



**the dpsa**

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## **TO: HEADS OF DEPARTMENTS OF PROVINCIAL DEPARTMENTS AND PROVINCIAL COMPONENTS**

### **DPSA CIRCULAR 13 OF 2018**

#### **DIRECTIVE PRESCRIBING THE PROBATION INSTRUMENT FOR ASSESSING PROBATIONARY APPOINTMENTS OF HEADS OF DEPARTMENT (HODs)**

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.
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".
3. 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 departments and national government components.

4. The attached Directive was subsequently approved to provide a probation instrument that accommodates criteria for the assessment of performance and suitability/fit-for-purpose of HoDs. The instrument encompass three (3) areas, namely Performance, Suitability and Personal Qualities as well a 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. The Directive takes effect from the date of signature thereof.

Kind regards



**Ms. Thuli Radebe**  
**Acting Director-General**

Date: 27/06/2018