

PROGRESS REPORT

Gender Transformation in Public
and Private Sectors

2023/2024



Commission for Gender Equality



Commission for Gender Equality

PROGRESS REPORT

Gender Transformation in Public
and Private Sectors

2023/2024



Copyright: © 2024 Commission for Gender Equality.

All rights reserved.

No part of this publication may be reproduced, photocopied, or transmitted in any form, not part thereof be distributed for profit making purposes, without prior written permission of the Commission for Gender Equality.

Publisher: Commission for Gender Equality.

Design, Layout & Printing: Shereno Printers cc

Title of Publication: Progress Report. Gender Transformation in Public and Private Sector, 2023/2024

ISBN: 978-0-621-51973-0

Table of contents

Abbreviations and Acronyms	2
1. Introduction	3
2. Follow up on implementation of recommendations: Department of Small Business Development	4
2.1 Progress and findings on the implementation by the Department of Small Business Development of the recommendations	5
2.2 Subsequent developments	6
2.3 Conclusion: Department of Small Business Enterprises' implementation of recommendations	11
3. Follow up on implementation of recommendations: Department of Water and Sanitation	12
3.1 Progress and findings on the implementation of the recommendations	14
3.1.1 Sexual harassment policy	14
3.1.2 Gender-responsive policies	14
3.1.3 Provision of sexual harassment workshops	14
3.1.4 Comprehensive plan for sexual harassment training	15
3.1.5 Comprehensive outline of the process of legislative review in line with the Water Services Act	15
3.1.6 Reasons for the lack of a gender-responsive procurement programme	15
3.1.7 Comprehensive document outlining the disciplinary process concerning the handling of sexual harassment	16
3.1.8 Disaggregated DWS data	16
3.1.9 Removing barriers to access and participation	16
3.1.10 Timeline in terms of gender markers and KPAs of other members of management	18
3.1.11 Identified areas of concern	18
3.2 Subsequent developments	22
3.3 Conclusion: Department of Water and Sanitation's implementation of recommendations	24
4. Follow up on the implementation of recommendations: Clover Pty (Ltd)	26
4.1 Progress and the implementation of recommendations	27
4.2 Subsequent developments	29
4.3 Conclusion: Clover's Implementation of recommendations	31
5. Conclusion	32





Abbreviations and Acronyms

CGE Act	Commission for Gender Equality Act 39 of 1996), as amended
CGE	Commission for Gender Equality
Constitution	Constitution of the Republic of South Africa, 1996
B-BBEE	Broad-Based Black Economic Empowerment
B-BBEEA	Broad-Based Black Economic Empowerment Act 53 of 2003)
BCEA	Basic Conditions of Employment Act 11 of 2002)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
EAP	Economically Active Population
EEA	Employment Equality Act (Act 55 of 1998)
ILO	International Labour Organisation
LGBTQIA+	Lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual, and others
LRA	Labour Relations Act 66 of 1995)
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
PPPFA	Preferential Procurement Policy Framework Act 5 of 2000
PWD	Persons with disabilities
SDG	United Nations Sustainable Development Goals, 2015
SMME	Small and Medium Enterprises
WEPs	United Nations Women Empowerment Principles



1. Introduction

The Commission for Gender Equality (“the Commission”) is an independent state institution established in terms of Chapter 9 of the Constitution of the Republic of South Africa, 1996. The powers and functions of the Commission are outlined in the Commission for Gender Equality Act 39 of 1996 (“the CGE Act”). The Commission is charged with a broad mandate to promote respect for gender equality and the protection, development, and attainment of gender equality and to make recommendations to Parliament on any legislation affecting the status of women and gender parity in South Africa.

In terms of Section 11(1)(a) of the CGE Act, the Commission has the power to monitor and evaluate practices and policies of, amongst others, public bodies and private institutions. Section 11(1)(e) of the CGE Act enables the Commission to investigate any gender-related issue of its own accord or upon receipt of a complaint.

Section 181 of the Constitution provides that:

‘The Commission is a state institution with the purpose of strengthening constitutional democracy in the Republic. It is independent and subject only to the Constitution and the law, and it must be impartial and exercise its powers and perform its functions without fear, favour or prejudice’.

Other state organs, through legislative and other measures, must assist and protect Chapter 9 institutions to ensure the independence, impartiality, dignity, and effectiveness of these institutions. No person or organ of State may interfere with the functioning of Chapter 9 institutions in the execution and furtherance of its mandate.

During the 2022/2023 financial year, the Commission embarked on a public investigative process focusing on employment equality and gender transformation within the private and public sectors with the objective to examine compliance with transformation legislation and to advance equality in the employment and economic sectors. As such, the Commission conducted transformation hearings on the application, implementation, and review of employment equity and other transformation legislation in the public and private sectors, paying particular attention to the Department of Small Business Development (DSBD), the Department of Water and Sanitation (DWS), and Clover (Pty) Ltd.

The Commission resolved to monitor the implementation of its recommendations during the 2023/2024 financial year.



2. Follow up on implementation of recommendations: Department of Small Business Development

The DSBD appeared before the Commission on 30 November 2022. Subsequently, the Commission made findings and recommendations to the DSBD in the Report on Gender Transformation Public and Private Sectors 2022/2023.

The Commission made the following recommendations to the DSBD:

1. The DSBD must provide full and comprehensive responses to the questionnaire and provide further evidence requested in the questionnaire.
2. In responding to the Commission's recommendations, the DSBD must address the lack of information provided in relation to the following:
 - 2.1 Sexual harassment policy
 - 2.2 Gender-sensitive policies in relation to gender inclusion are in line with Section 9 of the Constitution
 - 2.3 Provision of sexual harassment workshops, with a clear aggregation of the number of employees and the targeted employee cohort within the DSBD, i.e. managerial
 - 2.4 The Commission is to be formally invited to the upcoming sexual harassment workshop and training on 28 February 2023.
3. The DSBD must provide disaggregated data in terms of their internal and external working policy in relation to persons with disabilities and stipulate any policies and steps taken to create an enabling work culture in line with universal access guidelines in terms of disability accommodations.
4. The DSBD needs to provide a timeline in terms of gender markers and KPAs of other members of management.
5. The DSBD should additionally submit the following policies:
 - 5.1 Employment equity plan (employment equity plan)
 - 5.2 Recruitment and selection policy
 - 5.3 Uniform and protective clothing policy





5.4 Training and development policy

5.5 Sexual harassment policy

5.6 Succession and retention policy

5.7 Flexitime policy

5.8 Maternity leave policy

5.9 Any other relevant gender-responsive policies and gender-sensitive policies.


2.1 Progress and findings on the implementation by the Department of Small Business Development of the recommendations

On 15 February 2023, the DSDB provided additional information to supplement the information that had already been submitted to the Commission, addressing the implementation of the recommendations. The DSBD also provided documents in support of its response.

