



OFFICE OF THE HEAD OF DEPARTMENT

Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA:

Enquiries: Mr. Q. Luthuli Tel: 040 608 4220 . Fax :040 608 4372. Email: qaphela.luthuli@ecdoe.gov.za

Website: www.ecdoe.gov.za

HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT CIRCULAR Q.89/2023

**TO: DEPUTY DIRECTOR GENERAL INSTITUTIONAL OPERATIONS MANAGEMENT
ALL CLUSTER CHIEF DIRECTORS
ALL DISTRICT DIRECTORS
ALL CIRCUIT MANAGERS
ALL DEPUTY DIRECTORS: HUMAN RESOURCE ADMINISTRATION AND
PLANNING
SCHOOL GOVERNING BODIES
ORGANISED LABOUR**

FROM: ACTING HEAD OF DEPARTMENT

SUBJECT: FILLING OF ALL VACANT SUBSTANTIVE EDUCATOR POSTS.

DATE: 01 AUGUST 2023

1. It has been observed that due to non or slow movement of additional educators coupled with high attrition rates that some schools in the province have unfilled vacant substantive posts.
2. In view of the above Districts are instructed to ensure that all vacant substantive posts are filled on or before 31 August 2023. NB: In filling vacant substantive posts DISTRICT MUST ENSURE THAT THEY DO NOT EXCEED THEIR ALLOCATED QUOTA.
3. It is important to further remind districts to adhere and comply with the provisions of the Personnel Administrative measure chapter B.6.5.
4. The following procedure shall be followed in filling vacancies in cases where a department has educators in addition of a staff establishment:
5. In terms of section 6 and/or section 8 of the Employment of Educators Act, (1998) the employer may transfer an educator who is in addition to another post in the department that matches his/her skills and experience.

SUBJECT: FILLING OF ALL VACANT SUBSTANTIVE EDUCATOR POSTS.



6. In terms of section 6(3) and/or section 8(2) of the Employment of Educators Act, the employer may only transfer an educator permanently to a school on the recommendation of the governing body of such school.
7. The employer shall provide a list of vacancies and their profiles from which the educator additional to the post establishment would, as per the agreed management plan of the respective provincial department, make a choice relevant to his/her profile for transfer.
8. In the event the educator fails to make a choice, the employer reserves the right to make a choice on behalf of such educator.
9. The employer shall, after receiving the choices of the educators, submit such to the relevant school governing body for consideration and recommendation within 2 months of the request.
10. **The HoD may, in terms of section 8(5) of the Act, temporarily transfer an educator declared additional to the staff establishment without a recommendation of the school governing body for a stated period.**
11. In the event none of the educator's choices in terms of paragraph B.6.5.3 can be realized; the employer must first give the educator an opportunity to make written representations e.g. personal circumstances about the intended transfer to that specific school within 5 working days before a final decision is made.
12. The Department has issued a vacancy circular to assist Districts in moving all additional educators. The Department directs that all Districts submit progress report in respect of the number of placed additional educators together with reason for non-placement. Moreover, it is critical that Districts in filling all the vacant substantive posts recruits from the database of unemployed educators.
13. **All recommended candidates shall be subjected to vetting process against that the National Register for Sex Offender (NRSO) before assuming duties. This is in compliance with Children's Act of 2005.**
14. All queries relating to the contents of this directive must be directed to the branch heads i.e. Deputy Director General: Corporate Service, Ms S Maasdorp (083 324 4378) and Deputy Director General Institutions Operation Management, Mr TJZ Mtyida (083 252 6314).

Yours faithfully,

DR A.S NUKU
ACTING HEAD OF DEPARTMENT

01/08/2023
DATE

SUBJECT: FILLING OF ALL VACANT SUBSTANTIVE EDUCATOR POSTS.