

File no.: 3/1/3/1
Reference: 20250818-5974

Circular: 0021/2025
Expiry date: None

To: Deputy Directors-General, Chief Directors, Directors, Chief Education Specialists, Circuit Managers, Principals of ordinary public and special schools and Members of governing bodies

Short summary: *Provision of 2026 educator establishments for ordinary public and special schools.*

Subject: Provision of 2026 educator establishments for ordinary public and special schools

1. Educator establishments are issued in terms of Chapter 2 of the Employment of Educators Act, 1998 (Act 76 of 1998), and Chapter A and Annexure A.1 of the *Personnel Administrative Measures (PAM)*, published in *Government Gazette* No. 46879 of 09 September 2022.
2. **Educator establishments for 2026**
 - 2.1 In terms of the measures contained in Annexure A.1 of the *PAM*, ordinary public and special schools must be issued with their annual educator establishments by 30 September of the preceding year. Thus, for the 2025 academic year, all educator establishments issued to ordinary public and special schools (as well as all additional posts created for and issued to a public school in 2025 as a result of either increased learner enrolment or the curriculum needs of the school) will expire on 31 December 2025.
 - 2.2 The educator establishments for 2026 will be published on CEMIS under the link *Administration (Establishments)* on 29 August 2025 at 12:00.
3. **Consultations on the 2026 affordable basket of posts**
 - 3.1 During consultations between the Provincial Minister of Education, educator unions and governing body associations on 23 July 2025, the impact of the cost containment measures and continuous pressures on the Compensation of Employees (CoE) budget of the Western Cape Education Department (WCED) were presented for the Medium-Term Expenditure Frameworks for 2025/26, 2026/27 and 2027/28.

- 3.2 The Head of Education concluded consultations with educator unions and governing body associations on the utilisation and distribution of the 2026 basket of posts on 06 August 2025.
- 3.3 Emanating from the aforementioned consultations, the WCED informed educator unions and governing body associations that the 2025 affordable basket of post allocations for the 2026 academic year have been retained.

4. **Post structure**

The post structure and descriptions contained in the *PAM*, as promulgated by the Minister of Basic Education in *Government Gazette* No. 46879 of 09 September 2022, are applicable to educator establishments.

5. **School grading**

Schools are graded in accordance with paragraph A.3 of the *PAM*.

6. **Revision of 2026 educator establishments**

In the event that a school phases out a grade or grades, its educator establishment will be revised based on the number of learners remaining at the school. In the case of learners moving out of a school with the phasing out of a grade or grades, the educator establishment(s) of the receiving school(s) will be revised.

7. **Recalculation of educator establishment owing to change in learner enrolment during 2026**

- 7.1 The WCED reserves the right to abolish PL 1 posts if there is a drop in the school's learner enrolment during the course of the 2026 academic year.
- 7.2 All schools are called upon to update their enrolment totals on CEMIS by Tuesday, 03 March 2026. The educator establishment of all those schools where learner enrolment is less than the learner enrolment reflected on their educator establishment letters, will be recalculated by 20 March 2026. If a school is to lose a post or posts, then the number of contract appointments equal to or fewer than the number of posts the school loses will be reviewed accordingly from 01 April 2026.

8. **Filling of advertised vacant/funded permanent posts (as reflected on 2026 educator establishment)**

- 8.1 All posts that have already been advertised in a WCED vacancy list may be filled permanently, provided that those posts appear on the 2026 educator establishment.

- 8.2 Should an advertised post not appear on the 2026 educator establishment, the school is not entitled to that post, and such a post will be regarded as erroneously advertised.
- 8.3 The stipulation that an advertised post (PLs 1-3) may only be filled if there is **no educator declared as in addition (in excess)** to the educator establishment in terms of Education Labour Relations Council (ELRC) Collective Agreement No. 4 of 2016, dated 23 August 2016, remains in place.
- 8.4 Only professionally and suitably qualified educators with a Relative Education Qualification Value 13 or higher qualification may be considered for vacant/funded permanent educator posts. The employment of other educators from the categories listed in paragraph 8.7 below will be considered only if no qualified educators can be identified, provided that the educators are fully registered with the South African Council for Educators (SACE).
- 8.5 Preference for the filling of educator posts will be given in the following order:
- (a) Excess educators
 - (b) New-entrant educators (A new-entrant educator is defined as a final-year student and/or any suitably qualified educator who graduated in the past three years and who has never been employed by the state.)
 - (c) Other suitably qualified educators.
- 8.6 Temporary appointments on a fixed-term contract period against a vacant/funded permanent educator post (i.e. deputy principal, departmental head and PL 1 posts) can be made, including educators that act in higher positions until the advertised post is filled. Circuit managers must ensure that all educators declared in addition and meet the profile of the vacant post (phase and subject-qualified) were considered and received matching and placement offers before a nomination can be supported for a temporary appointment.
- 8.7 Applications for the appointment of temporary educators against vacant/funded permanent posts in the following categories will only be considered if no new entrant can be appointed and such approval must be obtained from the Directorate: Recruitment and Selection at least two weeks prior to assumption of duty:
- (a) Educators who exited the employ of the state due to:
 - (i) retirement;
 - (ii) resignation; and
 - (iii) ill health (after the applicant provided proof that they may return to duty).
 - (b) Foreign educators (**only in respect of critical skills as determined by the Department of Home Affairs and for which a work permit was obtained**).
 - (c) All temporary educators must be:
 - (i) Suitably and professionally qualified; and
 - (ii) Fully registered with SACE.
- 8.8 Please be advised that under no circumstances may educators who were dismissed or deemed to be dismissed from the public service for sexual misconduct be allowed to return

to any post within the WCED. Your attention is drawn to Circular 0035/2021, dated 23 June 2021, for ease of reference. Please be advised that it will be the responsibility of each principal and the governing body to ensure that a concerted effort is made for the aforementioned instruction to be adhered to by requesting all interviewed educators to indicate whether they were ever dismissed or deemed to be dismissed for sexual misconduct before any contracts are considered and undertaken.