On 25 July 2023, the Commission requested that the DSBD provide a further progress report addressing the progress of implementation pursuant to the DSBD's report, which was received on 15 February 2023. The DSBD provided its response on 4 September 2023.

Based on the progress reported by the DSBD regarding the implementation of the Commission's recommendations, the Commission's findings were as follows:

1. The information submitted acutely indicated an over-representation of African men and women throughout the organisation, specifically at the top and senior management levels. Section 195(1)(i) of the Constitution states that public service should be 'broadly representative of the South African people', and the Constitutional Court has previously confirmed that a broadly representative workforce cannot be achieved where an exclusively segmented workforce exists.
2. The Commission noted the budgetary constraints that the DSBD has highlighted.
3. In its observation of its employment equity plan, the Commission noted the intention of the adjustments of the numerical targets to address the representation of under-represented groups.

- 
4. The Commission notes that the DSBD envisaged consulting with the Department of Labour and Employment on service providers to assist with attracting persons with disabilities to its organisation.
 5. The DSBD has not implemented its employment equity plan.
 6. The Commission observes that there is a discrepancy in the way the DSBD is procuring. The DSBD indicated that it was experiencing several challenges in the inclusion of gender equality practices in its procurement cycle. The Commission finds that the organisational policies submitted by the DSBD were actioned in 2016, save for the DSBD's sexual harassment policy, which was actioned in 2020. These policies are outdated and should be reviewed to be brought in line with the organisation's employment equity plan.

2.2 Subsequent developments

Subsequently, the Commission issued a notice to the DSBD to appear before the Commission and account for the progress of implementing the recommendation of the Commission.

The DSBD appeared before the Commission on 14 September 2023. The Commission's finding was that the DSBD had failed to provide a sufficient report on its implementation of the Commission's recommendations.

Considering the hearing, the Commission requested that the DSBD respond to all the recommendations delineated in the 2022 to 2023 reports.

In addition, the Commission further requested the DSBD to attend to the following:

1. The DSBD must finalise the review of its sexual harassment policy and submit the proper attendance registers of future sexual harassment workshops to the Commission.
2. The attendance registers referred to in Point 1 above should indicate gender-disaggregated statistics of staff and senior managers' attendance.
3. The Commission must be invited to future sexual harassment workshops.
4. The DSBD must provide a report indicating whether it has complied with the KPAs regarding designated groups in its annual performance plan (APP) for the 2022/2023 financial year.



5. The DSBD must provide supporting documentation indicating the impacts of its policy on disability management and strategy on persons with disability.
6. The DSBD must submit the report of the Employment Equity Committee and the Employment Equity Manager from 2021 to 2023.
7. The DSBD must outline measures or initiatives to empower women-owned businesses in South Africa as referred to during the hearing and contrast such opportunities to those provided to men-owned businesses.
8. The DSBD shares common challenges experienced by women-owned businesses and how it was able to provide the necessary assistance.
9. The DSBD must provide the above by 15 October 2023.
10. The Commission will engage the DSBD on its progress before the end of the 2024 financial year.

The DSBD subsequently responded to the Commission on 1 November 2023. In its response to the Commission, the DSBD reported that it had challenges in forming a permanent structure due to changes in leadership and moratoriums on filling vacancies.

With an initial staff component of 152, the employment equity profile reflected: 88.8% African (40.1% men and 48.7% women), 4% Coloured (0.7% men and 3.3% women), 3.3% Indian (1.3% men and 2.0% women), and 3.9% White (all women). The start-up structure led to increased complaints of fatigue and stress, impacting employee wellness. The COVID-19 lockdown initially provided relief, but extended online meetings and workload persisted. Complaints included general stress, work discontent, workload, and work-life balance. The DSBD must maintain vigilance in monitoring and managing employee wellness.

By January 2022, the DSBD reprioritised funds, and in September 2022, the Minister approved a new structure. While addressing workload concerns, it lacked dedicated staff for transversal functions like transformation. The DSBD decided to mainstream these functions and assign responsibility to every manager. The new structure was implemented from 1 April 2023, including the creation of 146 new posts to alleviate the workload within the DSBD.

The DSBD submitted that it had dedicated 2016 to developing employment-related policies, covering various aspects such as bursaries, dress code, HIV and AIDS, establishment management, employment equity, internships, job rotation, job evaluation, leave, attendance of courses, disability, grievance procedure,



overtime, working hours, recruitment, sexual harassment, smoking, performance management, and rewards and recognition. Policies continued to be developed or reviewed in subsequent years, addressing topics like resettlement, funeral and bereavement, and hybrid working arrangements.

However, the Commission raised concerns regarding the absence of policies which explicitly address gender, disability, and LGBTQIA+ issues. The Commission requested a timeline for gender markers and key performance areas (KPAs) of managers. The Commission also called for the submission of gender-related policies, including employment equity plan, recruitment and selection, training and development, succession and retention, flexitime, and maternity leave.

In its response, the DSBD acknowledged the specific challenges and mentioned that it is in the final stages of approving a review of the Policy on Prevention and Elimination of Harassment in the Workplace. The DSBD emphasised a commitment to consistent treatment for all staff and expressed an approach of not providing special treatment but ensuring equal treatment. They highlighted discussions with employees, including those with disabilities, expressing a preference for inclusive retention practices rather than a separate policy.

The DSBD further submitted that the Performance Agreements of Senior Management Service (SMS) members and the Executive do not reflect explicit gender markers. However, the DSBD's APP for the year 2023/2024 directly addresses targets for designated groups.

The DSBD submitted a response regarding its commitment to transformation. This followed the concerns expressed by the Commission about the DSBD's commitment to transformation and the absence of gender-responsive budgeting practices.

The DSBD reported that in 2016, it initiated the Conversations with Women programme to support gender equality and women's empowerment, facilitating discussions and mentorship between identified groups of women and the former Director-General. Subsequent Men's Events were initiated following men's interest in similar discussions. International Women's Day and Men's Events in 2019 focused on financial management and workplace harassment, respectively. The DSBD also organised its first Take a Girl Child to Work event in partnership with a high school.

Due to resource constraints, the DSBD opted to mainstream transformation and standardise reporting in 2020, with the Minister emphasising the role of women, youth, and persons with disabilities in the small, medium, and micro enterprises and co-operatives sectors. The strategic plan set targets for women, youth, and people with disabilities in domestic and international markets.



