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**Education Labour Relations Council  
KwaZulu Natal Chamber**

**RESOLUTION 2 OF 2001**

**PROCEDURE FOR THE IMPLEMENTATION OF THE POST  
PROVISIONING NORM**

## 1.PURPOSE

- 1.1 To create a uniform mechanism for the distribution of posts to institutions.
- 1.2 To promote the values of fairness, equity and transparency in the determination of educators surplus to the needs of an institution.
- 1.3 To provide certainty in the staffing of institutions.

## 2.SCOPE

This agreement shall bind the KwaZulu Natal Department of Education and Culture, all educators employed by the KwaZulu Natal Department of Education and Culture and all parties to the KwaZulu Natal Chamber of the Education Labour Relations Council.

## 3.PARTIES TO THE CHAMBER NOTE :

- 3.1 that educators declared in excess in terms of Resolution 6 of 1998 need to be absorbed substantively into institutions.
- 3.2 ELRC Resolution 2 of 2001.
- 3.3 Relevant legislation and regulations pertaining to public education in KZN.
- 3.4 The need for all parties to Chamber to work together in order to lower the Learner : Educator ratio in KZN.

## 4.PROCEDURES FOR THE IMPLEMENTATION OF THE PPN FOR 2001

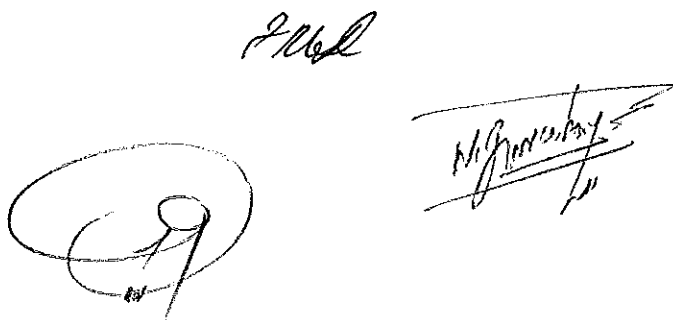
The parties to the Chamber agree that the document, attached hereto, titled 'Procedures for the Implementation of the Post Provisioning Norm', be an agreement of this Chamber and be adopted as Resoluton 2 of 2001.

## 5.DATE OF IMPLEMENTATION

This agreement shall be effective from 01 August 2001.

## 6.DISPUTE RESOLUTION

Any dispute arising from this agreement shall be referred to the Council for resolution in terms of its constitution.



The bottom of the page contains three handwritten signatures in black ink. The signature on the left is a large, stylized 'G' with a vertical line through it. The signature in the middle is a cursive 'JML'. The signature on the right is a cursive signature with a horizontal line through it.

THUS DONE AND SIGNED AT UMBILO ON THE

7<sup>th</sup> DAY OF AUGUST 2001 BY

DEPARTMENT	NAME	SIGNATURE
<i>KINDEC</i>	<i>M.V. Chumbe</i>	<i>[Signature]</i>

ON BEHALF OF THE STATE AS EMPLOYER

AND

TRADE UNION	NAME	SIGNATURE
NAPTOSA		
SAOU	<i>I.M. Dirker</i>	<i>[Signature]</i>
SADTU	<i>NDABA GUMABAZA</i>	<i>[Signature]</i>

ON BEHALF OF LABOUR.

ADDRESS	Durban College of Education	PRIVATE BAG	Private Bag X05	TELEPHONE	031-2744061
IKHELI	Conner of Queen Mary and Nicholson Road	ISIKHWAMA SEPOSI	Rosburgh	UCINGO	
ADRES		PRIVAATSAK	4072	TELEFOON	
				FAX	031-2744176
ENQUIRIES	ME DLAMINI	REFERENCE	2/10	DATE	10 AUGUST 2001
IMIBUZO		INKOMBA		USUKU	
NAVRAE		VERWYSING		DATUM	

## HRM CIRCULAR NO. 61 OF 2001

To :  
 Rectors of Ex - Colleges of Education  
 Principals of all Schools  
 Principals of Technical Colleges and Teachers' Centres  
 Heads of Regional and District Offices  
 Heads of Directorates/Divisions  
 Chairpersons of Governing Bodies and Management Councils.

