

EDUCATION LABOUR RELATIONS COUNCIL
Established in terms of the LRA of 1995 as amended



COLLECTIVE AGREEMENT NO. 3 OF 2017

18 OCTOBER 2017

**EDUCATION MANAGEMENT SERVICE (EMS):
PERFORMANCE MANAGEMENT AND
DEVELOPMENT SYSTEM (PMDS)
FOR
OFFICE-BASED EDUCATORS**

A handwritten signature in black ink is located in the bottom right corner. To the left of the signature, the date '16/10/17' is handwritten in black ink.

EDUCATION LABOUR RELATIONS COUNCIL

COLLECTIVE AGREEMENT NO. 3 OF 2017

EDUCATION MANAGEMENT SERVICE (EMS): PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (PMDS) FOR OFFICE- BASED EDUCATORS

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to provide a revised framework for managing the performance and development of office-based educators.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

- 2.1 The employer, and
- 2.2 All the educators of the employer as defined in the Employment of Educators Act, 1998 (as amended) whether such educators are members of trade union parties to this agreement or not.

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

- 3.1 Schedule 1 of the Employment of Educators Act of 1998 as amended.
- 3.2 ELRC Collective Agreement No 1 of 2008 which dealt with the framework for the establishment of an Occupation Specific Dispensation (OSD) for educators in public education;
- 3.3 ELRC Collective Agreement no 2 of 2009 which dealt with an Education and Management System of office based educators;
- 3.4 The provision on the core duties and responsibilities of educators as contained in the revised Personnel Administrative Measures (PAM) and the job descriptions of office-based educators as adopted by parties to this agreement.

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- 4.1 That the Performance Management and Development Scheme (PMDS) for office based educators as contained in Collective Agreement 03 of 2002 be replaced by the Education

Management Service: Performance Management and Development System (EMS: PMDS) for office-based educators, attached as Annexure A.

- 4.2 That the basis for decisions on rewards and other measures that require certain levels of performance shall be the applicable regulations in terms of the Public Service Act (1994) as amended.

5. DATE OF IMPLEMENTATION

This agreement shall, in respect of parties, come into effect on the date it is signed in Council.

6. DISPUTE RESOLUTION

Any dispute arising from the application or interpretation of this collective agreement shall be referred to this Council for resolution in terms of its dispute resolution procedures.

7. DEFINITIONS

- 7.1 "**constitution**" means the constitution of the Education Labour Relations Council.
- 7.2 "**Council**" means the Education Labour Relations Council.
- 7.3 "**educator**" means an educator as defined in the Employment of Educators Act, 1998, as amended.
- 7.4 "**employer**" means the employer as defined in the Employment of Educators Act, 1998, as amended.
- 7.5 "**Labour Relations Act**" means the Labour Relations Act No. 66 of 1995, as amended.

THUS DONE AND SIGNED AT CENTURION ON THIS THE 18th DAY OF OCTOBER 2017

ON BEHALF OF THE STATE AS THE EMPLOYER

DEPARTMENT	NAME	SIGNATURE
BASIC EDUCATION		

ON BEHALF OF THE EDUCATOR PARTIES

TRADE UNION	NAME	SIGNATURE
"SADTU"	MUGWENTA NALULEKE	
CTU "ATU"	JC KLOPPER	

EDUCATION MANAGEMENT SERVICE (EMS): PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (PMDS) FOR OFFICE-BASED EDUCATORS

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SECTION A

INFORMATION RESOURCE PACK

ACRONYMS

CMC	Core Management Criteria
DBE	Department of Basic Education
EMS	Education Management Service
EMS: PMDS	Education Management Service: Performance Management and Development System
EA	Executing Authority
EEA	Employment of Educators Act, 1998
ELRC	Education Labour Relations Council
HOD	Head of Department
HRD	Human resource development
HRM	Human resource management
KRA	Key result area
MEC	Member of the Executive Council
MMS	Middle Management Service (as from 1 July 2005)
PA	Performance agreement
PDP	Personal development plan
PFMA	Public Finance Management Act, 1999
PMDS	Performance Management and Development System
PSC	Public Service Commission
PSCBC	Public Service Co-ordinating Bargaining Council
PSR	Public Service Regulations, 2001

GLOSSARY OF TERMS

Annual performance assessment: The final performance assessment or review of an employee that takes place at the end of the performance cycle. The result of this particular assessment is the overall annual performance score for the employee.

Assessment instrument: A single performance assessment tool that is used to assess the performance of an individual employee in relation to the achievement of key result areas and core management criteria as contained in the work plan of the performance agreement.

Attribute: An attribute is generally defined to consist of motives, traits and self-concept.

Core Management Criteria (CMC): An element of knowledge, skill, or attribute that is directly related to effective performance in a job.

Department: The Department of Education (A Department as defined in section 1 of the Public Service Act, 1994).

Development: Training and development activities to enhance the employee's competencies and to improve performance.

Education Management Service: Employees who are office based educators on salary levels 8 to 12.

Executive Authority: Minister or Member of the Executive Council.

Feedback: Objective and timely information by the manager/supervisor on the employee's performance against set expectations and standards, understood by the employee, and aimed at improving performance

Grievance rules: The rules for dealing with the grievances of employees in Education, as contained in the Administrative Administration Measures.

Key Result Area (KRA): An area of a job in which performance is critical for making an effective contribution to the achievement of departmental strategies, goals and objectives

Moderation: The review of employee assessment scores by a committee to ensure that they are consistent, fair and equitable across the department through a common understanding of the performance standard required at each level of the rating scale.

Operational plan(s): This one-year plan is derived from and gives life to the strategic plan by translating the strategic objectives identified in the strategic plan into key result areas and activities with measurable standards, for a particular year for both the Department and components (schools).

Outcome: A broad statement about a specific objective, aim or intent, the achievement of which will require one or more specific outputs to be achieved.

Output: A concrete result or achievement (i.e. a product, action or service) that contributes to the achievement of a key result area.

Performance: Human performance involves (1) people's behaviour or actions, and (2) the outcomes or effects of those actions. Performance is a process in which resources are used in an effective, efficient and productive way to produce results that satisfy requirements of time, quality and quantity, and which are the effect or outcome of the actions or behaviour of a performer in the work process.

Performance agreement: A document agreed upon and signed by an employee and her or his supervisor, which includes a description of the job, selected KRAs and CMCs, a work plan and the employee's personal development plan.

Performance assessment: The measurement, assessment, rating or appraisal of employee performance.