The DSBD highlighted its overall targets in the revised strategic plan, including a specific goal of 50,000 women-owned businesses registered on the international platform over five years. The DSBD emphasised that gender-responsive budgeting is integrated into planning, implementation, and reporting.

The DSBD appointed a Gender Focal Point to support gender mainstreaming and women's empowerment and be responsible for advocacy, advertising, support, progress monitoring, and reporting. The DSBD plans to extend disaggregated data and reporting in collaboration with the Directorate: Sector-Wide Monitoring and Evaluation, working closely with the Department of Women, Youth, and Persons with Disability (DWYPD).

The Commission had raised concerns and requested more information to assess the effectiveness of the DSBD's initiatives for persons with disabilities. The DSBD has implemented a disability policy since 2016 to create an inclusive working environment. The representation of persons with disabilities in the DSBD is currently at 3.3%, with a breakdown of 87.5% African and 12.5% White persons. The DSBD reported that it engages in ongoing consultations with employees with disabilities to ensure reasonable accommodations are provided, including upgrades to devices. Persons with disabilities are actively included in training programmes, and the DSBD observes Casual Day annually to raise awareness.

The DSBD further highlighted its consultation process for reasonable accommodation, and it developed a strategy for the recruitment of persons with disabilities. The strategy focuses on building partnerships, targeted recruitment, increasing awareness, and providing reasonable accommodation.

Looking ahead, the DSBD has planned initiatives for the 2023/2024 period, including the employment of seven interns with disabilities, formalising partnerships with tertiary institutions, establishing a recruitment database, conducting a disability awareness campaign, implementing disability management training, and filling earmarked posts in line with the DSBD's recruitment plan. These efforts aim to enhance the working environment and opportunities for persons with disabilities within the DSBD.

The Commission had raised concerns about the over-representation of African men and women in top and senior management, emphasising the need for gender policies, the appointment of an Employment Equity Manager, and the establishment of an Employment Equity Committee. The DSBD indicated that it had developed its first medium-term human resources and employment equity plans in 2017, aligned with a projected establishment of 236 by 2020. The workforce increased to 192 by March 2019, with a termination rate of 19.2%, negatively impacting stability. By March 2020, the workforce reached 215, but concerns about fatigue and an unhealthy work environment emerged. The Transformation Committee faced challenges,





resulting in irregular meetings and issues around workload. The DSBD is in the process of developing its third medium-term employment equity plan.

The DSBD acknowledged that the employment equity plan was not fully implemented due to workload and employees' reluctance to take on additional responsibilities. Instability in senior management positions and prioritisation of recruitment over diversity also impacted implementation.

In its response, the DSBD further acknowledged the need for improvements and is in the process of consulting on the new employment equity plan, addressing concerns raised by the Commission. The Policy on Prevention and Elimination of Harassment and Bullying in the Workplace, which the DSBD submitted to the Commission, was approved on 31 October 2023 – more than one year and six months after the adoption of the Code of Good Practice on the Elimination and Prevention of Harassment in the Workplace, 2022.¹ The delay in finalising such an important policy is particularly concerning to the Commission. The DSBD must ensure that policies are up-to-date and aligned with best practices, particularly the policies which threaten gender equality in the workplace.

The Commission observed that while the policy demonstrates a comprehensive understanding of harassment, including sexual and racial harassment, and outlines clear procedures for reporting and investigating complaints, there are a few areas for improvement to enhance effectiveness and clarity. The policy could benefit from more explicit and express language to emphasise the prohibition of retaliation against complainants. While it mentions preventing retaliation, a stronger statement reinforcing the organisation's commitment to protecting individuals who come forward with complaints would be beneficial. Additionally, the policy could provide more detailed guidance on the support mechanisms available for victims, such as counselling services, both within the organisation and externally.

Furthermore, the policy might consider incorporating a section on preventive measures, such as regular training for all employees on recognising and preventing harassment. This proactive approach can help foster a workplace culture that values respect and inclusion. Additionally, the policy could explicitly mention the consequences for perpetrators of false allegations to deter misuse of the reporting process. Specifying channels for reporting, ensuring accessibility of the policy, and incorporating regular awareness campaigns would further enhance its effectiveness.

¹ The Code was published in R1890 Government Gazette 46056 (18 March 2022).

2.3 Conclusion: Department of Small Business Enterprises' implementation of recommendations

While the DSDB has made strides in implementing the Commission's recommendations, there is room for improvement, particularly in policy responsiveness, diversity, inclusion, and timely roll-out of the harassment policy.

The Commission expresses concern that the DSBD had not extended invitations to the Commission for any harassment training or workshops. Additionally, the DSBD had not provided any data indicating whether training had been conducted on the new policy. This lack of invitation and data submission raised concerns for the Commission, indicating a potential delay or procrastination by the DSBD regarding crucial training initiatives related to harassment prevention and the new policy. The realisation of gender inclusivity and transformation goals within the DSBD will have a ripple effect across South Africa's small business development sector and therefore must be prioritised and expedited.



3. Follow up on implementation of recommendations: Department of Water and Sanitation

The Department of Water and Sanitation (DWS) appeared before the Commission on 29 November 2022. Subsequently, the Commission made findings and recommendations to the DWS in Report on Gender Transformation Public and Private Sectors 2022/2023.

The recommendations by the Commission to the DWS were as follows:

1. The DWS must provide the following in relation to the questionnaire:
 - 1.1 Full and comprehensive responses to the questionnaire and further provide the evidence requested in the questionnaire.
 - 1.2 Following the completion of the questionnaire, the DWS may be called for a follow-up hearing based on the additional information submitted and the subsequent analysis.
2. In responding to the Commission's recommendations, the DWS must:
 - 2.1 Develop a sexual harassment policy
 - 2.2 Develop gender-sensitive policies regarding gender inclusion that are in line with Section 9 of the Constitution
 - 2.3 Provide sexual harassment workshops, with aggregation of the number of employees and the targeted employee cohort within the DWS, i.e. managerial
 - 2.4 Provide a comprehensive plan for the sexual harassment training and disciplinary processes in instances of power imbalance between the perpetrator and the victim within the DWS
 - 2.5 Provide a comprehensive outline of the legislative review process in line with the Water Services Act will enable the DWS to issue directives on the enforcement of compliance with drinking water quality
 - 2.6 Provide reasons for the lack of a gender-responsive procurement programme within the DWS and why this is not a priority for the DWS
 - 2.7 Provide a comprehensive document outlining the disciplinary processes concerning the handling of sexual harassment within the DWS



