



Enquiries: Mr Keith Loynes

Tel: (012) 312 6182

Email: Loynes.K@dhet.gov.za

Reference: DHET Function Shift Circular No 2/2014

To:

- Heads of Provincial Education Departments;
- Officials in the Provincial Education Departments likely to be affected by the Technical and Vocational Education and Training Colleges (TVETC's) and Adult Education and Training Centres (AETCs) function shift;
- Chairpersons of Council and Administrators of TVET Colleges;
- Principals, Lecturers and Support Staff of TVET Colleges;
- Principals and Staff of Public Adult Learning Centres (PALC) ; and
- Employees represented by organised labour in both the General Public Service Sector Bargaining Council (GPSSBC) and the Education Labour Relations Council (ELRC).

PROGRESS MADE WITH THE TVET AND AET FUNCTION SHIFT PROCESS AND THE WAY FORWARD

OBJECTIVE OF THE CIRCULAR:

The objective of this circular is to communicate progress made on the AET and TVET College Function shift and provide information to officials affected by the transition. This circular is issued after consultation with members of the function shift National Implementation Task Team (NITT) comprising of Nehawu, POPCRU and

PSA representation from the GPSSBC, CTU-ATU, and SADTU representation from the ELRC, and DHET officials (including some college principals).

The last circular provided a progress update on the different management areas specific to the TVET Colleges. Below is an outline of progress related to both the AET and TVET function shift.

1. ADULT EDUCATION AND TRAINING (AET)CENTRES

Amendment of the FET Colleges Act, 2006 (Act No. 16 of 2006) outlines the move of the AET function to the Minister of Higher Education and Training by way of FET Colleges Amendment Act 2013 (Act No. 1 of 2013), by repealing the Adult Education and Training Act, 2000 and converting the AET Centres into Community Colleges. While this act is not yet operative, the DHET has developed a draft Policy on Community Colleges, which will guide the establishment of Community Colleges and Community Learning Centres. The policy will be published shortly for public comment. In the meantime the Minister has requested the President of the Republic of South Africa to effect the operationalization of the Continuing Education and Training Act on 1 April 2015. This means the AET function would have been completely moved.

The Policy provides guidance on the nature of Colleges to be established in line with the FET Colleges Amendment Act, 2013 (Act No. 1 of 2013). Through the FET Amendment Act and the finalization of the Policy, the following will be achieved:

- Adult Education and Training will be brought into the TVET Colleges legislative framework that is to be renamed the Continuing Education and Training Act;
- the repeal of the Adult Education and Training Act, 2000 (Act No. 52 of 2000);
- shifting Adult Education and Training into a national responsibility of the Minister of Higher Education and Training; and
- the declaration of a new institutional type called the Community Education and Training College.

In order to get to the above, work has begun on various aspects related to staffing within AET:

- i. A draft Collective Agreement regarding the transfer of AET Staff to the DHET has been developed and is being consulted on. Initial discussions have taken place with officials from Provincial Education Department (PED's) AET units as well as with some Centre managers and principals. More of these sessions will be held as requested by the PED AET Units.
- ii. In addition to the draft collective agreement, DHET will be initiating a staff data update and physical verification process within AET Centres and PED AET Units. The immediate action will be to collate data on existing staff within AET and verify this data by a physical verification process which is due to start during the month of July 2014. Details of this process will be outlined to all centre managers and principals for dissemination to all staff.
- iii. The DHET is in the process of collecting information on the current status of AET centre governance structures that are legally and properly constituted in line with the existing Adult Education and Training Act, 2000 (Act No.52 of 2000).

The DHET will establish interim College Councils once the Minister has approved the draft policy on Community Colleges and the identification of the sites for Community Colleges.

- iv. It is anticipated that staff information sessions for AET staff will be undertaken nationally to outline the processes to be followed and address any questions that staff may have.

2. TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING COLLEGES (TVETC)

The Minister will be shortly publishing a notice in the Government Gazette effecting the remaining sections of the FET Amendment Act (2012) to come into effect on 1 April 2015, thus completing the function shift.

The legislation also provides for the rebranding of FET Colleges as Technical Vocational Education and Training Colleges (TVET).

A. Staff data updates and Verification Process

In May 2014 all colleges were asked to update staff data provided to DHET to assess the college wage bill in relation to the college grant allocation. On receiving the data per college, all TVET College staff will be required to go through a physical verification process as follows:

- a. All staff to confirm their physical verification by signing out, on the 'College Verification Control Sheet', their receipt of a 'Staff information update form'. This is to be coordinated and managed by the College HR Department.
- b. The completed and signed 'Staff information update form' along with required copies of documentation requested is to be returned by all staff to the College HR Department within 10 days of receipt and signed back in to the College HR Department using the 'College Verification Control Sheet'.
- c. All completed forms including any copies of required documentation are to be signed off by the College HR Department and sent to the DHET with the signed copies of the 'College Verification Control Sheet'.
- d. DHET will then consolidate data initially provided against the physical verification information in order to confirm the physical verification of all the staff prior to the identification of staff for transfer to the DHET.

This process has already started in some colleges and is to be completed by end of August 2014.

B. Collective Agreement Implementation

The National Implementation Task Team (NITT) has done much work since the publishing of DHET Function Shift Circular No 1 / 2014. The purpose of this team, made up of labour and DHET officials is to ensure transparency and effective implementation of the Collective Agreements.

To clarify the clauses of the Collective Agreements as well as outline the steps involved in the identification of staff for transfer from the TVET Colleges to the DHET, the NITT have developed "Business Rules" which are currently being piloted in some colleges. While details of these business rules will be shared with staff at the Information Workshops being planned soon, it is important for staff to note that criteria being used to determine the identification for transfer will include the following:

- i. The status of the College wage bill in relation to the College Grant Allocation;
- ii. The numbers and costs of the permanent and temporary persal staff employed at the college;
- iii. The numbers and costs of the permanent and temporary college payroll staff employed at the college;
- iv. Operational requirements including curriculum needs, scarcity of skills, student enrollments, etc.

Where staff are not identified for transfer to the DHET they will remain in the employ of the College Council.

In addition to the above, the Frequently Asked Questions document is being updated for circulation to all staff during the roll out of staff information sessions. These will be continually updated to ensure that all staff are aware of the issues that arise.

C. Staff Information Workshops

The NITT has been split into 6 groups that will travel nationally to deliver staff information workshops related to the TVET Function Shift. This process will occur during the month of July 2014. Further information on this will be provided shortly.

These workshops are intended to inform as many staff as possible in Public TVET Colleges of the Function Shift Project including a progress update, processes to be undertaken, the identification of staff for transfer, and the deadline dates for completion of the transfer to the DHET.

Delegates selected per college in each province to attend these workshop sessions are expected to cascade this information in formal workshops at their colleges to ensure that all staff receive the same message. The College Principal is to determine which of these staff are best suited to the task. Workshop information and presentations will be provided to ensure this is consistently delivered, with members of the NITT being available to support this if required.

D. PED TVET Unit Staff

To date, PED TVET unit staff providing support to TVET Colleges have been seconded to the DHET to ensure the smooth operations of colleges nationally. Information related to the roles and responsibilities of each of these members of staff has been received by the DHET and discussions around the transfer of the PED TVET Unit staff to the DHET are scheduled to begin soon.

CONCLUSION

We want to thank all those involved and affected by this process for their cooperation and also want to assure you that there will be regular communication in this regard.



Mr GF Qonde

Director-General: Higher Education and Training

Date: 08/07/2014