Performance cycle: A 12-month period for which performance is planned, managed and assessed. It must be aligned to the same period as the Department's annual business plan i.e. 1st April to 31st March of the following year.

Personal development plan (PDP): A requirement of the performance agreement whereby the important competency and other developmental needs of the employee are documented, together with the means by which these needs are to be satisfied and which includes time lines and accountabilities.

Performance indicator: A measure used to gauge the extent to which an output has been achieved (policy developed, presentation delivered, service rendered).

Performance management: A purposeful, continuous process aimed at positively influencing employee behaviour for the achievement of the organisation's strategic goals; the determination of the correct activities as well as the evaluation and recognition of the execution of tasks/duties with the aim of enhancing their efficiency and effectiveness; and a means of improving results from the Department, teams and individuals by understanding and managing performance within an agreed framework of planned goals, objectives, standards and support incentives.

Performance standard: Mutually agreed criteria to describe work in terms of time-lines, cost and quantity and/or quality to clarify the outputs and related activities of a job by

describing what the required result should be. In this framework, performance standards are divided into indicators and the time factor.

Performance review: A structured and formal, at least half-yearly, discussion between supervisor and employee to monitor progress, resolve problems and adjust work plans during the performance cycle, thereby providing an opportunity for improvement before the annual review takes place. If the employee's performance is unsatisfactory or needs to improve or unsatisfactory, the half-yearly review must be in writing.

Rating: The allocation of a score to a KRA, a CMC and/or to overall performance in accordance with the five-point rating scale of the EMS PMDS.

Strategic planning: This is the process by which top management determines the overall strategic direction and priorities, as well as the organisational purpose and objectives and how they are to be achieved.

Strategic plan: The end product of strategic planning, setting out the mission and vision statements and the medium and long-term strategic objectives of the Department. The contents of the strategic plan must be in compliance with the requirements of Chapter 5 of the Treasury Regulations, 2001, and Chapter 1 Part III.B of the Public Service Regulations, 2001.

Supervisor: An official responsible for the allocation of work, monitoring of activities, discussing performance and development, and the performance review and assessment of an employee.

Work plan: A document which is part of the performance agreement and which contains key result areas, associated outputs/activities and their performance standards and resource requirements.

1 INTRODUCTION

The EMS Performance Management and Development System has been designed for use to assist with performance management of office based educators at national or Provincial Education Department.

Key role-players in the performance management process are identified. The term “*component*” is used as a generic title for any sub-division of a department.

The EMS PMDS provides a standardised framework for employee performance in a department for office based educator.

Three main levels are involved at:

a) Organisational or Departmental level (*Strategic level*)

The Executing Authority and the HoD determine the strategic priorities and overall key result areas of the department. Objectives are identified for the priorities and assigned to components within the department.

b) Departmental level (*Operational level*)

Components undertake the execution of projects and activities that lead to the achievement of the integrated strategic plans.

c) Employee level (*Implementation level*)

Each employee develops a performance agreement jointly with her or his supervisor.

Key requirements for the successful implementation of the EMS PMDS are the following:

- The institutional framework determines responsibilities for specific aspects of the EMS PMDS. With the Strategic Plan as a basis, the department is able to identify priorities and specific objectives to be achieved by various components. Performance Agreements for all employees enable the department to assign specific performance objectives and targets to its employees. This also enables employees in the department to participate meaningfully in the management of their own performance.

- Another key requirement for the successful implementation of the EMS PMDS is training on the system. Managers, supervisors and employees must be trained in the mechanics of the system and areas such as communication, problem-solving and conflict resolution in order to manage the system more effectively. The training of supervisors in particular is of the utmost importance, and this should result in supervisors knowing how to implement the system, ensuring that employees receive adequate training and possess sufficient information to be able to fully participate in the processes. This must be done with the support and co-operation of the HR unit in a Department.

2 SCOPE AND APPLICATION

The EMS PMDS applies to all office based educators at national or Provincial Education Department, regardless of seniority or qualification, and who are appointed in terms of the Employment of Educators Act, 1998.

As an employee performance management system, the EMS PMDS is not applicable to departmental, component or team performance management or assessment.

3 SOURCES OF AUTHORITY

The specific sources of authority for employee performance management are:

- a) The Constitution of the Republic of South Africa, 1996
- b) The Employment of Educators' Act, 1998, as amended
- c) The Personnel Administrative Measures
- d) The Skills Development Act (Act 97 of 1998)
- e) The Labour Relations Act (Act 66 of 1995)
- f) Promotion of Equality and Prevention of Unfair Discrimination Act, (Act 4 of 2000)
- g) Promotion of Access to Information Act (Act 2 of 2000)
- h) Employment Equity Act (Act 55 of 1998)
- i) Public Finance Management Act, 1999
- j) MMS Performance Management and Development System (1 April 2002)
- k) Promotion of Administrative Justice Act, 2000
- l) White Paper on Transformation of the Public Service, 1995
- m) White Paper on Human Resource Management, 1997
- n) White Paper on Affirmative Action, 1998
- o) White Paper on Transforming Public Service Delivery (Batho Pele), 1997
- p) White Paper on Public Service Training and Education, 1998
- q) Treasury Regulations, 2001
- r) Relevant collective agreements
- s) Relevant directives and departmental policies

4 GOAL, OBJECTIVES AND PRINCIPLES OF PERFORMANCE MANAGEMENT

4.1 Goal

EMS PMDS as a performance management system is aimed at improving employee performance. The aim of performance management is to optimise every employee's output in terms of quality and quantity, thereby increasing the departments' overall performance.

4.2 Objectives

To achieve individual excellence and achievement, the objectives for performance management are to –

- a) establish a performance and learning culture in the workplace;
- b) improve service delivery;
- c) ensure that all employees know and understand what is expected of them;
- d) promote interaction on performance between employees and their supervisors;
- e) identify, manage and promote employees' development needs;
- f) evaluate performance fairly and objectively; and
- g) identify and manage categories of performance that are rated as *"performance needs to improve"* and *"unsatisfactory performance"*.

4.3 Principles

The key principles underpinning effective performance management are the following –

- a) Departments shall manage performance in a consultative, supportive and non-discriminatory manner to enhance organisational efficiency and effectiveness, accountability for the use of resources and the achievement of results.
- b) Performance management processes shall link to broad and consistent staff development plans and align with the department's strategic goals.
- c) Performance management processes shall be developmental, and shall allow for recognising competent performance, and for an effective response to performance that is consistently rated as *"performance needs to improve"* and *"unsatisfactory performance"*.
- d) Performance management procedures should minimise the administrative burden on both employees and their supervisors while maintaining transparency and administrative justice.

