period under review on programmes of IQMS/ PMDS.<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 09 and 10 September 2020</li> <li>• 05 March 2021</li> </ul>                              | None                                                              |                       |        |

| Collective Bargaining Services: North West                                                                                                                   |                                                                                                                                                                                                     |                          |                                                                                                                                                                                                                                                                                                                    |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                              | Actual Achievement 2019/2020                                                                                                                                                                        | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                       | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Temporary educators</b><br>Monitoring reports on the implementation of collective agreement on temporary educators are available and presented in Chamber | <b>Achieved</b><br>Two meetings were held during the period under review<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 15 November 2019</li> </ul>      | Reports (2)              | <b>Achieved</b><br>Four (4) Chamber meetings were held during the period under review to receive reports on temporary educators<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 19 June 2020</li> <li>• 09 and 10 September 2020</li> <li>• 13 November 2020</li> <li>• 05 March 2021</li> </ul> | None                                                              |                       |        |
| <b>Incentives for Educators</b><br>Monitoring reports on the implementation of incentives for educators are available and presented in Chamber               | <b>Achieved</b><br>Two meetings were held during the period under review<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 12 September 2019</li> <li>• 15 November 2019</li> </ul> | Reports (2)              | <b>Achieved</b><br>Two (2) Chamber meetings were held during the period under review on programmes related to incentives for educators<br><b>Meeting dates:</b> <ul style="list-style-type: none"> <li>• 09 and 10 September 2020</li> <li>• 13 November 2020</li> </ul>                                           | None                                                              |                       |        |

## Performance overview of the North West Chamber for the 2020/21 Financial Year

The consolidated and summarised report reflected on the table above is the product of structural meetings that took place during the period under review, giving historical testimony on how the North West Chamber was able to deal with identified quarterly targets in the 2020/21 financial year. This section of the report is aimed at tabling programmes, activities and events of the Chamber within the period as mentioned.

On a quarterly basis, the task team meetings mandated to receive and analyse grievances, misconduct cases and disputes as lodged are hosted with the purpose of preparing such reports for the attention of Chamber meetings. The objectives and operations of Collective Agreement No. 4 of 2018, advocating on appointments and conversion of temporary educators as well as the plight of other category of temporary educators excluded by the said agreement, would find expression at another task team which is also convened on quarterly basis.

The reports displayed on the performance table were processed at Chamber meetings; in addition to that, the Chamber meetings adjudicated on reports related to:

- Employees with comorbidities premised from the obligation of Collective Agreement No. 1 of 2020, persuading consideration on the concession process to follow for employees with comorbidities
- Substitute educators during the COVID-19 period
- The training related to QMS

The quarterly activities assuming status of the formal Chamber meetings are, among other duties, mainly obligated to process reports reflective of prescribed targets to be achieved by the Chamber during an identified period. The said prescribed targets are born from an annual activity seeking to review the performance of the Provincial Chamber through identifying weaknesses endured and achievements acquired by the Chamber with the intention of emerging with well-planned strategies, seeking to remedy and improve on such weaknesses and strengths. The strategic planning workshop was held on 30 October 2020 and was mandated to ensure that the prescribed targets as constituted by the APP are closely linked with the utilisation of the budget.

The robust debates which ensued at the workshop resulted in the following recommendations that found expression in the formal Chamber meeting of 13 November 2020, for adoption.

The concession initiated by the discussions with regard to assignments to be implemented was that some of the programmes need to be expedited due to their own nature and the following were introduced:

- The national office be reminded of the commitment related to capacity-building programme on dispute resolution practitioners training
- The workshop collectively dealing with “minimum requirements for teachers education qualifications” together with “objectives and operations of the policy with regard to incapacity leave” be conducted before end of 2020, where the target group is party members
- The engagements related to the PELRC draft collective agreement aimed at responding to the plight of educators who are not beneficiaries to Collective Agreement No. 4 of 2018 be expedited

On the matter involving conducting of feasibility study on descriptions of programme performance indicators (PPI) and targets, the following were presented:

- The description of PPI “post provisioning” to consider additional activity on “workshop on MTEF issues” and the second quarter target of the same PPI be read as “meaningful consultations on post provisioning are held at Chamber meeting”
- The description of PPI “dispute prevention” to replace “monitoring” by “analysing” and adding “misconduct cases” to qualify the stipulated mandate

- The description of PPI “temporary educators” be read as “monitoring reports on appointment and conversion of temporary educators be presented at Chamber” and only one report instead of two be availed at Chamber meeting
- The target of the first quarter on PPI “employee health and wellness” to be read as “management plan for employee health and wellness programmes received by Chamber”

The reporting periods related to all PPIs are summarised as per the order hereunder:

- The reporting periods for terminations, advertisement and filling of posts and IQMS/PMDS and incentives for educators be bi-annually per PPI
- The reporting period for post provisioning be tri-annually
- The reporting periods for EHW, TD, dispute prevention, QLTC, safety in schools and temporary educators be quarterly per PPI

The formal Chamber meeting of 13 November 2020 analysed the strategic planning workshop report and unanimously moved that:

- The implementation of Collective Agreement No. 2 of 2020, which relates to QMS in terms of assessment and payment of principals, be merged with the PPI related to IQMS/PMDS
- The aspect on “workshop on MTEF concepts” be processed as an independent PPI

Given that the Chamber is mandated to improve learning and teaching through labour peace, the decision mandated by the formal Chamber meeting of 19 June 2020 urging for a workshop clarifying collective agreement that persuades consideration on concession process to follow for employees with comorbidities was implemented on 24 June 2020. Noting that deliberations ensued at the said training were characterised by divergent views in terms of the interpretation of the contents of Collective Agreement No. 1 of 2020, it was agreed that parties would formulate issues and submit to the Secretary.

The advancement on Chamber objectives appealing “to conduct research, analyse and survey education” including “to promote training and build capacity” further manifested themselves on 19 March 2021 at the workshop which presented three programmes for engagements. The said training aimed at minimising misunderstandings and mitigation on probable disputes amongst parties was processed as thus.

The first presentation was confined to minimum requirements for educators and education qualifications, and was characterised by the following:

- The responsible institution for evaluation of qualifications
- Different categories of qualifications demonstrated by means of various scenarios
- Explanation on difference between underqualified and unqualified educators
- Similarity on qualified and unqualified professionally educators is on salaries, and the difference related to conversion
- The impact and/or role of post-graduate certificate in education
- Implication and interpretation related to levels in terms of Relative Education Qualification Value (REQV)
- Necessity on upgrading qualifications given the implication on monetary value between the REQVs

The subsequent programme related to policy and procedure on incapacity leave for ill-health retirement which was consistently defined with item H.5.3 of PAM and the following features were processed:

- It is common cause that most applications would be declined due to insufficient information, whereas annexures vividly stipulate requirements in terms of information expected
- In some cases, applicants have the tendency of referring applications directly to districts without communicating to principals

- The workshop conceded that it is the responsibility of the applicant to account for the leave applied for
- The importance of submitting medical certificates is downplayed and there is desperate need that employees and/or members be advised in this regard
- The concern related to inconsistency in terms of utilisation of doctors was registered as a challenge characterised by legal implications
- The practice of assigning next-of-kin to provide assistance in the eventuality the applicant is unable to perform responsibilities on reporting their absence was recommended

The last presentation, which focused on PPN, was dichotomised as a policy-related perspective and operational phenomenon and the workshop appreciated that:

- The challenges appealing for adjudication given their potential on posing risk to the policy on PPN are budget, incorrect or late submission of data, very small schools and model platform
- There are different formulae applied to determine the post provisioning model (PPM) at learning institutions
- The art, dance, drawing and music (ADDM) subjects would advantage PPM at schools
- Most schools are not adhering to the workload principle, which relates to conditions of service in that some principals are not teaching and/or some deputy principals / departmental heads would be allocated less than the prescribed percentage in respect to the workload principle
- The operation of PPM impacts on the budget in that when there is increase in the number of learners, there is a decrease in budget and Chamber needs to engage on this challenge
- The other challenge deserving adjudication would relate to schools practising English as medium of instruction located around predominantly Tswana-orientated areas

The North West Chamber endured challenges manifested by unfortunate developments with respect to COVID-19. The challenges alluded to had an adverse effect on the programmes of the North West Chamber.

The Chamber adopted the culture of hosting virtual meetings and the challenges thereof were also exacerbated by:

- Late starting and postponements of meetings arising from connectivity issues
- Disturbance informed by poor quality sound
- Encountering difficulties upon resorting to face-to-face meetings in terms of securing venue compliant with non-pharmaceutical interventions
- Hosting minimal workshops in that earmarked target would also include “training on negotiations” as well as “dispute resolutions practitioners training”, conceding that the majority of legal practitioners and/or shop stewards were newly introduced as party members
- Deviation from 2020/21 year planner because all MTEF meetings were not conducted, due to challenges encountered by the Employer party

Notwithstanding the challenges illustrated above, the relationship amongst parties has proven to be mutual in that it yielded desirable outcomes during the period under review, such as:

- Hosting of two workshops during the first and fourth quarters of 2020/21
- Successfully processed all targets defined by the APP of 2020/21 compared to the previous financial year
- Initiated engagements seeking to respond to the plight of temporary educators excluded by Collective Agreement No. 4 of 2018, advocating on appointments and conversion of temporary educators

**Strategy to overcome areas of underperformance**

Not applicable

**Changes to planned targets**

No changes were made to planned targets.

**Linking performance to budget**

| Apr 2020 – Mar 2021                           |            |                    |                          |
|-----------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                               | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>North West | 392        | 227                | 165                      |
| <b>Total</b>                                  | <b>392</b> | <b>227</b>         | <b>165</b>               |

### 3.1.1.9 Western Cape

#### KPIs, Planned Targets and Actual Achievements

| Collective Bargaining Services: Western Cape                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                            | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Information Sharing</b>                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
| <b>Post provisioning</b><br>A consolidated report on the consultation process for post provisioning is available and presented to Chamber. | <b>Achieved</b><br>Reports were tabled at the Chamber meetings as follows: <ul style="list-style-type: none"> <li>• 11 June 2019</li> <li>• 12 September 2019</li> <li>• 28 November 2019</li> <li>• 26 March 2020</li> </ul> and a consolidated report on the consultation process for post provisioning is available and was tabled on 26 March 2020 at the special Chamber meeting                                                                                                                                                              | Reports (4)              | <b>Achieved</b><br>Reports on the consultation process for post provisioning were tabled at the Chamber meetings as follow: <ul style="list-style-type: none"> <li>• 25 June 2020</li> <li>• 23 September 2020</li> <li>• 10 December 2020</li> <li>• 24 March 2021</li> </ul> A consolidated report on the consultation process for post provisioning was tabled at the Chamber meeting on: <ul style="list-style-type: none"> <li>• 24 March 2021</li> </ul>                                                                                                                    | None                                                              |                       |        |
| <b>Dispute Prevention</b><br>Monitoring report on grievances, misconduct, disputes and training conducted is available                     | <b>Achieved</b><br>Monitoring reports were tabled at the Dispute Prevention Task Team Meetings on: <ul style="list-style-type: none"> <li>• 30 April 2019</li> <li>• 19 August 2019</li> <li>• 29 October 2019</li> <li>• 31 January 2020</li> </ul> The reports from the Dispute Prevention Task Team meetings were tabled at Chamber and Special Chamber meetings on the following dates: <ul style="list-style-type: none"> <li>• 25 June 2019</li> <li>• 12 September 2019</li> <li>• 28 November 2019 and</li> <li>• 26 March 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Trend analysis monitoring reports on grievances, misconduct and disputes were tabled at the Dispute Prevention Task Team Meetings on: <ul style="list-style-type: none"> <li>• 23 June 2020</li> <li>• 03 September 2020</li> <li>• 26 November 2020</li> <li>• 17 March 2021</li> </ul> The reports from the Dispute Prevention Task Team meetings were tabled at Chamber meetings on the following dates: <ul style="list-style-type: none"> <li>• 25 June 2020</li> <li>• 23 September 2020</li> <li>• 10 December 2020</li> <li>• 24 March 2021</li> </ul> | None                                                              |                       |        |

| Collective Bargaining Services: Western Cape                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |                                                                                                                                                                                                                                                                    |                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                  |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                                                                                         | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                       | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                                                                                                                                                                                                                                                                                                                            | Status |
| <b>Dispute Prevention</b><br>(cont.)<br>Monitoring reports on categories and status of the Grievances, Misconduct and disputes lodged and to measure the impact of Circular 24 of 2016. | <b>Achieved</b><br>A report to measure the impact of Circular 24 of 2016 was tabled at the Special Chamber meeting on the 26 March 2020. Seminars. A consolidated report on the seminars for the year was tabled at the Special Chamber meeting on the 26 March 2020. Seminars were held by parties to Chamber on the following dates: <ul style="list-style-type: none"> <li>• 07 February 2020</li> <li>• 08 February 2020</li> <li>• 19 February 2020 and</li> <li>• 27 February 2020</li> </ul> | Reports (4)              | <b>Achieved</b><br>Reports on training relating to dispute resolution matters for educators/supervisors/managers were presented jointly to Chamber meetings on: <ul style="list-style-type: none"> <li>• 23 September 2020 and</li> <li>• 24 March 2021</li> </ul> | None                                                              |                                                                                                                                                                                                                                                                                                                                                                                                  |        |
| <b>Safety at educational institutions</b><br>Monitoring report on the implementation of the nine-point safe schools planning process is available                                       | Not Applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Reports (3)              | <b>Not Achieved</b><br>One report was submitted to the Chamber meeting on 25 June 2020                                                                                                                                                                             | Reports (2)                                                       | The Employer reported due to the impact that COVID-19 had on the implementation of the nine-point-safe-school planning process, for schools the implementation thereof could not take place. Hence, two reports could not be submitted to Chamber meetings. The unachieved targets have been included in the adopted APP 2021/2022 for implementation as adopted by Chamber on 10 December 2020. |        |

| Collective Bargaining Services: Western Cape                                                                                                 |                              |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |                       |        |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                              | Actual Achievement 2019/2020 | Planned Target 2020/2021 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Quality management system (QMS)</b><br>A consolidated report on the implementation of the capacity development interventions is available | Not Applicable               | Reports (4)              | <b>Achieved</b><br>Employer presented reports on capacity development interventions for QMS to the integrated Quality Management System (IQMS) Task Team meetings on: <ul style="list-style-type: none"> <li>• 04 August 2020</li> <li>• 12 November 2020 and</li> <li>• 17 February 2021</li> </ul> Due to COVID-19 pandemic regulations, one QMS report was directly submitted to the Chamber meeting on: <ul style="list-style-type: none"> <li>• 25 June 2020</li> </ul> The other three reports on capacity development interventions and QMS from the three IQMS Task Team meetings were tabled at Chamber meetings on the following dates: <ul style="list-style-type: none"> <li>• 23 September 2020</li> <li>• 10 December 2020</li> <li>• 24 March 2021</li> </ul> | None                                                              |                       |        |

## Performance Overview of Western Cape Chamber for the 2020/21 Financial Year

With the advent of the COVID-19 pandemic and accompanied regulations and lockdown levels in the country, Chamber was posed with many challenges in being efficient and effective in realising Council's Constitutional imperatives. Like many organisations, the ELRC was not the only organisation affected. Instead of being complacent, adaptations had to be made with the appearance to the "introduction of the Fourth Industrial Revolution" (4IR). Enormous lessons were learnt, and Chamber is still learning how to improve excellence in delivering quality services to our stakeholders under these trying conditions. Although the mode of operations has transformed, expression through virtual engagements was the order of functioning. It is commendable how Parties displayed commitment in trying to achieve all the planned targets. However, it should be noted that, although only three planned performance programmes target for the year were successfully achieved, the one not achieved has already been adopted as part of the APP 2021/2020. This annual report's objective is to provide an accurate account of activities held under the reviewing period.

Chamber was able to convene several virtual meetings successfully. At the beginning of the Lockdown Level 1, the manager arranged with the IT manager to equip her on how to utilise the virtual platform through Microsoft Teams and Zoom. The purpose of this exercise was to empower the Provincial Manager (PM) to be hands-on before entering meetings and to empower Chamber members, the Chairperson, Deputy Chairperson and all other task team Chairpersons. This training therefore assisted Chamber to develop a revised operational and management plan. Positive lessons learnt from the virtual meetings were many, such as being time-saving, shorter and more focused-driven. Financial savings relate to refreshments and accommodation for the strategic planning workshop, just to mention a few.

Chamber was able to convene a virtual strategic planning workshop on 03–04 December 2020 and was graced with the presence of the Finance Manager to provide guidance on budgetary matters. The General Secretary and Chief Financial Officer could unfortunately not join the discussions due to prior engagements. The APP for 2021/2022 and budget were completed on 04 December 2020, submitted to Chamber on 10 December 2020 and adopted. Other activities that took place were quarterly Chamber meetings, quarterly STANCO, Dispute Prevention Task Team (DPTT), Transformation and Restructuring Task Team, Safety at Schools Task Team, Early Childhood Development (ECD) Task Team, IQMS Task Team meetings, which also received QMS reports, and policy on ill-health and retirement.

## Post provisioning

The 2021 Basket of Posts consultation meetings were held on 18 August 2020 between the Minister for Education in the Western Cape, School Governing Body Associations (SGBAs) and unions and on 31 August 2020 between the HOD, SGBAs and unions. The consulted focused areas were to strengthen the Foundation Phase, to ensure stability in post allocations to schools, to reduce class sizes, to address inequalities, to reduce curriculum extensions (especially Grade 10–12 subjects) and specialised education. The 2021 teacher-to-learner ratios were based on 31 March 2020 (annual survey) learner enrolment totals.

The 2020 educator Basket of Posts of 33 865 was retained for the 2021 academic year. The educator posts allocated to ordinary public and public special schools in 2020, plus additional posts, were retained for the 2021 academic year and so communicated in Circular 0025 of 2020. The issuance of the 2021 educator establishments were issued on 23 September 2020 to ordinary public and public special schools.

The 693 additional posts allocated in 2020 were retained for the 2021 academic year at the same schools. From the 199 additional posts reserved in the 2021 educator Basket of Posts, 29 additional posts were allocated to accommodate unplaced learners and where mobiles were delivered at schools. This increased the total of additional posts from 693 to 723. Forty-eight (48) posts were allocated from the additional allocation for new schools and 98 posts were allocated for grade/curriculum extensions in 2021. The total number of additional posts not allocated are 25. Seven (7) posts were gained from pre-primary educators that exited the Western Cape Education Department (WCED) and the seven posts added to the 25 additional posts equate to 31 posts yet to be allocated. The distribution of the 723 additional posts to ordinary public schools are reflected in the tables below:

| District               | Growth Posts Allocated | Curriculum Posts Allocated | Total      | % Distribution |
|------------------------|------------------------|----------------------------|------------|----------------|
| Cape Winelands         | 73                     | 46                         | 119        | 16%            |
| Eden and Central Karoo | 45                     | 4                          | 49         | 7%             |
| Metro Central          | 51                     | 4                          | 55         | 8%             |
| Metro East             | 122                    | 23                         | 145        | 20%            |
| Metro North            | 169                    | 28                         | 197        | 27%            |
| Metro South            | 62                     | 8                          | 70         | 10%            |
| Overberg               | 45                     | 7                          | 52         | 7%             |
| West Coast             | 35                     | 1                          | 36         | 5%             |
| <b>Grand Total</b>     | <b>602</b>             | <b>121</b>                 | <b>723</b> | <b>100%</b>    |

| Quintile           | Growth Posts Allocated | Curriculum Posts Allocated | Total      | % Distribution |
|--------------------|------------------------|----------------------------|------------|----------------|
| NQ1                | 80                     | 10                         | 90         | 12%            |
| NQ2                | 56                     | 17                         | 73         | 10%            |
| NQ3                | 145                    | 20                         | 165        | 23%            |
| NQ4                | 219                    | 49                         | 268        | 37%            |
| NQ5                | 102                    | 25                         | 127        | 18%            |
| <b>Grand Total</b> | <b>602</b>             | <b>121</b>                 | <b>723</b> | <b>100%</b>    |

| Quintile           | Growth Posts Allocated | Curriculum Posts Allocated | Total      | % Distribution |
|--------------------|------------------------|----------------------------|------------|----------------|
| Fee school         | 200                    | 51                         | 251        | 35%            |
| No-fee school      | 402                    | 70                         | 472        | 65%            |
| <b>Grand Total</b> | <b>602</b>             | <b>121</b>                 | <b>723</b> | <b>100%</b>    |

Employee parties wanted to know if the posts distribution is pro-poor. The WCED responded that 65% of growth posts allocations went to no-fee school, looking at 35% or 65%. Pro-poor is the focus area. Employee Parties wanted to know how many posts still need to fulfil the task. They wanted to know why learners were not accommodated yet. They further indicated that the only place where the consulted Post Basket can be addressed is at the Chamber meetings since there is no other forum for Parties to discuss the consulted Post Basket. Employee Parties could not understand why there is no correlation between the Post Basket and unplaced learners. They further indicated that the consulted Post Basket and the tables above do not correlate regarding the utilisation of the posts. The tables address only growth posts allocated and not the entire basket. They indicated that, in future, the implementation report should speak to all posts as per the consulted Post Basket.

The WCED responded that unplaced learners have nothing to do with negotiation, but more with space and should be discussed at another forum. The Department is currently dealing with unplaced learners and, through national funding, will hopefully be addressed. Accommodation should be addressed with the HOD and Minister of Education.

Employee parties indicated that they were not satisfied with the WCED's response because the Basket of Posts was consulted under the auspices of the PELRC, and they need to get responses in the same forum. They indicated that the WCED should not act as if unions have not addressed the matter at a bilateral with the Head of Education since it was addressed; the same concerns were addressed with unsatisfactory responses. The Basket of Posts was consulted under the auspices of the ELRC, and this matter is the correct place where answers should be given regarding the Basket of Posts. The WCED responded that they do not have a mandate to give that information at the meeting. They undertook to consult with their principals regarding the information and will revert to the unions.

