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TO ALL HEADS OF DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

Circular No 15 of 2020

STATE OF DISASTER: DIRECTIONS IN RESPECT OF SERVICE DELIVERY AND BUSINESS CONTINUITY FOR THE PUBLIC SERVICE DURING COVID-19

1. The Minister for the Public Service and Administration, has in terms of the Regulations promulgated in terms of section 27(2) of the Disaster Management Act, 2002, read with sections 7(3)(b) and 41(3) of the Public Service Act read with regulation 51 of the Public Service Regulations, 2016 the attached Directions for implementation.
2. The Directions are available on the DPSA web-site at www.dpsa.gov.za.


Ms Yoliswa Makhasi
Director-General
Date: 25/03/2020



**DIRECTIONS ISSUED BY THE MINISTER FOR THE PUBLIC SERVICE AND
ADMINISTRATION IN RESPECT OF SERVICE DELIVERY AND BUSINESS
CONTINUITY FOR THE PUBLIC SERVICE DURING COVID-19**

1. OBJECTIVES

- 1.1. To provide for the determination of “critical services” required for the functioning of the public service during the outbreak of the coronavirus (COVID–19) in South Africa, for which the President of the Republic of South Africa has declared a national state of disaster.
- 1.2. In terms of the draft regulations to be made under the Disaster Management Act, 2002 (Act No. 57 of 2002) for the provision of restricted movement, amongst others, a broader definition of “critical services” is being crafted as those essential government services which will be exempted from the movement restrictions
- 1.3. To provide for arrangements of remote work for employees following the recent outbreak of the coronavirus (COVID–19) in South Africa for which the President of the Republic of South Africa has declared a national state of disaster.
- 1.4. To assist departments in complying with their legal obligations in accordance with section 8 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) as far as is possible, in providing and maintaining a working environment that is safe and without risk to the health of its employees.
- 1.5. To mitigate the impact of the spread of COVID-19 in the public service and society.
- 1.6. To ensure that departments implement business and service continuity in supporting the containment of COVID-19 and supporting the delivery of services to citizens.
- 1.7. To have a common approach in the manner in which departments deal with employees who work remotely from departmental offices arising as a response to the President’s announcement of a lockdown.
- 1.8. To provide for arrangements of remote working for the duration of the declared national state of disaster declared by Government Notice No. R. 313 of 15 March 2020. The remote work arrangements should be based on a management philosophy of trust and mutual benefit.

2. SCOPE

These Directions apply to all employees, in so far as the Public Service Act, 1994 (Proclamation No. 103 of 1994) applies and does not include employees designated as essential services in terms of the Labour Relations Act, 1995. For those employees excluded from the provisions of these Directions, the relevant heads of department shall determine their own protocols for the management of working arrangements.

3. AUTHORISATION

These Directions are issued in terms of the Regulations promulgated in terms of section 27(2) of the Disaster Management Act, 2002, read with sections 7(3)(b) and 41(3) of the Public Service Act read with regulation 51 of the Public Service Regulations, 2016.

4. DEFINITIONS

In these Directions, a word or expression bears the meaning assigned to it in the Public Service Act, 1994 or its regulations, unless the context otherwise indicates—

- 4.1. **'COVID-19'** means the Novel Coronavirus (2019-nCov) which is an infectious disease caused by a virus, which emerged during 2019 and was declared a global pandemic by the WHO during the year 2020 that has previously not been scientifically identified in humans;
- 4.2. **'critical job'** means a job determined by the head of department to be essential to business and service continuity and is distinct from those that are designated as essential services under the Labour Relations Act, 1995;
- 4.3. **'direct services'** means services provided directly to the citizen by government;
- 4.4. **'indirect services'** means services delivered by government to government;

- 4.5. **'lockdown'** means the period during which restricted movement of persons within the country is enforced in terms of the Disaster Management Act, 2002;
- 4.6. **'national state of disaster'** means the national state of disaster declared by Government Notice No. R. 313 of 15 March 2020;
- 4.7. **'remote work'** means a formal flexible work arrangement where an employee is allowed to work away from the workplace; and
- 4.8. **'transactional services'** means services rendered to the citizen at a cost to the citizen by government.

