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Enquiries: Circuit Managers

Circular: 0025/2020
Expiry date: None

To: Deputy Directors-General, Chief Directors, Directors, Chief Education Specialists, Circuit Managers, Principals of ordinary public schools and Members of governing bodies

Short summary: *Provision of 2021 teaching staff establishments for ordinary public schools.*

Subject: Provision of 2021 teaching staff establishments for ordinary public schools

1. Please refer to Circular 0031/2009, dated 28 August 2009, for a full description of the legislation and measures applicable to the annual issuing of teaching staff establishments to schools. The contents of said circular remain applicable to 2021, except for the following amendments:
2. **Teaching staff establishments for 2021**
 - 2.1 In terms of the measures of the Revised Post Distribution Model, ordinary public schools and special schools must be issued with their annual teaching staff establishments by 30 September of the preceding year. Thus, for the 2020 academic year, all teaching staff establishments issued to ordinary public schools (as well as all additional posts created for and issued to a public school in 2020 as a result of either increased learner enrolment or the curriculum needs of the school) will expire on 31 December 2020.
 - 2.2 The teaching staff establishments for 2021 will be published on the Central Education Management Information System (CEMIS) under the link *Administration (Establishments)* on 23 September 2020.

3. **Educator post allocations for 2021**

3.1 During consultations between the Provincial Minister of Education, unions and governing body associations on 18 August 2020, the basket of posts declared for the 2020 academic year was retained for the 2021 academic year. On 31 August 2020, the Head of Education concluded consultations with unions and governing body associations on the utilisation and distribution of the 2021 basket of posts.

3.2 As the objective is to maintain stability at schools for the 2021 academic year, the Head of Education announced that ordinary public schools will retain their 2020 educator post allocations, including additional posts allocated for 2020, for the 2021 academic year. Schools that received approval for grade and Language of Learning and Teaching extensions in 2020 and that will extend such extensions in 2021, will receive educator posts for such purposes.

3.3 During the aforementioned consultations the Head of Education informed all role players that the COVID-19 pandemic had a major impact on the fiscus and the likelihood of an adjustment to the Western Cape Education Department (WCED) Medium Term Expenditure Framework (MTEF) will result in an adjustment to the WCED's budget allocations for 2020/21, 2021/22 and 2022/23.

3.4 Principals and governing bodies must please take cognisance of the risks associated with an adjustment to the WCED's budget, which will require the reprioritisation and reallocation of funding and could have an impact on the 2021 basket of posts. The impact of this can only be determined once Provincial Treasury announces such adjustments and could also require an adjustment to educator post provisioning for the 2021 academic year to ordinary public schools, which will be communicated once finalised. The WCED will do everything possible to avoid this.

4. **Additional allocations (Post Level 1 posts)**

Due to the risk of an adjustment to the WCED's budget allocation for the 2020/21 MTEF, no applications for additional posts will be considered prior to the commencement of the 2021 academic year.

5. **Revision of 2021 teaching staff establishments**

In the event that a school phases out a grade or grades, its teaching staff establishment will be revised based on the number of learners remaining at the school. In the case of learners moving out of the school with the phasing out of a grade or grades, the teaching staff establishment(s) of the receiving school(s) will be revised.

6. Recalculation of teaching staff establishment owing to change in learner enrolment during 2021

- 6.1 The WCED reserves the right to abolish Post Level 1 posts if there is a drop in the school's learner enrolment during the course of 2021. In such cases, educators appointed in a temporary capacity will be transferred, after consultation, to posts at other schools. Therefore, when recruiting educators on a temporary basis, principals have to inform applicants that they will be appointed on the understanding that they may be transferred to other schools if their posts are abolished as a result of a drop in learner enrolment at the school.
- 6.2 All contract appointments are to be made for 12 months if it is against an additional contract post granted to the school for 12 months. These nominations are to be submitted to Head Office through the Contract Appointment Tracking system.
- 6.3 Contract appointments against permanent vacant posts are to be made for a period of six or twelve months, if the school qualifies for such a post. Schools must ensure that contract appointees meet the minimum requirements for appointment to allow for the swift filling of the post via the conversion process. If the same post is still vacant after six months, it should be filled by the same incumbent provided his or her performance is satisfactory.
- 6.4 All schools are called upon to update their enrolment totals on CEMIS by Tuesday, 02 March 2021. The teaching staff establishment of all those schools where learner enrolment is less than the learner enrolment reflected on their educator staff establishment letters, will be recalculated by 19 March 2021. If the school is to lose a post or posts, then the number of contract appointments equal to or fewer than the number of posts the school loses will be reviewed accordingly from 01 April 2021.

7. Filling of advertised posts

- 7.1 All posts that have already been advertised in a WCED vacancy list may be filled permanently, provided that those posts appear on the 2021 teaching staff establishment.
- 7.2 Should an advertised post not appear on the 2021 teaching staff establishment, the school is not entitled to that post and such a post will be regarded as erroneously advertised.
- 7.3 The stipulation that an advertised post (particularly a promotion post) may be filled only if it does not create an additional excess educator, remains in place.
- 7.4 Should the principal and the governing body be of the opinion that the post description of the advertised post no longer meets the curriculum needs of the school, they may request the office of the Director: Recruitment and Selection to regard the

post as erroneously advertised. A detailed explanation, signed by both the principal and the chairperson of the governing body, must accompany such a request.