## Dispute prevention

The PM drafted a Business Continuity Plan (BCP) and management plan for Parties' consideration, and circulated these documents to the Chairperson, Deputy Chairperson and Chief Negotiator during April 2020. Parties were requested to provide inputs prior to STANCO, especially to identify or agree with the proposed date for STANCO to chart the way forward under the COVID-19 pandemic. The BCP and management plan were adopted in principle by all Parties and Parties agreed to have a STANCO meeting on 07 May 2020. Parties realised, based on the statistical data and predictions made in the thoroughly researched document, that mechanisms should be put in place to continue doing the business of the PELRC. The Employer party (WCED) tabled a draft standard operation procedure (SOP) at STANCO, and the decision emanating from this SOP was that an Extended Special Dispute Prevention Task Team should be put in place. Instead of the normal attendees, WCED proposed that those dealing with misconduct disputes and shop stewards in education should be part of these extended meetings for them to understand the importance of the SOP. The Employee Parties (SADTU & CTU-ATU) agreed with the proposal for an extended Special Dispute Task Team to develop the document as a matter of urgency. The monitoring report on grievances, misconduct, disputes and training conducted provides an overview of the SOP developed, trend analysis reports and training reports received and analysed during the period under review. It should be noted that all the meetings held quorate, and discussions were at times robust, yet productive. The purpose of all the meetings was to identify areas that need training, the type of cases that are increasing and how to address the areas of concern.

Implementation of quarterly targets: Extended Special Dispute Prevention Task Team meetings:

- 19 May 2020 MS Teams: First draft SOP during COVID-19 – dealing with misconduct cases
- 26 May 2020 MS Teams: Second draft SOP during COVID-19 – dealing with misconduct cases
- 09 June 2020 MS Teams: Final Draft SOP during COVID-19 – dealing with misconduct cases for tabling at DPTT meeting for final discussion and recommendation on 23 June 2020

Ordinary Dispute Prevention Task Team meetings:

- 23 June 2020: Final draft SOP during COVID-19 – dealing with misconduct cases tabled at DPTT meeting for final discussion and recommendation to the Chamber meeting on 25 June 2020. The SOP was adopted for immediate implementation. Parties agreed that the implementation of the SOP should be continuously monitored to identify any anomalies and, if needed, it should be reviewed if or when the need arises. It was further agreed that the misconduct cases that will be dealt with during COVID-19 should be reported on as part of the trend analysis reports. During the COVID-19 Lockdown Level 1 period, an SOP was developed to address misconduct cases during the COVID-19 restricted regulations on the virtual platform.

Trend analysis reports were presented to all DPTT quarterly. Parties were able to identify areas of concern due to the increase of certain cases such as assaults, improper conduct, absenteeism and specifically financial mismanagement. Their concerns relating to the increase of financial mismanagement are that the audit reports did not reveal any fraudulent matters, but rather highlighted the need for development or empowerment of the incumbents. After in-depth discussions, parties agreed that the Employee parties will be responsible to provide training to their members on dispute resolution matters and submit training reports to Chamber during the second and fourth quarters of the financial year.

The WCED presented the report gives a trend analysis on misconduct, grievances and disputes for the period 01 April 2018 to 31 March 2020 at the meeting held on 03 September 2020. The following were highlighted in the report: Misconduct: from 01 April 2018 – 31 March 2019 a total of 718 cases. Misconduct: from 01 April 2019 – 31 March 2020 a total number of 810 cases. For both financial years, assault: 352 and 406 cases, improper conduct: 140 and 155 cases, absenteeism: 48 and 46 cases, and sexual assault on learners: 15 and 32 cases remained consistently high. The WCED opines that due to the extensive training provided, more educators came to the fore as they realise there is an avenue for incidents to be reported. More reported cases are reported in the metropole areas. Grievances: from 01 April 2018 to 31 March 2019, a total of 156 cases. Grievances: 01 April 2019 to 31 March 2020, a total of 204 cases. Areas

of concern are promotions (68 and 71 cases), employment relationship (25 and 32 cases), conduct of manager (14 and 16 cases), leave (8 and 25 cases), victimisation (10 and 23 cases) and financial (15 and 27 cases). Disputes: from 01 April 2018 to 31 March 2019, a total of 63 cases. Disputes: from 01 April 2019 to 31 March 2020, a total of 103 cases.

Areas of concern are unfair dismissal (21 and 47 cases), promotion (26 and 20 cases), financial (6 and 9 cases) and employment (8 and 4 cases). Year-on-year comparative analysis of misconduct, grievances and disputes: 01 April 2018 – 31 March 2020. The trends indicate a general upward trajectory for misconduct, grievances and disputes. The statistics revealed the following for misconduct cases: assault increased with 54 cases, improper increased by 15 cases, absenteeism decreased by 2, mismanages finances a steep increase with 25, and sexual assault increased from 15 to 32, which represents 17 more cases.

The trends analysis for grievances indicates a general increase for almost all cases. The following areas are of concern: promotions remain high with an increase from 69 to 71, employment relations increased from 25 to 32, a slight drop in absenteeism was seen from 48 to 46, mismanaged finances increased from 15 to 40, and sexual assault increased from 15 to 32.

The trend analysis for disputes indicated a general increase in the cases highlighted. The following areas are highlighted: unfair dismissal increased from 21 to 26, employment decreased with 50% from eight to four, financial slight increase from six to nine, promotion decreases from 26 to 20, leave increased with 50% from two to four and sexual inquiry was two for the 2019/2020 financial year.

The WCED tabled a trend analysis report on 26 November 2020 and spoke to it. The following salient points were highlighted: The report gives a trend analysis on misconduct, grievances and disputes for the period 01 April 2020 to 30 September 2020. Misconduct during 01 April 2020 – 30 September 2020: For the period under review, the following cases were highlighted as being on the increase: improper conduct and absenteeism in the rural districts. In the metropole districts, the following cases were highlighted: fails to comply, absenteeism, improper conduct, and financial mismanagement. Grievances: 01 April 2020 to 30 September 2020, in the rural districts, the following were highlighted: employment, promotions, financial and victimisation. In the metropole districts, the following were highlighted: leave, promotion, financial, conduct of manager and employment. Disputes: 01 April 2020 to 30 September 2020, the following were highlighted in rural districts: unfair dismissal, financial, leave and posts. In the metropole districts, the following were highlighted: unfair dismissal, ULP, financial, sexual inquiry and leave. WCED reported that the cases dealt with on the virtual platform are part of the statistics that they have presented. They further indicated that the SOP was well received and implemented. They also had a few face-to-face interactions during the period under review.

The WCED presented the trend analysis report on 17 March 2021, and the following salient points were highlighted. Misconduct in the different districts: in Eden/Central Karoo District, not many misconduct cases taking place. It seems that assault cases are on the increase. In District North, several examination irregularities were reported and dealt with. In Overberg District, several financial mismanagement cases were reported. Termination of contracts are the cause of several disputes because schools are unfairly terminating educators' contracts. Across the province the main causes for concern are assault at 41 cases, improper conduct with 34 cases, financial mismanagement with 13 cases, absenteeism with 19 cases, sexual assault with seven cases and giving false statements at 12 cases. Grievances were highlighted in all districts as well as the number of disputes and areas of concern. The categorisation of dispute cases will be addressed in the annual trend analysis report. They confirmed that the conversion process was the cause of several termination of contract disputes. Employee parties referred the meeting to an undertaking made by WCED at the transformation and restructuring meeting that they would automatically convert incumbents on Post Level 1 educators who had been in vacant, substantive posts for three months or more; before converting a candidate, and WCED will enquire from the SGB whether they have any valid reason why the incumbent(s) cannot be converted.

The Employee parties highlighted the following matters in discussion. A possible reason that Eden Karoo District does not have many reported cases of misconduct might be that incidents are unreported. In response to the increase in financial

mismanagement cases, they have observed an increase in charges of misconduct emanating from audit findings. They proposed that a small group, a “think tank”, should meet to look at possible reasons for the increase in such misconduct charges and find possible solutions. This proposal was supported by all Parties. The WCED undertook that they would ensure that specialists from the relevant Directorates also attend the “think tank” meeting. The Chairperson commended the parties as this decision was in accordance with the DPTT’s mandate of reducing or minimising misconduct and disputes.

Employee Parties further expressed the need for the categorisation of disputes to enable the DPTT to ascertain where the DPTT’s intervention was required. The Employee Parties also raised their concern that grievances are not adequately addressed at school and district levels. They also indicated that it seemed as if, in a few districts, cases are unreported and a concerted effort should be made to ensure that grievances are addressed at school level. Parties believe that when the grievances are properly handled at the lowest level, disputes will be minimised. Parties further agreed that a refresher training on the collaborative developed Circular by Chamber should be done with principals, line managers, supervisors and district managers. Employee parties undertook to provide refresher training on the Circular adopted in 2016.

At the last DPTT meeting held on 17 March 2021, parties recommended to Chamber that a thorough discussion on the reasons for financial mismanagement is discussed. Parties further agreed that the Minimum Requirements for Teacher Education Qualifications (MRTEQ) policy document is creating some measure of concern for the union and its members. The WCED expressed the view that educators must be suitably qualified for the phase in which they are to be appointed. This creates challenges with conversion of educators and appointments to promotion posts as relevant experience, prior learning and the ability of candidates and/or the capacity to acquire within reasonable time. The skill/qualification is not taken into consideration.

They express the further view that the MRTEQ as a policy document cannot be read apart from the PAM and relevant sections of the Employment of Educators Act (76 of 1998). Furthermore, they believe the Department is acting “outside” of the scope and purpose of the policy document, which policy document in their considered view is aimed at career pathing and a regulatory and monitoring “tool” for teacher qualification programmes offered by higher education institutions. They requested a review of the MRTEQ application by WCED when it comes to conversion and appointment/ promotion processes. After lengthy discussion at the Chamber meeting, parties agreed that the matter should be taken to STANCO to decide where the issue should be discussed.

### **Reports on training as per the APP quarterly target**

The advent of lockdown has brought to the fore the importance of online learning and engagement; not only as “buzzwords” of the Fourth Industrial Revolution (4IR), but as appropriate and tangible ways in which PLCs can be introduced and sustained. Employee parties (CTU-ATU and SADTU) in the Western Cape recognised this need and sought to provide the same quality of service to their respective constituents that they have come to expect prior to the COVID-19 pandemic, by locking into the new modes of delivery that have rapidly become the norm.

Even during a pandemic, personal development, dispute prevention strategies and empowerment remain critical factors in educator career pathing. The very first link in this chain is the recruitment and selection of individuals best suited to the profession. With that in mind, Employee Parties embarked on its first in a series of webinars that deal with conditions of service and representation, by presenting a short course on the shortlisting and interview process. This would allow for a better understanding of the process with a view of minimising the referral of grievances related to appointment or promotions.

The motivation behind the shortlisting and interview training is to capacitate members with a greater and improved understanding of the process as provided for by ELRC Resolution 5 of 1998. Even as observers, during these processes of shortlisting and interviews, their members are expected to have knowledge of the process involving all stakeholders, as well as the ability to remain unbiased without putting forward an agenda. It thus becomes crucial that observers know the purpose of their role as well as that of the process itself. Through thoroughness and comprehensive application of legislation and regulations, disputes of interest can be avoided and mitigated against.

Through training of this nature, Employee Parties anticipate making their members aware of the way in which collective bargaining becomes everybody's business. Observers need to know the framework of shortlisting and interview, a process largely dominated by common understandings and resolutions reached between the Employer and Employee parties in the ELRC. With their webinars, they compiled the relevant legal documents into an electronic booklet, and during their feedback sessions encouraged participants to have this book on hand when attending future shortlisting and interview processes. Webinar training sessions were conducted and were well attended across the province as per the table below:

| Date                                                                         | Topic                                                                             | Aim                                                                                                                                           | No. of participants                           |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| 03 July 2020                                                                 | Training on the PELRC standard operating procedure                                | To the handling of grievance, misconduct and disputes during COVID-19                                                                         | 89 participants via Zoom and Facebook         |
| 14 July 2020                                                                 | How to deal with comorbidities and working from home                              | To prevent disputes and grievance                                                                                                             | 3 450 participants via Zoom and Facebook live |
| 16 July 2020                                                                 | Dealing with COVID-19 in schools                                                  | The aim was to prevent grievances and disputes in terms of occupational health and safety                                                     | 4520 participants via Zoom and Facebook       |
| 11 August 2020<br>Morning session from 09h00<br>Afternoon session from 14h00 | Training on shortlisting and interview processes as per ELRC Resolution 5 of 1998 | Members to have better understanding of the process with a view of minimising the referral of grievances related to appointment or promotions |                                               |
| 13 August 2020<br>Morning session from 09h00<br>Afternoon session from 14h00 | Training on shortlisting and interview processes as per ELRC Resolution 5 of 1998 | Members to have better understanding of the process with a view of minimising the referral of grievances related to appointment or promotions |                                               |

As per agreement by parties at the STANCO meeting on 04 February 2021 meeting, the Employee parties presented the following joint report on the different training interventions they had during the fourth quarter as below to the Chamber meeting on 24 March 2021. Dispute Prevention

| Workshops                  | Workshop Theme     | Date             | Number Participated                                             |
|----------------------------|--------------------|------------------|-----------------------------------------------------------------|
| Zoom platform              | Grievance handling | 12 March 2021    | Branch secretaries and regional secretaries.<br>40 participants |
| <b>School</b>              |                    |                  |                                                                 |
| Salt River High School     | Dispute resolution | 04 February 2021 | 30 participants                                                 |
| Simonstown Combined School | Dispute resolution | 08 February      | 41 participants                                                 |
| Muhammadiyah PS            | Dispute resolution | 09 February 2021 | 35 participants                                                 |
| Ludwe Ngamlana PS          | Dispute resolution | 11 February 2021 | 43 participants                                                 |
| Stellenbosch               | New entrants       | 26 February      | 45 participants                                                 |

## Safety at educational institutions

Due to the COVID-19 pandemic, only one report was submitted to Chamber on 25 June 2020. During the period under review, educational institutions were closed for safety reasons and curbing the spread of the virus. Rotational teaching of grades across the province were implemented and it was therefore impossible to implement the remaining quarterly targets. However, Chamber endorsed having the same targets included into the APP 2021/2022 due to the importance of having safety at educational institutions.

WCED indicated the reason for not being able to implement the Nine-Point-Safe-School plan as committed is because they have shifted their focus from the plan with the primary objective to ensure the safety of schools during the COVID-19 pandemic.

## Quality management system

The WCED presented the report on the training interventions for QMS to the meeting and highlighted the following salient points: Training for the Provincial Training Teams (PTTs) was conducted from 2–6 November 2020. PTT members could register on any of the available dates on a first-come-first-served basis. An overview of attendance at the trainings was provided and is depicted in the table below:

| District             | PTT Trained |             | %          | Principals Trained |             | %          | Outstanding | %          | Mop-up Date |
|----------------------|-------------|-------------|------------|--------------------|-------------|------------|-------------|------------|-------------|
|                      | Expected    | Actual WCED |            | Expected           | Actual      |            |             |            |             |
| Cape Winelands       | 16          | 12          | 75%        | 301                | 289         | 96%        | 12          | 4%         | 17-Feb-21   |
| Eden & Central Karoo | 15          | 11          | 73%        | 203                | 200         | 99%        | 3           | 1%         | 17-Feb-21   |
| Metro Central        | 15          | 13          | 87%        | 233                | 172         | 74%        | 61          | 26%        | 18-Feb-21   |
| Metro East           | 15          | 12          | 80%        | 189                | 177         | 94%        | 12          | 6%         | 10-Feb-21   |
| Metro North          | 16          | 14          | 88%        | 233                | 165         | 71%        | 68          | 29%        | 25-Feb-21   |
| Metro South          | 15          | 9           | 60%        | 213                | 213         | 100%       | 7           | 3%         | 18-Feb-21   |
| Overberg             | 9           | 4           | 44%        | 91                 | 47          | 52%        | 44          | 48%        | 17-Feb-21   |
| West Coast           | 11          | 8           | 73%        | 126                | 126         | 100%       | 0           | 0%         | 17-Feb-21   |
| <b>Total</b>         | <b>112</b>  | <b>83</b>   | <b>74%</b> | <b>1 589</b>       | <b>1389</b> | <b>87%</b> | <b>207</b>  | <b>13%</b> |             |

Based on initial feedback from participants, two training videos were developed as resources to support principals and circuit managers. The videos focused on “the introduction to developing a work plan” as well as “how to complete a work plan” for principals. Feedback from principals was overwhelmingly positive. Draft work plans were submitted by principals to circuit managers by the requested due date of 10 December 2020. Mop-up training sessions which will also accommodate newly appointed principals are scheduled for 10, 17, 18 and 25 February 2021. The session of 10 February 2021 by Metro East Education District was in the form of mask-to-mask training.

Where possible, certain districts were clustered together for this training. The DBE has tasked all provinces to develop training videos on the QMS as a collaborative exercise. Specific topics were allocated to all provinces. The provincial NTT for the QMS has coordinated this process and video recordings are scheduled for 15–16 February 2021 at Edu media. Training for PL3 to PL1 is scheduled for April to November 2021. Training will be in the form of a “live event”, hosted on MS Teams and consists of a blend of pre-recordings and real-time activities. Training will be conducted per post level, from PL3 to PL2 to PL1. This will build capacity in the SMT to provide the necessary guidance and support. The NTT will oversee the ongoing resource development and monitor the roll-out of training in 2021. Evaluation of QMS training for principals is based on 459 responses from districts.

### **Additional matters reported on:**

Policy and PILIR: analysis of all applications for the period January 2019 – December 2019 and January 2020 – December 2020 is as follows:

The number of Short-Period Temporary Incapacity Leave (SPTIL) applications received and outcome from the first to the fourth quarter of 2019 in the 2019 – 2021 sick leave cycle was reported on. SPTIL received and outcomes for the period January 2019 to December 2020, as indicated, was due to the COVID-19 pandemic and national lockdown, which has been a significantly decreased in submission of temporary incapacity leave applications for April, May, June, July and August. The submission of applications increased from August 2020 to December 2020. When analysing the statistics of the gender split of employees applying for short PILIR applications, it was noted that 58% of applications were submitted by female employees and 32% of applications by male employees from the period January to December 2020. This has remained consistent with the previous quarters.

Total number of short PILIR applications received by age category demonstrates that the majority of the short PILIR applications fall within the 50- to 59-year-old age band, followed closely by the 40- to 49-year-old age band. The HRM notes that there are fewer applications from employees below the age of 30 years old as well as above the age of 60 years. The salary analysis of SPTIL for the period January 2020 to December 2020 has not been provided to HRM with the number of employees employed at each salary level. This information will be beneficial in reports going forward to compare applications received versus actual active population.

The top disease categories for short PILIR applications indicate the most common medical reasons (disease categories) for which employees apply for short PILIR applications. These categories are factors influencing health status and contact with health services at 29%, mental, behavioural and neurodevelopmental disorders at 22%, diseases of the respiratory system at 14%, diseases of the musculoskeletal system and connective tissue at 7%, and diseases of the nervous system at 6%. Factors influencing health status and contact with health services include applications where no diagnosis is provided, in addition to instances where employee had contact with medical services. Examples of common reasons for temporary incapacity leave applications in this disease category include surgeries, chemotherapy and haemodialysis. Examples of diseases of the respiratory system include asthma, influenza, bronchitis, pneumonia and sinusitis. Musculoskeletal conditions include diagnoses of back pain, myalgia and osteoarthritis. It is also significant to note that mental and behavioural for short-period applications appear to be on the rise.

Alexander Forbes Health Risk Management Disease Management recommended disease management for applications due to neoplasms, endocrine and metabolic diseases, circulatory conditions as well as diseases of the nervous system. It is important for employees with life-threatening and chronic medical conditions to be supported by the disease management programme, which often offers support and advice on how to manage chronic conditions. Applications related to injuries, surgical procedures as well as circulatory and nervous systems were recommended to comply or consult with rehabilitation specialists such as Occupational Therapists (OTs) and physiotherapists to optimally manage these conditions and improve the rate of recovery. However, the HRM did not receive an indication as to the number of deviations following the recommendations to the Department.

Long-period temporary incapacity leave PILIR applications received and outcomes for the fourth quarter of the 2019 – 2021 sick leave cycle were analysed. As with the SPTIL applications, a decrease in submission of Long Period temporary Incapacity Leave (LPTIL) applications can be seen between April 2020 and July 2020, which can be attributed to the COVID-19 pandemic. Submissions of applications increased between August 2020 and December 2020. There is, once again, a higher number of female applications as compared to their male counterparts of all LPTIL applications. This is in keeping with the active employee composition as females form 70% of the WCED's total employee composition as opposed to their male counterparts forming 30% of the active employee composition. The number of long PILIR applications received per age demonstrates that the majority of the long PILIR applications fall within the 50- to 59-year-old age band, followed by the 40- to 49-year-old age band. The HRM notes that there are fewer applications from employees below the age of 30 years old as well as above the age of 60 years. This trend is consistent with short applications for the

previous and current reporting period. The salary analysis for the period January 2020 to December 2020 indicated that the highest number of applications came from employees in levels 8 and 9. The top five disease categories for long PILIR applications indicate the most common medical reasons (disease categories) for which employees apply for long PILIR applications are mental, behavioural and neurodevelopmental disorders at 37%, neoplasms at 11%, factors influencing health status and contact with health services at 11%, diseases of the circulatory system at 10% and diseases of the musculoskeletal system and connective tissue at 4%. Mental and behavioural disorders remain the leading cause of incapacity leave applications.

The HRM did not receive an indication as to the number of deviations following the recommendation to the Department. Additionally, the HRM of Alexander Forbes is not informed by departments of resignations or deaths once the application has been finalised. Alexander Forbes notes that there has been an improvement in the departmental processing of applications and the time taken to submit these applications to Alexander Forbes. The outcomes of ill-health retirement (IHR) PILIR applications from January 2019 – December 2019 as well as the period January 2020 to December 2020 were 58 IHR applications received for the period January 2020 – December 2020.