5. DIRECTIONS DURING THE PERIOD OF LOCKDOWN

- 5.1. The continuous functioning of the state machinery is critical in any democracy as it is a barometer to which its ability to meet the needs of citizens are measured against. The declaration of a national lockdown as a deterrent to the spread of COVID-19 is an extreme measure that was taken by the President knowing the impact it will have on each and every citizen of this country.
- 5.2. In accordance with Public Service Regulation 7(3)(b) a head of department shall be responsible for the efficient management and administration of his or her department and as such heads of department must ensure that their departments functions albeit be it with limited capacity during the lockdown.
- 5.3. Based on the aforementioned, every head of department must ensure that the government machinery remains functional.
- 5.4. During the lockdown, a head of department shall grant approval, in accordance with Public Service Regulation 51, for all employees affected by the lockdown and who have not been declared as occupying a critical job, to work remotely, if possible, for the duration of the lockdown.

- 5.5. This will mean that the head of department re-determine the working arrangements of employees in such a manner to ensure service delivery and business continuity.
- 5.6. Employees should utilise this time to ensure that they maximise the opportunity to continue to work on and conclude deliverables or tasks that can be done remotely.

6. DIRECTIONS IN RESPECT OF SERVICE DELIVERY CONTINUITY PLAN

- 6.1. These Directions are provided to guide heads of department on working arrangements, including but not limited to employees working remotely, where such jobs are critical to the functioning of the department, service to citizens and support to government for the containment of COVID-19.
- 6.2. It is not possible for critical jobs to be identified at a central level and therefore requires each head of department to make such a determination taking into account the department's business and service continuity. To assist heads of department, Annexure A is provided as a guide.
- 6.3. A head of department must identify the minimum critical jobs necessary for service and business continuity that shall remain functional. This must be informed by a risk assessment and the socio-economic impact on business and citizens.
- 6.4. A head of department must implement plans for business and service delivery continuity.
- 6.5. For the duration of the national state of disaster, heads of departments must consider and approve the institutional capacity of their respective departments.
- 6.6. The institutional capacity required will depend on the typology of services within government. The typology of services will also determine if the job is appropriate for remote work arrangements.

7. TYPOLOGY OF GOVERNMENT SERVICES

7.1 Direct Services

- 7.1.1 Critical services must be fully operational and should the need arise, be augmented with redeployed resources from non-critical services. Heads of Departments should consider skeleton staff, shifts and rotation systems.
- 7.1.2 Employees occupying jobs that do not necessitate their presence at the workplace may be considered for a remote work arrangement or alternatively be considered for redeployment to critical services.
- 7.1.3 Retired and former public servants with required skills should be approached for deployment to critical services where needed.

7.2 Indirect Services

- 7.2.1 Employees occupying jobs that do not necessitate their presence at the workplace may be considered for a remote work arrangement or alternatively be considered for redeployment to critical services.
- 7.2.2 A head of department must ensure continued functionality of back office systems for minimal disruptions in service delivery.
- 7.2.3 Heads of Departments should consider skeleton staff, shifts and rotation systems for the functionality of back office systems.
- 7.2.4 A head of department must consider measures to be put in place for the performance of mandatory functions including budget management, quarterly/ annual performance reporting and planning cycle, amongst others.

7.3 Transactional Services

- 7.3.1 Heads of Departments that are mandated with transactional services, should continue with online service delivery where required.
- 7.3.2 It is not possible for these critical jobs to be identified at a central level and will require each head of department to make a determination taking into account its own business and service continuity.

8. DIRECTIONS IN RESPECT OF REMOTE WORK ARRANGEMENTS

For the duration of the state of disaster for COVID-19, a head of department may approve remote work arrangements in respect of those job responsibilities that are well-suited for remote work to the extent provided herein.

