

# ***STAFF DISCIPLINE***

**PROCESS, PURPOSE AND POINTERS**

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**DIE VERANDERING IN ONDERWYS**  
**THE CHANGE IN EDUCATION**





# *LEGISLATION AND POLICY FRAMEWORK*

**KNOW IT, MAKE SURE YOU KNOW IT**

# LEGISLATION AND POLICY FRAMEWORK

## EDUCATORS

### EMPLOYMENT OF EDUCATORS ACT

Acts of misconduct defined in:

- Section 17 (serious - compulsory dismissal)
- Section 18 (less serious, but still dismissible)

Disciplinary Code and Procedures:

- Schedule 2

SOUTH AFRICAN SCHOOLS ACT

NATIONAL EDUCATION POLICY ACT

SOUTH AFRICAN COUNCIL OF EDUCATORS ACT



# *LEGISLATION AND POLICY FRAMEWORK*

**ADMIN-, HOSTEL-, GROUND STAFF**

**PUBLIC SERVICE ACT**

PSCBC Resolution 1/2003 : Disciplinary Code and  
Procedures for Public Servants

**ALL SGB STAFF**

**BASIC CONDITIONS OF EMPLOYMENT ACT  
LABOUR RELATIONS ACT**

Forms the basis for all processes.  
Schedule 8: Code of Good Practise: Dismissals



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## *THE PROCESS*

**THE PAPER TRAIL IS YOUR FRIEND**

## THE PROCESS

### LESS SERIOUS CASES

Schedule 2, Chapter 4 regulates the process very clear in less serious incidents.

Do not take short cuts and do not make empty threats.

Follow the process diligently especially when it comes to giving notice and representation.

The paper trail is of utmost importance for further reference.

The *audi letter* can be used as a successful preventative measure.

Discipline is there to change behaviour and therefore it must be done in a progressive way.

Be consequent and fair when handling disciplinary matters.

UNOSAS



# THE PROCESS

## SERIOUS CASES

A person initial action is to protect the staff member.

Do not fall into this trap.

Allegation

Investigate

Inform both parties of their rights

Report to CM

DBE will handle it formally from here

You may suspend initially pending the investigation or to defuse the situation

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## **SCHOOL GOVERNING BODY APPOINTMENTS**

**MORE OR LESS THE SAME, BUT STILL DIFFERENT**



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## SCHOOL GOVERNING BODY APPOINTMENTS

Be sure that there is a grievance procedure and disciplinary code attached to the employment contract.

Manage SGB appointments according to this code and procedures.

The Principal will handle less serious disciplinary issues, while the SGB will handle serious misconduct that may lead to dismissal. Make sure that the process is procedurally correct.

The chances that an SGB employee who has been dismissed will go to the CCMA, is very good. Therefore make sure that your procedures and facts are in line.

Schedule 2 of the EEA is a good guideline on how to handle disciplinary issues.





**PREVENTION IS BETTER THAN CURE**

**HARD WORK PAYS OFF**

**SAOOU**

## PREVENTION IS BETTER THAN CURE

Develop a code of conduct for staff that has its origin in the school's value system.

Be pro-active and break down the barriers of clicks actively in staff meetings, team building sessions and during staff development.

When you have to reprimand a staff member seriously, be sure that you offer the option of representation for the staff member and that you as management have a witness. Be calm and address the problem and not the person.

Healthy personal relationships among the staff is of utmost importance. As SMT of the school this needs to be a top priority.



## CONCLUSION

**KNOW YOUR LEGISLATION**

**KNOW YOUR PROCESS**

**KEEP A PAPER TRAIL**

**KEEP RECORD OF ALL STAFF INTERACTION DOES NOT MATTER HOW SMALL THE INCIDENT WAS.**

**AN INCLUSIVE, DEVELOPED CODE OF CONDUCT FOR STAFF IS CRUCIAL.**

**DO NOT HESITATE TO TAKE THE MORE FORMAL ROUTE WITH STAFF WHO MAKES TRANSGRESSING A HABIT.**

**A POSITIVE SCHOOL CULTURE WILL MINIMIZE DISCIPLINARY PROCEDURES AND ACTIONS.**





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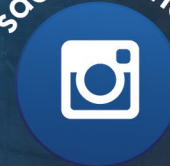
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