**National Teaching Awards:** No activities have taken place for the period under review. The DBE has convened a planning meeting for 13 April 2021 to discuss planning the implementation of the 21st Edition of the National Teaching Awards.

**EE:** Employment Equity Consultative Forum (EECF) meetings are held on a quarterly basis to present the progress made on meeting EE targets. The forum also serves as a platform whereby EE challenges are discussed and addressed. There was one quarterly EECF meeting scheduled for 21 October 2019; however, owing to the lack of attendance, the meeting did not have a quorum and was cancelled. The Employment Equity Act Reports (EEA2&4) were submitted to the HOD for approval and were subsequently forwarded to the Department of Labour. Quarterly EE scores for the period 01 October to 31 December 2020 were compiled and provided to the Chief Directorate: Districts, Directorate: Recruitment & Selection and to the EECF members for further usage. Employee parties wanted to know if the Employer received feedback from the Department of Labour and Employment on the report. The Employer responded that they were still waiting on feedback and would share the information with stakeholders at the EECF.

**Skills Development:** Work Skills Plan (WSP): The third quarterly monitoring report (01 October – 31 December 2020) was submitted to the Public Service Sector Education and Training Authority (PSETA) on 14 December 2020. The third quarterly DBE's skills development report (01 October – 31 December 2020) was submitted on 15 January 2021. Acknowledgements for the above-mentioned reports were received by the respective institutions. The WSP expenditure as of 31 December 2020 was R69 924 000.00.

The Provincial Skills Development Committee (PSDC) meeting: The PSDC meeting for the third quarter was held on 08 December 2020 via the MS Teams platform. Adjusted budget, due to the pandemic, was tabled and overview of the 2021/22 training needs analysis was provided.

Public service bursaries: The total active bursary holders currently in the programme is at 46. Public service bursaries expenditure for the quarter was R71 154.00.

Graduate and student internship programme: A total of 15 out of 22 graduate interns remain within the 24-month programme (3 resigned, 3 obtained employment within the WCED and 1 passed on). There was no intake for the 2020/21 financial year, due to the impact of COVID-19. The graduates' expenditure for the quarter was R273 769.00.

Pay internship programme: No intake for the 2020/21 financial year, due to the impact of COVID-19.

**Public service induction:** No training was conducted, due to the impact of COVID-19.

**ECD:** The main area of concern relates to the few ECD managers at districts and their status. A meeting is planned between the Chief Director: Districts and the Employee parties in the new financial year to address the matter.

**Employee health and wellness:** No wellness days were conducted during the reporting period. No group trauma sessions were reported in this period under review. No awareness sessions were conducted in this period under review.

**IQMS:** The 2020 IQMS summative scores were submitted by schools to districts and are currently being verified by Head Office. To expedite early intervention measures for underperforming educators, 48 cases have been confirmed. District Directors will be notified to ensure necessary measures are put in place for management and monitoring purposes. Due to the amended national school calendar, dates for training of new entrant educators and submission of baseline IQMS evaluations will be revised. Baseline evaluations will also follow the “streamlined evaluation process” as directed by the DBE last year. The IQMS for PL1, PL2 and PL3 educators will apply for the 2021 academic year. Employee parties wanted to know when pay progression would be paid. The WCED responded that pay progression would be paid by the end of March 2021. They further indicated that about 4 000 employees had a break in service and therefore did not comply.

### **Additional achievements:**

- Standard operation procedures adopted to deal with misconduct during the COVID-19 pandemic
- Adopted a revised Circular on union access to the workplace
- Adopted a revised Sexual Harassment Circular
- Adopted revised collective agreement on time-off implementation

### **Strategy to overcome areas of underperformance**

The unachieved targets have been adopted by Chamber on 10 December 2020 for inclusion in the APP 2021/2022 financial year. Reports will be tabled at the Safety at Schools Task Team meetings and a report will be submitted to Chamber quarterly in the 2021/2022 financial year.

### **Changes to planned targets**

No changes were made to planned targets.

### **Linking performance to budget**

| Apr 2020 – Mar 2021                             |            |                    |                          |
|-------------------------------------------------|------------|--------------------|--------------------------|
| Programme Name                                  | Budget     | Actual Expenditure | (Over)/Under Expenditure |
|                                                 | R'000      | R'000              | R'000                    |
| Collective Bargaining Services:<br>Western Cape | 329        | 238                | 91                       |
| <b>Total</b>                                    | <b>329</b> | <b>238</b>         | <b>91</b>                |

## 3.2 Programme 2: Dispute Management Services

### Purpose

The purpose of Programme 2 is to manage disputes proactively. This includes the prevention of disputes by, for example, defusing conflicts that can disrupt teaching and learning. It also includes dispute resolution. Professional development and training are included in Programme 2 to ensure that DRPs and Panellists operate effectively.

### Strategic Objectives

- Provide efficient dispute resolution services;
- Ensure quality of arbitration awards;
- Provide training to DRPs and/or negotiators; and
- Provide Professional Development to panellists.

### KPIs, Planned Targets and Actual Achievements

| Dispute Management Services                          |                              |                                                        |                                                                                                                                                                                                                                                                                                                                     |                                                                   |                                                                      |        |
|------------------------------------------------------|------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------|--------|
| Programme Performance Indicator                      | Actual Achievement 2019/2020 | Planned Target 2020/2021                               | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                        | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                | Status |
| <b>Dispute Management Services</b>                   |                              |                                                        |                                                                                                                                                                                                                                                                                                                                     |                                                                   |                                                                      |        |
| Cases in jurisdiction are scheduled for conciliation | <b>Achieved</b><br>94%       | Processing of all cases in jurisdiction within 30 days | <b>Not Achieved</b><br>92,48%<br>431<br>The Council scheduled 517 cases during this period. For both within and not within 30 days, the Council scheduled 466 cases scheduled. Of the 466 cases, 431 were scheduled within 30 days, 35 were scheduled outside 30 days, while the other 51 cases were received during recess period. | 7,52%                                                             | Deviation is due to COVID-19 at the beginning of the financial year. |        |

| Dispute Management Services                                                                                      |                                                           |                                                                                                                   |                                                                                                                                                                                                                                                                                                                     |                                                                   |                                                                                                                                                                                             |        |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                                                                  | Actual Achievement 2019/2020                              | Planned Target 2020/2021                                                                                          | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                        | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                                                                                                                       | Status |
| 75% of cases scheduled for arbitration within 45 days after receipt of dispute referral                          | <b>Achieved</b><br>88, 30%                                | 75% of cases scheduled for arbitration within 45 days after receipt of referral                                   | <b>Not Achieved</b><br>73, 65%<br>204<br>The Council scheduled 296 cases for arbitration. For both within and not within 45 days, the Council scheduled 277 cases for arbitration. Of the 277 cases, 204 were arbitrated within 45 days, 73 were arbitrated outside the 45 days and 19 were received during recess. | -1,35%                                                            | Objection to Zoom by some applicants in the first and second quarters of the year, as well as the late start of hearings in the first quarter due to the hard lockdown because of COVID-19. |        |
| 60% of sexual misconduct cases scheduled for inquiry by Arbitrator within 60 days after receipt of the referral. | 60%                                                       | To schedule 60% of sexual misconduct cases for Inquiry by Arbitrator within 60 days after receipt of the referral | <b>Achieved</b><br>70,2%<br>33<br>The Council scheduled 47 cases of alleged sexual misconduct. Of the 47 cases scheduled, 33 were scheduled within 60 days, while 14 were scheduled outside the 60 days                                                                                                             | +10,2%                                                            | Deviation due to Zoom scheduling of cases and no school holiday disruptions.                                                                                                                |        |
| 100% quality control (QC) of all arbitration awards concluded<br>Achieved                                        | <b>Achieved</b><br>100%                                   | 100% Quality Control done in all arbitration awards concluded                                                     | <b>Achieved</b><br>100%<br>175 arbitration awards received were quality controlled                                                                                                                                                                                                                                  | None                                                              |                                                                                                                                                                                             |        |
| Facilitate two (2) training sessions for professional development of panellists                                  | <b>Achieved</b><br>Four training sessions were conducted. | Facilitate two (2) training sessions for professional development of panellists                                   | <b>Achieved</b><br>Two training sessions were conducted.                                                                                                                                                                                                                                                            | None                                                              |                                                                                                                                                                                             |        |
| Facilitate two (2) training sessions for DRPs                                                                    | <b>Achieved</b><br>Five training sessions were conducted. | Facilitate two (2) training sessions for dispute resolution practitioners                                         | <b>Achieved</b><br>Two training sessions were conducted.                                                                                                                                                                                                                                                            | None                                                              |                                                                                                                                                                                             |        |

### **Strategy to overcome areas of underperformance**

The Council continues to minimise frivolous requests for postponements, as well as reduce the high number of adjournments by enforcing Clause 45 of the ELRC constitution. The increase in requests for postponements negatively affects the turnaround times for conciliation and arbitration processes, thus affecting the performance of the dispute management section. The Council also encourages panellists to enforce Clause 54 of the ELRC constitution in an effort to discourage inadequate preparation for hearings and requests for postponement.

In hearings where a child is a victim or a witness, the Council continues to ensure that appropriate venues are booked for these special hearings, for instance Magistrate Court, Children's Court or Teddy Bear Clinic (Johannesburg) and Department of Social Development in Free State and Northern Cape. The Council will also ensure that intermediaries are appointed to protect the rights of the child, as stipulated in section 28 of the Constitution, namely "the right of the child is of paramount importance in all matters concerning the child". The Council continues to recruit panellists, interpreters and intermediaries in order to improve on its efficiencies.

As a way of improving efficiencies, the Council continues to enforce compliance by ensuring that panellists submit arbitration awards in terms of Clause 18.5 of the ELRC constitution to the ELRC within 14 days of the conclusion of arbitration proceedings.

The majority of disputes referred to the Council are unfair labour practices related to promotions and appointments and dismissals. In a bid to address these disputes, the Council continues to rely on the Dispute Prevention Task Teams to resolve these areas of concern. The Council has committed to assist the Provincial District Prevention Task Teams by providing them with statistics on disputes which are referred every month, so that they can develop some intervention strategies to resolve and finalise grievances.

### **Changes to planned targets**

No changes were made to planned targets.

### **Linking performance to budget**

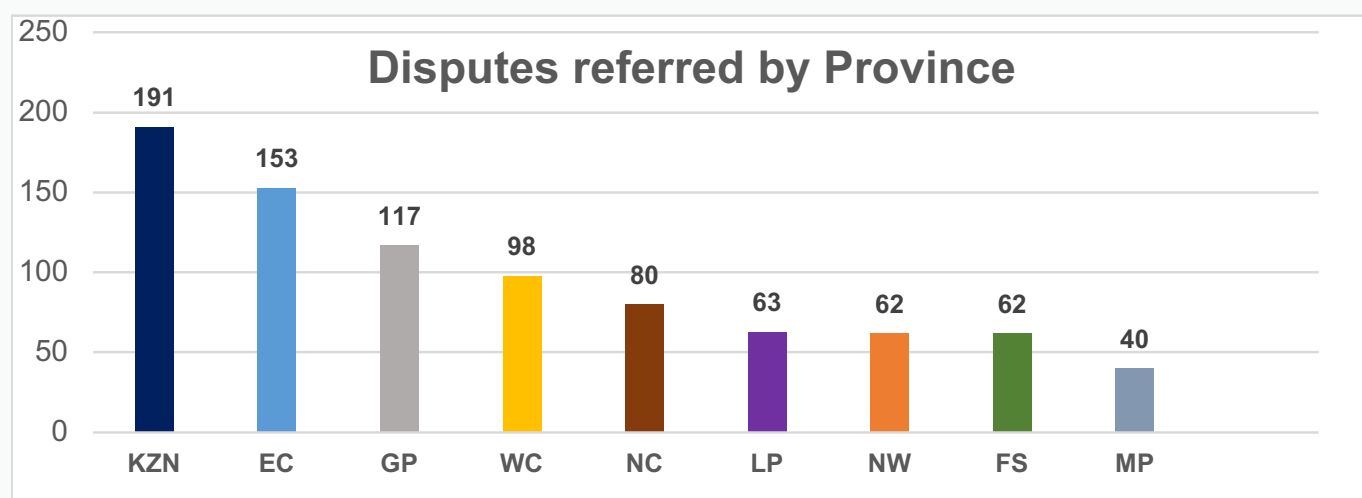
| Apr 2020 – Mar 2021         |               |                    |                          |
|-----------------------------|---------------|--------------------|--------------------------|
| Dispute Management Services | Budget        | Actual Expenditure | (Over)/Under Expenditure |
|                             | R'000         | R'000              | R'000                    |
| Dispute Resolution Services | 19 743        | 11 298             | 8 445                    |
| <b>Total</b>                | <b>19 743</b> | <b>11 298</b>      | <b>8 445</b>             |

## Overview of the Dispute Management Services Department's performance for the 2020/21 financial year

The ELRC received a total of 866 disputes during the period under review. Of the 866 disputes received, 593 were “in jurisdiction”, and 273 were found to be “out of jurisdiction”.

### Disputes referred by province

| EC  | KZN | NC | GP  | WC | LP | MP | FS | NW | NAT | TOTAL |
|-----|-----|----|-----|----|----|----|----|----|-----|-------|
| 153 | 191 | 80 | 117 | 98 | 63 | 40 | 62 | 62 | 0   | 866   |



For the period under review, KwaZulu-Natal was the highest referring province with 191 cases referred. This was followed by Eastern Cape with 153, Gauteng with 117, Western Cape with 98, Limpopo with 63, both North West and Free State with 62 disputes referred, Mpumalanga with 40 and Northern Cape with 28 disputes referred.

### Disputes referred by nature: April 2020 to March 2021

| Provinces    | ULP Promo/APP | Other ULP  | Unfair dismissal | Special dismissal related to abuse of learners | BCEA      | Interpretation of Collective Agreements | Unilateral Change | Total      |
|--------------|---------------|------------|------------------|------------------------------------------------|-----------|-----------------------------------------|-------------------|------------|
| EC           | 32            | 68         | 24               | 3                                              | 18        | 6                                       | 2                 | 153        |
| GP           | 18            | 27         | 41               | 14                                             | 9         | 8                                       | 0                 | 117        |
| FS           | 0             | 31         | 12               | 10                                             | 2         | 6                                       | 1                 | 62         |
| LP           | 15            | 25         | 15               | 3                                              | 0         | 4                                       | 1                 | 63         |
| MP           | 9             | 15         | 12               | 1                                              | 1         | 2                                       | 0                 | 40         |
| NW           | 4             | 25         | 20               | 1                                              | 0         | 12                                      | 0                 | 62         |
| NC           | 11            | 32         | 9                | 0                                              | 5         | 23                                      | 0                 | 80         |
| WC           | 16            | 25         | 39               | 6                                              | 1         | 8                                       | 3                 | 98         |
| KZN          | 66            | 52         | 32               | 30                                             | 8         | 3                                       | 0                 | 191        |
| NAT          | 0             | 0          | 0                | 0                                              | 0         | 0                                       | 0                 |            |
| <b>Total</b> | <b>171</b>    | <b>300</b> | <b>204</b>       | <b>68</b>                                      | <b>44</b> | <b>72</b>                               | <b>7</b>          | <b>866</b> |

Of the 866 disputes that were referred, 171 related to ULP-promotion and appointments, 300 related to other unfair labour practice, 204 to alleged unfair dismissal, 44 were Basic Conditions of Employment Act (BCEA), 72 were interpretation of collective agreements and 7 referred as unilateral change of terms and conditions, while 68 were referred in terms of section 188A (inquiry by Arbitrator) of the Labour Relations Act.

#### In jurisdiction as per nature: April 2020 to March 2021

| Provinces    | ULP Promo/<br>App | Other ULP  | Unfair<br>dismissal | Special<br>dismissal<br>related to<br>abuse of<br>learners | BCEA      | Interpretation<br>of Collective<br>Agreements | Unilateral<br>Change | Total      |
|--------------|-------------------|------------|---------------------|------------------------------------------------------------|-----------|-----------------------------------------------|----------------------|------------|
| EC           | 14                | 48         | 12                  | 1                                                          | 18        | 4                                             | 2                    | 99         |
| GP           | 8                 | 20         | 27                  | 5                                                          | 8         | 6                                             | 0                    | 74         |
| FS           | 0                 | 21         | 9                   | 5                                                          | 2         | 5                                             | 1                    | 43         |
| LP           | 7                 | 22         | 13                  | 0                                                          | 0         | 2                                             | 1                    | 45         |
| MP           | 3                 | 11         | 7                   | 0                                                          | 0         | 1                                             | 0                    | 22         |
| NW           | 3                 | 16         | 14                  | 1                                                          | 0         | 12                                            | 0                    | 46         |
| NC           | 5                 | 26         | 6                   | 0                                                          | 5         | 23                                            | 0                    | 65         |
| WC           | 7                 | 20         | 28                  | 3                                                          | 1         | 8                                             | 2                    | 69         |
| KZN          | 39                | 40         | 20                  | 22                                                         | 8         | 1                                             | 0                    | 130        |
| NAT          | 0                 | 0          | 0                   | 0                                                          | 0         | 0                                             | 0                    | 0          |
| <b>Total</b> | <b>86</b>         | <b>224</b> | <b>136</b>          | <b>37</b>                                                  | <b>42</b> | <b>62</b>                                     | <b>6</b>             | <b>593</b> |

Of the 866 disputes that were received, 593 were “in jurisdiction”. Of the 593 that were “in jurisdiction”, 86 related to ULP – promotion and appointments, 224 related to other unfair labour practice, 136 related to unfair dismissals, 37 related to inquiry by Arbitrator (special disputes), 42 related to BCEA, 62 related to interpretation and application of collective agreements, while 6 related to unilateral change of terms and conditions.

#### Out of jurisdiction as per nature: April 2020 to March 2021

| Provinces    | ULP Promo/<br>App | Other ULP  | Unfair<br>dismissal | Special<br>dismissal<br>related to<br>abuse of<br>learners | BCEA     | Interpretation<br>of Collective<br>Agreements | Unilateral<br>Change | Total      |
|--------------|-------------------|------------|---------------------|------------------------------------------------------------|----------|-----------------------------------------------|----------------------|------------|
| EC           | 18                | 20         | 12                  | 2                                                          | 0        | 2                                             | 0                    | 54         |
| GP           | 10                | 7          | 14                  | 9                                                          | 1        | 2                                             | 0                    | 43         |
| FS           | 0                 | 10         | 3                   | 5                                                          | 0        | 1                                             | 0                    | 19         |
| LP           | 8                 | 3          | 2                   | 3                                                          | 0        | 2                                             | 0                    | 18         |
| MP           | 6                 | 4          | 5                   | 1                                                          | 1        | 1                                             | 0                    | 18         |
| NW           | 1                 | 9          | 6                   | 0                                                          | 0        | 0                                             | 0                    | 16         |
| NC           | 6                 | 6          | 3                   | 0                                                          | 0        | 0                                             | 0                    | 15         |
| WC           | 9                 | 5          | 11                  | 3                                                          | 0        | 0                                             | 1                    | 29         |
| KZN          | 27                | 12         | 12                  | 8                                                          | 0        | 2                                             | 0                    | 61         |
| NAT          | 0                 | 0          | 0                   | 0                                                          | 0        | 0                                             | 0                    | 0          |
| <b>Total</b> | <b>105</b>        | <b>141</b> | <b>94</b>           | <b>15</b>                                                  | <b>6</b> | <b>11</b>                                     | <b>0</b>             | <b>372</b> |

Of the 273 disputes found to be out of jurisdiction, 85 related to ULP – promotion and appointments, 76 were other ULPs, 68 related to unfair dismissals, two related to BCEA, 10 related to interpretation and application of collective agreements and 31 related to special disputes in which children are involved, either as witnesses or victims and are dealt with through inquiry by Arbitrator. It must be noted that the substantive amounts of disputes that were screened out of jurisdiction were due to defective and incomplete referrals, including those that were referred outside timeframes, and condonation was not granted.

### Processes Conducted: April 2020 to March 2021

| Provinces    | Conciliation/Pre-arbitration | Arbitration  | Total        |
|--------------|------------------------------|--------------|--------------|
| EC           | 81                           | 263          | 344          |
| GP           | 59                           | 220          | 279          |
| FS           | 35                           | 36           | 71           |
| LP           | 46                           | 55           | 101          |
| MP           | 22                           | 15           | 37           |
| NW           | 46                           | 49           | 95           |
| NC           | 60                           | 28           | 88           |
| WC           | 67                           | 182          | 249          |
| KZN          | 100                          | 155          | 255          |
| NAT          | 0                            | 0            | 0            |
| <b>Total</b> | <b>516</b>                   | <b>1 003</b> | <b>1 519</b> |

A total of 1 519 events were conducted for the period under review. Of these events/processes, 516 were conciliations and 1 519 were arbitration events. Ordinarily, each conciliation is concluded in a single event. Arbitrations are often conducted more than once, depending on the complexity of each dispute.

### Disputes finalised by outcome: April 2020 to March 2021

The ELRC finalised 385 disputes during the period under review. A total of 175 arbitration awards were rendered. A total of 29 disputes were settled at arbitration, while 13 were settled at conciliation. Withdrawn disputes amounted to a total of 105, with 38 being withdrawn at conciliation and 67 withdrawn at arbitration. Eleven (11) cases were dismissed at arbitration and 54 rulings were handed down in the period under review.

### Outcomes of special disputes

Since the implementation of Collective Agreement No. 3 of 2018, the Council has received a considerable number of disputes which are dealt with through inquiry by the Arbitrator as they relate to alleged sexual misconduct. The Council also issued 29 arbitration awards for special disputes. These disputes involved children as either victims or witnesses. The Council's challenges in these cases remain the unavailability of special venues that are child-friendly to avoid secondary trauma associated with the direct contact between the alleged perpetrator and the victim. The Council is in discussion with the Department of Justice to find means to improve this situation.