### PROCEDURES FOR THE IMPLEMENTATION OF THE POST PROVISIONING NORMS

#### 1. INTRODUCTION

Consultations and discussions on the post provisioning norms that commenced in April 2001 resulted in procedures for implementation and the attached management plan agreed to at the Chamber Meeting of 03 August 2001.

#### 2. PURPOSE

- 2.1 Procedures and time frames formulated in line with resolutions are designed to assist institutions and officials to manage the implementation of the post provisioning norms (PPN) in a smooth and effective way.
- 2.2 The procedures as well as the management plan take cognisance of the provisions of the following acts, collective agreements and national policy:
  - 2.2.1 South African Schools Act, Act No. 84 of 1996.
  - 2.2.2 Resolution 2 of 2001 : Procedures for the absorption of educators declared additional to the post establishment.
  - 2.2.3 Post provisioning norms as determined by the medium term expenditure framework (MTEF).
  - 2.2.4 Government Gazette : Regulation No. R 1676 : Regulations for the creation and the distribution of educator posts.
  - 2.2.5 Employment of Educators Act, Act No. 76 of 1998.
  - 2.2.6 Education Laws Amendment Act, Act No. 48 of 1999.
  - 2.2.7 Labour Relations Act, Act No. 66 of 1995.
  - 2.2.8 Resolution No. 7 of 1998 : Workload of educators.
  - 2.2.9 Resolution No. 8 of 1998 : Duties and responsibilities of educators.
  - 2.2.10 National Policy on instructional time for school subjects : January 2000.
  - 2.2.11 Report 550 (97/06) : A resume of instruction programmes in public schools.

### 3. **PROCEDURES FOR THE IMPLEMENTATION OF THE POST PROVISIONING NORMS**

#### 3.1 **Objectives**

- 3.1.1 To provide a fair and transparent basis for the staffing of schools in 2001.
- 3.1.2 To identify educators "surplus" to the staff establishment.
- 3.1.3 To identify vacant posts in accordance with the given post provisioning norms (PPN).
- 3.1.4 To facilitate and expedite the movement of "surplus" educators to vacant posts.
- 3.1.5 To achieve equity in educator staff provisioning.

#### 3.2 **Main Principles**

- 3.2.1 All educators who are affected by the implementation of the post provisioning norms will be treated fairly.
- 3.2.2 The Department undertakes to act with caution with regard to the implementation of the PPN.
- 3.2.3 In keeping with redress and equity no school should be allowed to retain large surpluses.
- 3.2.4 Those schools that have "surplus" educators will be approached to release such educators to adjacent schools that need staff.
- 3.2.5 Under no circumstances must this exercise be utilised to "punish" or victimise educators, as any shortcoming in an educator should be addressed through the relevant disciplinary procedures.
- 3.2.6 In ensuring the principle of transparency the staff must be fully apprised at a formal staff meeting of the implementation procedures.
- 3.2.7 The full compulsory curriculum as required by national policy must be accommodated within the allocated staff. Under no circumstances must a school reduce or exclude non-examination subjects on the grounds that the allocated staff is insufficient to cope with the full curriculum. Creative management strategies should be utilised to deliver the full curriculum.
- 3.2.8 Schools may request to retain up to two additional educators to meet the curriculum needs of school for 2001 till the end of the year. Such educators however must be identified as being in surplus.

#### 3.3 **Implementation of the Post Provisioning Norms**

##### 3.3.1 **Allocation of Approved Posts**

- 3.3.1.1 The Department shall provide all educational institutions with its educator post provisioning which may increase or decrease the number of posts at a particular institution. The total number of educator posts in this province has been calculated on a learner: educator ratio of 36:1.

The Department in providing the post provisioning report of each school has calculated this by multiplying the total weighted learners of each school by .0232 plus 0.5. It is therefore incumbent that this calculation be not done separately in respect of each phase and then added together. It must be a single calculation for the school based on the total weighted learners of all its phases.