- 2.8 Provide disaggregated data in terms of the DWS's internal and external working policy concerning persons with disabilities and stipulate any policies and steps taken to create an enabling work culture in line with universal access guidelines in terms of disability accommodations
- 2.9 Provide a timeline in terms of gender markers and KPAs of other members of management.
3. The DWS should additionally submit the following policies:
 - 3.1 Employment equity plan
 - 3.2 Recruitment and selection policy
 - 3.3 Uniform and protective clothing policy
 - 3.4 Training and development policy
 - 3.5 Sexual harassment policy
 - 3.6 Succession and retention policy
 - 3.7 Flexi-time policy
 - 3.8 Maternity leave policy
 - 3.9 Any other relevant gender-responsive policies and gender-sensitive policies.
4. The DWS must conduct gender-sensitisation workshops before the end of March 2023.
5. The DWS must provide the Commission with a comprehensive outline of the steps taken to address the legislative gaps, which empower the DWS to issue directives to municipalities and water providers on the enforcement of compliance with drinking water quality.
6. The DWS must provide the Commission with a comprehensive outline of its intervention in the *Kgetlengrivier Concerned Citizens and Another v Kgetlengrivier Local Municipality and Others*² matter.
7. The DWS must provide the Commission with a comprehensive outline of the DWS's intervention strategy in the Magalies water matter and the ongoing litigation.

² *Kgetlengrivier Concerned Residents and Another v Kgetlengrivier Local Municipality and Others* [2023] ZANWHC 29 (17 March 2023)



3.1 Progress and findings on the implementation of the recommendations

The Commission received a response from the DWS on 27 July 2023 detailing the DWS's progress regarding the implementation of the recommendations. Based on the progress reported by the DWS regarding the implementation of the Commission's recommendations, the Commission's findings were as follows:

3.1.1 Sexual harassment policy

The DWS submitted the sexual harassment policy that was implemented on 1 May 2013. The policy was due for review on 1 November 2014. There is no indication that a review has taken place. However, the DWS submitted in its response that it is in the process of finalising its Code of Conduct, which encompasses various aspects of harassment. It is concerning that the Code of Conduct is still at the development stage when the Code of Good Practice on the Prevention and Elimination of all Forms of Harassment in the Workplace came into effect on 18 March 2022.

3.1.2 Gender-responsive policies

The DWS submitted its National Sanitation Policy from the year 2016. The Commission has noted with concern that the submitted policy is silent on the inclusion of LGBTQIA+ persons. Gender-responsive policies should be intersectional and consider the unique experiences and needs of all individuals. The inclusion of LGBTQIA+ persons in the water and sanitation sector is not only a matter of social justice and upholding human rights, but it is also a strategic move to enhance the effectiveness, inclusivity, and equity of policies and practices in this sector. It can lead to more responsive, non-discriminatory, and accessible water and sanitation services for all members of the community.

3.1.3 Provision of sexual harassment workshops

The DWS initially submitted that during the past three years, it has held sexual harassment workshops (physical and virtual), Brown Back communication platform presentations, talks during women's meetings, and presented awareness articles. It further indicated that seven workshops were conducted to raise awareness and build capacity among staff members. It was reported that the workshops were aimed at providing necessary knowledge that will assist the DWS employees in eliminating discriminatory stereotypes and practices.



3.1.4 Comprehensive plan for sexual harassment training

The DWS submitted a plan for sexual harassment training, which depends on the proposed amendments that have not yet been finalised to the DWS Disciplinary Code and revised Sexual Harassment Policy.

3.1.5 Comprehensive outline of the process of legislative review in line with the Water Services Act

In responding, the DWS outlined that it follows the usual process of legislative review, i.e. the process will include, amongst others, the consultation with both internal and external stakeholders, obtaining the legal certification from the office of the Chief State Law Advisor, presenting the draft bill to the Cabinet, and publication of the draft bill in the *Government Gazette* to source public comments. Once the Cabinet adopts the bill, it will be presented in Parliament for further deliberations by members of the public and the relevant House of Parliament. Finally, the President will sign the bill into law as an Act of Parliament.

3.1.6 Reasons for the lack of a gender-responsive procurement programme

The DWS submitted that it is indeed implementing gender-responsive procurement and that it is captured in its Annual Performance Plan. The DWS further stated that it produces monthly reports that are used to guide as to whether there is progress so that it is not surprised at the end of the quarter.

The DWS indicated that the monthly reports being produced do not depict as excellent performance as it wanted. The major setback was that during its implementation of Preferential Procurement Regulation 2017, the DWS was unable to directly appoint women as main contractors, and it could only do so through sub-contracting a minimum of 30% to companies owned by women for tenders above R30 million. The DWS reported that the Minister of Finance has made regulations set out in the Preferential Procurement Regulation 2022 Schedule, in terms of Section 5, read with Section 2(1)(b)(i) and (ii) and 2(1)(c), of the Preferential Procurement Policy Framework Act 5 of 2000. Section 2(1) of the Act vested the power to determine preferential procurement policy with an organ of State. The new regulation was effective from 16 January 2023.

The DWS recorded that the use of specific goals (of which women empowerment is one of the specific goals) as stipulated in Preferential Procurement Regulation 2022 will facilitate the departmental procurement to be more gender responsive as it will be able to allocate points to women-owned companies at the main contractor level.



3.1.7 Comprehensive document outlining the disciplinary process concerning the handling of sexual harassment

The DWS submitted that allegations of sexual harassment are handled in terms of the respective Disciplinary Codes: Public Service Co-ordinating Bargaining Council Resolution 1 of 2003 for employees from Salary Levels 2 to 12 and Chapter 7 of the *Senior Management Service Handbook* for employees at the senior management level.

3.1.8 Disaggregated DWS data

In terms of the DWS' internal and external working policy, this section presents disaggregated data concerning persons with disabilities, policies, and steps taken to create an enabling work culture in line with universal access guidelines for disability accommodation.

The DWS reported that it implements the following disability-related policies:


- Code of Good Practice: Key Aspects of Disability in the Workplace (2001)
- South African National Standard (SANS 10400) Building Regulations
- Convention on the Rights of Persons with Disabilities
- Job Access Strategic Framework for recruitment, employment, and
- Retention of people with disabilities
- White paper on the Rights of Persons with Disabilities

The DWS has the following broad disability categories from the 66 persons that have disclosed:

- Mobility
- Blind and visual impairment
- Hearing impairment
- Psychiatric disabilities.

3.1.9 Removing barriers to access and participation

a. Progress towards the change of attitudes and behaviours of employees towards persons with disabilities?