### Arbitrations heard in the period: April 2020 to March 2021

A total of 1 003 disputes were scheduled for arbitration in the period under review. Of the 1 003 arbitrations heard, 312 are for the 2020/21 financial year, 558 are for the 2019/20 financial year and 133 emanate from previous financial years.

### **Cases carried over from previous period**

A total of 313 cases from previous financial years are to be carried over to the first quarter of the 2021/22 financial year. Of these, 206 are from the 2020/21 financial year; 89 are for the 2019/20 financial year, while 18 cases are from previous years and remain unresolved.

### **Postponements and adjournments: April 2020 to March 2021**

A total of 116 cases were postponed for the period under review and 88 adjournments took place.

#### **3.2.1. Training and Development Services**

##### ***Professional training and development of panellists, parties and trade unions***

The Council conducted professional training of dispute resolution practitioners (Employee Representative) on Collective Agreement No. 3 of 2018 as follows:

- Western Cape on 25 November 2020
- Eastern Cape on 12 March 2021

The Council also trained intermediaries on the Child Witness and the Arbitration hearing as follows:

- Session 1 on 16 March 2021
- Session 2 on 23 March 2021

All trainings took place virtually through Zoom.

### 3.3 Programme 3: Corporate Services

#### Purpose

The purpose of Programme 3 is to provide support services to the core operational functions of the Council and to ensure that it delivers an efficient and effective service on its mandates.

#### Sub-Programmes:

- Mobilising Employee Services
- Communication Services
- Information Technology (IT)

#### Strategic Objectives

- To professionalise the ELRC by investing in human capital;
- To promote the corporate image of the ELRC; and
- To ensure the continuous availability, reliability, effectiveness and efficiency of ICT systems.

#### Human Resources

##### KPIs, Planned Targets and Actual Achievements

| Corporate Services: Human Resources                                    |                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                   |                                                                   |                                                                              |        |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                                        | Actual Achievement 2019/2020                                                                                                                                                                                                                                         | Planned Target 2020/2021                                                                                                                                                                                                                                                             | Actual Achievement 2020/2021                                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                        | Status |
| <b>Professionalise the ELRC by investing in human capital</b>          |                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                   |                                                                   |                                                                              |        |
| Building capacity by ensuring that employees are trained and developed | <b>Achieved</b><br>Thirty-four (34) employees participated in skills development                                                                                                                                                                                     | 9 employees to participate in skills development and provide proof of attendance.                                                                                                                                                                                                    | <b>Achieved</b><br>A total of forty-one (41) employees participated in skills development programmes.<br>Forty (40) participated in the COVID-19 workshop and 1 in a leadership programme.                                                                        | +32                                                               | A need arose to workshop employees on COVID-19 due to the COVID-19 outbreak. |        |
| Monitor and manage the performance management system                   | <b>Achieved</b><br>The annual PMS Plan is in place. Performance Agreements were signed by all staff.<br>Assessments were concluded by Managers and employees for each department.<br>The filing for both performance agreements and assessments are monitored by HR. | Collate and verify completeness of the performance contracts and assessments as per the timeframes provided<br>ntain formal process for collection, collation, verification and storing of performance agreements and assessment for all employees as per the specified time frames. | <b>Achieved</b><br>All performance agreements and assessments were collated and verified within the timeframes provided. PMS reports were submitted to the General Secretary.<br>Quarter 1 performance assessment process was waived due to the COVID-19 outbreak | None                                                              |                                                                              |        |

| Corporate Services: Human Resources                           |                                                                       |                                                                               |                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
|---------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                               | Actual Achievement 2019/2020                                          | Planned Target 2020/2021                                                      | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                      | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>Professionalise the ELRC by investing in human capital</b> |                                                                       |                                                                               |                                                                                                                                                                                                                                                                                                                                                                   |                                                                   |                       |        |
| Management of compensation and benefits for all staff         | <b>Achieved</b><br>The payroll processing for all staff was monitored | Maintain accurate and complete payroll master file and database               | <b>Achieved</b><br>Maintained an accurate and complete payroll masterful and database by ensuring that the payroll processing for all staff was monitored                                                                                                                                                                                                         | None                                                              |                       |        |
| Provide wellness programmes to employees                      | <b>Achieved</b><br>Eight (8) employee wellness programmes conducted   | Conduct six (6) employee wellness programmes per annum as per the annual plan | <b>Achieved</b><br>Six (6) employee wellness programmes were conducted. (Workshop on COVID-19; presentation on resilience to assist employees affected by COVID-19 to cope; financial fitness by FNB; screening of employees on a daily basis; procurement of COVID-19 PPE and created awareness to staff by putting up COVID-19 signage throughout the building) | None                                                              |                       |        |

### Strategy to overcome areas of underperformance

Not applicable.

### Changes to planned targets

No changes were made to planned targets.

## Research and Media

### KPIs, Planned Targets and Actual Achievements

| Corporate Services: Research and Media                        |                                                                                                                                                                                                                             |                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |        |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Programme Performance Indicator                               | Actual Achievement 2019/2020                                                                                                                                                                                                | Planned Target 2020/2021                                                                   | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Status |
| Advertising and marketing to improve the image of the Council | <p>The ELRC survey for the 2019/20 financial period was distributed to 40 000 educators during the period under review</p> <p>A survey research report was compiled and the findings were shared with senior management</p> | Conduct advertising campaign in line with marketing plan for 2020/21 to market the Council | <p><b>Achieved</b></p> <p>Marketing on social media platforms:</p> <ul style="list-style-type: none"> <li>• 02 April 2020 – World Autism Day</li> <li>• 18 April 2020 – Media Release on the R1.5 million donated to the Solidarity Fund</li> <li>• 27 April 2020 – Freedom Day</li> <li>• 10 May 2020 – Mother's Day</li> <li>• 29 May 2020 – Resumption of ELRC dispute resolution processes</li> <li>• 02 June 2020 – ELRC Collective Agreement No. 1 of 2020: Concession process to follow for employees with a comorbidity (COVID-19)</li> <li>• 05 June 2020 – Frequently asked questions on Collective Agreement No. 1 of 2020</li> <li>• 16 June 2020 – Youth Day</li> <li>• 21 June 2020 – Father's Day</li> <li>• 18 July 2020 – Mandela Day</li> <li>• 09 August 2020 – Women's Day</li> <li>• 24 September 2020 – Heritage Day</li> <li>• 28 September 2020 – Collective Agreement No. 2 of 2020</li> </ul> <p><b>Advertising in publications of Parties to Council</b></p> <p>The Council's advertisement was published in NAPTOSA's Insight Magazine and SADTU's 30th Anniversary Publication</p> <p><b>Advertising in diaries of unions (SADTU, SAOU, PEU, NAPTOSA, NATU)</b></p> <p>The ELRC advertised in the diaries of the following unions:</p> <ul style="list-style-type: none"> <li>• SADTU</li> <li>• NATU</li> <li>• PEU</li> <li>• NAPTOSA</li> </ul> <p>SAOU did not publish diaries for their members in 2021</p> | +2                                                                | <p>The ELRC's donation to the Solidarity Fund received media coverage from the following news outlets:</p> <ul style="list-style-type: none"> <li>• Article in News24 on 18 April 2020</li> <li>• Interview on ENCA on 19 April 2020</li> <li>• Interview on SABC News on 19 April 2020</li> <li>• Interview on Newzroom Africa on 21 April 2020</li> </ul> <p>The ELRC received media coverage on the return to school of educators with comorbidities in News24 and Daily Maverick on 20 September 2020.</p> |        |

| Corporate Services: Research and Media |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                          |                              |                                                                   |                       |        |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator        | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Planned Target 2020/2021 | Actual Achievement 2020/2021 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Not applicable                         | <p><b>Establish partnerships with NGOs working with children</b></p> <p>The ELRC established partnerships with the South African Professional Society on the Abuse of Children (SAPSAC), Jellybeanz, Community-based Prevention and Empowerment Strategies in South Africa (COPESSA) and ChildLine South Africa, as part of the advocacy drive to create awareness of Collective Agreement No. 3 of 2018</p> <p><b>Radio advertising campaign in all nine provinces</b></p> <p>Radio advertising six-week campaign in all nine provinces</p> <p><b>Attend NGO events (collaboration) to promote campaign</b></p> <p>The ELRC attended and exhibited at the African Regional Child Trauma Conference in Cape Town from the 18 to 21 August 2019.</p> <p><b>Taxi branding Campaign</b></p> <p>The ELRC Taxi branding campaign has rolled out in all nine provinces in January and February 2020 in the following areas:</p> <p><b>Western Cape</b></p> <ul style="list-style-type: none"> <li>• Cape Town</li> <li>• Khayelitsha</li> </ul> <p><b>Eastern Cape</b></p> <ul style="list-style-type: none"> <li>• Port Elizabeth</li> <li>• East London</li> </ul> <p><b>Northern Cape:</b></p> <ul style="list-style-type: none"> <li>• Kimberley</li> <li>• Upington</li> </ul> <p><b>Gauteng</b></p> <ul style="list-style-type: none"> <li>• Soweto</li> <li>• Tembisa</li> </ul> | n/a                      | n/a                          | n/a                                                               |                       |        |

| Corporate Services: Research and Media |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          |                              |                                                                   |                       |        |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator        | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Planned Target 2020/2021 | Actual Achievement 2020/2021 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Not applicable (cont.)                 | <b>Establish partnerships with NGOs working with children (cont.)</b><br><b>Free State</b> <ul style="list-style-type: none"> <li>• Thaba Nchu</li> <li>• Rockland</li> </ul> <b>Limpopo</b> <ul style="list-style-type: none"> <li>• Lebowakgomo</li> <li>• Thohoyandou</li> </ul> <b>North West</b> <ul style="list-style-type: none"> <li>• Photosoneng</li> <li>• Thekwane</li> </ul> <b>Mpumalanga</b> <ul style="list-style-type: none"> <li>• Witbank</li> <li>• Middelburg</li> <li>• White River</li> </ul> <b>KwaZulu-Natal</b> <ul style="list-style-type: none"> <li>• Durban</li> <li>• Umhlanga</li> </ul> <b>Advocacy Campaign Impact Analysis Report</b> <ul style="list-style-type: none"> <li>• An analysis report on the impact of the taxi branding campaign was compiled and shared with Senior Management</li> </ul> | n/a                      | n/a                          | n/a                                                               |                       |        |

| Corporate Services: Research and Media                                                |                              |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |                       |        |
|---------------------------------------------------------------------------------------|------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                       | Actual Achievement 2019/2020 | Planned Target 2020/2021               | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Implementation of a digitised records management solution to preserve Council records | Not applicable               | Implementation of a records management | <p><b>Achieved</b></p> <p>The digitisation of the Council's records was achieved in the fourth quarter of the 2019/20 financial year</p> <p>Training of ELRC users on e-records management system. This target was achieved in the third quarter of the 2020/21 financial year</p> <p>In addition to the administrators who received training in the third quarter, senior managers and provincial managers were also trained on the system in the fourth quarter</p> <p>Testing of e-records management system was done in the period under review and admin users received training on the system</p> | None                                                              |                       |        |

## **Overview of the Research and Media Department's performance for the 2020/21 Financial Year**

As part of the Council's marketing campaign, the Council increased its visibility through regular postings on its social media platform throughout the financial year.

The Council's donation to the Solidarity Fund also generated substantial media coverage on SABC News, ENCA, Newzroom Africa and News24. The Council also received media coverage in the Daily Maverick and News24 on the return to school of educators with comorbidities.

The Council advertised in the publications of Parties to Council in the period under review; that is, NAPTOSA's Insight Magazine and SADTU's 30th Anniversary Publication. The Council further advertised in NAPTOSA's, PEU's, SADTU's and NATU's 2021 diaries.

The Council's two external publications on its core functions, namely Labour Bulletin and New Negotiator, were published and disseminated during the period under review.

In relation to records management, the e-records system was tested during the reporting period and the administrative users, senior managers and provincial managers received training on the system.

### **Strategy to overcome areas of underperformance**

Not applicable.

### **Changes to planned targets**

Marketing activities were reduced, due to the COVID-19 outbreak and social distancing protocols that restricted events.

## Information and Communication Technology (ICT)

### KPIs, Planned Targets and Actual Achievements

| Corporate Services: ICT                                                                                                                                                                                 |                                                                                                                               |                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                           |                                                                   |                       |        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                                                                                                                         | Actual Achievement 2019/2020                                                                                                  | Planned Target 2020/2021                                                                                                                                                                                                                 | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                              | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Average of 99.9% of network and 90% of Business Continuity VPN connection of servers uptime on a daily basis and issue a monthly report.                                                                | <b>Achieved</b><br>The ICT unit procured new desktops and laptops to replace the obsolete equipment.                          | ICT network and Business Continuity VPN connection score uptime of servers, maintained at average of 99.9% and 90% by monitoring the effectiveness of the network and an average of 24 hours to restore the server and issue the report. | <b>Achieved</b><br>The score uptime of servers was achieved at an average of 99.9% by monitoring the effectiveness of the network connectivity on a quarterly basis and restoring the server within 24 hours to avoid business interruptions and ensuring business continuity when users are working remotely.                                                            | None                                                              |                       |        |
| Provide evidence of ICT governance frameworks compliance on quarterly basis and issue the report<br>Draft of revised ICT strategy, approval by EXCO and delivery on the ICT strategy on quarterly basis | <b>Achieved</b><br>The maintenance was successfully done on network switches to ensure that there are no network disruptions. | Approved revised ICT strategic plan policy by updating governance framework on policy on quarterly basis and issue the report.                                                                                                           | <b>Achieved</b><br>The ICT strategy and digital transformation policy were revised with ICT governance frameworks and compliance with legislation<br>The revised ICT strategic plan policy was approved by EXCO on 04 August 2020 to ensure ICT functions support Council's corporate strategy and objectives, as well as compliance with ICT frameworks and legislation. | None                                                              |                       |        |

| Corporate Services: ICT         |                                                                                                                                           |                          |                              |                                                                   |                       |        |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator | Actual Achievement 2019/2020                                                                                                              | Planned Target 2020/2021 | Actual Achievement 2020/2021 | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Not applicable                  | <b>Achieved</b><br>The DMS App system was successfully implemented in compliance with Software Development Life Cycle (SDLC) methodology. | n/a                      | n/a                          | n/a                                                               |                       |        |

#### Strategy to overcome areas of underperformance

Not applicable.

#### Changes to planned targets

No changes were made to planned targets.

#### Linking performance to budget

| Apr 2020 – Mar 2021       |               |                    |                          |
|---------------------------|---------------|--------------------|--------------------------|
| Programme Name            | Budget        | Actual Expenditure | (Over)/Under Expenditure |
| <b>Corporate Services</b> | <b>R'000</b>  | <b>R'000</b>       | <b>R'000</b>             |
| Human Resources           | 7 732         | 6 835              | 897                      |
| Information Technology    | 2 546         | 2 121              | 425                      |
| Communication Services    | 974           | 126                | 848                      |
| <b>Total</b>              | <b>11 252</b> | <b>9 082</b>       | <b>2 170</b>             |

### 3.4 Programme 4: Finance and Supply Chain Management Services

#### Purpose

The purpose of Programme 4 is to ensure that contracts for goods and services are made in accordance with a system which is fair, equitable, transparent, competitive and cost effective, as per section 217 of RSA Constitution.

#### Strategic objectives

- Provide a compliant internal control and sound financial management service.
- Implement a new procurement and sourcing strategy to reduce procurement turnaround times and improve the efficiency and effectiveness of our procurement spend.
- Provide sound asset management that includes safeguarding and maintenance of our assets.
- Implement reporting tools to minimise unauthorised and irregular expenditure and eliminate fruitless and wasteful expenditure.

#### Finance KPIs, Planned Targets and Actual Achievements

| Finance                                                                                                   |                                                                                                                                                          |                                                                                                           |                                                                                                                                                                                        |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                           | Actual Achievement 2019/2020                                                                                                                             | Planned Target 2020/2021                                                                                  | Actual Achievement 2020/2021                                                                                                                                                           | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| <b>To provide a compliant internal control and sound financial management service</b>                     |                                                                                                                                                          |                                                                                                           |                                                                                                                                                                                        |                                                                   |                       |        |
| Achieve unqualified audit opinion from external audit at year-end                                         | <b>Achieved</b><br>Council received an unqualified audit opinion                                                                                         | Achieve an unqualified audit opinion from the external audit at year end.                                 | <b>Achieved</b><br>The Council obtained an unqualified opinion from external audit for the 2021/21 financial year.                                                                     | None                                                              |                       |        |
| An approved accurate and comprehensive MTEF budget FY2021/22 and mid-year review of the budget FY2020/21. | <b>Achieved</b><br>MTEF budget FY 2020/21 approved by EXCO on 13 February 2020 and mid-year review of the budget FY2019/20 approved on 12 November 2019. | An approved accurate and comprehensive MTEF budget FY2021/22 and mid-year review of the budget FY2020/21. | <b>Achieved</b><br>An accurate and comprehensive MTEF budget FY2021/22 was approved by EXCO on 18 February 2021<br>FY2020/21 mid-year budget was approved by EXCO on 03 November 2020. | None                                                              |                       |        |

## **Overview of the Finance Department's performance for the 2019/20 Financial Year**

The Finance unit produced annual financial statements for the year 2019/20. These were satisfactorily reviewed by the Chief Financial Officer and the internal audit unit. The external auditors have issued an unqualified audit opinion on these financial statements.

The mid-year budget review for 2020/21 was prepared and approved by EXCO. Management revised the budget for the 2021/22 financial year, considering the APP and the impact of COVID-19 on the operations of the Council going forward. The unit prepared monthly, quarterly and semi-annual financial statements together with the related reports of comparison of the budgeted figures against actual figures.

During the financial year, Finance conducted a budget management refresher workshop with managers to refresh and reinforce the understanding of the budget management processes and to assist with the mid-year budget review process.

The Finance unit received and analysed the management comments on the budget vs actual reports. The appropriate corrections to the general ledger were made as required.

### **Strategy to overcome areas of underperformance**

Not applicable

### **Changes to planned targets**

No changes were made to planned targets.

### Supply Chain Management Services KPIs, Planned Targets and Actual Achievements

| Supply Chain Management Services                                                                  |                                                                                                              |                                                                                                                                                                                   |                                                                                                        |                                                                   |                       |        |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                                   | Actual Achievement 2019/2020                                                                                 | Planned Target 2020/2021                                                                                                                                                          | Actual Achievement 2020/2021                                                                           | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Complete and accurate fixed assets register (FAR) at the end of the year                          | <b>Not Achieved</b><br>Annual fixed assets verification was done in March and the report prepared            | Maintain a complete and accurate FAR as at year-end for inclusion in the Annual Financial Statements                                                                              | <b>Achieved</b><br>FAR updated and shared with Finance for inclusion in the Financial Statements.      | None                                                              |                       |        |
| Produce a report for irregular, unauthorised, fruitless and wasteful expenditure for the quarter. | <b>Achieved</b><br>Annual report on irregular, unauthorised, fruitless and wasteful expenditure was produced | Monitoring and reporting on irregular, unauthorised, fruitless and wasteful expenditure to management and finance department for disclosure purposes in the Financial Statements. | <b>Achieved</b><br>Report on irregular, unauthorised, fruitless and wasteful expenditure was produced. | None                                                              |                       |        |
| Monitoring of the contract management system to ensure compliance to procurement policy           | <b>Achieved</b><br>Produce an annual contract management report.                                             | Monitoring of the contract management system to ensure compliance with SCM policy and procedures                                                                                  | <b>Achieved</b><br>Produce an annual contract management report.                                       | None                                                              |                       |        |
| Procurement in line with the organisational procurement                                           | <b>Not Achieved</b>                                                                                          | Execution of the departmental procurement in line with procurement plan for 2019/20.                                                                                              | <b>Achieved</b><br>The Departmental procurement plan was executed in accordance with the timelines.    | None                                                              |                       |        |

## Overview of the Supply Chain Management Services Department's performance for the 2020/21 Financial Year

During the year under review, there were no major key policy developments and/or legislative changes that affected the mandate of the ELRC. SCM ensured that all procurement was done in compliance with procurement procedures. SCM-related policies were reviewed during the year to ensure they remain relevant and inclusive of developments within the SCM environment.

For this financial year, the approved procurement plan had one tender for travel management services. This was cancelled and deferred to the 2021/2022 financial year. Procurement was done within the period as planned, except for those cancelled due to changes in requirements or where responses exceeded the approved budget. The needs were revised by the end users and tailored to meet the available funds; service delivery was not affected by this.

The SCM unit, through its database management, provided a list of prospective providers of goods and services that may be used for the procurement of goods and services for the Council. This list is updated continuously as and when the need arises, or prospective service providers apply to be considered, as provided for in the ELRC policies.

### Strategy to overcome areas of underperformance

Not applicable.

### Changes to planned targets

The procurement of office buildings for PELRC was removed for the financial year.

### Linking performance to budget

| Apr 2020 – Mar 2021                                 |               |                    |                          |
|-----------------------------------------------------|---------------|--------------------|--------------------------|
| Programme Name                                      | Budget        | Actual Expenditure | (Over)/Under Expenditure |
| <b>Finance and Supply Chain Management Services</b> | <b>R'000</b>  | <b>R'000</b>       | <b>R'000</b>             |
| Supply Chain Management                             | 4 420         | 3 245              | 1 175                    |
| Finance Administration                              | 9 496         | 8 721              | 775                      |
| <b>Total</b>                                        | <b>13 916</b> | <b>11 966</b>      | <b>1 950</b>             |

### 3.5 Programme 5: Executive Services

#### Purpose

The purpose of Programme 5 is to ensure the Council meets its strategic vision, which rests on the pillars of its mandate to maintain labour peace in public education, and extends to the attainment of quality education in public schools, through stakeholder collaboration and support of initiatives to restore the image of the teaching profession.