3.3:1.2 Where schools are granted additional posts such additional posts will be filled through the transfer of "surplus" educators in terms of the Compulsory Temporary Transfer (CTT) process which must be done in consultation with the Teacher Unions through the District Task Teams [see Annexure A for the role of the DTT].

### 3.4 Determination Educators "Surplus" to the Staff Establishment

- 3.4.1 Superintendents of Education (Management) apprise Principals on the criteria for the determination of educators "surplus" to the staff establishment and the implementation procedures.
- 3.4.2 Immediately on returning from the briefing meeting with the Superintendent of Education (Management) principals apprise staff at a formal meeting on the following:
- 3.4.2.1 Criteria and implementation procedures related to the Post Provisioning Norm.
  - 3.4.2.2 The allocated staff establishment for 2001.
  - 3.4.2.3 The Principal in planning for the utilisation of his staff within the allocated staff establishment MUST identify those posts that are vacant and those that are "surplus" on the basis of the curricular needs of the school.
- 3.4.3 All Principals MUST inform their respective staff on the procedures for determining educators "surplus" to the staff establishment and the effect it will have on their respective staff establishments.

### 3.5 Identification of Educators "Surplus" to the Staff Establishment

- 3.5.1 Permanent educators must be classified according to the main subject or subjects/group of subjects (Secondary School) or phase (Primary School) taught in 2001.  
In a primary school the only specialisation distinction is between the junior and senior primary phases.
- 3.5.2 In both the junior primary and senior primary phase, an educator is expected to teach ALL subjects except where an educator is unable to teach a specific language.
- 3.5.3 Considering the approved curricular needs of 2001 of the school, the Principal allocates the permanent educators in terms of the main subject or subjects / group of teaching or subjects in 2001 into the relevant subject/s or phases.
- 3.5.4 Should two or more educators compete for the same post after taking into account the curricular needs, the principle of LIFO must be applied.
- LIFO refers to an educator's current years of continuous service as a CS educator in the Department and NOT the number of years that an educator serves at a particular school.
- 3.5.5 Affirmative action is not utilised in declaring educators "surplus" to the staff establishment. However, it should be considered in the placement process.

3.6 Steps to be followed in identifying posts in "Surplus" to the Staff Establishment

**STEP 1**

Classify the current permanent educators and CTTs on the staff establishment in terms of the main subject, or subjects / group of subjects (secondary schools) or phases (primary schools) taught in 2001.

Curriculum Transformation Posts are additional to the staff establishment.

Temporary educators employed on a month to month basis and substitute educators must not be taken into account. Substantive posts occupied by temporary educators must be declared as vacant.



**STEP 2**

Taking into account the allocated staff establishment determine the curricular needs of the school.

NB: 1. *No new curriculum subjects can be introduced without the Department's approval.*

2. *Schools are required to adhere strictly to the requirements as set out in the national policy on instructional time for school subjects.*

3. *Existing work loads of educators should not be changed on the eve of declaring Surpluses.*



**STEP 3**

Determine the number of posts required for each subject or phase



**STEP 4**

Determine the number of posts in surplus and/or vacant per subject or phase by comparing the number of permanent educators available at the school against the number of posts required.

Consider the following example:

	JUNIOR PRIMARY	SENIOR PRIMARY	TOTAL	ACTUAL SURPLUS/ VACANCY
> Number of posts required	5	7	12	
> Number of current permanent educators	4	9	13	
> Educators in surplus	Nil	2		2
> Vacant Posts	1	Nil		1

- NB -*
1. One of the two "surplus" Senior Primary educators who is willing and best suited as a first step could be requested to teach Junior Primary.
  2. Should the "Senior Primary Educators" not be willing to teach the Junior Primary classes then if a "surplus" Junior Primary educator in a neighbouring school is available the District Task Team must facilitate Compulsory Temporary Transfer to the vacant Junior Primary post.
  3. In a similar manner the "surplus" Senior Primary Educator could be moved to neighbouring schools through the Compulsory Temporary Transfer process.
  4. The unplaced "surplus" educator/s will remain at their school until their services are needed elsewhere.

