

FREQUENTLY ASKED QUESTIONS ON THE DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION (DPSA) CIRCULAR 49 OF 2023

This document aims to provide clarification and responses to enquiries raised by departments regarding the implementation of Circular 49 of 2023. The Circular pertains to the *Directive on the implementation of control measures aimed at assisting executive authorities in managing fiscal sustainability during the process of creating and filling vacant posts in departments*. The following questions have been frequently asked by departments:

1. Question

Is the platform mentioned in paragraph 5 of DPSA Circular 49 of 2023 intended for the submission of departmental motivations on the filling and/or establishment of posts for concurrence?

Answer:

Yes, to streamline and expedite the process, departments will utilise the platform to submit requests and provide pertinent justifications for concurrence. The platform will also facilitate the sharing and monitoring of feedback regarding the outcome of concurrence requests.

2. Question

Vacant post/s have been advertised **before** the Directive was issued and the recruitment process is currently underway. May we proceed with the recruitment process and the appointment of candidates for the posts that have been advertised?

Answer:

Departments may proceed with the recruitment processes and no further concurrence is necessary.

If an offer has already been made and accepted by the candidate and the vacant post was reserved on PERSAL, the appointment can proceed at the assumption of duty. Copies of the offer and acceptance letter must be uploaded to the platform, in the folder **Accepted offers**.

Where a post has not been reserved, an authorisation code will be required to authorise the post on PERSAL using function #3.3.24, before effecting an appointment.

National departments request an authorisation code by sending an e-mail to Circular49of2023@dpsa.gov.za. Provincial departments request an authorisation code as guided by Provincial Administrations.

3. Question

Is concurrence required for acting appointments?

Answer:

Concurrence is not required.

The vacant post must be funded as per paragraph 5.4 of the Directive, otherwise it should be abolished.

An authorisation code will be required to authorise the post on PERSAL using function #3.3.24, before effecting the acting appointment.

National departments request an authorisation code, for unlocking the post, by sending an e-mail to Circular49of2023@dpsa.gov.za. Provincial departments request an authorisation code as guided by the Provincial Administrations in each province.

4. Question

What is the impact of lateral, internal transfers within a department?

Answer:

Concurrence is not required.

The vacant post must be funded as per paragraph 5.4 of the Directive.

An authorisation code will be required to authorise the post on PERSAL using function #3.3.24, before effecting the transfer.

National departments request an authorisation code, for unlocking the post, by sending an e-mail to Circular49of2023@dpsa.gov.za. Provincial departments request an authorisation code as guided by the Provincial Administrations in each province.

5. Question

If the Department lacks an approved organisational structure that has been concurred with by the MPSA, what are the potential consequences or implications?

Answer:

With reference to the Public Service Regulation of 2016, (*Public Service Amendment Regulations, 2023, to come into operation on 01 November 2023*) in conjunction with paragraph 7.2 of the Directive on changes to the organisational structures by the departments, consultation with the MPSA is deemed essential for any changes to the organisational structure from salary Levels 9 to 16. When assessing requests made by Executive Authorities, the DPSA and Offices of the Premier will consider the baseline approved organisational structures.

6. Question

Is it necessary for the department to seek concurrence on appointing persons additional to the established under Regulation 57(2)? Should the Department engage in consultations regarding appointments funded by donors or project-based positions?

Answer:

Concurrence for appointments additional to the staff establishment is required in terms of the Directive if they adhere to the criteria outlined in Regulation 57(2).

Consultation is required for Donor-funded posts or project-based positions.

7. Question

The government pay progression, like grade progression, is a form of collective agreement incentive. How does the Directive impact this?

Answer:

The Directive does not have an impact on pay progression.

8. Question

Is there a requirement to consult on making payments for bursaries, as well as for training and development?

Answer:

No consultation is required for bursaries and training.

9. Question

Is motivation and concurrence required when appointing individuals to positions within the Offices of the Executive Authorities?

Answer:

Consultation is not necessary for appointments; nonetheless, it is imperative for departments to upload appointment letters on the platform and obtain authorisation numbers to fill the vacant posts.

10. Question

Is motivation and concurrence required for government components that are self-funding?

Answer:

Concurrence is required.