#### Sub-Programmes:

- Strategic and corporate governance
- Internal audit and compliance
- Risk management

#### Strategic Objectives:

- To add value through assessing the tone and risk management culture of the organisation, as well as evaluating and reporting on the effectiveness and efficiency of the implementation of management policies
- To instil fiscal discipline, sound corporate governance and compliance with the regulatory framework

#### KPIs, Planned Targets and Actual Achievements

| Executive Services                              |                                                                                                                                                                                  |                                                                                                                 |                                                                                                          |                                                                   |                       |        |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                 | Actual Achievement 2019/2020                                                                                                                                                     | Planned Target 2020/2021                                                                                        | Actual Achievement 2020/2021                                                                             | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Approved FY2021/22 Internal Audit Coverage Plan | <b>Achieved</b><br>The 3-year rolling strategic plan and annual audit plan for the 2020/21 financial year were developed and submitted to the ARC on 20 March 2020 for approval. | Internal audit three-year rolling strategic and annual audit plan developed and approved by the ARC by 31 March | <b>Achieved</b><br>The 2021/22 audit coverage plan was approved by the ARC Chairperson on 31 March 2021. | None                                                              |                       |        |

| Executive Services                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                   |                       |        |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                         | Actual Achievement 2019/2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Planned Target 2020/2021                                               | Actual Achievement 2020/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Quarterly audit monitoring reports submitted to management and Audit and Risk Committee | <p><b>Achieved</b></p> <p>Twenty-eight (28) planned projects were completed during the fiscal year.</p> <p>Follow-up of prior audit reports (internal and external) were performed and completed on a quarterly basis.</p> <p>Mandatory quarterly activities were performed, and reports were issued. This included the review of the 2018/19 annual report, quarterly performance information reports, compliance checklist and risk registers.</p> <p>Ten (10) ad hoc and other value-added activities were performed and completed.</p> <p>Review of the ARC charter and Internal Audit Charter.</p> | Execution of 100% quarterly audits engagements and issue audit reports | <p><b>Achieved</b></p> <p>Fourteen (14) planned assurance audit engagements were finalised and reports were issued.</p> <p>Nine (9) follow-up audit engagements (prior internal and external audit report) were finalised, and reports were issued.</p> <p>Mandatory review of quarterly and annual reports, and compliance checklist was done, and outcome reports were issued.</p> <p>Review of the ARC charter and Internal Audit Charter.</p> <p>Ad hoc activities (including five audits) were completed and reports issued for these five audits.</p> <p>Audit reports for all audited areas/activities were presented at the ARC meetings and noted by members.</p> | None                                                              |                       |        |

| Executive Services                                                                         |                                                                                                                                                                                          |                                                                                             |                                                                                                                                             |                                                                   |                       |        |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|--------|
| Programme Performance Indicator                                                            | Actual Achievement 2019/2020                                                                                                                                                             | Planned Target 2020/2021                                                                    | Actual Achievement 2020/2021                                                                                                                | Deviation from Planned Target to Actual Achievement for 2020/2021 | Comment on Deviations | Status |
| Provide objective assurance on the adequacy and effectiveness of risk management processes | <b>Achieved</b><br>The 2020/21 risk assessment was facilitated by the internal audit function, and the risk report and register were submitted to the ARC on 20 March 2020 for approval. | Annual risk assessment report developed by the 31 March, submitted to the ARC for approval. | <b>Achieved</b><br>The 2021/22 risk assessment report and risk register were approved by the ARC Chairperson on 31 March 2021               | None                                                              |                       |        |
|                                                                                            | <b>Achieved</b><br>Risk registers were reviewed on a quarterly basis and monitoring reports were issued.                                                                                 | Annual risk monitoring report submitted to Management and Audit and Risk Committee          | <b>Achieved</b><br>Risk registers were reviewed quarterly, and reports (including annual risk monitoring report) were submitted to the ARC. | None                                                              |                       |        |

### Overview of the Executive Services Department's performance for the 2020/21 Financial Year

Available time for the fiscal year 2020/21 projects after consideration of public holidays and employees leave entitlement (annual, sick, family responsibility and study) was 1 408 hours. The Internal Audit resources were utilised to perform risk-based audits, special projects, investigations, governance and management meetings, in-house committees' service and internal audit function activities and administration.

### Assurance services: Audit projects/audited areas

Fourteen (14) planned projects were completed during the fiscal year guided by an annual audit work plan approved by the ARC:

#### Fourth quarter

- Financial internal controls
- PELRC Northern Cape
- PELRC Limpopo
- Collective Bargaining Services: National
- PELRC Mpumalanga

#### Third quarter

- Asset management
- Contract management
- Procurement management

## Second quarter

- Dispute Resolution
- Information technology general controls
- Information technology continuity planning
- Workplace compliance with COVID-19 OHS regulations

## First quarter

- Review of the annual performance report
- Review of the Financial Statements

## Follow-up reviews

As part of monitoring the management implementation of corrective action plans, the Office Internal Audit is required to perform quarterly follow-up review of management's progress in the implementation of corrective action plans to prevent, detect and correct ineffective or inadequate internal control measures. To comply with the requirement, the Office of the Internal Audit completed the following follow-up engagements:

- External audit management report – quarterly activity
- Prior internal audit reports – quarterly activity
- Asset management – fourth quarter

## Quarterly mandatory reviews

The Internal Audit Charter and mandate requires the Office of Internal Audit to conduct mandatory engagements. To comply with the requirement, the Office of the Internal Audit completed the following engagements:

- Quarterly performance reports (performance information and financial statements)
- Review of the 2021/22 ELRC APP
- Quarterly compliance checklist
- Quarterly risk register and risk reports

## Ad hoc

In addition to the planned projects, the Office of Internal Audit executed and completed ad hoc or value-added engagements (management and ARC requests).

## Completed ad hoc projects:

- Review of the validity of tax clearance certificates
- Audit of the procurement of goods and services for COVID-19 purposes
- Observation of bid evaluation committee for DMS video conference application
- Quality checking of the SCM policy
- Quality checking of the asset management procedure manual
- Review of payroll (monthly activity)
- Verification of purchase order reports
- Verification of reversed penalties and long outstanding claims
- Collation of information requested by external auditors

- Review of the Internal Audit Charter
- Review of the ARC charter

In progress ad hoc projects:

- Applications control review

### Internal Audit planning

The Internal Audit Charter and mandate requires the Office of Internal Audit to compile an annual risk-based audit plan before the commencement of the new financial year:

- 2021/22 Internal audit coverage plan
- 2021/22 Risk assessment survey report (risk register)

### Strategy to overcome areas of underperformance

Not applicable.

### Changes to planned targets

No changes were made to planned targets.

### Linking performance to budget

| Apr 2020 – Mar 2021                          |              |                    |                          |
|----------------------------------------------|--------------|--------------------|--------------------------|
| Programme Name                               | Budget       | Actual Expenditure | (Over)/Under Expenditure |
| Executive Services                           | R'000        | R'000              | R'000                    |
| Financial Management and Compliance Services | 9 733        | 7 748              | 1 985                    |
| <b>Total</b>                                 | <b>9 733</b> | <b>7 748</b>       | <b>1 985</b>             |

## 4. SUMMARY OF FINANCIAL INFORMATION

### 4.1 Revenue Collection

| March 2021    |               |                        | March 2020    |               |                        |
|---------------|---------------|------------------------|---------------|---------------|------------------------|
| Actual        | Estimate      | (over)under collection | Actual        | Estimate      | (over)under collection |
| R'000         | R'000         | R'000                  | R'000         | R'000         | R'000                  |
| 74 272        | 74 071        | (201)                  | 74 122        | 74 071        | (51)                   |
| <b>74 272</b> | <b>74 071</b> | <b>(201)</b>           | <b>74 122</b> | <b>74 071</b> | <b>(51)</b>            |

## 5. PROGRAMME EXPENDITURE

| March 2021                                   |               |               |                         | March 2020     |               |                         |
|----------------------------------------------|---------------|---------------|-------------------------|----------------|---------------|-------------------------|
| Programme Name                               | Budget        | Actual        | (over)under expenditure | Budget         | Actual        | (over)under expenditure |
|                                              | R'000         | R'000         | R'000                   | R'000          | R'000         | R'000                   |
| Dispute Management Services                  | 19 743        | 11 298        | 8 445                   | 23 353         | 15 992        | 7 361                   |
| Collective Bargaining Services               | 28 614        | 18 824        | 9 790                   | 39 683         | 26 045        | 13 638                  |
| Corporate Services                           | 11 252        | 9 082         | 2 170                   | 12 442         | 10 458        | 1 984                   |
| Finance and Supply Chain Management Services | 13 916        | 11 966        | 1 950                   | 15 820         | 14 469        | 1 351                   |
| Executive Services                           | 9 733         | 7 748         | 1 985                   | 9 026          | 7 579         | 1 447                   |
| Capital Expenditure                          | 2 310         | 740           | 1 570                   | 8 667          | 4 175         | 4 492                   |
| <b>Total</b>                                 | <b>85 569</b> | <b>59 657</b> | <b>25 910</b>           | <b>108 990</b> | <b>78 718</b> | <b>30 273</b>           |

### 5.1. Capital investment, maintenance and asset management plan

Not applicable

#### Strategy to overcome areas of underperformance

Not applicable

#### Changes to planned targets

Not applicable



*Themba Kojana*



*Roger Falken*

### ***In loving memory***

*“As we mourn our loss, we realise that our passage through this earthly realm, is what defines our destiny, our standing on the other side. If our life was dedicated to goodwill, how great our reward in the hereafter.*

*... Our momentary grief allowed, for a great one is gone, but his life was not in vain, his distinguished works will reverberate in our history books, keeping the spirit of his efforts alive.”*

BL

You will be affectionately remembered for your prowess and dedication to the creation of a better country for all.



# GOVERNANCE

## 1. Introduction

The overall performance of the Council for the 2020/21 financial year improved significantly compared to the 2019/20 year. This, despite the adverse impact that the COVID-19 pandemic had on the operations of Council.

In terms of collective bargaining at the national level, noteworthy collective agreements were concluded, which seek to improve the quality of education in public schools.

In terms of DMS, the Council implemented a number of measures to deal with disputes in a proactive manner.

The support services of Council played a major role in ensuring the smooth operations of the ELRC and, as a result, all support functions achieved 100% during the period under review.

## 2. The Accounting Authority

### Committees

| Committee                | No. of meetings held | No. of members | Name of members                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------|----------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EXCO                     | 7                    | 11             | <b>DBE</b><br>Mr S G Padaychee<br>Ms M Mogale<br>Mr H Ngwenya<br>Mr S Faker<br>Mr S Mnguni<br><br><b>SADTU</b><br>Mr M Maluleke<br>Mr M Galorale / Ms KC Matome (from 10 February 2021)<br>Ms O Sibiya / P Nqumashe (from 10 February 2021)<br><br><b>CTU-ATU</b><br>Mr G Masondo<br>Mr S A Thompson / Mr SV Malinga (from January 2021)<br><br><b>Chairperson</b><br>Adv. L Bono |
| Audit and Risk Committee | 6                    | 5              | Mr SA Ngobeni (Chairperson)<br>Ms T Sihlaba<br>Dr C Motau<br>Mr M Maluleke<br>Ms K Matjiu                                                                                                                                                                                                                                                                                         |

| Committee                     | No. of meetings held | No. of members | Name of members                                                                                                                                                                                                                                                                                              |
|-------------------------------|----------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Finance Sub-Committee         | 5                    | 10             | <b>DBE</b><br>Mr S Mnguni<br>Ms M Mogale<br>Mr G Rafapa<br>Mr D Moreothata<br><br><b>SADTU</b><br>Mr Matome / F Maloka<br>(10 February 2021)<br>Mr S Ngubane<br>Mr S Thwala<br>(alternate – 10 February 2021)<br><br><b>CTU-ATU</b><br>Mr J Kruger<br>Mr K Mohlatlole<br><br><b>Chairperson</b><br>Mr M Cele |
| Human Resources Sub-Committee | 4                    | 9              | <b>DBE</b><br>Ms L Munday<br>Mr N Ngcobo<br>Mr M Seshibe<br>Mr H Ngwenya<br><br><b>SADTU</b><br>Mr B A Mohone<br>Mr S Thwala<br>Mr S Peter<br><br><b>CTU-ATU</b><br>Mr K Mohlatlole<br><br><b>Chairperson</b><br>Ms C Barnes                                                                                 |
| Legal Sub-Committee           | 1                    | 11             | <b>DBE</b><br>Mr S Faker<br>Ms J M Mogale<br>Mr S Mnguni<br>Mr H Ngwenya<br>Mr M Seshibe<br>Ms P Masekela<br><br><b>SADTU</b><br>Mr M Galorale<br>Mr S Mogapi<br>Ms N Mzizi<br><br><b>CTU-ATU</b><br>Mr G Masondo<br><br><b>Chairperson</b><br>Adv L Bono                                                    |

### 3. Risk Management

The EXCO is accountable to ensure that risks are effectively managed; it has delegated the oversight of risk management to the ARC.

The aim of ELRC's risk management activities is to ensure the long-term resilience of the business. These activities create an environment in which ELRC can pursue its mission to its fullest potential in a safe way. Risk management provides the structural means to identify, prioritise and manage the risks inherent in its business activities. The intention is to embed risk management in such a way that it fits the complexity and size of the Council and is designed to also allow for future growth. In order to ensure that such an environment can exist and prosper, a Risk Management Framework has been put in place which underpins the risk processes and is also guided by the King IV Report on Corporate Governance principles and practices.

ELRC manages its business using a Five Lines of Defence Model. This approach ensures that line functions are fully aware of their responsibilities in the management of risk. The model ensures that responsibilities are properly aligned and makes it clear that all line functions have a role to play in managing risk.

The risk management processes allowed management to identify, measure, manage and monitor the risks across the Council. In the 2020/21 financial period, the risk management activity focused on improvements to ensure that key risks identified are thoroughly interrogated and receive the required level of attention. Management developed a risk register, divided into two categories, namely key risks and operational risks. Action plans were monitored throughout the year and discussed to reduce the risks to acceptable levels and reported to the ARC, who in turn reports these risks to the EXCO. Management has implemented and maintained a comprehensive system of internal controls to mitigate the risks and to ensure that the Council's objectives are consistently achieved. Internal controls are based on the principle of acceptable risk is inherent to the design and implementation of a cost-effective system of internal control. The system includes monitoring mechanisms and mitigation processes to augment deficiencies when they are detected.

The risk monitoring outcome indicated that while internal controls are effectively monitored, there is room for improvement which will ensure that risks are kept within acceptable levels.

In response to COVID-19, the ICT unit has since activated the BCP to ensure that the operations of the Council run smoothly with minimal or no interruptions. ICT service continuity is an essential and critical business function in ensuring the implementation of the BCP and enabling ongoing operations of the Council during this period of the global pandemic.

The ICT general controls were effectively implemented in line with ISO/IEC 27001/2 standards on best code of practice to properly safeguard cybersecurity and privacy during the period that users were working remotely. This includes reviewing ICT security and user access policies and procedures, encapsulated VPN access for users to work remotely, user password authentication, configuration of cloud-based anti-virus updates and system patching and logging and monitoring. Information access was restricted in accordance with the access control policy, for example through secure log-on, password management, control over privileged utilities and restricted access to programme source codes.

### 4. INTERNAL CONTROL

Management continued with the synchronisation of the control activities within Council to promote efficiency and reduce the impact and likelihood of identified risks. It produced reliable financial statements which complied with legislation. Business policies and procedures were reviewed by management and recommended for approval by the General Secretary.

Significant steps were made to ensure compliance with laws and regulations by continuously implementing preventative, detective and corrective internal control measures to address and report cases of non-compliance and deviations from normal processes and procedures of the Council.

The Executive Services maintained a management report's corrective action plan register as a tool to monitor progress in implementing prior audit findings and recommendations and/or action plans, and updated the ARC on the status of these findings quarterly. Management has responded significantly to the prior year's audit reports.

Management will continue to improve and enhance its processes to achieve effective ways of controlling operations by performing random checks on payments to ensure that they are in accordance with prescripts and improved standards of financial administration.

## 5. AUDIT AND RISK COMMITTEE

The Audit and Risk Committee is established as a statutory committee in terms of the ELRC Constitution. The committee performs an oversight and advisory role to the Council and is accountable to the EXCO to properly consider and evaluate all matters in accordance with its ToR.

The purpose of the committee is to assist the EXCO in fulfilling its oversight responsibilities and the General Secretary in fulfilling executive duties regarding the financial reporting process, the management of risk, the system of internal control, the audit process, and the Council's process for monitoring compliance with laws, regulations and the code of conduct.

The Audit and Risk Committee:

- Monitored the identification and correction of weaknesses and breakdowns of systems and internal controls
- Monitored the adequacy and reliability of management information and the efficiency of management information systems
- Reviewed quarterly and final financial statements and reporting for proper and complete disclosure of timely, reliable and consistent information
- Evaluated the appropriateness, adequacy and efficiency of accounting policies and procedures, compliance with International Financial Reporting Standards (IFRS), any related changes discussed and resolved, and any significant or unusual accounting issues, on an ongoing basis
- Reported on the effectiveness of the Council's internal reporting controls to EXCO.

## 6. COMPLIANCE WITH LAWS AND REGULATIONS

The ARC is responsible for the oversight of the Council's compliance activities, under which internal audit report to the committee on each quarter. The committee is satisfied that the ELRC complied with all the relevant legal and regulatory provisions during the financial year.

## 7. FRAUD AND CORRUPTION

Council continuously encourages staff to report issues of fraud and corruption in terms of the national anti-corruption hotline. Furthermore, Council employs the internal audit department to oversee the execution of duties in accordance with prescribed policies and procedures.

## 8. MINIMISING CONFLICT OF INTEREST

On an annual basis, all employees are required to complete and sign a declaration form on conflict of interest. This control measure assists Council to raise awareness of possible conflict of interest for employees and to avoid such.

## 9. OCCUPATIONAL, SAFETY, HEALTH AND ENVIRONMENT

Council is proud to report that the certificate of occupancy was finally issued by the Tshwane Municipality.

No incidents occurred during the 2020/21 financial year. The SHE committee continued to maintain a healthy environment by convening its quarterly meetings related to the health and safety of employees and the building it operates in. Control measures were constantly put in place where areas of concern were raised or detected.

Employee wellness remains a priority for the organisation and, to achieve this, Council conducted events on a quarterly basis to address issues related to the wellbeing of its employees.

## 10. CODE OF CONDUCT

The code of conduct sets the tone on how employees are expected to behave in a working environment. As such, the ELRC has a policy on code of conduct and ethics. This document spells out how employees are expected to conduct themselves when at work and contains elements such as the values of the organisation and relationships with fellow colleagues.

Non-compliance with the code of conduct and ethics policy is regarded as a serious misconduct and may lead to a formal disciplinary process, depending on the misconduct. Therefore, employees are encouraged to act in a professional manner and are continuously reminded of the policy.

## 11. SOCIAL RESPONSIBILITY

In support of Mandela Day in 2020, the Council encouraged staff to participate in virtual volunteering in support of initiatives that serve especially underprivileged communities. Staff members helped to promote the work of Phakamani Young Minds Academy by liking and following their social media pages.

## 12. AUDIT AND RISK COMMITTEE REPORT: 2020/21 ANNUAL FINANCIAL YEAR

### Background

The Audit and Risk Committee has been established as an independent Committee, in terms of the ELRC constitution and Annexure A of Collective Agreement No. 1 of 2006. The Committee has adopted formal terms of reference, which are regularly updated and approved by Council.

The Committee presents its report for the financial year ended 31 March 2021.

### Membership And Attendance

The Committee, consisting of the members listed below, should meet at least four times per annum as per its approved terms of reference, although additional special meetings may be called as the need arises.

The following Audit and Risk Committee meetings were held during the 2020/21 financial year:

- 21 May 2020
- 09 June 2020 (Special)
- 29 July 2020
- 07 September 2020 (Special)
- 30 October 2020
- 04 February 2021

The number of meetings attended per member:

| Name of member               | Number of Meetings Attended |
|------------------------------|-----------------------------|
| Mr. Ngobeni SA (Chairperson) | 6                           |
| Dr. Motau C                  | 4                           |
| Ms. Sihlaba T                | 5                           |
| Mr. Maluleke M               | 5                           |
| Ms. Matjiu K                 | 3                           |

### Committee Responsibility

The Audit and Risk Committee reports that it has complied with its responsibilities arising from Section 16.2 of the ELRC constitution, has adopted an appropriate formal Terms of Reference (the Audit and Risk Committee Charter), has regulated its affairs in compliance with these terms and has discharged all its responsibilities as contained therein.

The Committee has:

- Advised the Executive Committee and the Accounting Officer of any control issues that it considers are significant and are therefore appropriate for disclosure in the statement of internal controls.
- Relied on a variety of sources, e.g., Internal Auditor, External Auditor, Safety Health and Environment Committee and the Information and Communication Technology Steering Committee to support them in executing its responsibilities.

## Review and Evaluation of the Annual Financial Statements

The Committee has reviewed the:

- Audited annual financial statements of the Council included in the annual report, and discussed them with the External Auditor and Management,
- External Auditor's Report to Management and Management's response thereto,
- The Audit Report and discussed it with the External Auditor and Management,
- Accounting policies and practices, and
- Adjustments effected on the financial statements resulting from the audit.

These financial statements are prepared in accordance with the International Financial Reporting Standards for small and medium-sized entities.

## Report of the External Auditor

The Audit and Risk Committee has:

- Reviewed the External Auditor's Report to Management and Management's responses thereto,
- On a quarterly basis reviewed the Council's implementation plan for audit issues raised in the prior year, and
- Has met with the External Auditor to ensure that there are no unresolved issues that emanated from the audit.