#### NOTE THE FOLLOWING.....

1. A simple difference expressed as a "surplus" between the number of posts required and the number of permanent educators at the school may be reflected as:

$$13 - 12 = 1$$

**BUT**

2. The actual position shows a shortage of one in the Junior Primary phase and a surplus of 2 in the Senior Primary phase.

### 3.7 Factors to be considered in the Allocation of Staff to a Secondary School

While an educator is allocated the greater number of periods in his/her main teaching subject one must consider that other subjects will be allocated to him/her not only to create a balance for the educator but also to ensure that all subjects in the curriculum are catered for.

- 3.7.1 In some instances where a school has introduced a new subject in January 2001 or has few learners taking a subject it is possible for an educator to be allocated lesser periods in his/her main teaching subject and more periods allocated to filler subjects.



3.7.2 While one recognises specialisation especially in a secondary school there must be flexibility to allow educators to be allocated other subjects to make up a full teaching load.

3.7.3 In consequence of the foregoing whilst the greater number of periods in a subject will be allocated to the specialist educator/s of that subject some of the periods must be utilised to accommodate other specialists with lesser loads in their own subject areas.

### 3.7.3 Determination of Surplus in promotion posts

3.7.3.1 In determining surplus educators attention must be given to the various levels of post establishment at a school. In this regard the attached post establishment norms (see Annexure C) must be used as a basis to determine surplus in the higher post levels.

3.7.3.2 In consequence thereof a drop in the Post Provisioning Norm does not necessarily mean a reduction in level one educators only. The Post Provisioning Norm may determine that a Deputy Principal and /or Head of Department may have to be declared in surplus as that school is no longer entitled to such management posts.

3.7.3.3 The following examples provide clarity:

#### Case One : Primary School

	2000	2001	SURPLUS
PPN	14	11	14 - 11 = 3
DISTRIBUTION OF PPN			
PRINCIPAL	1	1	Nil
DEPUTY PRINCIPALSHIP	1	Nil	1
HEAD OF DEPARTMENT	2	2	Nil
LEVEL 1	10	8	2

#### Case Two : Secondary Schools

	2000	2001	SURPLUS
PPN	25	20	25 - 20 = 5
DISTRIBUTION OF PPN			
PRINCIPAL	1	1	Nil
DEPUTY PRINCIPALSHIP	1	1	Nil
HEAD OF DEPARTMENT	4	3	1
LEVEL 1	19	15	4

3.7.3.4 Whilst "Surplus" educators in promotion posts will be identified. They should be held additional to their establishments.

### 3.8 Compulsory Temporary Transfers

Factors to be taken into account in considering the position of the educator on Compulsory Temporary Transfer

- 3.8.1 For purposes of this process educators on CTT shall be absorbed if:
- a) A vacancy exists at the present school and the educator meets the curriculum needs; OR
  - b) The School Governing Body has made a recommendation or is in the process of making the recommendations for the retention of the educator on CTT.
- 3.8.2 Should the educator on CTT be additional to the establishment and the School Governing Body has not recommended his/her absorption or appointment or is not in the process of making a recommendation, such an educator should return to the original school if a vacancy exists and s/he meets the curriculum needs.
- 3.8.3 Should there be no appropriate vacancy at the original school the educator should be placed on CTT at another school where there is an appropriate vacancy.
- 3.8.4 Where the new Post Provisioning Norm justifies the retention of educators on Compulsory Temporary Transfer they must be retained at the school and counted at the school where they are currently serving. Such schools must endeavor to submit recommendations of School Governing Bodies to the Regional Office for the permanent appointment of those educators on Compulsory Temporary Transfer.
- 3.9 The schools plan for placement of educators in the various subjects must be presented at a full staff meeting, discussed and amended, if necessary. This accepted plan will be the basis on which disputes will be dealt with.

## 4 **TECHNICAL COLLEGES**

The Director for Technical Colleges will co-ordinate the implementation of the Post Provisioning Norms in these institutions.