7.4 Eligibility Criteria for Remote Work

- 7.4.1 An employee's job responsibilities will determine if the job is appropriate for a remote work arrangement.
- 7.4.2 The head of department must ensure remote work arrangements are within the framework of the department's service delivery imperatives.
- 7.4.3 Utilising the remote work alternative may be reviewed by the head of department taking into account business and service delivery continuity and the obligations of the department and the escalation of the spread of the virus.
- 7.4.4 Employees in a remote work arrangement are not eligible to register overtime or claim overtime remuneration for the period during which the employee will be working from home.

- 7.4.5 The Head of Department shall, as far as possible, provide the requisite and additional equipment and resources where needed to facilitate arrangements for remote work within the available departmental budgets.
- 7.4.6 Employees must ensure that equipment and any information stored thereon should be appropriately secured and safeguarded.
- 7.4.7 Clear, precise and measurable goals must be set by the supervisor which must be achieved during the period approved for remote work.
- 7.4.8 A work schedule with clear deliverables and time frames must be developed.
- 7.4.9 A consistent and uniform methodology for communicating regularly must be put in place.
- 7.4.10 A process to facilitate reporting to check productivity and performance regularly must be implemented to determine continued remote working feasibility based on the service delivery needs of the Department.
- 7.4.11 A record must be kept of all remote work arrangements for verification and auditing by DPSA at a later stage, if required.
- 7.4.12 Each Department must issue a letter or permit to each employee designated in a critical job to facilitate their movement in the light of the national lockdown promulgated. Furthermore each employee must keep a departmental ID card at all times for easier identification and processing by law enforcement.
- 7.4.13 All members of the Senior Management Service (SMS) and identified employees supporting the minimum critical services must be available during this lock down.
- 7.4.14 Departments must provide online collaboration capability to enable for virtual meetings, amongst others, and relevant tools of trade for all SMS and employees occupying critical jobs.

9. IT SERVICE CONTINUITY AND RECOVERY ARRANGEMENTS

- 9.1 For communication amongst employees (those supporting critical minimum services/ working remotely), the department must leverage the available collaboration capabilities inclusive of emails and others. Where collaboration tools are unavailable but required, State Information Technology Agency (SITA) must be requested to make these available to departments.
- 9.2 The use of teleconferencing service is recommended over videoconferencing given the current state of ICT infrastructure in the public service and associated costs. It should only be where necessary that videoconferencing can be used.
- 9.3 The current RT15 contract run by the National Treasury provides for various ICT goods and services that are critical for employees to remain in contact should there be lock down. It is anticipated that employees would primarily need more data and mobile devices where relevant. Employees owning/ using smart phones can also use them to create hotspots to facilitate connectivity.
- 9.4 For accessing the transversal services, the SITA will make secure connectivity to these using the VPNC technology where possible. Each department must request this from SITA through the relevant account manager.
- 9.5 Each department must verify whether the identified minimum critical services use information and communication technology (ICT) for processing and or can be accessed online/ over the Internet/ call centre/ email by the public
- 9.6 In cases where these services are processed and or delivered to the public through ICT systems, the department must assess whether the connectivity capacity (bandwidth) and processing capability of ICT systems are adequate to cater for increased usage as the public should be using such systems to request/ apply for services from the department instead of physically coming to the service delivery points.
- 9.7 Where necessary, bandwidth must be increased to cater for increased demand of the departmental services through web based/ online systems. Bandwidth increase must also cater for collaboration capabilities inclusive of video conferencing services where these are planned for use.