Management corrective actions on the detailed findings raised by the External Auditor are monitored by the Audit and Risk Committee on a quarterly basis.

## Adequacy and Effectiveness of Internal Controls

The Committee has considered the work performed by Internal Audit on a quarterly basis and has reviewed the finding raised by the External Auditor on internal controls for the year ended 31 March 2021; and has applauded management for the substantial improvement in internal controls in the areas of financial statements, performance reporting and compliance with legislation.

The Internal Audit Function has, throughout the financial year, provided the Committee and Management with the status/results on the adequacy and effectiveness of the internal controls of the audited business areas and monitoring of the audit recommendations and agreed corrective action plans.

The following assurance engagements were approved and completed in the 2020/21 Internal Audit Plan:

| 1st Quarter                                                                                                                                          | 2nd Quarter                                                                                                                                                                                                                                   | 3rd Quarter                                                                                                                           | 4th Quarter                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Review of the Annual</li> <li>• Performance Report</li> <li>• Review of the financial statements</li> </ul> | <ul style="list-style-type: none"> <li>• Dispute resolution</li> <li>• Information technology general controls</li> <li>• Information technology continuity planning</li> <li>• Workplace compliance with COVID-19 OHS Regulations</li> </ul> | <ul style="list-style-type: none"> <li>• Asset management</li> <li>• Contract Management</li> <li>• Procurement Management</li> </ul> | <ul style="list-style-type: none"> <li>• Financial internal controls</li> <li>• PELRC Northern Cape</li> <li>• PELRC Limpopo</li> <li>• Collective Bargaining Services: National</li> <li>• PELRC Mpumalanga</li> </ul> |

Based on the results of the above audits, the system of internal control is adequate; however, instances of ineffectiveness and non-compliance with business policies and procedures in some areas were reported and are monitored on a quarterly basis.

The Committee further wishes to draw attention to the following areas:

### ***Information and Communication Technology***

Management ensured business continuity by reacting as fast as possible to mitigate the impact of the national lockdown, which resulted from the COVID-19 pandemic. A contingency plan in relation to the use of ICT resources and capacity in response to the lockdown, was established to ensure virtual operational continuity.

Management continued to monitor and internal controls in place for user access, security management and disaster recovery. From the performed internal and external audits, the general controls in place are adequate and effective to meet the organisational needs, safeguarding of information and contributes to the organisation's value creation and achievement of strategic objectives.

### ***Resolving Internal Control Findings***

The Audit and Risk Committee noted significant improvement in resolving internal control audit (internal and external) findings, however, recurring findings continued. Senior Management was advised to improve the monitoring of implemented corrective actions and develop preventive controls to mitigate associated risks. Furthermore, the General Secretary is recommended to take appropriate sanctions where audit findings are not adequately and timeously addressed.

### ***System of Risk Management and Internal Control***

The Audit and Risk Committee reviewed reports on risks, controls and assurance, including the annual assessment of the system of risk management and internal control, in order to monitor the effectiveness of the procedures for internal control over financial reporting, compliance and operational matters.

The Committee monitored the effective development and operation of risk management strategies, reviewing and challenging the content of the corporate risk register, associated arrangements and action plans.

The key risks, those risks that will prevent the Council from achieving its strategic objectives in the short, medium, and long term, are reported to the ARC Committee quarterly and reported to and considered by the Executive Committee.

### ***Review of policies***

The Committee has reviewed the financial, risk management, performance information and information and communication technology policies and recommended them for approval to the Executive Committee.

### ***The quality of in-year management and quarterly reports***

The Committee reviewed the in-year reports (performance information and financial statements) and applauded management on the content and high quality of reports prepared.

## Assessing the Effectiveness of Internal Audit

The Committee is responsible for evaluating the effectiveness of the internal audit function. The assessment conducted throughout the year included the review of internal audit's objectivity, independence, methodology, scope of work, the quality of the results of its testing and output against the approved audit plan; and is satisfied that the internal audit function operates effectively in terms of a formally defined and approved internal audit charter and that it has addressed the risks pertinent to the organisation and its audits.

The Committee reviewed and discussed Internal Audit reports for individual audits with audit findings, root causes, risk/impacts and recommendations to management quarterly. These reports enabled the Committee to monitor the progress of the internal audit plan, to discuss key findings and management responses.

The Committee considered the Internal Auditor's opinion on the adequacy and effectiveness of the controls for the individual audit reports; and was satisfied that the internal audit function is working effectively, improved risk management and that the function is resourced to achieve the scope as outlined in the approved annual audit plan and has the adequate level of experience and expertise.

## Annual Report

The Audit and Risk Committee consider the final annual report and recommend the report for adoption without reservations.

## Conclusion

The Audit and Risk Committee concurs with and accepts the External Auditor's opinion on the Annual Financial Statements and recommend that the audited annual financial statements be accepted and read together with the External Auditor's report. The Audit Committee commends the ELRC for maintaining an unqualified audit opinion with no material findings.

A handwritten signature in black ink, appearing to read 'SAB', enclosed within a hand-drawn oval.

---

**Mr SAB Ngobeni**

Chairperson of the ELRC Audit and Risk Committee

**Date:** 18 August 2021





*Frederick Moloisi*

## *In loving memory*

*Gone too soon, but Mr Moloisi ran his race with tenacious diligence and commitment to his calling. We are sorely going to miss him, but we are grateful for the time we had with him because memories were created, which will remain in our hearts.*

*We remain hopeful that we will meet again.*

*Ba ga Moloisi, re nale lona mo kutlo bothokong ya lona. Gomotsegang.*

*May his soul rest in eternal peace*

***Rebaone Sephoti***

*.....*  
*We pray that his family and all members of the Church will be consoled with the knowledge that the death of a man of God is never untimely and that Mr Moloisi now has passed to his eternal reward.*

*I can confidently say that he was not only my Senior Manager but also a teacher and I thank him for inspiring me to do my best.*

***Brenda Nkosi***

*.....*  
*Mr. Moloisi was a very humble and respectable man. He was a leader and he was very loving. This is a great loss, may his humble soul rest in peace. He will be deeply missed.*

***Leah Makgato***



*Dolin Singh*

## **IN LOVING MEMORY**

*May his soul rest in peace, he was a committed public servant.*

*Dolin, the best friend one could have in life.*

***Hosea Moitsi***

*.....*  
*Those of us who were fortunate and privileged to work closely with him can attest that he was a diligent and courageous leader and manager, who would never shy away from expressing his thoughts on any injustices. As a leader in SADTU the members always came first. As a manager in the ELRC KZN, the work of Chamber always came first.*

*Serving with him, as one of the Provincial Managers in the ELRC, was both an inspiration and a memorable experience. We will always cherish the moments we spent together in the tranches. He was a dependable ally, a trusted and respected cadre.*

*Death has robbed us and the education labour fraternity of an exceptionally great and valuable leader. A man with integrity and exceptional analytical skills to evaluate any situation and providing appropriate solutions.*

*Our dear friend, Dolin, you served humanity with distinction.*

*Go well our brother! Goodbye our leader.*

*Fare thee well comrade till we meet again.*

***ELRC CBS staff members***



# HUMAN RESOURCE MANAGEMENT

## 1. Introduction

The Human Resources Report summarises the employment relations activities of the ELRC during the 2020/21 financial year. Human resources issues include recruitment, resignations (turnover), employee wellness, further studies and training and development, performance management, and labour relations.

The Council had 60 approved positions.

### 1.1 Recruitment/appointments

No recruitment took place during the period under review.

### 1.2 Employee relations matters

Eleven (11) employees were given written warning letters due to negligence on their work. One employee underwent a disciplinary hearing and was sanctioned with one month without pay. This was due to poor performance, and it was a recurring offence.

### 1.3 Further studies and skills development

During the period under review, the Council provided the following training(s):

- 38 employees were trained on COVID-19
- 24 employees received training on POPI Act, conducted by the Information Regulator
- One employee attended a leadership programme

### 1.4 Performance management

Performance agreements were signed by all staff members. Performance assessments were concluded by managers and employees for each department. The Moderation Committee convened its meetings and the PMS reports were submitted to the General Secretary.

### 1.5 Employee wellness

During the period under review, Council conducted the following employee wellness events:

- Employees were provided with training on COVID-19
- A presentation was shared with all employees regarding resilience. This was to assist employees who are affected or infected with the COVID-19 virus to enable them to face the challenges of COVID-19 and to bounce back.
- Employees were provided with financial fitness workshop; this was to assist staff members to manage their finances during the COVID-19. Furthermore, it was also to assist staff on how to minimise debts and save for the future.

### 1.6 Resignations/retirement

There was one resignation (ICT Manager) in the quarter under review.

## 2. Human Resource Oversight Statistics

### Personnel cost by programme

| Programme                           | Personnel Expenditure (R'000) | Total Operating Expenditure for the Entity (R'000) | Personnel Expenditure as % of Total Expenditure | No. of Employees | Average Personnel Cost per Employee (R'000) |
|-------------------------------------|-------------------------------|----------------------------------------------------|-------------------------------------------------|------------------|---------------------------------------------|
| Collective Bargaining               | R14 648                       | R18 824                                            | 78%                                             | 19               | R 771                                       |
| Dispute Management Services         | R4 782                        | R11 298                                            | 42%                                             | 7                | R 683                                       |
| Corporate Services                  | R6 204                        | R9 082                                             | 68%                                             | 8                | R 776                                       |
| Finance and Supply Chain Management | R8 633                        | R11 966                                            | 72%                                             | 17               | R 508                                       |
| Executive Services                  | R6 660                        | R7 748                                             | 86%                                             | 5                | R 1 332                                     |
| <b>Total</b>                        | <b>R40 928</b>                | <b>R58 917</b>                                     | <b>69%</b>                                      | <b>56</b>        |                                             |

### Personnel cost by salary band

| Level                             | Personnel Expenditure (R'000) | % of personnel exp. to total personnel cost (R'000) | No. of Employees | Average Personnel Cost per Employee (R'000) |
|-----------------------------------|-------------------------------|-----------------------------------------------------|------------------|---------------------------------------------|
| Top Management                    | R3 682                        | 9%                                                  | 2                | R1 841                                      |
| Senior Management                 | R4 719                        | 12%                                                 | 3                | R1 573                                      |
| Professional Qualified / Managers | R15 402                       | 38%                                                 | 14               | R1 100                                      |
| Skilled/Officers                  | R15 479                       | 38%                                                 | 31               | R499                                        |
| Semi-skilled / Clerks             | R897                          | 2%                                                  | 2                | R448                                        |
| Unskilled / General               | R750                          | 2%                                                  | 4                | R187                                        |
| <b>Total</b>                      | <b>R40 928</b>                | <b>100%</b>                                         | <b>56</b>        |                                             |

### Training Costs

| Programme                           | Personnel Expenditure (R'000) | Training Expenditure (R'000) | Training Exp. as a % of Personnel Cost | No. of Employees | Average training cost per employee (R'000) |
|-------------------------------------|-------------------------------|------------------------------|----------------------------------------|------------------|--------------------------------------------|
| Collective Bargaining               | R14 648                       | R0                           | 0.0%                                   | 19               | R0                                         |
| Dispute Resolution                  | R4 782                        | R1                           | 0.0%                                   | 7                | R0                                         |
| Corporate Services                  | R6 204                        | R50                          | 0.1%                                   | 8                | R6                                         |
| Finance and Supply Chain Management | R8 633                        | R2                           | 0.0%                                   | 17               | R0                                         |
| Executive Services                  | R6 660                        | R26                          | 0.1%                                   | 5                | R5                                         |
| <b>Total</b>                        | <b>R40 928</b>                | <b>R79</b>                   | <b>0.2%</b>                            | <b>56</b>        |                                            |

### ***Employment levels per programme***

| Programme                                    | 2020/2021<br>Approved Posts | 2020/2021<br>No. of Employees | 2020/2021<br>Vacancies | % of<br>vacancies |
|----------------------------------------------|-----------------------------|-------------------------------|------------------------|-------------------|
| Executive Office                             | 6                           | 5                             | 1                      | 17%               |
| Collective Bargaining                        | 21                          | 19                            | 2                      | 10%               |
| Corporate Services                           | 8                           | 8                             | 0                      | 0%                |
| Finance and Supply Chain Management Services | 17                          | 17                            | 0                      | 0%                |
| Dispute Resolution & Prevention              | 8                           | 7                             | 1                      | 13%               |
| <b>Total</b>                                 | <b>60</b>                   | <b>56</b>                     | <b>4</b>               | <b>7%</b>         |

### ***Employment and vacancies per level***

| Programme              | 2020/2021<br>Approved Posts | 2020/2021<br>No. of Employees | 2020/2021<br>Vacancies | % of<br>vacancies |
|------------------------|-----------------------------|-------------------------------|------------------------|-------------------|
| Top Management         | 2                           | 2                             | 0                      | 0%                |
| Senior Management      | 4                           | 3                             | 1                      | 25%               |
| Professional Qualified | 17                          | 14                            | 3                      | 18%               |
| Skilled                | 31                          | 31                            | 0                      | 0%                |
| Semi-skilled           | 3                           | 2                             | 0                      | 0%                |
| Unskilled              | 3                           | 4                             | 0                      | 0%                |
| <b>Total</b>           | <b>60</b>                   | <b>56</b>                     | <b>4</b>               | <b>7%</b>         |

### ***Employment changes***

| Salary Band            | Employment at<br>Beginning of<br>Period | Appointments | Terminations | Transfers | Employment at<br>End of the Period |
|------------------------|-----------------------------------------|--------------|--------------|-----------|------------------------------------|
| Top Management         | 2                                       | 0            | 0            | 0         | 2                                  |
| Senior Management      | 4                                       | 0            | 1            | 0         | 3                                  |
| Professional Qualified | 16                                      | 0            | 2            | 0         | 14                                 |
| Skilled                | 31                                      | 0            | 0            | 0         | 31                                 |
| Semi-skilled           | 2                                       | 0            | 0            | 0         | 2                                  |
| Unskilled              | 4                                       | 0            | 0            | 0         | 4                                  |
| <b>Total</b>           | <b>59</b>                               | <b>0</b>     | <b>3</b>     | <b>0</b>  | <b>56</b>                          |

**Reasons for staff leaving**

| Reason                                  | Number   | % of total no. of staff leaving |
|-----------------------------------------|----------|---------------------------------|
| Death                                   | 2        | 3%                              |
| Resignation                             | 1        | 2%                              |
| Dismissal                               | 0        | 0%                              |
| Retirement                              | 0        | 0%                              |
| Expiry of contract                      | 0        | 0%                              |
| Other (Termination by mutual agreement) | 0        | 0%                              |
| <b>Total</b>                            | <b>3</b> | <b>5%</b>                       |

**Labour relations issues**

| Nature of disciplinary Action           | Number    |
|-----------------------------------------|-----------|
| Verbal warning                          | 0         |
| Written warning                         | 11        |
| Final written warning                   | 1         |
| Demotion                                | 0         |
| Disciplinary                            | 1         |
| Dismissal                               | 0         |
| Grievances                              | 0         |
| Other (termination by mutual agreement) | 0         |
| <b>Total</b>                            | <b>13</b> |



|                            |         |            |       |
|----------------------------|---------|------------|-------|
| 17:00                      |         |            |       |
| Currency rates             |         |            |       |
|                            | Bid     | Ask        | Time  |
| NASDAQ                     | 1872.75 | 1873.75    | 10:13 |
| SP500                      | 1110    | 1110.75    | 10:12 |
| EUR/USD                    | 1.2909  | 1.29105    | 10:14 |
| GBP/USD                    | 1.5484  | 1.54855    | 10:13 |
| USD/CHF                    | 1.0166  | 1.0166     | 10:13 |
| USD/JPY                    | 84.365  | 84.365     | 10:13 |
| Financial Monitor Web Java |         |            |       |
| Trends                     |         |            |       |
| Long-term                  | ↓       | Short-term | ↓     |
| S&P                        | ↓       |            | ↓     |
| NASDAQ                     | ↓       |            | ↓     |



# FINANCIAL INFORMATION

## Independent Auditor's Report

### To the Members of the Education Labour Relations Council

#### ***Opinion***

We have audited the financial statements of the Education Labour Relations Council (ELRC) set out on pages 164 to 190, which comprise the statement of financial position as at 31 March 2021, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended 31 March 2021, as well as the notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Education Labour Relations Council as at 31 March 2021, and its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards for Small-Medium sized Entities (IFRS for SMEs) and the Labour Relations Act (LRA).

#### ***Basis for opinion***

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Council in accordance with the Independent Regulatory Board for Auditors' Code of Professional Conduct for Registered Auditors (IRBA Code) and other independence requirements applicable to performing audits of financial statements in South Africa. We have fulfilled our other ethical responsibilities in accordance with the IRBA Code and in accordance with other ethical requirements applicable to performing audits in South Africa. The IRBA Code is consistent with the corresponding sections of the International Ethics Standards Board for Accountants' International Code of Ethics for Professional Accountants (including International Independence Standards). We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### ***Other information***

The accounting officer is responsible for the other information. The other information comprises the information included in the annual report which includes the chairperson's foreword and accounting officer's overview. The other information does not include the financial statements and the auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If based on the work performed, on the other information obtained prior to the date of this report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

### ***Responsibilities of the Accounting Officer for the financial statements***

The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards for Small-Medium sized Entities and the Labour Relations Act (LRA), and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the accounting officer is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the council or to cease operations, or has no realistic alternative but to do so.

### ***Auditor's Responsibilities for the audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

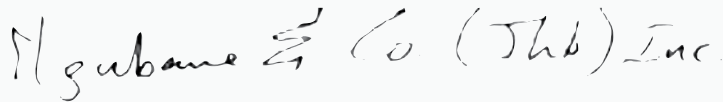
As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the members regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

### **Auditor tenure**

In terms of the IRBA rule published in Government Gazette Number 39475 dated 4 December 2015, we report that Ngubane and Company (Jhb) Inc. has been the auditor of Education Labour Relations Council for a period of 6 years of which 3 years was in the previous tender cycle dated July 2016 to July 2018 and 3 years under the reappointment of auditors awarded on August 2018.

A handwritten signature in black ink that reads 'Ngubane & Co (Jhb) Inc.'.

**Ngubane and Company (Jhb) Incorporated**

**Registered Auditors**

Director: Keamogetswe Ruiters

**Registered Auditor**

16 August 2021

# **EDUCATION LABOUR RELATIONS COUNCIL**

(Registration number LR2/6/6/110)

## **FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021**

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The following supplementary information does not form part of the financial statements and is not audited:

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The financial statements set out on pages 164 to 191, which have been prepared on the going concern basis, were approved on 27 August 2021 and were signed on its behalf by:



**Ms N.O Foca**  
Accounting Officer



**Adv. L. Bono**  
Chairperson of Council

## STATEMENT OF RESPONSIBILITY FOR THE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021

---

The Accounting Authority is required to maintain adequate accounting records and are responsible for the content and integrity of the financial statements and related financial information included in this report.

It is their responsibility to ensure that the financial statements fairly present the state of affairs of the entity as at the end of the financial year and the results of its operations and cash flows for the period then ended, in conformity with the International Financial Reporting Standard for Small and Medium-sized Entities. The external auditor is engaged to express an independent opinion on the financial statements.

The financial statements are prepared in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities and are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates. The financial statements have been prepared on the going concern basis.

The Accounting Authority is responsible for establishing, and implementing a system of internal control designed to provide reasonable assurance as to the integrity and reliability of the annual financial statements.

In my opinion, the financial statements fairly reflect the operations of the entity for the financial year ended 31 March 2021.

The Education Labour Relations Council's annual financial statements for the year ended 31 March 2021 have been audited by the external auditors and their report is presented on page 158.

The Annual Financial Statements of the entity set out on page 164 to page 191 have been approved.