## 5 **GRIEVANCES/DISPUTES**

Aggrieved educators are advised to follow the following channels of communication to resolve their grievances:

STEP 1	:	School Principal/SEM
STEP 2	:	DTT
STEP 3	:	Labour Relations Section : Regional Office
STEP 4	:	Secretary of Chamber of the ELRC

NB: Grievances must not be directed to the Human Resource Directorate.

## 6 **CONCLUSION**

- 6.1 Principals of schools are urged to adhere closely to the management plan.
- 6.2 Superintendents of Education (Management) must assist where problems are encountered.

  
Superintendent General

**ANNEXURE A****Composition of District Task Team**

- ☒ District Manager
- ☒ All SEMs
- ☒ Representatives from three Teacher Unions [2-Sadtu, 2-Naptosa, and 1-Saou]

**Duties of District Task Team**

- ☒ To match vacancies against the profiles of surplus educators within the school, circuit and district, taking into account educators in 3.8.2.
- ☒ To prepare schedules of remaining vacancies and surplus educators in the districts to forward to the Regional Chief Education Specialist: Human Resource Management.
- ☒ To attempt to resolve grievances.

**Composition of Regional Task Team**

- ☒ Director: Management
- ☒ Chief Education Specialist: Human Resource Management
- ☒ District Managers/1 SEM tasked with R&R in each district.
- ☒ Representative from Teacher Unions [2-Sadtu, 2-Naptosa, and 1-Saou]

**Duties**

- ☒ To match vacancies from the districts against the profiles of surplus educators taking the following into consideration:
  - curricular needs
  - experience and proximity where possible
- ☒ To prepare schedules of remaining vacancies and surplus educators for submission to the Directorate: Human Resource Management.

*Province of KwaZulu Natal*  
*Department of Education and Culture*

**MANAGEMENT PLAN**

<b>NO</b>	<b>DATE</b>	<b>ACTION</b>	<b>RESPONSIBILITY</b>
1	03 August 2001	KZN Provincial Chamber Meeting. Discussion & acceptance of 2001 PPN, Circular on Implementation Guidelines and Management Plan. Release of PPN reports.	KZN Chamber Directorate: HRM
2	07 August 2001	PPN Committee Meeting to : ❖ Finalise circular on Implementation Guidelines and Management Plan.	PPN Committee
3	08 August 2001	HRM Circular - To be approved by Superintendent-General.	Directorate: HRM
4	10 August 2001	Regions to collect HRM Circular.	Regions
5	13 August 2001	Regions reproduce HRM Circular.	Regions
6	15 August 2001	❖ Briefing of Director: Management District Heads, SEMs and Administrative Personnel on Implementation Procedures. ❖ Officials to ensure that no schools have been allocated staff that they are not entitled to. ❖ SEMs to ensure that their schools are not guilty of inflating enrolment figures.	Regional Chief Director
7	16 August 2001	Workshop on Implementation procedures with principals to collect: ❖ PPN reports from SEM ❖ HRM Circular	District Heads and SEMs
8	17 August 2001	❖ HRM Circular made available to staff in institutions. ❖ Principal to ensure that the Chairperson of the School Governing Body receives HRM Circular No. 61 of 2001. ❖ Principal informs staff of new PPN report and Implementation procedures. ❖ Identifies educators in "Surplus" and vacancies against approved PPN - taking curriculum needs into consideration. ❖ This information made available to all staff members and School Governing Body.	Principal Management Staff

