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Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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ALL HEADS OF NATIONAL DEPARTMENTS, PROVINCIAL ADMINISTRATIONS, AND PROVINCIAL DEPARTMENTS

IMPLEMENTATION OF ELECTRONIC REPORTING FORMAT FOR THE MONITORING OF THE POLICY AND PROCEDURE ON THE MANAGEMENT OF (PPMSH) SEXUAL HARASSMENT FOR THE PUBLIC SERVICE

South Africa is noted for its liberal constitution. The founding provisions of our constitution are based on the values of human dignity, the achievement of equality and the advancement of human rights and dignity; non-racialism and non-sexism; supremacy of the constitution and the rule of law. The Bill of Rights in the constitution promises legislative and other measures as a means to promote equality. Moreover, there is also the Employment Equity Act, which was meant to give effect to the constitutional values of equality, especially to redress discrimination and ensure that the workforce in South Africa is diverse. Promotion of equal opportunity and fair treatment in employment and effective affirmative action measures are some of the intended objectives of the Employment Equity Act.

Gender Based Violence (GBV) is any act of gender based violence that results in, or is likely to result in physical, sexual, psychological, economic harm or suffering to women and men including threats of such acts, bullying or uninformed actions that lead to deprivation of rights, whether occurring in public or private life. The civil uprising that we have seen around the issue of gender-based violence and femicide is a collective expression of the anger that is being felt by women who must live their lives in fear. President Ramaphosa, during the State of the Nation Address, referring to the Gender-Based Violence and Femicide Summit said: "This Summit on Gender-Based Violence and Femicide has provided a firm basis for a **coordinated national response to this crisis.**"

Sexual harassment in the work place is a form of Gender Based Violence and is prohibited whether it is based the grounds of sex, gender and/ or sexual orientation. Furthermore, Sexual Harassment is a form of sex discrimination that violates the rights of individuals and undermines the integrity of the employment relationship.

Sexual harassment in the workplace is a worldwide problem recognized as an occupational injury, it is a violation of human rights and it undermines equality of opportunity and treatment between women and men. Sexual harassment manifests as an unequal power relations issue between men and women and has the potential of causing long term negative psychological and physical effects to the affected party, The Labour Relations Act (No. 66 of 1995) and the Employment Equity Act (No. 55 of 1998) are the main Acts that deal with sexual harassment in the workplace. Both have Codes of Good Practice on the handling of cases of sexual harassment that set out appropriate procedures to deal with allegations of sexual harassment. The

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Muhasho wa Tshumelo ya Muvuso na Vhulanguli . Kgoro ya Ditirelo tša Mmušo . Ndzawulo ya Vutirela-Mfumo na Valawuri

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LiTiko le Tebasebenti baHulumende nekuPhatsa . ISebe leNkonzo kaRhulumente noLawulo . UmNyango wemiSebenzi kaRhumende nokuPhata

Codes encourage and promote the development and implementation of policies and procedures that will lead to the creation of a workplace that is free of sexual harassment, where an employer and employee respect one another's integrity, dignity, privacy and the right to equity in the workplace.

The Public Service as a workplace is obligated to provide a safe, healthy and amicable working environment and shall take steps to maintain this, either by meeting legal obligations or in terms of what amounts to fair practice, therefore it shall neither permit nor condone sexual harassment. To this end, the DPSA Gender Equality Strategic Framework for the Public Service provides a wide set of options for the transformation of the workplace premised on the promotion and protection of human dignity and the rights of women. It recognizes the role of government in promoting non-sexism and non-discrimination for employees in the Public Service

Furthermore, DPSA developed the Policy and Procedure on the Management of Sexual Harassment in the Public Service during 2013 with first implementation by April 2014. The purpose of this policy is to promote a workplace that is free of sexual harassment, sexual favors, intimidation and victimization, where the employer and employees respect one another's integrity, dignity, privacy and the right to equality in the workplace. It also provides a systematic and consistent approach to managing sexual harassment and steps to be taken when sexual harassment occurs within the course and scope of the Public Service. Departments are required to annually report to the DPSA the number of cases reported and resolved (see Tag A).

One of the major objectives of both monitoring and evaluation initiatives are to provide an evidence base for public resource allocation decisions and to help identify how challenges should be addressed and successes replicated. Government-wide monitoring and evaluation of any policy is, however, a very complex and time consuming process. The capacity constraints in most government departments, including the Chief Directorate: Transformation Policies and Programmes at DPSA has prompted the development of electronic templates to reduce the burden of collation, analysis and feedback, but also to improve the quality of reports submitted to DPSA. During 2018, the Public Service Women Management Week reporting template was changed to an electronic format and this was implemented with huge success, improving both the quality of data received and the feedback report to departments.


Similarly, the annual reporting format for the PPMSH has now been converted to an electronic format. The new electronic template for the PPMSH will be made available on the DPSA website. Please ensure that the guidelines provided on the instruction sheet are read and the steps are followed precisely to ensure adherence to all the compliance areas. Heads of Department must approve the electronic reports by signing the "sign off sheet" (see Tag B).

The signed (scanned) sign off sheet and the electronic reports must be submitted by email to the DPSA (Mr Tebogo Monye: tebogom@dpsa.gov.za / 012 336 12000) on or before **30 April 2020**.

The Office of the Premier is required to coordinate submission of provincial departments' plans and reports to the DPSA. This is to enhance their monitoring role and ensure compliance by all departments.

Further enquiries can be directed to Ms Hanlie Nel (hanlien@dpsa.gov.za /012 336 1261) or Mr. Tebogo Monye: (tebogom@dpsa.gov.za / 012 336 12000)

Regards


MS LINDA DLUDLA
ACTING DIRECTOR-GENERAL
DATE: 06/02/2020