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**Ms N.O Foca**  
Accounting Officer



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**Adv. L Bono**  
Chairperson of Council

## STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2021

|                                     |       | March 2021         | March 2020         |
|-------------------------------------|-------|--------------------|--------------------|
|                                     | Notes | R                  | Restated<br>R      |
| <b>Assets</b>                       |       |                    |                    |
| <b>Non-Current Assets</b>           |       | <b>26 548 856</b>  | <b>29 320 496</b>  |
| Property and equipment              | 2     | 24 814 680         | 26 322 917         |
| Intangible assets                   | 3     | 1 734 176          | 2 997 579          |
|                                     |       | <b>193 377 584</b> | <b>171 737 994</b> |
| <b>Current Assets</b>               |       |                    |                    |
| Trade and other receivables         | 4     | 853 895            | 992 137            |
| Cash and cash equivalents           | 5     | 192 523 689        | 170 745 857        |
| <b>Total Assets</b>                 |       | <b>219 926 440</b> | <b>201 058 490</b> |
| <b>Equity and Liabilities</b>       |       |                    |                    |
| <b>Equity</b>                       |       |                    |                    |
| Retained surplus                    |       | 214 526 069        | 196 104 789        |
| <b>Liabilities</b>                  |       |                    |                    |
| <b>Current Liabilities</b>          |       | <b>5 400 371</b>   | <b>4 953 701</b>   |
| Trade and other payables            | 6     | 4 185 996          | 3 714 179          |
| Provisions                          | 7     | 1 214 375          | 1 239 522          |
| <b>Total Equity and Liabilities</b> |       | <b>219 926 440</b> | <b>201 058 490</b> |

## STATEMENT OF COMPREHENSIVE INCOME FOR THE PERIOD ENDED 31 MARCH 2021

| Description                                    | Notes | March 2021        | March 2020        |
|------------------------------------------------|-------|-------------------|-------------------|
|                                                |       | R                 | Restated<br>R     |
| Revenue                                        | 8     | 74 271 851        | 74 121 858        |
| Other Income                                   | 9     | 6 578 390         | 11 282 307        |
| Operating Expenditure                          | 20    | (62 428 961)      | (74 143 890)      |
| <b>Operating surplus for the year</b>          |       | <b>18 421 280</b> | <b>11 260 275</b> |
| Other comprehensive income                     |       | -                 | -                 |
| <b>Total comprehensive income for the year</b> |       | <b>18 421 280</b> | <b>11 260 275</b> |

## STATEMENT OF CHANGES IN EQUITY AS AT 31 MARCH 2021

|                                                     | Retained<br>surplus<br>R | Total<br>equity<br>R |
|-----------------------------------------------------|--------------------------|----------------------|
| <b>Balance at 01 April 2019</b>                     | <b>184 845 182</b>       | <b>184 845 182</b>   |
| Total comprehensive surplus for the year            | 11 021 532               | 11 021 532           |
| <b>Balance at 01 April 2020 (previously stated)</b> | <b>195 866 714</b>       | <b>195 866 714</b>   |
| Prior period adjustment                             | 238 075                  | 238 075              |
| <b>Balance at 01 April 2020 (Restated)</b>          | <b>196 104 789</b>       | <b>196 104 789</b>   |
| Total comprehensive surplus for the year            | 18 421 280               | 18 421 280           |
| <b>Balance at 31 March 2021</b>                     | <b>214 526 069</b>       | <b>214 526 069</b>   |

## STATEMENT OF CASH FLOWS AS AT 31 MARCH 2021

|                                                           |           | March 2021         | March 2020         |
|-----------------------------------------------------------|-----------|--------------------|--------------------|
|                                                           |           | R                  | Restated           |
|                                                           | Notes     | R                  | R                  |
| <b>Cash flows from operating activities</b>               |           |                    |                    |
| Cash received from customers                              |           | 74 252 866         | 74 058 650         |
| Cash paid to suppliers and employees                      |           | (51 735 196)       | (61 404 533)       |
| <b>Net cash from operating activities</b>                 | <b>14</b> | <b>22 517 670</b>  | <b>12 654 117</b>  |
| <b>Cash flows from investing activities</b>               |           |                    |                    |
| Purchase of property and equipment                        | <b>2</b>  | (694 588)          | (578 906)          |
| Disposal of property and equipment                        | <b>2</b>  | -                  | 35 460             |
| Purchase of intangible assets                             | <b>3</b>  | (45 250)           | (3 596 473)        |
| <b>Net cash from investing activities</b>                 |           | <b>(739 838)</b>   | <b>(4 139 919)</b> |
| <b>Increase in cash and cash equivalents for the year</b> |           | <b>21 777 832</b>  | <b>8 514 198</b>   |
| Cash at the beginning of the year                         |           | 170 745 857        | 162 231 659        |
| <b>Total cash at the end of the year</b>                  | <b>5</b>  | <b>192 523 689</b> | <b>170 745 857</b> |

## ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2021

---

### 1. Presentation of financial statements

The financial statements have been prepared in accordance with the International Financial Reporting Standards for Small and Medium sized Entities (IFRS for SMEs) and the Labour Relations Act (66 of 1995) as amended. The financial statements have been prepared on the historical cost basis (unless otherwise stated) and incorporate the principal accounting policies set out below. They are presented in South African rands.

These accounting policies have been amended to be compliant with the reporting framework of IFRS for SMEs.

#### 1.1 Significant judgements and sources of estimation uncertainty

##### *Key sources of estimation uncertainty*

##### **Useful lives of property and equipment**

The Council reviews the estimated useful lives of property and equipment when changing circumstances indicate that they may have changed since the most recent reporting date.

##### **Provisions**

Provisions are inherently based on assumptions and estimates using the best information available. Additional disclosure of these estimates is included in Note 7 – Provisions.

#### 1.2 Property and equipment

Property and equipment are tangible items that:

- are held for use in the production or supply of goods or services, for rental to others or for administrative purposes; and
- are expected to be used during more than one period.

Property and equipment are carried at cost less accumulated depreciation and accumulated impairment losses.

Cost includes all costs incurred to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

Costs include costs incurred initially to acquire or construct an item of property and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property and equipment, the carrying amount of the replaced part is derecognised.

Depreciation is provided using the straight line method to write down the cost over the useful life of the property and equipment, which is as follows:

## ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2021 (cont.)

| Item                   | Depreciation method | Average useful life in years |
|------------------------|---------------------|------------------------------|
| Buildings              | Straight line       | 25                           |
| Lifts                  | Straight line       | 25                           |
| Generators             | Straight line       | 25                           |
| Furniture and fittings | Straight line       | 10                           |
| Motor vehicles         | Straight line       | 7                            |
| Office equipment       | Straight line       | 8 to 10                      |
| Computer equipment     | Straight line       | 3                            |
| Leasehold improvements | Straight line       | 5                            |

The depreciation method and useful life of each asset are reviewed at each reporting date if there are indicators present that there has been a significant change from the previous estimate.

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount and are recognised in surplus or deficit in the period.

Land is not depreciated, and it is stated at cost.

### 1.3 Intangible assets

Intangible assets are initially recognised at cost and subsequently at cost less accumulated amortisation and accumulated impairment losses.

Amortisation is provided to write down the intangible assets, on a straight-line basis, to their residual values as follows:

| Item                           | Depreciation method | Average useful life in years |
|--------------------------------|---------------------|------------------------------|
| Systems (operational) software | Straight line       | 3                            |
| Application software           | Straight line       | 8                            |

The amortisation period and amortisation method for intangible assets are reassessed when there is an indication that there is a change from the previous estimate.

### 1.4 Financial instruments

#### Initial measurement

Financial instruments are initially measured at the transaction price (including transaction costs except in the initial measurement of financial assets and liabilities that are measured at fair value through profit or loss) unless the arrangement constitutes, in effect, a financing transaction in which case it is measured at the present value of the future payments discounted at a market rate of interest for a similar debt instrument.

## Financial instruments at amortised cost

These include loans, trade receivables and trade payables. Those debt instruments which meet the criteria in section 11.8(b) of the standard are subsequently measured at amortised cost using the effective interest method. Debt instruments which are classified as current assets or current liabilities are measured at the undiscounted amount of the cash expected to be received or paid unless the arrangement effectively constitutes a financing transaction.

At each reporting date, the carrying amounts of assets held in this category are reviewed to determine whether there is any objective evidence of impairment. If there is objective evidence, the recoverable amount is estimated and compared with the carrying amount. If the estimated recoverable amount is lower, the carrying amount is reduced to its estimated recoverable amount, and an impairment loss is recognised immediately in surplus or deficit.

Derecognise a financial asset when:

- the contractual rights to the cash flows from the financial asset expire or are settled
- the entity transfers to another party all the significant risks and rewards relating to the financial asset
- the entity, despite having retained some significant risks and rewards relating to the financial asset, has transferred the ability to sell the asset in its entirety to an unrelated third party who is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer.

Derecognise a financial liability when the obligation is discharged, cancelled or expires.

## 1.5 Leases

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership to the lessee. All other leases are operating leases.

### Operating leases – lessee

Operating lease payments are recognised as an expense on a straight line basis over the lease term unless:

- another systematic basis is representative of the time pattern of the benefit from the leased asset, even if the payments are not on that basis, or
- the payments are structured to increase in line with expected general inflation (based on published indices or statistics) to compensate for the lessor's expected inflationary cost increases.

Any contingent rents are expensed in the period they are incurred.

## 1.6 Impairment of assets

The Council assesses at each reporting date whether there is any indication that property and equipment or intangible assets may be impaired.

If there is any such indication, the recoverable amount of any affected asset (or group of related assets) is estimated and compared with its carrying amount. If the estimated recoverable amount is lower, the carrying amount is reduced to its estimated recoverable amount, and an impairment loss is recognised immediately in surplus or deficit.

If an impairment loss subsequently reverses, the carrying amount of the asset (or group of related assets) is increased to the revised estimate of its recoverable amount, but not in excess of the amount that would have been determined had no impairment loss been recognised for the asset (or group of assets) in prior years. A reversal of impairment is recognised immediately in surplus or deficit.

## 1.7 Employee benefits

### Short term employee benefits

The cost of short term employee benefits (those payable within 12 months after the service is rendered), such as leave pay, bonuses and non monetary benefits such as medical care), are recognised in the period in which the service is rendered and are not discounted.

### Defined contribution plans

Payments to defined contribution retirement benefit plans are charged as an expense as they fall due.

## 1.8 Provisions and contingencies

Provisions are recognised when the Council has an obligation at the reporting date as a result of a past event. It is probable that the Council will be required to transfer economic benefits in settlement; the amount of the obligation can be estimated reliably.

Provisions are measured at the present value of the amount expected to be required to settle the obligation using a rate that reflects current market assessments of the time value of money and the risks specific to the obligation. The increase in the provision due to the passage of time is recognised as interest expense.

Provisions are not recognised for future operating deficits.

A contingent liability is a possible obligation that arises from past events and the existence of which will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events that are beyond the control of the entity.

Alternatively, a contingent liability is a present obligation that arises from past events but is not recognised because:

- it is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or
- the amount of the obligation cannot be measured with sufficient reliability.

Contingent liabilities are included in the disclosure notes. The estimation of the amounts disclosed is based on the expected possible outflows of economic benefits should there be a present obligation.

### Contingent assets

Contingent assets arise from unplanned or other unexpected events that are not wholly within the control of the entity and give rise to the possibility of an inflow of economic benefits or service potential to the entity.

Contingent assets are included in the disclosure notes. The estimation of the amounts disclosed is based on the expected possible inflows of economic benefits or service potential to the entity.

Contingent assets and contingent liabilities are not recognised as provisions as the recognition criteria for provisions are not met.

## 1.9 Revenue

Revenue is recognised to the extent that the Council has transferred the significant risks and rewards of ownership of goods to the buyer, or has rendered services under an agreement provided the amount of revenue can be measured reliably. It is probable that economic benefits associated with the transaction will flow to the Council. Revenue is measured at the fair value of the consideration received or receivable and discounts.

Interest is recognised, in surplus or deficit, using the effective interest rate method.

## 1.10 Borrowing costs

Borrowing costs are recognised as an expense in the period in which they are incurred.

## 1.11 Presentation of budget information

The Council discloses a comparison of the budget and actual amount in the primary financial statements.

## 1.12 Related parties

Parties are considered to be related if one party has the ability to control the other party or exercise significant influence over the other party in making financial and operating decisions, or if the related party entity and another party are subject to common control.

Related parties include individuals who have significant influence over the entity, such as members of the EXCO, its committees and key management personnel.

All transactions between the entity and related parties during the reporting period as well as comparative information are disclosed in the notes to the annual financial statements.

## 1.13 Irregular expenditure

Irregular expenditure as defined in section 1 of the Public Finance Management Act (PFMA) is expenditure other than recognised expenditure, incurred in contravention of or that is not in accordance with a requirement of any applicable legislation, including:

- Public Finance Management Act (1 of 1999) or
- The State Tender Board Act (86 of 1968) or any regulations made in terms of this Act
- Any provincial legislation providing for procurement procedures in that provincial government

Irregular expenditure is accounted for in terms of the Council's SCM Policy.

## 1.14 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure means expenditure which is made in vain and would have been avoided had reasonable care been exercised.

Where an investigation determines, a receivable will be recorded against an employee who has been found to have incurred the fruitless and wasteful expenditure. In instances where a receivable is not raised against an employee or the amount is irrecoverable, the General Secretary may write off the debt. Fruitless and wasteful expenditure identified is disclosed in the notes to the financial statements.

Fruitless and wasteful expenditure is accounted for in terms of the Council's SCM policy.

### 1.15 Unauthorised expenditure

Unauthorised expenditure refers to overspending of the budget approved or expenditure not in accordance with the purpose, strategic objective and mandate of the Council.

Unauthorised expenditure is measured at the amount of the confirmed unauthorised expenditure.

Unauthorised expenditure is accounted for in terms of the Council's SCM policy.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021

### Note 2

| Property and equipment | March 2021        |                          |                   | March 2020 (Restated) |                          |                   |
|------------------------|-------------------|--------------------------|-------------------|-----------------------|--------------------------|-------------------|
|                        | Cost              | Accumulated depreciation | Carrying Value    | Cost                  | Accumulated depreciation | Carrying Value    |
| Land                   | 1 000 000         | -                        | 1 000 000         | 1 000 000             | -                        | 1 000 000         |
| Buildings              | 33 433 263        | (12 146 175)             | 21 287 088        | 32 847 221            | (10 821 648)             | 22 025 573        |
| Generators             | 599 576           | (135 330)                | 464 246           | 599 576               | (111 363)                | 488 213           |
| Lifts                  | 702 669           | (143 593)                | 559 076           | 702 669               | (115 505)                | 587 164           |
| Furniture and fittings | 2 416 073         | (1 943 816)              | 472 257           | 2 416 073             | (1 832 638)              | 583 435           |
| Motor vehicles         | 499 000           | (419 499)                | 79 501            | 499 000               | (355 386)                | 143 614           |
| Office equipment       | 802 476           | (468 099)                | 334 377           | 802 476               | (391 436)                | 411 040           |
| Computer equipment     | 4 114 746         | (3 496 611)              | 618 135           | 4 066 611             | (2 982 733)              | 1 083 878         |
|                        | <b>43 567 803</b> | <b>(18 753 123)</b>      | <b>24 814 680</b> | <b>42 933 626</b>     | <b>(16 610 709)</b>      | <b>26 322 917</b> |

### Reconciliation of property and equipment: 31 March 2021

|                        | Opening Balance   | Additions      | Disposals       | Depreciation       | Total             |
|------------------------|-------------------|----------------|-----------------|--------------------|-------------------|
| Land                   | 1 000 000         | -              | -               | -                  | 1 000 000         |
| Buildings              | 22 025 573        | 586 042        | -               | (1 324 527)        | 21 287 088        |
| Generators             | 488 213           | -              | -               | (23 967)           | 464 246           |
| Lifts                  | 587 164           | -              | -               | (28 088)           | 559 076           |
| Furniture and fittings | 583 435           | -              | -               | (111 178)          | 472 257           |
| Motor vehicles         | 143 614           | -              | -               | (64 113)           | 79 501            |
| Office equipment       | 411 040           | -              | -               | (76 662)           | 334 378           |
| Computer equipment     | 1 083 878         | 108 546        | (11 305)        | (562 985)          | 618 134           |
|                        | <b>26 322 917</b> | <b>694 588</b> | <b>(11 305)</b> | <b>(2 191 520)</b> | <b>24 814 680</b> |

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 2 (cont.)

Reconciliation of property and equipment: **31 March 31 March 2021 (Restated)**

|                        | Opening<br>Balance | Additions      | Disposals       | Depreciation       | Total             |
|------------------------|--------------------|----------------|-----------------|--------------------|-------------------|
| Land                   | 1 000 000          | -              | -               | -                  | 1 000 000         |
| Buildings              | 23 342 160         | -              | -               | (1 316 587)        | 22 025 573        |
| Generator              | 512 245            | -              | -               | (24 032)           | 488 213           |
| Lifts                  | 615 328            | -              | -               | (28 164)           | 587 164           |
| Furniture and fittings | 653 814            | 43 539         | (2 697)         | (111 220)          | 583 435           |
| Motor vehicles         | 207 903            | -              | -               | (64 289)           | 143 614           |
| Office equipment       | 427 858            | 81 548         | (19 705)        | (78 661)           | 411 040           |
| Computer equipment     | 1 127 330          | 453 819        | (12 895)        | (484 375)          | 1 083 878         |
|                        | <b>27 886 638</b>  | <b>578 906</b> | <b>(35 298)</b> | <b>(2 107 329)</b> | <b>26 322 917</b> |

### Disposals

The amount disclosed above reflects the book value of the disposed assets, while the profit or loss is reflected in Note 9 and cash received is reflected on the cashflow statement.

### Land

Erf, Die Hoewes Extension 26 Township, Registration Division J.R. Province of Gauteng, in extent 3019 square meters.

### Changes in estimates

The entity reassesses the useful lives and residual values of items of property and equipment at the end of each reporting period, in line with the accounting policy and section 17 Property, plant and equipment. These assessments are based on historic analysis, benchmarking, and the latest available and reliable information.

Computer equipment and furniture and fittings that had 1 year remaining of useful life at the beginning of the financial year have been increased by an additional 2 years.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 3

| Intangible assets | March 2021 |                          |                | March 2020 (Restated) |                          |                |
|-------------------|------------|--------------------------|----------------|-----------------------|--------------------------|----------------|
|                   | Cost       | Accumulated amortisation | Carrying Value | Cost                  | Accumulated amortisation | Carrying Value |
| Software          | 5 301 279  | (3 567 103)              | 1 734 176      | 5 256 028             | (2 258 449)              | 2 997 579      |

### Reconciliation of intangible assets: 31 March 2021

|          | Opening Balance | Additions | Amortisation | Total     |
|----------|-----------------|-----------|--------------|-----------|
| Software | 2 997 579       | 45 250    | (1 308 653)  | 1 734 176 |

### Reconciliation of intangible assets: 31 March 2020 (Restated)

|          | Opening Balance | Additions | Amortisation | Total     |
|----------|-----------------|-----------|--------------|-----------|
| Software | 314 597         | 3 596 473 | (913 491)    | 2 997 579 |

### Changes in estimates

At the end of each reporting period, the entity reassesses whether there is any indication that any intangible asset may be impaired, in line with the accounting policy and section 18 (intangible assets). These assessments are based on historic analysis, benchmarking and the latest available and reliable information.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 4

| Trade and other receivables | 2021<br>R      | 2020<br>Restated<br>R |
|-----------------------------|----------------|-----------------------|
| Accrued income              | 10 978         | 10 092                |
| Deposits                    | 296 119        | 202 566               |
| Flight ticket refunds *     | 117 023        | 217 514               |
| Flight tickets for re-use   | 5 680          | 5 680                 |
| Other receivables           | 5 969          | 62 501                |
| Prepayments                 | 366 040        | 382 981               |
| Receivable from employees   | 33 101         | 47 595                |
| Trade receivables           | 18 985         | 63 208                |
|                             | <b>853 895</b> | <b>992 137</b>        |

Trade and other receivables are not pledged as security. The carrying amount of the receivables approximate their fair value.

\* Flight tickets refunds are air travel tickets that have been cancelled due unavailability of pre-booked travellers, the increase is due to the cancellation of international travel.

### Note 5

| Cash and cash equivalents                    | 2021<br>R          | 2020<br>R          |
|----------------------------------------------|--------------------|--------------------|
| <b>Cash and cash equivalents consist of:</b> |                    |                    |
| Cash on hand                                 | 22 956             | 18 834             |
| Current account                              | 22 907 110         | 26 938 654         |
| Short term deposits *                        | 169 593 623        | 143 788 369        |
|                                              | <b>192 523 689</b> | <b>170 745 857</b> |

No restrictions have been placed on the use of the cash and cash equivalents for the operations of the entity. The carrying amount of these assets approximate to their fair value.

\*Short term deposits are held with the South African Reserve Bank (Corporate of Public deposits) and bears interest at a rate more competitive than those offered by the big four banks. These are made available immediately on call or request.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 6

| Trade and other payables | 2021<br>R        | 2020<br>Restated<br>R |
|--------------------------|------------------|-----------------------|
| Trade payables           | 1 812 159        | 804 610               |
| Accrued leave pay        | 1 317 875        | 1 291 945             |
| Accrued expenses         | 1 055 962        | 1 617 624             |
|                          | <b>4 185 996</b> | <b>3 714 179</b>      |

The carrying amount of the payables approximate their fair value.

### Note 7

| Provisions                | 2021<br>R        | 2020<br>R        |
|---------------------------|------------------|------------------|
| Provision for 13th cheque | 560 621          | 585 768          |
| Provision for SADTU       | 653 754          | 653 754          |
|                           | <b>1 214 375</b> | <b>1 239 522</b> |

#### Reconciliation of provisions: 31 March 2021

|                                       | Opening<br>Balance | Addition         | Utilised           | Total            |
|---------------------------------------|--------------------|------------------|--------------------|------------------|
| Provision for 13 <sup>th</sup> cheque | 585 768            | 2 713 259        | (2 738 406)        | 560 621          |
| Provision for SADTU                   | 653 754            | -                | -                  | 653 754          |
|                                       | <b>1 239 522</b>   | <b>2 713 259</b> | <b>(2 738 406)</b> | <b>1 214 375</b> |

#### Reconciliation of provisions: 31 March 2020

|                                       | Opening<br>Balance | Addition         | Utilised           | Total            |
|---------------------------------------|--------------------|------------------|--------------------|------------------|
| Provision for 13 <sup>th</sup> cheque | 484 757            | 2 494 381        | (2 393 370)        | 585 768          |
| Provision for SADTU                   | 1 290 865          | -                | (637 111)          | 653 754          |
|                                       | <b>1 775 622</b>   | <b>2 494 381</b> | <b>(3 030 481)</b> | <b>1 239 522</b> |

Provisions for SADTU comprise of costs to be claimed for services rendered by Parties to Council but for which claims have not been received. A reliable estimate is made based on the number of meetings attended and provisions as per Collective Agreement.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 8

| Revenue       | 2021<br>R         | 2020<br>R         |
|---------------|-------------------|-------------------|
| Levies – FETC | 2 889 531         | 2 799 453         |
| Levies – DBE  | 71 382 320        | 71 322 405        |
|               | <b>74 271 851</b> | <b>74 121 858</b> |

All levies received bear no credit risk and are paid from salary deductions from educators and an equal contribution by employer.