9. Conversions

9.1 The following remain in place:

- (a) ELRC Collective Agreement 2 of 2024, dated 11 June 2024, on the appointment and conversion of temporary educators to permanent posts on the educator establishment.
- (b) WCED Circular 0005/2019, dated 05 January 2019, on the permanent appointment of newly qualified educators in terms of section 6(a) of the Employment of Educators Act, 1998 (Act 76 of 1998).
- (c) WCED Circular 0020/2020, dated 23 July 2020, on the conversion of the employment of PL 1 educators from temporary to permanent in terms of section 6(b) of the Employment of Educators Act, 1998 (Act 76 of 1998).

9.2 Only professionally and suitably qualified educators, registered with SACE, may be considered for conversion from temporary to permanent employment in vacant/funded posts where there is no educator declared as in addition to the educator establishment in terms of ELRC Collective Agreement No. 4 of 2016, dated 23 August 2016.

10. Transfers

Districts may recommend transfers to schools in cases where the alternative placement will promote the process of redeployment, i.e. where the transfer/placement will bring about the redeployment of an educator in addition to the educator establishment to a vacant/funded post. Approval of the transfer request is delegated to the Directorate: Recruitment and Selection. The transfer may only be effected after approval is granted.

11. Substitutes

11.1 In order to continue mitigating the pressures on the CoE budget for the 2025/26, 2026/27 and 2027/28 financial years, the WCED will continue to apply the measures below with effect from 01 January 2026 in respect of substitute educators.

- 11.2 Provision will only be made for substitute posts in the event of the following:
- (a) Maternity leave applications; and
 - (b) Employees on long-term incapacity leave (30 days and more);
 - (c) Educators who are suspended, both precautionary and as a sanction; and
 - (d) Educators who applied for unpaid leave for 30 days and more and where approval was granted.

12. Management of educators declared as in addition to a school's educator establishment for 2026

- 12.1 The provisions of ELRC Collective Agreement No. 4 of 2016, dated 23 August 2016, remain in place and are applicable to the 2026 academic year. This Collective Agreement guides the process of declaring permanently appointed educators as in addition to a school's educator establishment.
- 12.2 The following timeframes will apply in respect of the identification of educators in addition to the educator establishment and matching and placement for the 2026 academic year:

Intervention activities	Timeframe
Circuit managers, in collaboration with principals, identify all educators who cannot be absorbed into the 2026 educator establishments and are formally declared as in addition to a school's educator establishment.	01 September 2025 to 30 September 2025
Profiles of identified educators declared as in addition to be submitted by the affected educators to principals. Profiles then to be submitted to circuit managers.	30 September 2025
Districts to identify suitable vacant/funded posts for educators declared as in addition for placement in 2026 and consult principals/governing bodies on the placement of such educators.	28 November 2025
Educators who cannot be matched and placed in vacant/funded posts for the 2026 academic year must be officially declared in addition and have a letter to this effect issued to them by the circuit manager.	28 November 2025
Circuit managers must issue formal placement letters to educators who have been matched and placed against vacant/funded posts for the 2026 academic year.	28 November 2025

- 12.3 Educators who have already been declared as in addition to a school's educator establishment, based on previous educator establishments and in accordance with previous processes, and who are still in addition, retain their in-addition status. These educators will be dealt with in terms of the provisions of ELRC Collective Agreement No. 4 of 2016, dated 23 August 2016. (Copy attached)

- 12.4 In the event where a reasonable and fair offer for matching and placement has not been accepted, an educator must be declared in addition and provide reasons why the offer for matching and placement is not reasonable and fair. The district director will consider all facts before a final decision is taken whether an educator must be matched and placed. A formal letter will be issued and signed by the district director about his/her decision. This decision is final.
- 12.5 It must be noted that the declaration of educators in addition is based on the number of educators per post level and not on the total number of educator posts allocated to a school for an academic year.
- Example: The school was allocated 12 posts with one principal post, two departmental head posts and nine PL1 posts. The school has 10 permanent PL1 educators and one of the departmental head posts is vacant. The 10th PL1 educator (please refer to the procedures to be followed as stipulated in section B 6.4 of ELRC Collective Agreement No. 4 of 2016, dated 23 August 2016) must be declared in addition and cannot be carried against the vacant departmental head to avoid being declared in addition. The provisions outlined in paragraph 12.2 will be applicable to the educator declared in addition.
- 12.6 Efforts to place educators declared as in addition to a school's 2026 educator establishment will continue during the 2026 academic year in the event that permanent educators exit the employ of the WCED. The profiles of educators declared as in addition must meet the curriculum needs of the vacant/funded educator posts.
- 12.7 The resettlement costs for educators declared as in addition to be transferred to another school will be considered in line with the provisions contained in Circular 0023/2017, dated 14 July 2017.
13. All enquiries pertaining to this circular and the relevant legislation should be addressed to circuit managers.
14. Please bring the contents of this circular to the attention of all educators and members of governing bodies.

SIGNED: B WALTERS

HEAD: EDUCATION

DATE: 2025-08-22