5 THE PERFORMANCE CYCLE

Performance management at the employee level is an on-going interactive process between an employee and her/his supervisor about the employee's performance. Face-to-face on-going communication is an essential requirement of the process and covers the full performance cycle. For effectiveness of operation the cycle is divided into integrated phases or elements of –

- a) Performance planning and agreement;
- b) Performance monitoring, developing and control;
- c) Performance assessment or appraisal; and
- d) Managing the outcomes of assessment

The performance cycle is a 12-month period for which performance is planned, executed and assessed. It must be aligned to the same period as the Department's annual planning cycle i.e. 1st April to 31st March of the following year. The probation cycle is however linked to the appointment date of employees.

6 PERFORMANCE PLANNING AND AGREEMENT

6.1 The Performance Agreement

6.1.1 Content of a performance agreement

The performance agreement (PA) is the cornerstone of performance management at the individual level. All employees are required to enter into and sign performance agreement with their immediate supervisor, preferably within one month after the start of the new cycle.

The content of a PA must include the following (refer to **Annexure A**):

- a) **Employee data** such as the Persal number, job title and salary level etc. as well as a clear job description of the employee, with emphasis on the main objectives, job purpose and the relevant KRAs and CMCs.
- b) **A work plan** containing the KRAs, outputs, activities and resource requirements. (Refer to **Annexure B**)
- c) **A personal development plan (PDP)** that identifies the competence and other developmental needs of the employee, as well as methods to improve these.

6.1.2 Effecting Changes to the Performance Agreement

The employee and his/her immediate supervisor may agree to alter an existing agreement, or enter into a new one during the performance cycle. This is permissible under the following circumstances:

- a) if the employee changes jobs during the cycle;
- b) if the employee is absent from his/her job for a period of three months or more due to maternity, ill health, study, secondment, travel or any other reason that is acceptable.

If it is known to the employee that he/she will be absent from his/her job for a longer period during the cycle prior to the signing of the performance agreement, such period of absence should be provided for in the original agreement.

Should it be necessary for a new agreement to be signed, such an agreement should take into account the previous work done and new responsibilities to be undertaken if any.

A performance agreement without a completed and signed work plan should be regarded as invalid and of no use in the performance management process.

6.2 The work plan

While the performance agreement is the cornerstone of performance management at the individual level, the work plan contains the essence of the performance agreement (see the Guide to the Work plan and template in **Annexure B**). The work plan describes what an employee is going to achieve within particular time frames, and consists of the following:

6.2.1 Key Results Areas (KRAs):

- a) These describe what is expected from an employee in terms of his/her job description and focus attention on actions and activities that will assist components and ultimately the department in performing effectively. In the work plan, the KRAs should be broken down into key activities/outputs, time frames, performance indicators as well as enabling conditions/ contextual factors. These are used to indicate how the performance/achievement of the outputs and activities will be measured. KRAs can cover many different aspects of the work such as –

- i. Specific tasks or events which the employee should ensure are achieved;
 - ii. Levels of performance which the employee should maintain and promote;
 - iii. Actions or situations for which the employee is personally responsible for delivering his/her "*unique contribution*"; and
 - iv. Duties and responsibilities related to advice and support given,
- b) Each KRA should be broken down into measurable outputs and/or duties/responsibilities and activities. Each KRA should be weighted (in %) according to the importance it has in the employee's/member's job. The weighting of all the KRAs should add up to 100. No individual KRA may be given a weighting of less than 5% or more than 20%. The weighting should be in multiples of 5.

6.2.2 Core Management Criteria (CMCs)

- a) These are elements and standards used to describe and assess performance, taking into consideration knowledge, skills and attributes. The CMCs are used to calculate 30% of the employee's assessment score. There are 7 CMCs that are compulsory.
- b) 60% of the weighting has been prescribed for 4 of the 7 CMCs. The weighting for the remaining 3 CMCs will be agreed upon between the supervisor and the employee.
- c) The prescribed weighting for the 4 CMCs for office based educators is fixed as follows:
 - i. Job knowledge and application (20)
 - ii. Leadership abilities (20)
 - iii. Interpersonal relationships (10)
 - iv. Service to stakeholders (10)
- d) The weighting for each of the remaining 3 CMCs will be agreed to by the supervisor and the employee. These CMCs are:
 - i. Communication
 - ii. Acceptance of responsibility
 - iii. Conceptual and analytical skills
- e) One way of jointly arriving at decisions on the weighting of a specific CMC is to use the factors of impact and frequency.
- f) The greater the impact and frequency, the greater the importance that criterion is likely to have on the achievement of effective performance results. The weighting of all the CMCs should add up to 100.

- g) No individual CMC may be given a weighting of less than 5% or more than 20%. The weighting should be in multiples of 5.

6.2.3 Calculating the final score

In calculating the final score, each employee must be assessed against both KRAs and CMCs. KRAs covering the main areas of work will account for 70% of the final assessment, while the CMCs make up the other 30% of the assessment score.

6.3 Personal Development Plan (PDP)

- a) The purpose of the personal development plan is to:
 - i. identify any performance output shortfall in the work of the employee, either historical or anticipated.
 - ii. relate this to a supporting CMC shortfall.
 - iii. plan and implement a specific set of actions to reduce the gap. (The competency gap may relate to any of the CMCs included in this EMS PMDS or any other area of the employee's knowledge, skill and attribute requirement.)
- b) The PDP should include interventions relating to the technical or occupational "*hard skills*" of the job, through e.g.
 - i. appropriate training interventions,
 - ii. on-the-job training,
 - iii. expanded job exposure,
 - iv. job rotation.
- c) The employee and the supervisor are required to take joint responsibility for the achievement of the PDP with allocated accountabilities clearly recorded on the PDP

7 PERFORMANCE MONITORING, REVIEW AND ASSESSMENT

7.1 Performance monitoring

Performance at the individual level must be continuously monitored to enable the identification of performance barriers and changes and to address development and improvement needs as they arise, as well as to –

- a) determine progress and/or identify obstacles in achieving objectives and targets;

- b) enable supervisors and employees to deal with performance-related problems;
- c) identify and provide the support needed;
- d) modify objectives and targets; and
- e) ensure continuous learning and development.