Disability awareness plan: On an annual basis, the DWS includes disability-related issues/activities in the operational plan. An action plan is therefore developed based on actual disability awareness activities. Awareness campaigns held annually are Albinism Awareness Month (June), Disability Rights Awareness Month (3 November to 3 December), International Day for People with Disabilities (3 December).

b. Progress towards access to the built environment

The DWS reported that it audits its buildings in all the regional offices, construction offices, and clusters. A plan was developed to conduct disability accessibility auditing in departmental buildings. It stated that it recently conducted disability accessibility assessments in five offices of Limpopo, four offices of Mpumalanga, three offices of Free State, five offices of Gauteng, three offices of Northern Cape, five offices of Eastern Cape, four offices of Western Cape, three offices of KwaZulu-Natal and seven offices of North West. The DWS submitted that almost all are accessible to people with disabilities. One Mpumalanga building that is not accessible is being addressed. A new building is under procurement processes. The DWS further indicated that almost all offices have a parking bay reserved for persons with disabilities as visitors or permanent employees. All offices that have more than one story have talking lifts. Generally, ramps have the correct gradient and kerbs. It is only in three offices where the ramps need a rework because of the steepness.

c. Progress towards the promotion of access to information and communication technologies and systems

The DWS submitted that 99% of persons with disabilities own a desk computer or a laptop, and the DWS organised Job Access With Speech (JAWS) computer programs (must be regularly updated) for those who are visually impaired. To ensure equal access to information and communication platforms, the DWS stated that all officials have internet cables and telephones in their offices that facilitate access to technologies and systems. Two-thirds (60%) of persons with disabilities own official cell phones that receive data monthly for the purposes of access to information and enhancement of work. To promote access to information, the DWS stipulated that it has developed and issued water tips in braille and DVD. The DWS has made it a standard practice to have a sign language interpreter during big events targeting communities. The DWS further stated that it is planning for a basic sign language course for all its employees at reception desks.

In an endeavour to provide accessible emergency and disaster management information, the DWS recorded that it has an emergency evacuation plan, evacuation chairs, and alarms with flashing lights. During induction, all officials are trained in how to assist persons with disabilities during times of emergency. The



DWS has a standard event management checklist to ensure the inclusiveness of persons with disabilities.

d. Progress regarding reasonable accommodation

The DWS responded that, at the beginning of each financial year, all persons with disabilities list their reasonable accommodation needs according to the reasonable accommodation policy stipulation. To date, the DWS has provided JAWS programs for blind people, wheelchairs, hearing aids, suitable transport, and many more, according to the needs that enhance a person's core function. The DWS reported that the main challenge regarding this item is budget, as some of these needs are pricy.


3.1.10 Timeline in terms of gender markers and KPAs of other members of management

The DWS submitted that the APP informs the DWS and branch business plans regarding set transformation targets (including race, gender, and disability transformation), and thus the APP and branch business plans inform the performance agreements of senior managers.

3.1.11 Identified areas of concern

Plans and policies

- Recruitment and selection policy: The DWS's current recruitment and selection policy was submitted. The DWS further indicated that it is in the process of reviewing the policy, which is to be tabled at the Departmental Bargaining Chamber in 2023/2024.
- Uniform and protective clothing policy: The DWS submitted that matters related to uniforms and protective clothing are covered under the departmental uniform policy, personal safety equipment policy, and occupational health and safety policy.
- Training and development policy: The DWS's skills development policy was submitted. The reviewed draft policy is currently being discussed for ratification at the departmental bargaining chamber.
- Succession and retention policy: The DWS submitted that it does not have a separate policy on succession and retention. The provisions of the Public Service Regulations apply – all vacant posts must be advertised through an open recruitment and selection process.

- 
- Flexitime policy: The DWS submitted that its working hours are regulated by Clause 51 of the Public Service Regulations.
 - Maternity leave policy: The DWS reported that special leave, including maternity leave, is regulated by the DPSA leave directive.
 - Conducting gender-sensitisation workshops before the end of March 2023: The DWS submitted an action plan. It further reported that the gender sensitisation workshop was conducted with five branches within the DWS.

Outline of steps

The DWS provided a comprehensive outline of the steps that empower the DWS to issue directives to municipalities and water providers that address the legislative gaps regarding the enforcement of compliance with drinking water quality. The DWS submitted the following regarding the steps taken.

Proposed amendments made to the Water Services Act 108 of 1997 to empower the DWS to strengthen enforcement of drinking water quality include:

- Section 9: The express inclusion of drinking water quality as one of the aspects that the Minister may, from time to time, prescribe compulsory national standards. The DWS is currently updating the Section 9 norms and standards to include the updated SANS 241 for drinking water quality.
- Section 22: Amendment to make provision for licencing of water services providers. Part of this amendment requires compliance of these water service providers with Sections 9 and 10 norms and standards, which will include drinking water quality. It will further enable the Minister to issue a directive to both the water services authority and the water services provider. Failure to adhere to the directive by either the water services authority or water services provider may result in the Minister deciding to withdraw a licence of a water services provider and direct the water services authority or any other relevant and competent person to assume the responsibility of the water services provider within a reasonable timeframe, which period may not be longer than six months, or take measures the Minister consider necessary to remedy the situation and recover costs from the responsible water services provider.
- Section 49: Amendment proposed to make regulations to prescribe procedural requirements for licence applications for water services providers.

Intervention regarding legal interventions

The provision of the comprehensive outline of the DWS's intervention in the *Kgetlengriver Concerned Citizens and Another v the Kgetleng Local Municipality and Others* matter.



The DWS reported that it had attempted to intervene in the matter of the *Kgetlengrivier Concerned Citizens and Another v Kgetlengrivier Local Municipality* (KLM) and other matters in the following manner:

Regulatory actions

Enforcement action taken by the DWS (pre-directives, directives, non-compliance letters, and inspections):

- The DWS had on numerous occasions received complaints lodged by neighbouring farmers as well as members of the community regarding the overflow of raw sewerage into the Koster Dam. In response to the complaints and the contraventions, the DWS issued a pre-directive dated 10 September 2014 to Kgetlengrivier Local Municipality. After a series of site inspections and meetings (27 January 2016 and 2 June 2016, amongst others), with a lack of improvement on the state of the waste water treatment works (WWTWs), the DWS subsequently issued a directive to Kgetlengrivier LM for Koster WWTWs, dated 8 July 2016.
- The issuance of the pre-directive and directive led to the refurbishment of oxidation lagoons in Koster and the construction of the new Koster WWTWs.
- The notice of non-compliance with some sections of the Water Services Act with regard to the lack of provision of water supply services and regulations relating to compulsory national standards published under this Act was issued on 17 November 2020 for Koster and Swartruggens WWTWs.
- The DWS revitalised the Green Drop and Blue Drop certification programmes to regulate the municipalities' water service providers in 2021. This is another intervention that will assist in resolving the challenges faced by the citizens concerned with Kgetlengrivier. Non-compliance letters dated 8 April 2022 and 19 April 2022 were issued to the Kgetlengrivier LM following the outcome of the 2021 Green Drop assessment audit and the 2021 Blue Drop progress assessment reports, respectively.
- The DWS has the target of monitoring the WWTWs and the WWTWs that were rated to be critical in the Green and Blue drop assessment period of 2021, which includes the Kgetlengrivier Local Municipality. The latest inspection reports for the Koster and Swartruggens WWTWs and WWTWs are dated 31 August 2022.

