

FOR PSA MEMBERS: SOUTH AFRICAN POLICE SERVICE (SAPS)

17-12-2020

Safety and Security Sectoral Bargaining Council (SSSBC): Agreement 1 of 2020

An agreement was concluded (*attached for ease reference*) relating to restructuring of the Service for the period 2020/21 to 2023/24. It is based on prevention and combating of crime investigation within the community, including public order, protection and security of inhabitants and their property.

Regulation 20(2) of SAPS Employment Regulations of 2018 empowers the National Commissioner to determine the organisational structure of the Service. In addition, the Commissioner is mandated to define the post/job necessary to perform the relevant functions while remaining within the current budget and medium-term expenditure framework of the Service and the posts so defined, constitute the fixed establishment.

The process will commence by the employer tabling the proposed structure, followed by the implementation plan. The employer must compile a skills audit and a declaration of vacant funded posts, based on the new structure. A comprehensive plan of the process must be shared. The plan will include a criterion for matching and placing, based on DPSA prescripts, taking into account qualification and skills.

The restructuring process will entail the different tiers, i.e. National/Divisions, Provinces, Districts, Stations and Specialised Units. At National tier, Matching and Placement Committees will be established, which will be chaired by Deputy National Commissioner. Representatives from admitted trade unions will also participate in the process. Members will not be denied participation in workshops and road shows, which will take place on or before 28 February 2021. Members are welcome to provide inputs on the agreement to the nearest PSA Provincial Office.

Members will be informed of developments.

GENERAL MANAGER



SAFETY AND SECURITY SECTORAL BARGAINING COUNCIL

AGREEMENT NO:	01/2020
DATE:	30 November 2020

AGREEMENT ON RESTRUCTURING

PREAMBLE:

The Constitution of the Republic of South Africa gives power to South African Police Service (SAPS) as the principal law-enforcement body. The SAPS's policing objectives, in accordance with the provisions of Section 205 (3) of the Constitution of the Republic of South Africa of 1996, are to:

- a) prevent, combat and investigate crime;
- b) maintain public order;
- c) protect and secure the inhabitants of South Africa and their property; and
- d) Uphold and enforce the law.

All SAPS employees have a duty and a responsibility to service the community in line with the Constitution of the Republic of South Africa.

NOTING THAT:

The SAPS needs to embark on a process of the Restructuring in order to function efficiently and effectively.

SAPS Employment Regulations, 2018 Regulation 20(2) empower the National Commissioner who is the Accounting Officer to:

- a) Determine the Organizational structure of the Service in terms of its core and support functions.
- b) Define the posts necessary to perform the relevant functions while remaining within the current budget and medium-term expenditure framework of the Service, and the posts so defined, constitute the fixed establishment of the Service.

PARTIES THEREFORE AGREE AS FOLLOWS:

1. Notwithstanding the provisions of SSSBC Agreement 2/2009, parties hereby resolve to conclude a collective agreement on the Restructuring of the South African Police Service for the period 2020/2021 to 2023/2024.

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2. The restructuring process will be implemented in a fair and impartial manner underpinned by the following principles:
 - 2.1 The Strategic Plan of SAPS
 - 2.2 Policy and Planning
 - 2.3 Operations and coordination
 - 2.4 Service Delivery Improvement Plan
 - 2.5 Optimal utilisation of Senior management
 - 2.6 Strategic Deployment
 - 2.7 Cost Effective Organisational Structure that support core functions
 - 2.8 Multi-tasking of skilled members and the optimal utilisation to meet core function of operations.
 - 2.9 Clear delegation of authority and operational delegation of structures.
 - 2.10 Clear separation of power.
3. Restructuring process of SAPS will be preceded by the following:
 - 3.1 The tabling of the new organisational structure for meaningful consultation at SSSBC.
 - 3.2 Development of an Implementation Plan.
 - 3.3 Declaration of posts as vacant, informed by the new structure.
 - 3.4 Compilation of a skills audit.
 - 3.5 The submission of an audited comprehensive Human Resource Plan which must entail a criteria for placement based on qualifications and skills in line with DPSA guidelines.
4. The Restructuring of SAPS will be implemented in phased approach as follows:
 - 4.1 Phase 1 – National and Divisions
 - 4.2 Phase 2 – Provinces
 - 4.3 Phase 3 – District
 - 4.4 Phase 4 – Stations
 - 4.5 Phase 5 – Specialised Units
5. National Restructuring Committee will develop guidelines for implementation.
6. National and Provincial matching and placing committees will be established in accordance with the approved committee guidelines.
7. The composition of the matching and placing committee will be inclusive of the representatives of trade unions admitted to the SSSBC.
8. The matching and placing committees will be chaired by a Deputy National Commissioner at National level and the Deputy Provincial Commissioner at Provincial level.
9. This agreement will be implemented with effect from **01 December 2020.**
10. This agreement binds the parties to the agreement and all employees who are not member of a registered trade union admitted to this Safety and Security Sectoral Bargaining Council, as well as all members of registered trade unions admitted to this Safety and Security Sectoral Bargaining Council, who are not parties to this agreement.

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11. This Agreement shall remain valid until such time that it is amended or revoked in the Sectoral Bargaining Council.
12. This Agreement shall be subjected to the provisions of any applicable Act of Parliament, or secondary legislation promulgated in terms thereof.
13. The representative of all the parties concerned undertake to take every reasonable step necessary to ensure the implementation of this Agreement.
14. If there is a dispute about the interpretation or application of this agreement, any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of Council.
15. Parties agree to conduct joint Roadshows / Workshops on the interpretation / application of this Agreement in the Provinces within 60 days of concluding this Agreement.

This Agreement signed on behalf of the South African Police Service as Employer and the relevant employee organizations all signatories being duly authorized thereto at **CENTURION** on this **30TH day of NOVEMBER 2020**.



SOUTH AFRICAN POLICE SERVICE



POLICE AND PRISONS CIVIL RIGHTS UNION



SOUTH AFRICAN POLICING UNION