7.2 Performance review and assessment

- a) Performance review meetings are an integral part of the monitoring process. These reviews must take place as often as is practicable and/or required by circumstances. The reviews are necessary to motivate and to reveal to the employee areas that need improvement and if required, to modify the PA.
- b) The supervisor should use all opportunities to discuss the employee's performance, including meetings, report backs, and informal discussions. An employee's supervisor shall monitor the employee's performance on a continuous basis and give him/her feedback on his/her performance: at least four times a year - orally, if the employee's performance is rated as 'competent' and above); and in writing if performance needs to improve and unsatisfactory; at least twice during the six months preceding the employee's annual formal performance assessment; and in writing, on the annual formal performance assessment date.

7.2.1 Preparations for performance review and assessment

a) The Supervisor

The supervisor should prepare by –

- i. reviewing the previous period and objectives and targets for the next period;
- ii. reviewing support needed and drafting training and development needs;
- iii. seeking appropriate feedback from relevant role-players to support the process;
- iv. reviewing and updating all relevant documentation; and
- v. identifying internal/external factors affecting the employee's performance.

b) The Employee

The employee should prepare by –

- i. reviewing previous objectives and identifying possible new objectives and targets;
- ii. collecting supporting facts on performance delivered;
- iii. identifying factors that affected his/her performance;

- iv. identifying support that will be needed as well as possible training and development needs; and
- v. reflecting on the feedback to be given to the supervisor.

7.2.2 Performance review and assessment cycle

- a) **April – June:** This constitutes the period of the first review process. Feedback may occur orally if the employee's performance is rated at "*competent*" or above, or in writing if it is rated as "*performance needs to improve*" and "*unsatisfactory performance*".
- b) **July – September:** This is the period of the second review process, and constitutes a "*midterm review*". Feedback during the midterm review should under all circumstances be in writing. Outcomes of this process should be signed by both parties.
- c) **October – December:** This constitutes the period of the third review process. Feedback may occur orally if the employee's performance is rated at "*competent*" or above, or in writing if it is rated as "*performance needs to improve*" and "*unsatisfactory performance*".
- d) **January – March:** This is the period of the final process in the cycle and constitutes an "*annual performance assessment*". Feedback during the annual review should under all circumstances be in writing. Outcomes of this process should be signed by both parties. The final assessment discussion must take place at the end of the performance cycle and coincides with the end of the financial year, i.e. March of each year. The assessment score for the employee's performance is the total of the individual KRA (70%) and CMC (30%) assessment scores.

7.2.3 Performance review and assessment discussion

- a) The review and assessment discussion must enable and/or afford –
 - i. An employee an opportunity to assess his/her own performance and its contribution to organisational goals and to identify areas of improvement;
 - ii. the supervisor an opportunity to provide formal feedback on performance over the year and to identify ways of improving what was achieved;
 - iii. An employee an opportunity to contribute to, and respond to comments regarding his/her performance and identify issues beyond his/her control that limit the achievement of results;
 - iv. An open discussion between the employee and his/her supervisor in which achievements can be fully recognised and ideas for problem solving agreed;

- v. An opportunity for a discussion and agreement on an overall assessment score reflecting judgement on the level of achievement attained in terms of the performance agreement; and
- vi. An opportunity for the supervisor and the employee to agree on areas of personal development.

7.3 Performance assessment instruments

The annual / mid-year assessment instruments applicable to **office based educators** (Refer to **Annexure D**).

The same assessment instrument is used to assess the performance of all individual KRAs and CMCs, as well as the overall performance of the employee. It is the overall performance assessment score that is to be used as the basis of deciding the performance assessment outcome for the employee. The performance review and annual assessment of employees will be based on the following **ratings**:

RATING	CATEGORY	DESCRIPTION
1	UNSATISFACTORY PERFORMANCE	Performance does not meet the standard expected for the job. The review/assessment indicates that the employee has achieved less than competent results against almost all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
2	PERFORMANCE NEEDS TO IMPROVE	Performance meets some of the standards expected for the job. The review/assessment indicates that the employee has achieved less than competent results against more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
3	COMPETENT	Performance fully meets the standard expected in all areas of the job. The review/assessment indicates that the employee has achieved as a minimum effective results against all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
4	GOOD PERFORMANCE	Performance is significantly higher than the standard expected in the job. The review/assessment indicates that the employee has achieved better than competent results against more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan and fully achieved all others throughout the performance cycle.
5	EXCELLENT PERFORMANCE	Performance far exceeds the standard expected of a jobholder at this level. The review/assessment indicates that the employee has achieved better than competent results against all of the performance criteria and indicators as specified in the PA and Work plan and maintained this in all areas of responsibility throughout the performance cycle

The annual performance assessment process involves:

a) Assessment of the achievement of results (KRAs) outlined in the work plan

- i. Each KRA must be assessed on the extent to which the specified standards have been met and outputs achieved.
- ii. An indicative rating on the five-point scale must be provided for each KRA.
- iii. This rating must be multiplied by the weighting given to the KRA as per the performance agreement, to provide a score.
- iv. The rating calculator can be used to add the scores and calculate a final KRA score, based on the 70% weighting allocated to the KRAs.

b) Assessment of the CMCs

- i. Each CMC must be assessed according to the extent to which the specified standards have been met.
- ii. An indicative rating on the five-point scale must be provided for each CMC.
- iii. This rating must be multiplied by the weighting given to each CMC as per the performance agreement, to provide a score.
- iv. The rating calculator may then be used to add the scores and calculate a final CMC score, based on the 30% weighting allocated to the CMCs.

c) Overall rating

- i. An overall score in accordance with the assessment rating is provided as a summary of the outcome of the performance review for KRAs and CMCs.
- ii. The assessment rating calculator may then be used to provide a final score based on adding the scores achieved for the KRAs and the CMCs.

7.4 Moderation

7.4.1 Purpose of moderation

The purpose of moderation is to ensure, as far as possible, that supervisors are evaluating performance in an equitable and consistent manner across the department, with a common understanding of the standard required at each level of the rating scale.

7.4.2 Structures involved in the moderation process

- a) **National level:** A single moderation committee will be established.
- b) **Provincial Level:** Each province will establish a moderation committee.
- c) **District Level:** Sub-committees will be established by the provincial moderation committee.

