

Directive on compulsory probation instrument to be used for assessing probationary appointments of Heads of Department (HoDs)



**DIRECTIVE ON COMPULSORY PROBATION INSTRUMENT TO
BE USED FOR ASSESSING PROBATIONARY APPOINTMENTS
OF HEADS OF DEPARTMENT (HoDs)**

DIRECTED IN TERMS OF SECTION 41(3) OF THE PUBLIC SERVICE ACT, 1994 (AS AMENDED)

2. Purpose

The purpose of this Directive is to provide a probation instrument (ANNEXURE A) that accommodates criteria for assessment of performance and suitability/ fit-for-purpose of HoDs. The instrument encompass three (3) areas, namely Performance, Suitability and Personal Qualities as well as confirmation that all other criteria for appointment have been met. The instrument provides for the assessment of probation on a quarterly basis and at the end of 12 months a decision on either confirmation, extension and/or non-confirmation of probation.

3. Objective

To facilitate compliance with section 13 of the Public Service Act, 1994 (as amended) read with Regulation 68 of the Public Service Regulations, 2016.

4. Scope of application

This Directive is applicable to all Heads of Department.

5. Compliance

This Directive is issued in terms of the Public Service Act, 1994 and as such all matters of non-compliance with the provisions thereof should be reported to the Minister for the Public Service and Administration. Any non-compliance must be dealt with in terms of Section 16A of the Public Service Act.

6. Date of Implementation and transitional arrangements

This directive shall take effect from the date of signature thereof. Any applicable instruments being utilised to manage probation prior to the issuance of this directive shall remain valid until the conclusion of the probation period.

7. General

Requests for deviation in respect of any part of this directive may only be considered by the Minister for the Public Service and Administration provided that such request, citing the reasons thereto, are in writing and signed by the relevant Executive Authority.

Approved:



Ms Ayanda Dlodlo, MP
Minister for the Public Service and Administration

Date: 26/06/2018

**Directive prescribing the probation instrument to be used for assessing probationary appointments
of Heads of Department (HoDs)**

1. Background

- 1.1 In terms of section 13(1) of the Public Service Act, 1994 (as amended) an Executive Authority (EA) shall appoint an employee on probation for such a period as may be prescribed for the relevant category of employees. Section 13(2) further stipulates that after the completion of a prescribed probationary period an EA shall confirm the probationary appointment if the employee has (a) performed at least satisfactorily during the period and (b) complied with all the conditions to which his or her appointment was subject. Section 13(3) further states that if the probationary appointment is not confirmed, the EA may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.
- 1.2 Regulation 68(1) of the Public Service Regulations, 2016 states that persons or employees who are appointed to the Public Service for a period exceeding one year shall serve a probationary period of 12 calendar months, excluding the number of days for which leave has been taken by him or her during the period of probation or any extension thereof. In accordance with Regulation 68(6) "A supervisor of a probationer shall ensure that-
- (a) the probationer, at the commencement of the probationary period, is made aware of the performance and other requirements for obtaining confirmation of probation;
 - (b) the probationer, on a quarterly basis, receives written feedback on his or her performance and compliance with other requirements;
 - (c) if necessary, the probationer receives training, counselling or other assistance to meet the requirements for confirmation of probation; and
 - (d) the probationer receives written confirmation of appointment or transfer at the end of the probationary period if he or she has met the requirements for confirmation of probation".
 - (e) The Public Service Regulations (PSR), 2001 required that a single instrument be used for performance management and probation. In the PSR, 2016 this provision has been amended to allow EAs the flexibility to use either the performance management and development system or an alternate instrument. The revised PMDS for HoDs, however, does not provide for the dual purpose of assessing probation and performance. Consequently a need was identified to issue a directive in terms of Section 41(3) of the Public Service Act, 1994 to elucidate Regulation 68 of PSR, 2016 and prescribe an instrument for assessing probation of HoDs of national and provincial departments, and government components.

CRITERION	MEETS CRITERION (✓)		COMMENT
	YES	NO	
<p>2. SUITABILITY</p> <p><u>Demonstrates appropriate Leadership for the position.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • Decision making: the ability to make sound decisions (Complexity, decisiveness and consequence) • Leads departmental management structures and subordinates. • Strategy Formulation • Strategy Execution - Ability to translate executive vision into programmes. • Create and maintain a conducive organisational culture and public service ethos. 			
<p><u>Demonstrates knowledge and Insight to Guide the department</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • Displays an in depth understanding of the legislative and regulatory framework the department is responsible for. 			
<p><u>Demonstrates sound communication skills and influence.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • Networking, relationship building, tact, courtesy, diplomacy, negotiation, consensus seeking, etc. 			
<p><u>Manages interpersonal Relationships.</u></p> <p>REFLECT ON:</p>			

CRITERION	MEETS CRITERION (✓)		COMMENT
	YES	NO	
<ul style="list-style-type: none"> Displays cooperation with Executive, colleagues, external and internal stakeholders. 			
<p><u>Demonstrates a healthy balance of prioritisation and time management.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> Ability to appropriately delegate to subordinates and mobilise resources. Adherence to timeframes for deliverables. Ability to manage competing priorities and associated risks. 			
<p><u>Demonstrates resilience and ability to work in a high pressure environment.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> Appropriate composure, flexibility and adaptability to changing demands and conditions. 			
<p>3. PERSONAL QUALITIES</p> <p><u>Demonstrates an image that reflects positively on the department/organisation and Public Service as a whole.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> Maintains a high standard of ethics and integrity. Consider the Public Service Constitutional values, the Public Service Charter and Public Service Code of Conduct 			

CRITERION	MEETS CRITERION (✓)		COMMENT
	YES	NO	
<p><u>Demonstrates a personality, outlook and attitude that wins trust and support from stakeholders.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • Displays consistency, objectivity, respect, expertise, transparency. 			
<p><u>Demonstrates sensitivity to and respect for others and exhibits concern for subordinates as individuals</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • People centred, empathy. • Exercises good judgement when dealing with sensitive issues. 			
<p><u>Demonstrates skill at analysing and addressing problems, challenges and conflicts and is comfortable with ambiguity and complexity.</u></p> <p>REFLECT ON:</p> <ul style="list-style-type: none"> • Problem solving skills. • Fosters innovation and effectively manages change. 			

Other requirements for the period of probation:

Is the employee regarded as suitably placed and is likely to satisfactorily complete the probationary period (✓)?

YES	
NO	

AREAS IDENTIFIED FOR DEVELOPMENT

COMMENTS BY SUPERVISOR

COMMENTS BY EMPLOYEE

SIGNATURE OF THE EXECUTIVE AUTHORITY _____

DATE: _____

SIGNATURE OF EMPLOYEE: _____

DATE: _____

PROBATION DECISION (To be completed after a full 12 months, excluding leave taken) (✓) :

CONFIRMATION:	_____ (name of employee) has SATISFACTORILY COMPLETED the probation period and met the requirements thereof.
EXTENSION:	_____ (name of employee) probation period is EXTENDED by _____ months.
NON-CONFIRMATION:	_____ (name of employee) probation is NOT CONFIRMED and service termination be instituted.

SIGNATURE OF THE EXECUTIVE AUTHORITY _____ **DATE:** _____

SIGNATURE OF EMPLOYEE: _____ **DATE:** _____