

1. INTRODUCTION

1.1 REASON FOR CONDUCTING THE INVESTIGATION

In accordance with section 196(4) of the Constitution, 1996, the Public Service Commission is responsible for the following functions:

- To promote the values and principles of public administration as set out in section 195 of the Constitution, throughout the Public Service
- To investigate, monitor and evaluate the organisation and administration, and the personnel practices, of the Public Service
- To propose measures aimed at ensuring effective and efficient performance within the Public Service
- To report to Parliament and, where applicable, to provincial legislatures, in respect of its activities and the performance of its functions.

Against these functions the Public Service Commission considered it appropriate, in terms of section 8 of the Public Service Commission Act, 1997, that an investigation be undertaken into the Management of Probationary Appointments in the Public Service for the following reasons:

- Numerous labour law and common law principles are in place to inform human resource management in general and the management of probation in particular. These principles, such as the rules of natural justice and the prerequisites for legitimate administrative action in terms of administrative law, fair labour principles and the Constitutional principles governing human resource management are being sustained in the Public Service by means of new or amended acts and White Papers.
- A perception prevails that these principles have not been comfortably applied or adhered to in the Public Service and may have contributed to dissatisfaction in the work place which could have a negative impact on productivity, efficiency and effectiveness. All in all, this could also have a negative impact on the total process of transformation in the Public Service.

- Apart from the foregoing, the importance of focusing on the management of probation becomes significant especially against the backdrop of the Government's policy on a shortened period of probation as contemplated by the White Paper On Human Resource Management in the Public Service. Management is on the one hand obliged to ensure adherence to the above-mentioned principles, yet on the other hand they will have less time at their disposal to properly manage the probationary period - e.g. to evaluate performance, provide training and guidance.

This investigation intended not only to analyse the management of probation against the backdrop of the foregoing legal framework but by also identifying shortcomings, to inform the amendment of national norms and standards as well as departmental policy in respect of probation.

1.2 OBJECTIVES OF THE INVESTIGATION

The investigation focused on four important aspects of probation:

Planning in respect of probation

As far as planning is concerned the emphasis was mainly on -

- whether departmental policy on probation exists,
- what the quality thereof is,
- to what extent organised labour was involved in the development thereof,
- to what extent national norms and standards are adhered to, and
- what the perceptions around responsibility allocations are.

Capacity-building of probationers

In terms of capacity-building the focus was on the -

- structuring of capacity-building,

- adequacy of capacity-building,
- availability of training programmes,
- time expended on training,
- effectiveness of training, and
- departments' ability to provide training.

Monitoring probation as a process and monitoring the outcome of the probationary period

In this regard the emphasis was placed on whether the management of probation as a process, as well as the outcome thereof, are monitored.

1.3 SCOPE OF THE INVESTIGATION

The investigation was confined to Public Service departments at national level (hereafter referred to as departments) and covered the period 1 April 1996 to 31 March 1998.

Departments of Provincial Administrations were not included since the investigation was undertaken prior to the adoption of the new Public Service Regulations and the appointment of the Public Service Commission on 1 July 1999.

Cognisance needs to be taken that the investigation was conducted whilst the Public Service Staff Code was still applicable.

1.4 METHODOLOGY

Questionnaires:

Information was obtained from departments by means of a structured questionnaire which had to be completed by the heads of departmental Personnel Offices. These offices were targeted since they are responsible for policy formulation, monitoring the system and for providing an advisory service to line management.

A questionnaire was also distributed to trade unions admitted to the Public Service Co-ordinating Bargaining Council. The questionnaire addressed, amongst other things, the viewpoints of the unions on existing, as well as new policy applicable to the management of probation and their views on the present status of practices related to probationary appointments.

Statistics:

Statistical information requested on probation with regard to the variables population group, gender, salary level, personnel movements, etc. was provided by the PERSAL Component in National Treasury. A program was specifically developed for this purpose. The correctness of the statistics was certified by departments.

1.5 LIMITATIONS EXPERIENCED

While the purpose of the investigation and the methodology employed were intended to be as inclusive as possible, a number of limitations were nonetheless experienced. The following are considered salient:

- Questionnaires were distributed to all departments and despite repeated follow-ups, the following departments did not respond:
 - Central Statistical Services
 - Department of Constitutional Development
 - Department of Correctional Services
 - Department of Government Communications and Information Systems
 - Department of Trade and Industry
 - Department of Transport.
- Questionnaires were also distributed to all employee organisations / trade unions admitted to the Public Service Coordinating Bargaining Council to obtain their views on the management of probation. Not one of them responded, despite follow-up requests to this effect.
- The information on the Public Service's Computerised Personnel and Salary System (PERSAL) with regard to probation is incomplete as it is in many instances captured incorrectly and not in accordance with the data-capturing prescripts applicable to the system. PERSAL provides for information, such as the date of appointment, resignations and transfers, information on quarterly reports and date of confirmation. This information was not totally captured, with the result that data essential for the investigation were not available. This delayed



the investigation and corrective measures were undertaken, i.e. departments, with the assistance of the PERSAL Component, had to update their data on PERSAL.

- Although raw data on probation were captured on PERSAL, albeit in many instances inaccurate, this could not be readily retrieved. A computer subprogram had to be written to retrieve this information. Many departments do not have the skills available to do this. The PERSAL Component assisted all departments by developing a programme specifically designed for extracting information from PERSAL in a user-friendly manner. In this regard the investigation had an immediate positive spin-off since this program can now be utilised by departments for monitoring purposes.

