



FOR PSA MEMBERS: **GAUTENG DEPARTMENT OF EDUCATION**

15-04-2026

PSA secures victory with withdrawal of *Internal Memorandum No 92 of 2025*

On 2 December 2025, the Gauteng Department of Education's acting Head of Department issued a circular directing the implementation of a revised recruitment process. This process included the use of competent selection panels and the introduction of pre-entry assessments as part of efforts to professionalise recruitment in the Department. The circular further instructed that all posts advertised in the 2025/26-financial year must comply with this directive. It also required that recruitment processes already completed be reconvened, and that previously interviewed candidates undergo the newly introduced pre-entry assessments.

Whilst the PSA acknowledged the importance of fair and transparent recruitment practices, it raised serious concerns regarding the retrospective application of the directive. The PSA argued that reopening recruitment processes concluded before 2 December 2025 was unlawful, unreasonable, and procedurally unfair. Candidates had a legitimate expectation that processes would be finalised in accordance with the rules applicable at the time. Introducing new requirements after interviews fundamentally alters the process to their detriment.

Furthermore, the PSA highlighted that the memorandum provided no legal basis for retrospective application, which is inconsistent with the principles of the Constitution and the *Promotion of Administrative Justice Act*. The directive was also criticised for imposing unnecessary administrative and financial burdens on the Department, particularly in light of existing budget constraints, and for increasing pressure on educators and administrative staff. In addition, the PSA noted that the directive was implemented without proper consultation with organised labour, in contravention of the *Labour Relations Act*. For these reasons, the PSA rejected the instruction to reconvene selection committees and reassess candidates and formally placed the employer on terms. Following the PSA's intervention, *Internal Memorandum No 23 of 2026* was issued on 1 April 2026, officially withdrawing *Internal Memorandum No 92 of 2025*.

Further enquiries

Members seeking further clarity may contact Jabulisile on 073 616 9813 / Jabulisile.sukazi@psaftss.co.za.

Not a PSA member yet?

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