7.5 To ensure stability in 2021, the WCED envisages using the conversion process to fill Post Level 1 posts for appointment on 01 January 2021. Where posts have been captured for advertising in Vacancy List 03/2020 and the school has identified a suitable educator who can be converted from temporary to permanent status, the advertisement can be removed from the vacancy list.

8. Filling of vacant substantive educator posts (based on teaching staff establishments of 23 September 2020)

8.1 The WCED is still experiencing financial constraints on the Compensation of Employees (CoE) budgets for the 2020/21 to 2022/23 MTEFs. One of the strategies explored in 2020 was to reduce the impact on CoE expenditure by effectively managing the utilisation of excess educators, which included the lateral transfer of educators between schools with vacancies and utilising excess educators where curriculum challenges were experienced.

8.2 The WCED will again implement measures and closely monitor the effective management and utilisation of excess educators in 2021. The following actions will be taken within the timeframes identified:

Intervention activities	Timeframe
All educators who cannot be absorbed on the 2021 teaching staff establishments are formally declared in excess.	01–30 October 2020
Districts identify suitable posts for educators declared in excess for placement in 2021 and consult principals/governing bodies on the placement of excess educators. Formal placement letters are to be issued to educators who can be matched and placed against vacant substantive posts for 2021.	01–30 October 2020
Districts provide lists of “unplaceable” excess educators to Head Office for cross-district placement.	30 October 2020
Head Office makes recommendations to districts for cross-district placements.	01–30 November 2020
Formal placement letters issued to educators who can be matched and placed against vacant substantive posts for 2021.	01–30 November 2020
Excess educators who cannot be matched and placed must not form part of the school's timetable for 2021.	05 December 2020
In the event that schools require additional educators due to a growth in learner numbers, districts will consult	13 January 2021

principals/governing bodies on the placement of excess educators. Formal placement letters will be issued to educators who can be matched and placed.	
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8.3 Educators who have already been declared in excess, based on previous teaching staff establishments and in accordance with previous processes, and who are still in excess, retain their in-excess status. These educators will be dealt with in terms of the prevailing collective agreements of the Education Labour Relations Council (ELRC).

8.4 Permanently appointed educators are to be identified as in excess in terms of ELRC Collective Agreement No. 4 of 2016.

8.5 Efforts to place excess educators will continue during the 2021 academic year in the event that educators leave the service of the WCED and the excess educator profile meets the curriculum needs of the vacant educator post(s).

8.6 **Appointment of new entrants**

8.6.1 Another strategy to curb costs on the CoE budget is to appoint new entrants to the education profession instead of educators who are already remunerated at high salaries. In so doing, we will also make provision for new educators to enter the employ of the WCED.

8.6.2 A **new-entrant educator** is defined as a final-year student and/or any suitably qualified educator who graduated in the past three years and who has never been employed by the state. This group includes Funza Lushaka bursary holders.

8.6.3 At the same time, we acknowledge that schools should have the ultimate choice to recruit the best person for their school. In order to ensure that we balance the different interests, principals and governing bodies are invited to approach the Head of Education directly in writing (copying the relevant District Director) if they have strong objections to the appointment of such new entrants at their schools and to await the outcome of their petition. Such petitions should be submitted at least two weeks before the educator is to assume duty, to allow for the proper consideration of each case.

8.7 **Other suitably qualified educators**

Only qualified educators with a Relative Education Qualification Value (REQV) 13 or higher qualification may be considered for vacant substantive educator posts. This office will consider the employment of other educators only if no qualified educators can be identified from the aforementioned categories.

9. **Filling of educator posts**

- 9.1 Preference for the filling of additional educator posts will be given in the following order:
- a) Excess educators
 - b) New-entrant educators
 - c) Other suitably qualified educators.
- 9.2 Only qualified educators with an REQV 13 or higher qualification may be considered for vacant and additional educator posts. This office will consider the employment of other educators only if no qualified educators can be identified from the aforementioned categories. Applications for the appointment of temporary educators in the following categories need prior approval from the Director: Recruitment and Selection:
- a) Educators over the age of 65 years.
 - b) Educators who exited the employ of the state due to:
 - i) retirement;
 - ii) resignation;
 - iii) ill health;
 - iv) misconduct; or
 - v) abscondence.
 - c) Foreign educators.
 - d) Unqualified and underqualified educators.
- 9.3 District offices may approve transfers to schools in cases where the transfer will promote the process of redeployment, i.e. where the transfer will bring about the redeployment of an excess educator to a vacant substantive post. This measure also applies in cases where the transfer will allow for a new-entrant educator to be appointed in the post vacated as a result of the transfer.
10. All enquiries pertaining to this circular and the relevant legislation should be addressed to circuit managers.
11. Please bring the contents of this circular to the attention of all educators and members of governing bodies.

SIGNED: BK SCHREUDER

HEAD: EDUCATION

DATE: 2020-09-22