### Note 9

| Other income                 | 2021<br>R        | 2020<br>R         |
|------------------------------|------------------|-------------------|
| Interest income              | 5 893 268        | 10 344 566        |
| Penalty income               | 129 429          | 97 868            |
| Other income                 | 246 379          | 553 298           |
| Profit on disposal of assets | -                | 162               |
| Rental income                | 309 314          | 286 413           |
|                              | <b>6 578 390</b> | <b>11 282 307</b> |

### Note 10

| Employee costs                    | 2021<br>R         | 2020<br>R         |
|-----------------------------------|-------------------|-------------------|
| Basic earnings                    | 32 037 271        | 30 260 551        |
| 13th Cheque                       | 2 494 849         | 2 470 368         |
| Medical Aid                       | 995 357           | 977 173           |
| Unemployment Insurance Fund (UIF) | 103 924           | 106 930           |
| Skills Development Levy (SDL)     | 227 796           | 318 674           |
| Leave pay accrual charge          | 124 650           | 289 603           |
| Housing allowance                 | 664 500           | 946 500           |
| Post retirement benefits          | 4 281 604         | 4 288 648         |
| <b>Total cost</b>                 | <b>40 929 951</b> | <b>39 658 447</b> |

Total number of employees 56 (2020: 60)

#### Post retirement benefits (Defined contribution plan)

The entity provides retirement benefits through a defined contribution plan to all its employees. The Provident Fund and Retirement Annuity Fund are governed by the Pension Funds Act, 1956 (Act no 24 of 1956).

The entity is under no obligation to cover any unfunded benefits.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 11

#### Taxation

The Council is exempt from the payment of income tax in terms of section 10(1) (CA) (I) of the Income Tax Act, No. 58 of 1962.

### Note 12

| <b>Auditor's remuneration</b> | <b>2021<br/>R</b> | <b>2020<br/>R</b> |
|-------------------------------|-------------------|-------------------|
| Disbursements                 | 13 756            | 37 407            |
| Consulting fees               | 69 361            | 90 965            |
| Statutory audit fees          | 703 371           | 687 066           |
|                               | <b>786 488</b>    | <b>815 438</b>    |

### Note 13

| <b>Commitments</b>                               | <b>2021<br/>R</b> | <b>2020<br/>R</b> |
|--------------------------------------------------|-------------------|-------------------|
| <b>Already contracted, but not provided for:</b> |                   |                   |
| Operating expenditure                            | <b>3 396 864</b>  | <b>4 834 882</b>  |

This committed expenditure relates to operating expenses and will be financed by available retained surplus. Commitments disclosed takes into consideration clauses as per the contractual agreements.

#### Minimum lease payments under operating lease recognised as an expense during the year

Operating lease expense

|                  |                  |
|------------------|------------------|
| <b>1 674 158</b> | <b>1 416 881</b> |
|------------------|------------------|

#### Total minimum lease payments

|                                                   |                  |                  |
|---------------------------------------------------|------------------|------------------|
| Not later than one year                           | 979 653          | 1 033 955        |
| Later than one year and not later than five years | 279 402          | 394 258          |
|                                                   | <b>1 259 055</b> | <b>1 428 213</b> |

Operating lease payments represent rentals payable by the ELRC for rentals of premises in the nine provincial offices. The leases typically run for a period of three to five years, with an option to renew. Rental expenses are increased annually as per the escalation clauses of the lease agreements.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 14

|                                       | 2021<br>R         | 2020<br>R         |
|---------------------------------------|-------------------|-------------------|
| <b>Cash generated from operations</b> |                   |                   |
| Surplus for the year                  | 18 421 280        | 11 260 275        |
| <b>Adjustments for:</b>               |                   |                   |
| Depreciation and amortisation         | 3 500 171         | 3 020 820         |
| (Profit) Loss on disposal of assets   | 11 305            | (162)             |
| Movement in provisions                | (25 147)          | (536 100)         |
| <b>Changes in working capital:</b>    |                   |                   |
| Trade and other receivables           | 138 243           | (259 023)         |
| Trade and other payables              | 471 818           | (831 693)         |
|                                       | <b>22 517 670</b> | <b>12 654 117</b> |

### Note 15

|                                  |                                                                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Related parties</b>           |                                                                                                                                    |
| <b>Employer party</b>            | Department of Basic Education                                                                                                      |
| <b>Chairperson of Council</b>    | Advocate Luvuyo Bono                                                                                                               |
| <b>Members of key management</b> | Ms Nolusindiso Foca<br>Ms Unathi Ndobeni<br>Ms Octavia Makofane<br>Mr Matlose Moela<br>Mr Frederick Moloisi*<br>Ms Nelisiwe Bongco |
| <b>Trade unions</b>              | South African Democratic Teachers Union (SADTU)<br>Combined Trade Union – Autonomous Trade Union (CTU-ATU)                         |

Non-Executive members serve in the Audit Committee of the ELRC. The Audit Committee sits for four meetings annually and any other special meetings.

\* Deceased – 30 January 2021

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 15 (cont.)

#### Key Management Personnel

##### Key management information

| Class                 | Description                    | Number of members |
|-----------------------|--------------------------------|-------------------|
| Executive members     | Accounting Authority           | 11                |
| Non-executive members | Accounting Authority           | 3                 |
| Executive management  | Accounting Officer & Executive | 2                 |
| Senior management     | Management                     | 4                 |

#### Related party transactions

Fees paid to related parties in respect of services rendered

|                   | 2021<br>R     | 2020<br>R      |
|-------------------|---------------|----------------|
| SADTU             | -             | 637 111        |
| Advocate L. Bono* | 31 000        | 264 547        |
|                   | <b>31 000</b> | <b>901 658</b> |

\* This relates to the fees paid for services rendered by the independent Chairperson as a panellist in matters of arbitration or dispute resolution. The Chairperson's decisions in dispute resolution and arbitration matters do not affect the financial position of the Council.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 15 (cont.)

#### Executive emoluments (Chairperson's fees)

|                  | 2021<br>R | 2020<br>R |
|------------------|-----------|-----------|
| Advocate L. Bono | 175 000   | 108 000   |

Members of the ELRC Executive committee did not receive emoluments during the financial year as per collective agreement. The Chairperson's fees to date amount to R 175 000 and were only paid to Advocate L. Bono.

#### Audit Committee Fees 2021

|                | Daily Fee      | Expenses     | Total          |
|----------------|----------------|--------------|----------------|
| Mr SAB Ngobeni | 60 438         | -            | 60 438         |
| Ms T Sihlaba   | 26 190         | 1 296        | 27 486         |
| Dr. C Motau    | 20 952         | -            | 20 952         |
|                | <b>107 580</b> | <b>1 296</b> | <b>108 876</b> |

#### Audit Committee Fees 2020

|               | Daily Fee     | Expenses     | Total         |
|---------------|---------------|--------------|---------------|
| Mr SA Ngobeni | 38 853        | 1 193        | 40 046        |
| Ms T Sihlaba  | 20 892        | 717          | 21 609        |
| Dr. C Motau   | 15 714        | -            | 15 714        |
|               | <b>75 459</b> | <b>1 910</b> | <b>77 369</b> |

Non-Executive members serve in the Audit Committee of the ELRC. The Audit Committee sits for four meetings annually and any other special meetings.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 15 (cont.)

#### Executive management emoluments

| 31 March 2021 | Basic salary     | 13 <sup>th</sup> cheque | Provident and Retirement Fund Contribution | Travel Allowance | Other Allowances* | Total            |
|---------------|------------------|-------------------------|--------------------------------------------|------------------|-------------------|------------------|
| Ms NO Foca    | 1 478 554        | 118 913                 | 256 851                                    | 216 847          | 32 368            | 2 103 533        |
| Ms U Ndobeni  | 1 049 775        | 85 354                  | 92 182                                     | 308 009          | 29 644            | 1 564 963        |
|               | <b>2 528 329</b> | <b>204 267</b>          | <b>349 033</b>                             | <b>524 856</b>   | <b>62 012</b>     | <b>3 668 496</b> |

| 31 March 2020 | Basic salary     | 13 <sup>th</sup> cheque | Provident and Retirement Fund Contribution | Travel Allowance | Other Allowances* | Total            |
|---------------|------------------|-------------------------|--------------------------------------------|------------------|-------------------|------------------|
| Ms NO Foca    | 1 347 870        | 112 508                 | 242 617                                    | 203 784          | 105 498           | 2 012 277        |
| Ms U Ndobeni  | 888 363          | 53 840                  | 79 952                                     | 266 194          | 12 562            | 1 300 911        |
|               | <b>2 236 233</b> | <b>166 348</b>          | <b>322 569</b>                             | <b>469 978</b>   | <b>118 060</b>    | <b>3 313 188</b> |

\* Other allowances comprise cash allowance, medical aid fringe benefit, back pay, SDL and UIF.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 15 (cont.)

#### Senior management emoluments

| 31 March 2021                           | Basic salary     | 13 <sup>th</sup> cheque | Provident and Retirement Fund Contribution | Other Allowances* | Total            |
|-----------------------------------------|------------------|-------------------------|--------------------------------------------|-------------------|------------------|
| Ms LO Makofane                          | 846 772          | 68 800                  | 148 607                                    | 144 875           | 1 209 054        |
| Ms NA Bongco                            | 835 580          | 67 815                  | 73 240                                     | 268 963           | 1 245 598        |
| Mr FS Molosi (deceased 30 January 2021) | 787 861          | 70 361                  | 137 892                                    | 47 398            | 1 043 512        |
| Mr MP Moela                             | 855 138          | 51 798                  | 150 075                                    | 144 005           | 1 201 016        |
|                                         | <b>3 325 351</b> | <b>258 774</b>          | <b>509 814</b>                             | <b>605 241</b>    | <b>4 699 180</b> |

| 31 March 2020  | Basic salary     | 13 <sup>th</sup> cheque | Provident and Retirement Fund Contribution | Other Allowances* | Total            |
|----------------|------------------|-------------------------|--------------------------------------------|-------------------|------------------|
| Ms LO Makofane | 779 841          | 65 094                  | 140 371                                    | 123 314           | 1 108 620        |
| Ms NA Bongco   | 768 674          | 64 162                  | 86 390                                     | 241 193           | 1 160 419        |
| Mr FS Molosi   | 871 465          | 72 742                  | 156 864                                    | 39 591            | 1 140 662        |
| Mr MP Moela    | 849 414          | 71 372                  | 152 895                                    | 58 796            | 1 132 477        |
|                | <b>3 269 394</b> | <b>273 370</b>          | <b>536 520</b>                             | <b>462 894</b>    | <b>4 542 178</b> |

\* Other allowances comprise cash allowance, medical aid fringe benefit, back pay, SDL and UIF.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 16

| <b>Fruitless and wasteful expenditure</b>                        | <b>2021<br/>R</b> | <b>2020<br/>R</b> |
|------------------------------------------------------------------|-------------------|-------------------|
| Opening balance                                                  | 6 868             | -                 |
| Add: Fruitless and wasteful expenditure incurred during the year | 16 720            | 39 666            |
| Less: Recovered during the year                                  | (19 388)          | (7 923)           |
| Less: Written Off during the year                                | (4 200)           | (24 876)          |
| <b>Closing balance</b>                                           | <b>-</b>          | <b>6 868</b>      |

The fruitless and wasteful expenditure mainly relates to advertising expenses incurred for a cancelled tender. The Council implement improved controls and where fruitless expenditure is incurred; such is recovered from the relevant official.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 17

#### Prior period error

##### 1. Property and equipment

Property and equipment has increased by R 1 922 due to reclassification of computer equipment from intangible assets to property and equipment. The computer equipment was purchased in 2016.

##### 2. Intangible assets

Intangible assets has decreased by R 2 589 due to reclassification of computer equipment from intangible assets to property and equipment. The computer equipment was purchased in 2016.

##### 3. Trade and other payables

Trade and other payables decreased by R224 755 due to adjustment made to panellist accrual account. This arose due to clearing of take-on balance from previous financial years.

##### 4. Trade and other receivables

Trade and other receivables increased by R13 986 due to adjustment made to receivables from employees account. This arose due to recognising debts from employees which was not recorded from previous financial year, however the debt was fully recovered.

##### 5. Accumulated surplus

Corrections of R238 075 were made and appropriated to the Accumulated Surplus account during the financial year ended 31 March 2020.

These corrections resulted in correction of the prior year's figures and the impact is as follows (current):

|                                        | 2020<br>Restated | 2020<br>Previously<br>stated | Change    |
|----------------------------------------|------------------|------------------------------|-----------|
| <b>Statement of financial position</b> |                  |                              |           |
| Property and equipment                 | 26 322 917       | 26 320 995                   | 1 922     |
| Intangible assets                      | 2 997 579        | 3 000 168                    | (2 589)   |
| Trade and other receivables            | 992 137          | 978 151                      | 13 986    |
| Trade and other payables               | 3 714 179        | 3 938 934                    | (224 755) |
| <b>Statement of changes in equity</b>  |                  |                              |           |
| Accumulated surplus                    | 196 104 789      | 195 866 714                  | 238 075   |

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

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### Note 18

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#### Going concern

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The annual financial statements have been prepared on the basis of accounting policies applicable to a going concern organisation. This basis presumes that funds will be available to finance future operations, that the realisation of assets, settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

### Note 19

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#### Events after reporting period

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No significant events have occurred subsequent to the reporting period.

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 20

|                                                | Notes | 2021       | 2020          |
|------------------------------------------------|-------|------------|---------------|
| Operating expenses                             |       | R          | Restated<br>R |
| Accommodation expenses                         |       | 11 903     | 80 172        |
| Administration and management fees             |       | 768 460    | 477 368       |
| Advertising and Recruitment                    |       | 52 598     | 966 734       |
| Arbitration                                    |       | 4 870 665  | 6 979 150     |
| Assets below R5000                             |       | 9 204      | 23 354        |
| Auditors fees                                  | 12    | 786 488    | 815 438       |
| Bank charges                                   |       | 49 553     | 68 097        |
| Chairperson's fees                             | 15    | 175 000    | 108 000       |
| Cleaning and sanitation                        |       | 69 039     | 105 290       |
| Computer expenses                              |       | 358 890    | 389 750       |
| Conciliation                                   |       | 561 725    | 1 332 774     |
| Condonation                                    |       | 58 375     | 101 000       |
| Consulting and professional fees               |       | 290 362    | 373 551       |
| Consumables                                    |       | 41 820     | 114 139       |
| Cost of quality control                        |       | 88 500     | 121 385       |
| Delivery expenses                              |       | 12 391     | 37 491        |
| Depreciation, amortisation and impairment loss |       | 3 500 171  | 3 020 820     |
| Donations                                      |       | 1 500 000  | -             |
| Facilitation and Dispute prevention            |       | -          | 406 853       |
| Dispute Prevention Support - FTSS              |       | -          | 3 064 546     |
| Employee related costs                         | 10    | 40 929 951 | 39 658 447    |
| Governance and provincial chambers             |       | 348 951    | 2 350 560     |
| Employee wellness and SHE expenses             |       | 119 874    | 141 109       |
| Implementation of Acts and Agreements          |       | 13 000     | 938 557       |
| Insurance                                      |       | 512 205    | 414 585       |
| International travel expenses                  |       | -          | 2 534 507     |

## NOTES TO THE ANNUAL FINANCIAL STATEMENTS (cont.)

### Note 20 (cont.)

| Operating expenses (cont.)              | Notes | 2021<br>R         | 2020<br>R         |
|-----------------------------------------|-------|-------------------|-------------------|
| Legal Expenses                          |       | 692 080           | 702 612           |
| Loss on disposal of assets              | 2     | 11 305            | -                 |
| Motor vehicle expenses                  |       | 26 258            | 45 692            |
| Municipal expenses                      |       | 1 397 095         | 1 284 923         |
| Printing and stationery                 |       | 455 730           | 1 114 920         |
| Refreshments                            |       | 6 018             | 93 703            |
| Rentals                                 |       | 1 674 158         | 1 416 881         |
| Repairs and maintenance                 |       | 588 127           | 491 371           |
| Security                                |       | 1 070 871         | 1 005 140         |
| Storage and removal                     |       | 2 013             | 12 010            |
| Subscriptions and license fees          |       | 706 195           | 702 867           |
| Telecommunication costs and postal fees |       | 496 905           | 454 722           |
| Training                                |       | 58 800            | 904 078           |
| Travelling costs                        |       | 36 767            | 1 201 190         |
| Workman's compensation                  |       | 77 513            | 90 104            |
|                                         |       | <b>62 428 961</b> | <b>74 143 890</b> |

Statement of comparison of Budget and Actual Amounts  
Mar-21

|                                                     | 31 March 2021     |                   |                   |            | 31 March 2020     |                    |                   |            |
|-----------------------------------------------------|-------------------|-------------------|-------------------|------------|-------------------|--------------------|-------------------|------------|
|                                                     | Actual            | Budget            | Variance          | Variance % | Actual            | Budget             | Variance          | Variance % |
| <b>TOTAL INCOME</b>                                 | <b>80,850,241</b> | <b>84,930,836</b> | <b>4,080,595</b>  | <b>5%</b>  | <b>85,564,519</b> | <b>84,904,164</b>  | <b>-660,355</b>   | <b>-1%</b> |
| Revenue                                             | 74,271,851        | 74,070,671        | (201,180)         | 0%         | 74,121,858        | 74,070,671         | (51,187)          | 0%         |
| Other Income                                        | 6,578,390         | 10,860,165        | 4,281,775         | 39%        | 11,442,661        | 10,833,493         | (609,168)         | -6%        |
| <b>OPERATING EXPENSES</b>                           | <b>58,917,484</b> | <b>83,258,275</b> | <b>24,340,791</b> | <b>29%</b> | <b>74,542,987</b> | <b>100,323,529</b> | <b>25,780,542</b> | <b>26%</b> |
| <b>DISPUTE MANAGEMENT SERVICES</b>                  | <b>11,298,282</b> | <b>19,743,209</b> | <b>8,444,927</b>  | <b>43%</b> | <b>15,992,284</b> | <b>23,352,512</b>  | <b>7,360,228</b>  | <b>32%</b> |
| <b>COLLECTIVE BARGAINING SERVICES</b>               | <b>18,823,638</b> | <b>28,614,481</b> | <b>9,790,842</b>  | <b>34%</b> | <b>26,044,749</b> | <b>39,682,852</b>  | <b>13,638,103</b> | <b>34%</b> |
| CBS (NATIONAL)                                      | 16,319,654        | 23,907,435        | 7,587,780         | 32%        | 21,733,193        | 32,902,523         | 11,169,331        | 34%        |
| Governance And Support Services                     | 107,580           | 364,880           | 257,300           | 71%        | 907,389           | 1,584,913          | 677,524           | 43%        |
| Chamber Expenses                                    | 2,396,404         | 4,342,166         | 1,945,762         | 45%        | 3,404,167         | 5,195,415          | 1,791,248         | 34%        |
| Gauteng                                             | 280,782           | 564,897           | 284,115           | 50%        | 526,192           | 561,673            | 35,481            | 6%         |
| Free State                                          | 360,550           | 550,304           | 189,754           | 34%        | 381,883           | 640,350            | 258,467           | 40%        |
| Eastern Cape                                        | 338,493           | 494,793           | 156,300           | 32%        | 453,347           | 676,423            | 223,076           | 33%        |
| Western Cape                                        | 237,724           | 329,040           | 91,316            | 28%        | 419,965           | 582,596            | 162,631           | 28%        |
| Limpopo                                             | 294,428           | 529,596           | 235,168           | 44%        | 381,079           | 545,628            | 164,549           | 30%        |
| Mpumalanga                                          | 152,686           | 329,814           | 177,128           | 54%        | 263,563           | 444,329            | 180,766           | 41%        |
| Northern Cape                                       | 238,738           | 486,135           | 247,397           | 51%        | 379,901           | 594,108            | 214,207           | 36%        |
| North West                                          | 227,433           | 391,847           | 164,414           | 42%        | 335,602           | 493,213            | 157,611           | 32%        |
| KwaZulu Natal                                       | 265,571           | 665,740           | 400,169           | 60%        | 262,635           | 657,095            | 394,460           | 60%        |
| <b>CORPORATE SERVICES</b>                           | <b>9,082,375</b>  | <b>11,251,798</b> | <b>2,169,423</b>  | <b>19%</b> | <b>10,457,872</b> | <b>12,442,070</b>  | <b>1,984,198</b>  | <b>16%</b> |
| Media & Communications                              | 126,466           | 974,133           | 847,667           | 87%        | 1,613,696         | 1,790,406          | 176,710           | 10%        |
| Information Communication Technology                | 2,121,279         | 2,546,020         | 424,742           | 17%        | 1,838,420         | 2,788,426          | 950,006           | 34%        |
| Human Resource                                      | 6,834,631         | 7,731,645         | 897,014           | 12%        | 7,005,756         | 7,863,238          | 857,482           | 11%        |
| <b>FINANCE AND SUPPLY CHAIN MANAGEMENT SERVICES</b> | <b>11,965,622</b> | <b>13,916,221</b> | <b>1,950,599</b>  | <b>14%</b> | <b>14,468,583</b> | <b>15,820,326</b>  | <b>1,351,743</b>  | <b>9%</b>  |
| Supply Chain Management                             | 3,244,903         | 4,419,752         | 1,174,849         | 27%        | 6,269,936         | 7,325,042          | 1,055,106         | 14%        |
| Financial Accounting Services                       | 8,720,718         | 9,496,469         | 775,751           | 8%         | 8,198,647         | 8,495,284          | 296,637           | 3%         |
| <b>EXECUTIVE SERVICES</b>                           | <b>7,747,567</b>  | <b>9,732,566</b>  | <b>1,984,999</b>  | <b>20%</b> | <b>7,579,499</b>  | <b>9,025,770</b>   | <b>1,446,271</b>  | <b>16%</b> |
| <b>SURPLUS BEFORE CAPEX</b>                         | <b>21,932,757</b> |                   |                   |            | <b>11,021,532</b> |                    |                   |            |
| CAPITAL EXPENDITURE (CAPEX)                         | 739,838           | 2,310,325         | 1,570,487         | 68%        | 4,175,379         | 8,666,537          | 4,491,158         | 52%        |
| <b>SURPLUS AFTER CAPEX</b>                          | <b>21,192,918</b> |                   |                   |            | <b>6,846,153</b>  |                    |                   |            |

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**REGISTERED NAME:**

Education Labour Relations Council

**REGISTRATION NUMBER:**

LR2/6/6/110

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