7.4.3 Composition of the Moderation Committee

a) National Level:

The national moderation committee will be established by the Director-General in consultation with Senior Management. The committee will consist, amongst others, of the following:

- i. Head of Human Resource Management (Chairperson);
- ii. Two (2) representatives from senior management; and
- iii. EMS PMDS coordinator

b) Provincial Level:

The provincial moderation committee should be established by the Head of Department (HOD) in consultation with senior management. The committee will consist, amongst others, of the following:

- i. Head of Human Resource Management (Chairperson);
- ii. Two (2) representatives from senior management; and
- iii. PMDS coordinator.

c) District Level:

The District Director will be responsible for the establishment of a moderation sub-committee at district level. The sub-committee will consist, amongst others, of the following:

- i. District Director (Chairperson)
- ii. Two (2) representatives from the district management team; and
- iii. PMDS coordinator.

7.4.4 Functions of the Moderation Committee

a) National and Provincial Level:

The functions of the moderation committee will be to:

- i. Ensure that there is compliance in terms of the applicable policy/collective agreement.
- ii. Provide oversight of the EMS PMDS, especially ensuring that the process for setting performance standards in the PAs is valid and objective;
- iii. Detect potential problems in the system (early warning) and advise the Head of the Department accordingly;
- iv. Review overall assessment scores in the department to ensure consistency;
- v. Make recommendations regarding actions to be considered where managers and supervisors do not properly and fairly execute their responsibilities with regard to assessment and rating in terms of the EMS PMDS.
- vi. Submit reports to the DG/HOD on their activities.

b) District level:

- i. Ensure that there is compliance in terms of the applicable policy/collective agreement.
- ii. Responsible for resolving any differences that may arise
- iii. Identify issues of non-compliance with the EMS PMDS collective agreement.
- iv. Submit reports to the provincial moderation committee on its activities.

Note: The above processes do not take away the right of an employee to invoke formal dispute resolution procedures if aggrieved by the outcome of the moderation committee.

7.4.5 Meetings of the committee

- a) Depending on operational requirements, the moderation committees (National/Provincial) will be required to meet at least twice per performance cycle as follows:
 - i. ***At the end of the performance cycle:*** to review and moderate the overall assessment results of the assessment process to ensure consistency within the department;
 - ii. ***At the start of the new cycle:*** to monitor the results of performance planning and agreement activities to ensure compliance and detect potential problems in the system.
- b) The district sub-committee should meet at least twice per performance cycle to ensure that employees and their supervisors are complying with all the requirements as required in the EMS PMDS agreement.
- c) Additional meetings may be arranged as the need arises.

7.4.6 Moderation process

The moderation process operates at two levels;

a) At individual level:

The role of the moderating committee is to ensure that supervisors are agreeing with their subordinates on work plans and appraising performance in a realistic, consistent and fair manner.

b) At departmental/district level:

The moderating committee must satisfy itself that departmental plans are developed and the EMS PMDS procedures are followed. This will be achieved by:

- i. Ensuring that the supervisors overview the performance management actions and assessment outcomes of their subordinates;
- ii. Ensuring that scores given across the department are valid and authentic, and
- iii. Ensuring that grievances referred to it are resolved amicably.

7.4.7 Discrepancies encountered during the moderation process

- a) If a moderating committee identifies deviations or discrepancies, the following steps should be followed:
 - i. refer back and furnish reasons thereof to the supervisor who had agreed to the rating with his or her subordinate(s); and
 - ii. This should be accompanied by a request for reconsideration of the rating.
- b) Unless it is an overall assessment score adjustment that alters the assessment scores of all employees (as a group) by the same quantum, a moderating committee may not change an individual employee's assessment score, without first referring the issue back to the supervisor who made the initial assessment, or any moderation sub-committee that might have been involved in the process.
- c) A moderation committee must keep detailed minutes of all decisions made.

7.5 Disagreements and grievances

In cases of any disagreement between the employee and the supervisor, all efforts should be made to resolve such disagreements at that level.

If any disagreements regarding the moderation of the evaluation of an employee must be dealt with in terms of the grievance procedure as stipulated in Chapter G of the PAM.

8. MANAGING PERFORMANCE THAT IS UNSATISFACTORY (RATING OF 1 & 2)

Supervisors are required to first identify and then, in line with a developmental approach, deal with unacceptable performance of employees under their supervision. The supervisor must comply with the procedural requirements of the Employment of Educators Act 1998 and Personnel Administrative Measures – *"Incapacity Code"*.

9. IMPLEMENTATION GUIDELINES

The employer will develop guidelines and instruments for the effective implementation and monitoring of the EMS PMDS for office-based educators.

SECTION B

PERFORMANCE AGREEMENT

Annexure A**PERFORMANCE AGREEMENT
EMS: OFFICE-BASED****ENTERED INTO BY AND BETWEEN**

I (Full Name)
as the (position) of the
..... (Department)
(herein referred to as the Employee).

AND

The (Department)
herein represented by..... (full name)
in her/his capacity as..... (position) of the
..... (Department).
(herein referred to as the Employer).

WHEREBY IT IS AGREED AS FOLLOWS:**1. PURPOSE**

- 1.1 The purpose of entering into this agreement is to communicate to the Employee the performance expectations of the Employer.
- 1.2 The performance agreement and accompanying work plan shall be used as the basis for assessing the suitability (during probation only) of the Employee and to assess whether the Employee has met the performance expectations applicable to his/her job.

- 1.3 Should any disagreement arise between the Employer and the Employee in respect of matters regulated by this agreement, the process outlined in paragraph 7.5 of the EMS PMDS should be followed.

2. VALIDITY OF THE AGREEMENT

- 2.1 The agreement will be valid for the period 1 April 2 to 31 March 2.....
- 2.2 The content of the agreement may be revised at any time during the above-mentioned period to determine the applicability of the matters agreed upon, especially where changes are significant.
- 2.3 If at any time during the validity of this agreement the work environment of the employee changes (whether as a result of Government or Management decisions or otherwise), to the extent that the contents of this agreement are no longer appropriate, the contents shall immediately be revised.

3. JOB DETAILS

3.1 Province	
3.2 District	
3.3 Persal number	
3.4 Component	
3.5 Unit	
3.6 Post / Designation	
3.7 Salary Level	
3.8 Salary Notch	
3.9 Occupational classification	

4. JOB PURPOSE

Briefly describe the purpose of the job (overall focus) as it relates to the Vision and Mission of the Department. Capture the overall accountability that the employee has in relation to his/ her position as an office based educator.

.....

.....

.....

.....