- 9.8 In order to ensure that the ICT systems continue to be available to support the minimum critical services and associated data is not lost despite the risks associated with increased demand on these systems, the department must create resilience (redundancy) around each system (or part thereof) and back-up the associated data.
- 9.9 The above must be guided by the pre-determined duration within which the ICT system(s) at risk must be restored (Recovery Time Objectives) in the event of a disaster but also the history in terms of associated data that the department would want to recover (Recovery Point Objective). For instance, a department might want to recover systems within a minute/ an hour/ or whatever duration as well as the previous day's data or data captured an hour before the disaster occurred.
- 9.10 It is important for departments to understand that the tighter the RTOs and RPOs, the more expensive it is to implement the recovery plans. For instance, in the event the department intends recovering its ICT system(s) within a minute or so, this implies that there must be two similar and concurrently running ICT systems with similar functionality and capability such that when one goes down the other continues to operate
- 9.11 The department must record and keep the procedures to be followed when recovering systems, in the event of unplanned downtime caused by increased demand to the systems
- 9.12 The department must have the names of suppliers, their contact people/ client relationship person(s) and their contact numbers in the event the systems supporting the MINIMUM CRITICAL services are provided/ managed/ support by a third party. This is to ensure they remain contactable in the event of unplanned system down time.

10 IMPLEMENTATION OF THESE DIRECTIONS

These Directions shall come into effect on the date of signature hereof by the Minister for the Public Service and Administration and shall terminate on the date when the national state of disaster terminates.

A handwritten signature in black ink, appearing to read 'S Mchunu', written over a horizontal line.

MR SENZO MCHUNU, MP

MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION

DATE: 25/03/2020

**LIST OF CRITICAL SERVICES REQUIRED DURING THE IMPOSITION OF
RESTRICTED MOVEMENT DURING COVID-19**

DEPARTMENT	ESSENTIAL/ CRITICAL SERVICES
Water and Sanitation	<ol style="list-style-type: none"> 1. The following parts of sanitation services: <ol style="list-style-type: none"> a) the maintenance and operation of water-borne sewerage systems, including pumping stations and the control of discharge of industrial effluent into the system; b) the maintenance and operation of sewage purification works; c) the collection of refuse of an organic nature; d) the collection of infectious refuse from medical and veterinary hospitals or practices; e) the collection and disposal of refuse at a disposal site; and f) the collection of refuse left uncollected for 14 (fourteen) days or longer, including domestic refuse and refuse on public roads and open spaces 2. The Dewatering and pumping services 3. Security services for the purposes of securing the infrastructure, access control, property and information at water utilities and pump stations.
Health	<ol style="list-style-type: none"> 1. The following services provided by the private sector which are funded by the public sector: <ol style="list-style-type: none"> a) Emergency health services and the provision of emergency health facilities to the community or part thereof; b) nursing; and c) medical and paramedical services. 2. The following services in support of the services referred to above: <ol style="list-style-type: none"> a) Boiler; and b) Water purification. 3. The following services in the public sector are designated as essential for purposes of emergency health services and the provision of emergency health facilities to the community or part thereof; <ol style="list-style-type: none"> a) nursing; and b) medical and paramedical services;

	<p>4. The following services which support the services referred to in paragraph (3):</p> <ul style="list-style-type: none"> a) Catering; b) medical records; c) security; d) porter and reception; e) pharmaceutical and dispensary; f) medicine quality and control laboratory; g) forensics; h) laundry work; i) clinical engineering; j) hospital engineering; k) waste removal; l) mortuary services; and m) pest control. <p>5. Blood transfusion services including the collection, processing, testing, and distribution of blood.</p> <p>6. Services rendered by mental and related institutions-</p> <ul style="list-style-type: none"> a) Mental health care b) Diagnostic assessments of new referrals in respect of people with intellectual and psychiatric disabilities c) Psychological assessment d) Therapeutic Counselling services and any other form of counselling e) Mental health crisis management f) Court preparation and assistance for victims who are g) users. h) Rehabilitation services i) Treatment (including assistance with adherence to medication) j) raining (only to the extent that it is offered to the mental health users. <p>7. The service of distribution of chronic medication.</p> <p>8. The services rendered by Medical Officers in public health.</p> <p>9. Radiology services rendered in and for public health care.</p>
Defence	<p>1. The following services provided by the following civilian personnel in the Department of Defence to support the South African National Defence Force:</p> <ul style="list-style-type: none"> a) the Secretariat for Defence; b) the Intelligence Division;