Engagement held with Kgetlengrivier Concerned Citizens, Province (NWLG) and Magalies Water

- The DWS has been assisting the Kgetlengrivier Local Municipality to develop water and sanitation by-laws that are intended to ensure proper service provision to the community as of October 2022.

- A meeting was held on 15 December 2022 with the Kgetlengrivier Concerned Citizens, Magalies Water, and North West Province to discuss the water services challenges, and the Kgetlengrivier Local Municipality proposed plans to improve the provision of water services to the communities. One of the outcomes of the meeting was that Kgetlengrivier Local Municipality would submit an updated action plan; however, to date, the DWS is still waiting to receive the updated action plan from the Kgetlengrivier Local Municipality.

Funding provided by the DWS

Parallel to the above intervention, the DWS is also providing support through Water Services Infrastructure Grant (WSIG) funding towards the development of short-to-medium term intervention on water and sanitation-related projects as follows:

Project name (as per business plan)	Project description (short description not full scope of works)	Project duration		Project budget		Status of planning documents (BP signed, technical report approved/not)
		Start date	End date	Planned budget	2021/2022 and 2022/2023 allocation	
Replace 355 mm class 20 m PVC pipe section of main supply line from Koster Dam with Class 25 PVC and replaced 355mm mPVC	Construction of 16km 355mm dia pipeline refurbishment of two pumps station mechanical and electrical components refurbishment of two pumps station building and security system	April 2021	March 2023	R53 000 000	R21 000 000	BP approved
Recondition and electrification of Derby boreholes	Recondition and electrification of Derby boreholes	April 2022	March 2023	R10 000 000	R10 000 000	BP approved



3.2 Subsequent developments

Subsequently, the Commission issued the notice to the DWS to appear before the Commission and account for the progress made in implementing the recommendations of the Commission.

The DWS appeared before the Commission on 14 September 2023. Based on the appearance and the hearing, the Commission made the following observations and/or findings:

1. The DWS's sexual harassment policy is outdated. The policy is silent when it comes to the Accounting Officer and the reporting mechanisms in place for an alleged complainant where the alleged perpetrator is the Accounting Officer.
2. The DWS neither provided a sufficient report on the sexual harassment complaint that is pending nor did it provide justifications for the delay in finalising the complaint.
3. The DWS made no submissions on the measures in place to ensure that persons with disabilities are retained.
4. The Commission has not been persuaded about the sexual harassment training workshops that the DWS reported having conducted. The attendance registers submitted do not indicate that the training workshops were on sexual harassment.
5. The DWS purports to have policies available on its website although no policies are available on its website. This raises concerns regarding the accessibility of the policies for the employees who work outside the offices of the DWS.
6. There are no justifications for the training dynamics, which appear to be preferentially towards men and contrary to the empowerment of women within the DWS.
7. The DWS does not have gender-responsive policies that include LGBTQIA+ persons and promote inclusivity.

Following the above findings, the Commission made recommendations as follows:

1. The DWS must provide a proper account of the reported sexual harassment complaint that was referred to during the hearing.
2. The DWS must provide the Commission with a report on the sexual harassment protection mechanisms in place in the absence of a finalised policy in line with legislative developments to date.



3. The DWS must provide proper and express attendance registers on sexual harassment training workshops conducted and detailed information on the facilitator of sexual harassment training workshops. The Commission must be invited to these training workshops.
4. The DWS must provide justifications for training dynamics and how it will be addressed in the anticipated employment equity plan.
5. The DWS must finalise the review and approval of all the policies that are under review by the MY 2024.
6. The DWS must clarify as it seems that performance rewards outlined in the Annual Report 2021/2022 were given to White groups more than other race groups.

The DWS tendered its response to the Commission's recommendations on 15 November 2023. The response outlined the status of five cases reported over the past three years, four of which are currently pending. The DWS mentioned that the approved sexual harassment policy from 1 May 2013 is currently under review.

The DWS does not have any sexual harassment protection mechanisms in place in the absence of a finalised policy in line with legislative developments. In its response to the Commission, the DWS submitted that it emphasises the expeditious and confidential handling of reported cases and highlighted cases that are reported and dealt with expeditiously and in a strictly confidential manner.

The DWS provides details on the sexual harassment awareness workshops conducted since the approval of its policy in 2013. It is noteworthy that the DWS has held six workshops after the Code of Good Practice on Prevention and Elimination of Harassment in the Workplace came into force but has failed to update its policies to align with the Code. The DWS held a sexual harassment workshop on 1 December 2023, which was attended by the Commission.

Upon attending the workshop, the Commission identified several critical concerns that warrant prompt attention and revision for an improved and more effective framework. Firstly, the Commission observed that the workshop still relies partially on the outdated sexual harassment policy from 1 May 2013. This raises concerns about the relevance and compliance of the workshop content, highlighting the urgency for an updated and contemporary policy framework. Moreover, a significant issue arises as participants are informed that complainants should communicate to the perpetrator that their conduct is unwanted. This places an undue burden on the complainant, contradicting the principles outlined in the Code.

The Commission stresses the importance of inclusivity in future policies and workshops by acknowledging other gender-diverse groups beyond the binary classification



of men and women. Updating the types of harassment to align with the Code's clauses and extending the discussion to cover situations where the perpetrator holds a supervisory or managerial position is crucial for a comprehensive and effective workshop. The Commission emphasises the need for detailed procedures regarding the reporting and handling of sexual harassment complaints, expressing dissatisfaction with the current vague mention of informal or formal procedures. Additionally, clear outlines and training on the investigation process and potential sanctions for policy contravention are deemed imperative for a robust and accountable framework.

Furthermore, the Commission observed a lack of emphasis on the significance of having a finalised policy in place during the workshops. Such a policy not only provides clarity for attendees but also serves as a reference point for employees who have not undergone training. Having a comprehensive policy allows attendees to revisit the guidelines whenever needed, fostering a better understanding of the applicable procedures. This provision is essential for ensuring that employees, both trained and untrained, can access and comprehend the policy, which will, in turn, contribute to a more informed and compliant workplace.