5. REPORTING REQUIREMENTS/LINES & ASSESSMENT LINES

5.1 The Employee shall report to the (job title in Department) as her/his supervisor on all parts of this agreement. The Employee shall:

- Timeously alert the supervisor of any emerging factors that could preclude the achievement of any performance agreement undertakings, including the contingency measures that she/he proposes to take to ensure the impact of such deviation from the original agreement is minimised.
- Establish and maintain appropriate internal controls and reporting systems in order to meet performance expectations
- Discuss and thereafter document for the record and future use any revision of targets as may be necessary as well as progress made towards the achievement of performance agreement measures.

5.2 In turn the supervisor shall:

- Meet the employee to provide feedback on performance and to identify areas for development at least four times during a performance cycle.
- Create an enabling environment to facilitate effective performance by the Employee.
- Facilitate access to skills development and capacity building opportunities.
- Work collaboratively with the employee to solve problems that may be impacting on the performance of the employee and generate solutions to common problems within the department, that may be impacting on the performance of the Employee.

6. PERFORMANCE ASSESSMENT FRAMEWORK

Performance will be assessed according to the information contained in the Work Plan and the Core Management Criteria (CMC) framework.

- 6.1 The KRAs and CMCs during the period of this agreement shall be as set out in the table below.
- 6.2 The Employee undertakes to focus and to actively work towards the promotion and implementation of the KRAs within the framework of the laws and regulations governing the Education sector. The specific duties/outputs required under each of the KRAs are outlined in the attached work plan.

Key Result Areas (KRAs)	Weight
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
TOTAL	100%

NOTE: **Minimum weighting of a KRA = 5%**
 Maximum weighting of a KRA = 20%
 Weighting of KRAs must total 100%

- 6.3 The Employee's assessment will be based on her/his performance in relation to the duties/outputs outlined in the attached Work Plan as well as the CMCs listed below.

Core Management Criteria (CMCs)	Weight
1. Job knowledge and application	20%
2. Leadership abilities	20%
3. Interpersonal relationships	10%
4. Communication	*
5. Service to stakeholders	10%
6. Acceptance of responsibility	*
7. Conceptual and analytical skills	*
Total	100%

NOTE:

Minimum weighting of a CMC = 5%

Maximum weighting of a CMC = 20%

- * Weighting for CMCs 4, 6 and 7 to be jointly decided between employee and supervisor.
Weighting of 7 CMCs must total 100%

7. CONDITIONS OF PERFORMANCE

The Employer shall provide the Employee with the necessary resources and leadership to perform in terms of this agreement. Resource requirements should be outlined in the Work Plans of individual Employees.

8. PERFORMANCE ASSESSMENT

The assessment of an Employee shall be based on her/his performance in relation to the KRAs and CMCs and performance indicators, as set out in this Performance Agreement and attached Work Plan.

The performance of the employee in respect of all individual KRAs and all individual CMCs will be assessed using a 5-point rating scale, i.e.:

5	EXCELLENT PERFORMANCE
4	GOOD PERFORMANCE
3	COMPETENT
2	PERFORMANCE NEEDS TO IMPROVE
1	UNSATISFACTORY PERFORMANCE

The total KRAs and the total CMCs scores are combined to produce an overall performance percentage score with percentage ranges that coincide with the above 5point assessment scale.

Employees: KRAs shall contribute 70% and CMCs 30% of the final assessment.

9. FEEDBACK

Performance feedback shall be in writing during the Mid-Year Review and Annual Performance Assessment, based on the supervisor's assessment of the employee's performance in relation to the KRAs and CMCs and standards outlined in this performance agreement and taking into account the Employee's/ self-assessment.

10. DEVELOPMENTAL REQUIREMENTS

10.1	The Employer and Employee agree that the following are the Employee's key development needs in relation to his/her current job and envisaged career path in the Education sector. Please forward the completed Form PDP to the Skills Development Facilitator (as it is a requirement for the approval of training).
------	---

* Only itemise development areas below

.....

.....

.....

.....

10.2 In so far as the above training needs coincide with the Employer's requirements and taking into account financial realities, the Employer undertakes to expose the Employee to development in these areas. The developmental needs of the Employee shall be reviewed as part of the September Review and the annual assessment of performance. Details of courses, conferences, etc. to be attended shall as far as possible be included in the Employee's PDP

11. TIMETABLE AND RECORDS OF REVIEW DISCUSSIONS AND ANNUAL PERFORMANCE ASSESSMENT

11.1 First Quarter Review (Informal)	July
11.2 Mid-Year Review (Formal)	October
11.3 Third Quarter Review (Informal)	January
11.4 Annual Assessment (Formal)	April

12. MANAGEMENT OF POOR PERFORMANCE OUTCOMES

The supervisor and employee will identify and develop interventions together to address poor and non-performance at feedback sessions, or any time during the performance cycle.

13. DISAGREEMENTS AND GRIEVANCES

- 13.1 Should any disagreement arise between the Employer and the Employee in respect of matters regulated by this agreement, the process outlined in paragraph 7.5 of the EMS PMDS should be followed.

14. AMENDMENT OF AGREEMENT

Amendments to the agreement shall be in writing and can only be effected after discussion and agreement by both parties.

15. SIGNATURES OF PARTIES TO THE AGREEMENT

The contents of this document have been discussed and agreed with the Employee concerned.

Name of Employee:

Signature:.....Date:

AND

Name of supervisor:

Signature:Date:.....



ANNEXURE B**GUIDE TO THE PERFORMANCE WORK PLAN**

One of the most challenging aspects of performance management is agreeing on the nature, content and detail of the actual performance agreement. In the performance agreement, this is captured largely in the work plan. A major problem in performance management is the wide diversity of words and terms used to describe aspects related to performance management and assessment. This EMS PMDS attempts to standardise terminology to promote a common understanding of those issues that should be included in the work plan and to unpack key result areas and outputs. A further complication is the wide diversity of jobs. Most work plans are therefore unique, while there may be similarities within job categories with a more routine content. The drafting of a work plan and agreement thereon between the supervisor and employee is therefore of prime importance in the performance management and assessment process.

The definition of the terms is critical as they are also used as basis for the assessment at the end of the cycle. Performance assessment or measurement is difficult and complex. An effective system of performance assessment will require years of consistent, incremental work to achieve. Acceptance of the performance management and assessment process is essential to the success, legitimacy and integrity of the performance management system.

The following terms are used with the meaning as indicated:

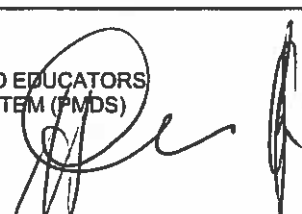
WORK PLAN: In the EMS PMDS, a work plan is described as a document which is part of the performance agreement and which contains key result areas (KRAs), associated outputs and their performance standards and resource requirements. An example of the template is attached.