	<ul style="list-style-type: none"> c) the Finance Division; d) the parachute seamstresses of the South African Army; e) the parachute packing operators of the South African Army; f) the military intelligence functionaries of the South African Army; g) the storemen in the South African Navy; h) the provisioning officers and clerks in the South African Navy; i) the technical personnel in the South African Navy; j) the tugboat personnel in the South African Navy; k) the surveyors in the South African Navy; l) the South African Medical Service; m) those serving in military posts in the South African National Defence Force; n) the cryptographers in the South African National Defence Force; and o) the maintenance services in the South African National Defence Force.
National Treasury	<p>The following computer services provided or supported by the Central Computer Service of the Department of State Expenditure are designated as essential services:</p> <ul style="list-style-type: none"> a) The Persal system; b) the social pension system; c) the hospital systems; and d) the flood control system.
Minerals/ Energy	<ol style="list-style-type: none"> 1. The industrial cleaning services of the boiler and turbine house at Eskom Majuba power station as Maintenance Services. 2. The following nuclear services are designated as essential: <ul style="list-style-type: none"> a) Services rendered at the Safari 1 Research Reactor; b) Nuclear Liabilities Management Services; c) Nuclear Operations and Maintenance services; d) SHEQ Department Services; e) Facilities Management; and f) Telecommunication. 3. Reticulation of natural gas services. 4. Coal mining for energy supply 5. Surface platinum 6. Mining essential for national security and national interest
Transport	<ol style="list-style-type: none"> 1. The regulation and control of air traffic, and the weather services in support of air traffic and navigation control services;

	<ul style="list-style-type: none"> a) security services with the exception of security at the parking areas at all airports, is designated to be an essential service; b) electrical services at airports is designated as an essential service; c) safety services at airports is designated as an essential service. <p>2. The service of road traffic incident management</p>
Social Development	<p>1. The whole of the services provided by old age homes, Children's Homes and places of care for vulnerable groups including victims of gender based violence that are state owned, state funded or state subsidized.</p> <p>2.</p> <ul style="list-style-type: none"> a) Care and support services provided in residential facilities in which people with disabilities and other vulnerable groups such as victims of gender based violence are accommodated, and b) Care and support services provided for in residential facilities for people living with disabilities.
Education	<p>1. Security services in education institutions</p>
Correctional Services	<p>1. Correctional services as an essential service but excludes the following services in correctional services:</p> <ul style="list-style-type: none"> a) Human Resources (Human Resources Administration and Human Resources Management) b) Education c) Religious care d) Supply chain e) Finance f) Employee Relations g) Employee Assistance h) Agriculture and span duty
Justice	<p>1. The services required for the functioning of the Courts including the Thuthuzela Care Centre are designated as essential services. This designation excludes the following services: -</p> <ul style="list-style-type: none"> a) Human Resources at courts, regional and provincial offices of the Department of Justice and the National Prosecuting Authority. b) Administrative services at the Regional and Provincial Offices of the Department of Justice and National Prosecuting Authority. c) Services rendered by groundsmen, Cleaners, ushers and library assistants at courts.
Police	<p>1. The South African Police Service</p>

	2. The Civilian Secretariat for Police at national and provincial levels
Communication	1. Maintenance of Government ICT infrastructure and services 2. Government Communications Systems
Home Affairs	1. Provide critical civic services – Department to further define these and issue relevant circular 2. Ensure port control services.
Co-operative Governance	1. Disaster Management Services. 2. Monitor performance of municipalities and enforcement of relevant disaster regulations, directions and circulars
Trade and Industry/ Small Business Department	1. Provide support to business.
All departments	1. Ensure availability of staff responsible for functions such as Finance, SCM, ICT, Risk Management, Human Resources Management, Performance Information Reporting 2. Ensure payment of service providers that have delivered services within 30 days 3. Human resources officials to be in continuous communication and support employees who are vulnerable due to medical condition and other factors. 4. Construction already started and maintenance of critical projects which are a response to Corona Virus 5. Departmental leadership team - Directors-Generals/ HODs, Deputy Directors-Generals and members of the Senior Management Services;