Regarding the Commission's recommendation that the DWS must provide justifications for its training dynamics and how it will be addressed in the anticipated employment equity plan, the DWS explained its training dynamics, highlighting the personalised nature of training needs, collaboration between employees and supervisors, and the role of human resources development (HRD).

The DWS reported ongoing efforts to finalise various policies, indicating the recent consultative meeting and the policies under discussion with organised labour in the Departmental Bargaining Chamber.

3.3 Conclusion: Department of Water and Sanitation's implementation of recommendations

The DWS's response to the Commission's recommendations reflects a proactive approach to addressing reported sexual harassment cases and conducting awareness workshops. However, notable concerns were identified, particularly regarding the reliance on an outdated sexual harassment policy from 1 May 2013. The absence of finalised policies aligned with legislative developments raises significant issues. While the DWS emphasises expeditious and confidential handling of cases, the need for clear protection mechanisms is evident, especially in an environment that has active sexual harassment complaints.

The Commission's attendance at a recent sexual harassment workshop highlighted critical areas for improvement, including addressing burdens on complainants, promoting inclusivity, and updating harassment types to align with the Code's



clauses. Detailed procedures for reporting and handling complaints, clear outlines for investigations and potential sanctions, and a stronger emphasis on the importance of having a finalised policy during workshops are imperative for a robust and accountable framework.

The DWS's commitment to ongoing efforts in finalising various policies and engaging in consultative meetings with organised labour is encouraging. However, swift action is required to align policies with current legislative standards and address the Commission's identified concerns. A comprehensive, updated policy framework, coupled with inclusive and effective workshops, will not only enhance the workplace environment but also ensure that employees, both trained and untrained, have clear guidance and support in addressing and preventing sexual harassment. The Commission's recommendations and continuous monitoring of the implementation of the recommendations serve as an aid to the DWS in addressing these issues and improving the DWS's gender transformation efforts.




4. Follow up on the implementation of recommendations: Clover Pty (Ltd)

Clover appeared before the Commission on 30 November 2022. Subsequently, the Commission made findings and recommendations to Clover in Report on Gender Transformation Public and Private Sectors 2022/2023.

The Commission's recommendations to Clover are that Clover must:

1. Review its sexual harassment policy to ensure that it is aligned with the Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace published on 18 March 2022. In doing so, Clover must ensure that the provisions for bullying, the consequences of reporting false allegations and handling the matter involving senior managers and the Chief Executive Officer are included.
2. Ensure the implementation of sustainable measures to safeguard the expeditious handling of sexual harassment complaints.
3. Conduct training/workshops for top and senior managers on the reviewed sexual harassment policy and invite the Commission to observe the workshops when they are being conducted.
4. Ensure that a comprehensive risk assessment on sexual harassment and bullying in the workplace is conducted, and it should submit the finalised risk assessment report to the Commission.
5. Review all its organisational policies that have not been reviewed and ensure that these reviewed policies are resubmitted to the Commission.
6. Ensure the expeditious finalisation and implementation of a written flexitime policy to curb the potential abuse of managers' discretion when granting flexitime.
7. Re-evaluate the nature and necessity of the pregnancy policy to avoid unintended exclusionary consequences, considering the maternity policy currently implemented throughout the organisation.
8. Analyse to determine why designated groups are leaving or not being retained within the organisation to improve the representation of designated groups in all occupational categories, per Section 20 of the EEA 55 of 1998 as amended.
9. Develop additional means of consultation with its employees regarding their retention and not only utilise the exit interview process. This process may limit existing staff, as vague or misleading responses are often gathered during the exit interview.

- 
10. Ensure that women are also represented at the top management level, as the lack of representation of women at this level exacerbates the culture of male domination. Similarly, the dominant representation of White persons is concerning and is inconsistent with Section 20 of the EEA.
 11. Review the Mama Afrika project to provide relevant IT training to the beneficiaries, with due consideration for the need for information technology skills development as a result of the fourth industrial revolution.
 12. Ensure that it consults with institutions of learning, civil society organisations, and non-profit organisations to assist in sourcing persons with disabilities.
 13. Provide comprehensive proof of the implementation of the equal pay for work of equal value principle.
 14. Review the appointment of the Employment Equity Manager and delegate the necessary authority to the appointed person to hold the Chief Executive Officer accountable for transformation.
 15. Ensure the inclusion of transformation goals in the KPAs of the top and senior managers for accountability purposes.
 16. Ensure that its various empowerment programmes positively impact its workforce representation throughout the various occupational levels.
 17. Provide the evaluation criteria that its compliance officers are utilising in the implementation of compliance legislation against transformation legislation.

4.1 Progress and the implementation of recommendations

On 16 February 2023, Clover provided the full progress report to the Commission addressing the implementation of the recommendations. Clover also provided documents in support of its response.

On 25 July 2023, the Commission requested Clover to provide a further progress report addressing the progress of implementation, pursuant to Clover's report, which was received on 16 February 2023. Clover provided its response on 25 August 2023.

Based on the progress reported regarding the implementation of the recommendations, the Commission's observations were as follows:

1. Clover has reviewed the sexual harassment policy and aligned it with the Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace. The policy is now called an anti-harassment policy, and it provides for bullying, false accusations, and the handling of cases against employees at the same level and on different levels.



2. Clover has zero tolerance for sexual harassment. This is addressed in the Clover Disciplinary Code, which emphasises that sexual harassment is a dismissible offence.
3. Clover conducted further investigations on previous offences to ensure that sexual harassment cases were handled adequately. Verification and reconciliation of data in the system were conducted, and it was confirmed that one employee was found guilty but was not dismissed. The chairperson and HR manager who were involved in the matter are no longer with Clover. All other offenders were dismissed.
4. The training with HR and line managers and the updated policy emphasise that sexual harassment is a dismissible offence. Recent training was conducted on 15 May 2023 in the HR department.
5. Online training was conducted with a completion rate of 88%. The target audience was 570 employees, consisting of top, senior, middle, and junior management, team leaders, and supervisors who had direct reporting lines. Training for the remainder of the workforce is scheduled to commence from October 2023 onwards. Anti-harassment was included in the new employee onboarding programme. However, the Commission has not been formally invited to the training that was conducted and to the training scheduled for October 2023.

Clover conducted and completed analysis reports on sexual harassment cases, clarified ethic lines, and well-being reports. Clover found no areas of concern relating to sexual harassment in the workplace.

6. All policies were reviewed and updated, among others:
 - Maternity policy
 - Recruitment, selection, and placement policy
 - Promotions and transfers policy
 - Leave policy.
7. A written flexitime policy was presented for consideration to the company's social and ethics committee that took place on 31 May 2023. However, the policy has not been approved yet.
8. The maternity policy was reviewed to include the provision to report pregnancy without the need for a separate policy on pregnancy.