OUTPUT: An output is a concrete result that contributes to the achievement of a Key Result Area.

PERFORMANCE STANDARD: Performance standards are mutually agreed criteria to describe how well work must be done in terms of quantity and/or quality and timeliness, to clarify the outputs and related activities of a job by describing what the required result should be. In this EMS PMDS, performance standards are divided into indicators and the time factor.

PERFORMANCE INDICATOR: An indicator is used to gauge the extent to which an output has been achieved (policy developed, presentation delivered, service rendered)

TIMEFRAME: The timeframe is used to determine whether the activities were completed as planned.



ENABLING CONDITIONS: These refer to factors that will enable the delivery of the output (availability of the required financial and human resources) and conversely, under what conditions or situations of change can the employee not be expected to deliver the output (unfilled vacancies, a cut in the budget).

A **suggested** work plan template follows as **Annexure C** below:

ANNEXURE C**Work Plan (Year)**

NAME PERIOD	OFFICE		TIME-FRAME	WEIGHTING	KEY ACTIVITIES	PERFORMANCE INDICATORS	NOTES ON PROGRESS, CHANGED CIRCUMSTANCES, RESOURCES AND ENABLING CONDITIONS
		DESIGNATION					

Collective Agreement 3 of 2017

EDUCATION MANAGEMENT SERVICE (EMS): OFFICE-BASED EDUCATORS
PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (PMDS)

A handwritten signature in dark ink, appearing to be 'M. J.', is located in the top right corner of the page.

KEY RESULT AREA	KEY ACTIVITIES	WEIGHTING	TIME-FRAME	PERFORMANCE INDICATORS	NOTES ON PROGRESS, CHANGED CIRCUMSTANCES, RESOURCES AND ENABLING CONDITIONS

Agreed (Signatures):

Employee	Date	Supervisor	Date

PS: Additional forms may be used to complete further KRAs

Collective Agreement 3 of 2017

EDUCATION MANAGEMENT SERVICE (EMS): OFFICE-BASED EDUCATORS
PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (PMDS)



[Handwritten signatures]

ANNEXURE D**PERSONAL DEVELOPMENT PLAN (PDP)****EMS: OFFICE BASED EDUCATORS**

DEPARTMENT	
COMPONENT	
DESIGNATION	
EMPLOYEE	
SUPERVISOR	

PURPOSE: To enable the manager and the employee to identify skills development requirements and as a result agree on the steps taken to address those developmental gaps.

AREAS IDENTIFIED FOR DEVELOPMENT	OBJECTIVE OF DEVELOPMENT	TYPE OF INTERVENTION (SHORT COURSE, WORKSHOP, CONFERENCE, ETC))	TIMEFRAME

IMPACT ASSESSMENT

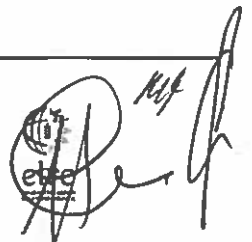
IMPACT OF DEVELOPMENT ON WORK (AFTER SIX MONTHS)	
EMPLOYEE	SUPERVISOR/MANAGER

We,(Employee) and (Supervisor) agree that the above-mentioned areas for development and the type of intervention suggested will be engaged in to achieve the required objective for development. We also understand that due to the operational requirements of the Department it may not be possible to undertake the training

and development stated with the type of intervention stated and/or within the timeframes as stated. There is also an understanding between ourselves that areas for development could be identified throughout the performance cycle and that this may change the order of priority and type of intervention as stated in the plan.

Signatures:

Employee	
Date	
Supervisor	
Date	

Handwritten signatures and initials, including a circular stamp with the letters 'EMS' inside.

SECTION C

ASSESSMENT INSTRUMENTS



ANNEXURE E**ANNUAL / MID-YEAR PERFORMANCE ASSESSMENT
EMS: OFFICE-BASED EDUCATOR****CONFIDENTIAL**

Period under review	
Employee	
Designation	
Persal Number	
Office	
Date of appointment to current post	
Supervisor	

PART 1 – COMMENTS BY EMPLOYEE

(To be completed by the Employee prior to assessment. If the space provided is insufficient, the comments can be included in an attachment)

2. During the past year my major accomplishments as they related to my performance agreement were:

3. During the past year I was less successful in the following areas for the reasons stated:

PART 2 – PERFORMANCE ASSESSMENT**Standard rating schedule for KRAs and CMCs**

RATING	CATEGORY	%	DESCRIPTION
1	UNSATISFACTORY PERFORMANCE	0% - 49%	Performance does not meet the standard expected for the job. The review/assessment indicates that the jobholder has achieved less than competent results against almost all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
2	PERFORMANCE NEEDS IMPROVEMENT	50% - 59%	Performance meets some of the standards expected for the job. The review/assessment indicates that the jobholder has achieved less than competent results against more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
3	COMPETENT	60% - 75%	Performance fully meets the standard expected in all areas of the job. The review / assessment indicates that the jobholder has achieved as a minimum effective results against all of the performance criteria and indicators as specified in the Performance Agreement and Work plan.
4	GOOD PERFORMANCE	76% - 90%	Performance is significantly higher than the standard expected in the job. The review/assessment indicates that the jobholder has achieved better than competent results against more than half of the performance criteria and indicators as specified in the Performance Agreement and Work plan and fully achieved all others throughout the performance cycle.
5	EXCELLENT PERFORMANCE	91% - 100%	Performance far exceeds the standard expected of a jobholder at this level. The review/assessment indicates that the jobholder has achieved better than competent results against all of the performance criteria and indicators as specified in the Performance Agreement and Work plan and maintained this in all areas of responsibility throughout the performance cycle.

