



**Western Cape
Government**

Social Development

**GUIDELINE ON PERFORMING
REMUNERATIVE WORK OUTSIDE
THE PUBLIC SERVICE
(RWOPS)
2015/2016**

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Annexures:

Annexure 1: Public Service Act, 1994 (as amended)

Annexure 2: Public Service Regulations, 2001

Annexure 3: Code of Conduct

Annexure 4: Provincial Policy of Remunerative Work outside the Public
Service

Annexure 5: Application for RWOPS

Annexure 6: Delegations

Annexure 7: RWOPS Flow Chart

1. Introduction

In today's day and age, the Department recognises that employees are much more economically active and are either creating opportunities for themselves through the services and skills that they are able to provide. Just like services are bought in the private sector, so the public service also procures services from outside service providers. As a result one would find that employees in the public service are besides having a day job, also involved in either running their own business on the side-line, selling goods or are providing services to people or departments in the Public Service including the Western Cape Government.

Faced with ensuring that the Department of Social Development and the broader Western Cape Government is able to provide administrative processes that are fair with the procurement of service providers as well as staff who wishes to perform remunerative work outside the public service, that the relevant legislative framework guiding RWOPS be adhered to.

2. Policies and prescripts

The following policies and prescripts guide the management-, processing and granting of approval to perform RWOPS:

- Public Service Act, 1994 (as amended)
- Public Service Regulations, 2001
- WCG Policy on Remunerative Work Outside Public Service (RWOPS), 2012
- Code of Good Practice

3. Process to apply (Step-by-Step)

- Complete application form
- Supervisor/Manager to support application.

- Application form to be recommended by the relevant Senior Manager.
- Application to be submitted to the Director: Operational Management Support.
- Delegated Authority to approve/not approve the application(s):
- Directorate Operational Management Support to inform applicant via the relevant Senior Manager whether application has been approved/not approved.
- If approval has been granted, applicant to complete and return Annexure as an acceptance of the conditions, for granting approval.
- Managers/Supervisors to ensure that person adheres to the conditions of the letter and to note that disciplinary action will be taken against the individual in the event of non-compliance.

4. Timeframes for applying

It is important to note that in terms of the WCG Policy on Remunerative Work Outside Public Service (RWOPS), 2012 if an application by an employee is not approved within 30 days from the date of application, the application would be deemed as being approved.

In this particular instance the onus is placed on the relevant supervisor/manager to ensure that the all applications for RWOPS is processed expeditiously in order to allow the delegated authority sufficient time in applying his/her mind whether or not to approve/not approve the application.

Senior Managers are therefore required to regularly re-emphasize the importance with their staff to ensure compliance with expeditiously

processing all applications to ensure 100% compliance is maintained in this particular area.

5. Conditions under which approval may be granted

- Such work will not affect an individual's normal duties and responsibilities;
- Such work will not be an embarrassment to the Department;
- Confidential information gained during an individual's normal duties, must be treated as such;
- An individual declares any future business initiatives within the Western Cape Government;
- That annual leave be utilised when an individual is absent from the office for purposes of this remunerative work;
- No tools and trade of the Western Cape Government to be utilised for purposes of an individual's remunerative work; and
- The programmes and times of the Department of Social Development will not be impacted on negatively.
- Social Service Professionals will not recruit or refer clients to either him/her as part of the nature of work to be performed.

6. Non-Compliance

- Failure to honour the conditions under which approval has been granted can lead to disciplinary action being instituted against an individual.
- Persons that haven't yet applied or are already performing RWOPS without approval will be dealt with in terms of the disciplinary process.

7. Period of validity of application

- Please note that the RWOPS approval is only valid for 1 year up until the end of the financial year.
- If approval is granted the period will be stipulated in an applicant's letter.
- It remains the individual's responsibility to re-apply should there be a need to do so in order to ensure that the approved RWOPS does not lapse
- Re-application has to be done on an annual basis at the beginning of the financial year for the renewal of the application

8. Delegations

8.1 RWOPS applications for salary levels 1 to 12

The delegation to approve applications for salary levels 1 – 12 is vested in the Head of Department.

8.2 RWOPS applications for salary levels 13 to 14

The delegation to approve applications for salary levels 13 – 14 is vested in the Executing Authority.

9. Management Controls for RWOPS

Individuals who perform remunerative work outside the public service without complying with the regulatory framework needs to take note that the Department on a quarterly basis checks the Departmental staff list against the following databases, for employees who might be doing business with Departments within the Western Cape Government:

- Department of Trade and Industry database (DTI)
- Provincial Treasury's database to ensure that all staff members comply with the regulatory framework

Supply chain management processes are also closely managed and monitored against the aforementioned databases to prevent potential non-disclosure.

10. Review of RWOPS guideline

The amendment of the RWOPS guideline will be done as and when changes to the policies and prescripts guiding RWOPS are received.



Dr Robert Macdonald

Head of Department

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