4.2 Subsequent developments

Subsequently, the Commission issued the notice to Clover to appear before the Commission and account for the progress in implementing the recommendations of the Commission.

Clover appeared before the Commission on 14 September 2023. Based on the appearance and the hearing, the Commission made recommendations that Clover must:

1. Provide written submissions regarding its view on the flexitime policy.
2. Invite the Commission to face-to-face future training on sexual harassment for staff and managers.
3. Outline how it will ensure that the new employment equity plan is implemented differently from the current one to significantly improve the representation of women in top management and senior management positions.
4. Ensure that all its policy communiques are suitable and reach persons with various forms of disabilities.
5. Provide documentation in support of its response that it provided bursaries to its staff and their families to comply with social responsibility.
6. Provide details of the job grading system and the role of the external service provider in the remuneration process.
7. Submit the implementation plan that will ensure upward mobility of employees that Clover identified to be lacking development skills.

Clover tendered its response to the Commission on 13 October 2023. Clover submitted that flexibility is granted on a needs basis, understanding its role as a facilitator for gender transformation. However, Clover reported that due to operational requirements, broad flexibility is constrained. Flexibility is granted at the discretion of line managers, including the Chief Executive, allowing for measures such as early leave before public holidays, ad-hoc work-from-home arrangements, and agreements on working times. Clover emphasises specific instances where flexibility is accommodated, such as in the maternity leave policy, which includes an additional two-month maternity leave. Furthermore, Clover demonstrates its support for breastfeeding employees by arranging breaks of 30 minutes twice per day for expressing milk during the first six months of a child's life.

Clover conducted a pilot anti-harassment training workshop on 13 February 2024, focusing on a cohort of employees from the human resources department.



The Commission applauds the facilitator's commendable job and in-depth understanding of the Code. The training is praised for its comprehensive coverage of desired outputs, demonstrating a high standard of expertise and commitment to fostering a safe work environment through interactive information sharing.

The Commission further commends Clover for making use of an independent ethics telephone line as an extra means to report harassment complaints.

However, the Commission is concerned regarding inclusivity. While efforts were made to include LGBTQIA+ persons, there is a noted emphasis on men and women, with a seemingly unintentional disregard for non-binary and other genders. This may convey the perception that harassment primarily affects men and women, with LGBTQIA+ phobic behaviour exclusively impacting LGBTQIA+ persons.

In response to the Commission's recommendation that Clover provides a detailed outline of how it intends to implement the new employment equity plan differently from the current one, specifically focusing on significantly improving the representation of women in top and senior management roles, Clover outlined that their current employment equity plan is scheduled to conclude in June 2024, and they are committed to revising it. The anticipated revision will involve setting new targets to specifically address the under-representation of women in top and senior management positions.

Clover further acknowledged the need for inclusivity and has committed to ensuring that all policy communications are suitable for individuals with various forms of disabilities and provided the Clover Contact Centre Learnership advertisements, which closed on 13 January 2024 in response to the Commission's recommendation requesting documentation supporting bursaries and social responsibility programmes.

Clover submitted information on its job grading system and remuneration process. The company utilises the Paterson Classic job grading system and subscribes to REMchannel's annual salary benchmark service. Clover provided a detailed explanation of the benchmarking process, position mapping, and compa-ratio calculations to demonstrate Clover's commitment to ensuring market-related and fair remuneration aligned to South Africa's job market.

Clover responded that upward mobility and development skills are addressed through the implementation of an Individual Development Plan process. This process involves employees discussing development gaps with their line management and creating action plans for current and future positions. Additionally, Clover has an annual people review, and employee potential and development are discussed.



4.3 Conclusion: Clover's Implementation of recommendations

Clover (Pty) Ltd has demonstrated a proactive approach towards gender transformation and fostering a safe work environment through its response to the Commission's recommendations. Clover's commitment to revising its employment equity plan to address the under-representation of women in top and senior management roles is a positive step, and it showcases Clover's dedication to diversity and equality. While Clover has made commendable strides, the Commission encourages continuous improvement in addressing inclusivity and equity concerns.





5. Conclusion

The Commission remains steadfast in its commitment to promoting gender transformation, inclusivity, and equality in line with its mandate.

The Commission commends the entities who have made efforts to comply with the Commission's recommendations. Continuous monitoring and further actions are necessary to ensure full compliance and a more transformative, inclusive, and equitable workplace for all employees.

At the same time, the Commission strongly expresses its profound displeasure with the DWS's persistent failure to finalise a sexual harassment policy in line with the Code of Good Practice on Prevention and Elimination of Harassment in the Workplace. This ongoing delay in addressing such a crucial policy gap, especially with four pending harassment cases, raises serious concerns about the DWS's commitment to combating workplace harassment. The Commission finds it deeply troubling that despite the pressing nature of the issue, the DWS continues to rely on an outdated policy from 1 May 2013. This undermines the credibility of the DWS's efforts and sends an unsettling message regarding its stance on the severity of harassment within its ranks. The Commission urges the DWS to urgently prioritise and expedite the finalisation of the sexual harassment policy to demonstrate a genuine commitment to fostering a safe, inclusive, and respectful workplace environment.

OFFICES AND CONTACT DETAILS



HEAD OFFICE

2 Kotze Street Women's Jail,
East Wing Constitution Hill
Braamfontein, 2017
Tel: +27 11 403 7182



KWAZULU-NATAL

40 Dr A.B Xuma Road
Commercial City, Suite 1219
Durban, 4000
Tel: +27 31 305 2105



GAUTENG

267 Lillian Ngoyi Street
Praetor Forum Pretoria, 0001
Tel: +27 12 341 6090



FREE STATE

49 Charlotte Maxeke Street
Fedsure Building, 2nd Floor
Bloemfontein, 9300
Tel: +27 51 430 9348



EASTERN CAPE

3-33 Phillip Frame Road
Waverly Office Park Chiselhurst
East London, 5247
Tel: +27 43 722 3489



NORTHERN CAPE

143 Du Toitspan Road
NPO Building
Kimberley, 8300
Tel: +27 53 832 0477



LIMPOPO

Cnr Grobler & Schoeman Street
106 Library Gardens Square,
1st Floor Polokwane, 0700
Tel: +27 15 291 3070



NORTH-WEST

38 Molopo Road
Mahikeng, 2745
Tel: +27 18 381 1505



@CGE_ZA



Commission for Gender Equality



@CommissionForGenderEquality



cgelive



General Enquiries – info@cge.org.za



Media Enquiries – media@cge.org.za



Legal Complaints: Gender – Enquiries@cge.org.za



www.cge.org.za