Rating of KRAs by Employee and Supervisor:

Key Result Areas (KRAs)	Weight (%)	Own rating (1- 5)	Supervisor's rating (1- 5)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Total (NOTE: Weighting of KRAs must total 100%)	100%		
Score according to calculator:	70%		

Rating of CMCs by Supervisor and Employee:

Core Management Criteria – CMCs	Weight (%)	Own rating (1- 5)	Supervisor's rating (1- 5)
1. Job knowledge and application	20%		
2. Leadership abilities	20%		
3. Interpersonal relationships	10%		
4. Communication	*		
5. Service to stakeholders	10%		
6. Acceptance of responsibility	*		
7. Conceptual and analytical skills	*		
Total (NOTE: Weighting of CMCs must total 100%)	100%		
Score according to calculator:	30%		

FINAL SCORE:

GRAND TOTAL	EMPLOYEE'S SCORE	SUPERVISOR'S SCORE	MODERATING COMMITTEE'S SCORE
KRA + CMC (70% + 30%)			

**PART 3 – DEVELOPMENT, TRAINING, COACHING, GUIDANCE AND EXPOSURE
NEEDED**

(To be completed by Supervisor in consultation with Employee)

Developmental need	Intervention strategy	Timeframe	Responsibility

PART 4 – RECOMMENDATIONS/COMMENTS

1. EMPLOYEE'S COMMENTS

2. SUPERVISOR'S COMMENTS

AGREED:**Signatures:**

Employee	
Date	
Supervisor	
Date	

3. COMMENTS BY MODERATING COMMITTEE

Name	
Signature	
Date	

ANNEXURE F**Example: CALCULATOR: EMS PERFORMANCE ASSESSMENT**

KRA	WEIGHT	RATING	SCORE			CMC	WEIGHT	RATING	SCORE	
1	30	4	24			1	20	4	16	
2	20	4	16			2	20	5	20	
3	20	3	12			3	10	4	8	
4	20	4	16			4	10	4	8	
5	10	5	10			5	10	4	8	
6			0			6	15	4	12	
7			0			7	15	3	9	
8			0			8			0	
9			0			9			0	
10			0			10			0	
	100		78	%			100		81	%
KRA WEIGHT			70	%	CMC WEIGHT			30	%	
KRA SCORE			54.6	%	CMC SCORE			24.3	%	
FINAL SCORE			79	%						

Guide to calculating score**1. KRA**

KRA 1 Score	=	(rating * weight) / 5
	=	(4 * 30) / 5
	=	24
KRA Score (%)	=	(KRA Weight * Total) / 100
	=	(70 * 78) / 100
	=	54.6%

2. CMC

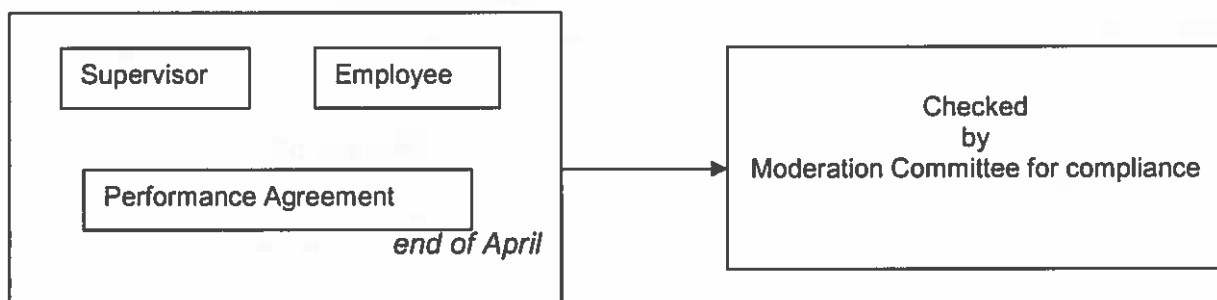
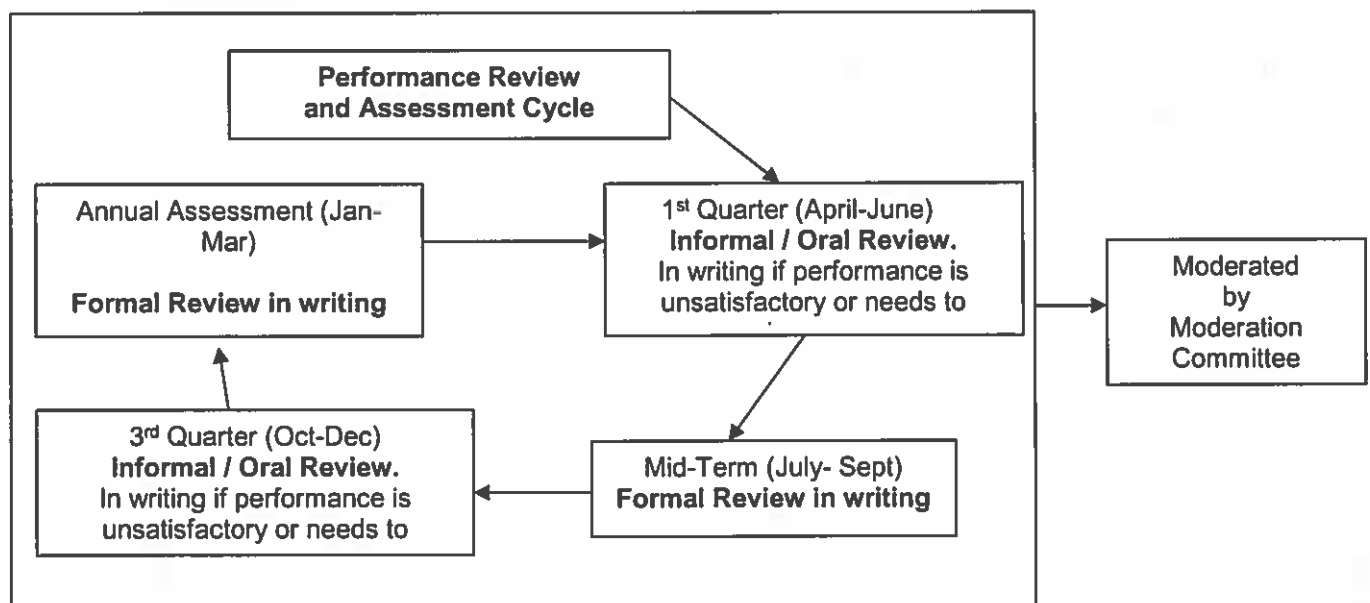
CMC 1 Score	=	(rating * weight) / 5
	=	(4 * 20) / 5
	=	16
CMC Score (%)	=	(CMC Weight * Total) / 100
	=	(30 * 81) / 100
	=	24.3%

3. FINAL SCORE

Final Score =	KRA Score (%) + CMC Score (%)
	= 54.6% + 24.3%
	= <u>79%</u>

SECTION D

SCHEMATIC REPRESENTATION OF THE PMDS

ANNEXURE G**Performance Management and Development System****Level 1: Performance Agreement****Level 2: Performance Assessment**

Annexure H