<b>NO</b>	<b>DATE</b>	<b>ACTION</b>	<b>RESPONSIBILITY</b>
9	21 August 2001	<p>Meeting of SEMs and Principals to determine and prepare schedules of educators in surplus in the Circuit:</p> <ul style="list-style-type: none"> <li>❖ Principals to submit all relevant information viz. <ul style="list-style-type: none"> <li>- Staffing plan</li> <li>- Approved PPN of school</li> <li>- Number of state paid educators</li> <li>- Number of surplus educators per phase or subject field.</li> <li>- Number of vacancies</li> <li>- Requirements per vacancy</li> <li>- SEM to accept or reject motivations from Principal to retain one or two surplus staff if any</li> </ul> </li> </ul>	<p>SEM Principals Teacher Unions</p>
10	24 August 2001	<p>DTT prepare:</p> <ul style="list-style-type: none"> <li>❖ Schedules of placement of Surplus Educators</li> <li>❖ Schedules of remaining vacancies in terms of phases or subject fields</li> <li>❖ Schedules of unplaced surplus educators</li> </ul>	<p>District Managers SEMs Teacher Unions</p>
11	27 August 2001	<ul style="list-style-type: none"> <li>❖ Directors: Management to convene meeting with all SEMs and District Heads and Unions to match unfilled vacancies with surplus educators.</li> <li>❖ Draw schedules of placed surplus educators after matching process for their circuits.</li> </ul>	<p>Directors: Management District Managers SEMs</p>
12	29 August 2001	<ul style="list-style-type: none"> <li>❖ Releasing and receiving Principals be informed of surplus educators identified matched placed surplus educators.</li> <li>❖ "Surplus educators" to be advised of their transfers.</li> </ul>	<p>SEMs Principals</p>
13	10 September 2001	<ul style="list-style-type: none"> <li>❖ Placed educators report for duty.</li> <li>❖ Process to be monitored by DTTs.</li> </ul>	<p>SEMs Principals</p>
14	21 September 2001	Release of Open Vacancy List	Directorate : HRM

*Superintendent-General*

**ANNEXURE C**

*Province of KwaZulu Natal*  
*Department of Education and Culture*

**DIRECTORATE: HUMAN RESOURCE MANAGEMENT****DEPUTY PRINCIPALSHIPS**

<i>TYPE OF INSTITUTION</i>	<i>NO. OF POSTS IN TERMS OF LEARNER ENROLMENT</i>	
	<i>1</i>	<i>2</i>
<i>Primary / Secondary / Combined</i>	1	2
<b>Enrolment : Primary</b>	520	1 040
<b>Enrolment : Secondary / Combined /Comprehensive</b>	455	910

**HEADS OF DEPARTMENT**

<i>TYPE OF INSTITUTION</i>	<i>NO. OF POSTS IN TERMS OF LEARNER ENROLMENT</i>				
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
<i>Primary</i>					
<b>Enrolment : Primary</b>	150	320	520	880	-
<b>Enrolment : Secondary / Combined /Comprehensive</b>	150	200	455	770	1050

## RECOGNISED TEACHER ORGANISATIONS

<i>ORGANISATION</i>	<i>ADDRESS</i>	<i>TELEPHONE</i>	<i>FACSIMILE</i>
<b>NAPTOSA</b>	P O Box 35613 Northway, 4065	031-5631966 031-3049452	031-5631611 031-3049452
	P O Box 7931 Empangeni, 3910	035-7923153	035-7721651
	Private Bag X6602 Newcastle, 2940	034-3292716	035-7721651
	Natu Durban Region	031-3049452	031-3041715
	Pietermaritzburg	033-3940924	033-3940924
	Port Shepstone	039-6827010	039-6827010
	NATU North Coast	035-7870988	035-7870988
	NATU Ulundi Region P O Box 897, Eshowe, 3815	035-4742682	035-8703094
	NATU Northern Natal Region P O Box 141742, Madadeni, 2951	034-3292716	
	NATU South Coast Region P O Box 199, Hibberdene, 4220	039-6827010	
<b>SADTU</b>	Provincial Offices 303 ABSA Building, 58 Field Street, Durban, 4001	031-3051828/930	031-3051847
	Durban North Region Yusuf Gardens, Verulam	032-5335062	031-5335307
	Durban South Region 8 <sup>th</sup> Floor Colonial Building Mark Lane, Durban, 4001	031-3043813	031-3044792
	North Coast Region, Empangeni	035-7721649	035-7721649
	Lower South Coast Region Wooly St., Port Shepstone	039-6825211	039-6826938
	Northern Natal (Ladysmith, Vryheid, Ulundi)	034-3124381	034-3124381
	Midlands, Pietermaritzburg	0333-429527	0333-429503
<b>SAOU</b>	P O Box 41885, Rosburgh, 4072	031-2059424	031-2052020