

MEDIA STATEMENT-FOR IMMEDIATE RELEASE

THURSDAY, 09 APRIL, 2015

NEHAWU KZN MEDIA STATEMENT ON THE DISMISSAL OF THE PROVINCIAL HEAD OF THE DEPARTMENT OF HEALTH, DR ZUNGU

NEHAWU's ongoing service delivery campaign that was adopted eight years ago ,to try and stop the deterioration of services in the health sector, will be entering a new phase in the province of KwaZulu Natal. This follows the near collapse of the health sector in the province due to the bungling and reckless management of Dr Zungu. The service delivery campaign is meant to mobilise stakeholders including members of the community to fight the prevalent cases of maladministration, corruption, nepotism and incompetence that have engulfed the health sector. The union in the province of KZN has been deeply troubled by the slow pace of progress in implementing both ANC resolutions and government health policies by the provincial department. This was made worse by the blatant and recklessly mismanagement of the meagre resources of the state and the obvious neglect of rural health facilities.

After a series of unacceptable blunders in the sector, our union discovered that the management systems were almost nonexistent in the provincial department. We also noticed that at the centre of these identified problems was the irresponsible and out of control Head of Department, Dr Zungu. She had been running the department like her farm, and had a concerted campaign to isolate NEHAWU because we were raising some uncomfortable questions. She poisoned the relations between the department and a number of stakeholders especially with our union. Our union attempted to seek an amicable solution between our union and the head of the department, but she was intransigent and rejected all our positive overtures.

We duly took a decision to escalate our campaign against what we saw as a calamitous intolerable, toxic and unsustainable situation by mobilising our members and also calling for an official investigation.

On the 12th of June 2013, we submitted a memorandum, that was ignored, and 12 months later on the 4th June 2014, the union released a press statement responding to a very disappointing public statement by the Office of the MEC for Health. The MEC statement was full of inaccuracies and did nothing to deal with the issues raised by our memorandum. We

pointed out at the time that the MEC was deliberately misled by the officials under the leadership of the former Head of Department, Dr. Zungu on our demands.

Our clarion call for a full independent investigation was meant to establish whether labour related matters are being handled and managed as per prescripts of relevant legislative frameworks, including the exodus of workers, suspensions and dismissals of especially those who are in disagreement with the irregular instructions from the HOD.

We also wanted to establish the veracity allegations implicating the HOD on maladministration, wasteful expenditure, corruption and other irregularities in supply chain management in particular.

On the 3rd October 2014, the union submitted a memorandum to the Office of the Premier calling for a full blown investigation on the above allegations. Indeed, the Premier on behalf of the Executive Council (Cabinet of KZN), on the 3rd December 2014, appointed an investigating team comprising two independent legal practitioners led by Prof. Byron Fikile Ndaki (Chairperson of the Investigation Team and Advocate Nontuthuzelo Memka (a member of the investigation team) to investigate the allegations lodged by NEHAWU against the Head of Department for Health.

The terms of reference were developed and agreed to and with a time frame of three months starting from December 2014 up to 28th February 2015. Through this process, the union presented both oral and documentary evidence on the allegations supported by witnesses from the department and members of the community. In the process, the HoD was afforded an opportunity to respond to the allegations labelled against her including interviewing some officials whom we perceive as her loyalists and puppets.

It is out of this inclusive and fair investigative process that the allegations lodged by NEHAWU were found to be authentic and based in sound facts and honesty. There is no witch –hunt against Dr Zungu, but she has spectacularly failed the people of the province and has mismanaged the department. She has flouted regulations and has wasted money on consultants while rural communities struggle with ambulances and other basic amenities.

Below are summarized findings of the Investigating Team

- 1. In respect of the civil claims related to medical, the contingent liability of the Department is in excess of R4 Billion and this has the potential to render the Department of Health insolvent. There appears to be no clear plan of action at Senior Management level how this risk is being managed.**
- 2. The Department is using external lawyers in the conduct of internal disciplinary actions against the employees, contrary to Resolution 1 of 2003 of the Public Sector Coordinating Bargaining Council (PSCBC), which the Department of Health is a signatory to. This is contrary to the recommendation made to**

Cabinet that officials of the various government departments who are members of the Public Sector Lawyer Association should be utilized as presiding officer and employer representatives in disciplinary hearings. The department incurs exorbitant amounts in respect of the legal fees for the services of these attorneys. Prior to 2013, proper supply chain management prescripts were not followed in procuring the services of some of these attorneys which led to the department incurring irregular expenditure in respect of the legal fees payable to these external service providers.

3. The department is failing to properly manage irregular expenditure. This results in qualified audits by the Auditor General in respect of irregular expenditure occasioned by failure to comply with Supply Chain Management prescripts and poor contract management.

4. Of the issues investigated by the Investigating Team in relation to the allegations made by NEHAWU the Investigating Team had found that there is a factual basis for most of the allegations.

Based on these findings, our union supports the decision to release Dr Zungu from her duties and will oppose her attempts to cling on to it through legal means. She comes across as someone with a sense of entitlement and a Messianic complex. Members of the public, tax payers, workers in the province and the entire country deserve better. Health is an essential service that cannot be compromised and we refuse to allow her to compromise the people of this province.

Recently, it has emerged that the provincial department has decided to appoint a Senior Official, who was suspended by the Gauteng Department of Health in the position of a Chief Finance Officer without security checks; as is customary and required for such a senior and strategic position. Worst of all, Dr Zungu employed this person to this senior position without consulting with the Executive Authority as per Public Service Act, Section 7 (b) and Section 14 (1), (2) and (3). Obviously Dr Zungu sees herself as being above the departmental regulations and has shown total disregard for her principals.

We are adamant that she need not only be released from her position but insists that she should not be employed in the public service again ,until she takes full responsibility for her actions as exposed by the investigation processes.

We are currently convening workplace meetings with the workers in all health facilities in the province, giving them feedback on the investigations. Dr Zungu has been a very toxic and polarising figure, who attempted to divide unions and workers to cover her shenanigans.

It is quite well known that some unions were duped into publicly defending her embarrassingly vouching for her honour. We feel vindicated by the report and all those who accused us of a witch-hunt owe the people of KZN an apology. We will leave no stone unturned on this matter and we are prepared to refer the matter to law enforcement agencies especially because workers were victimised during her unstable and unproductive tenure.

We demand a thorough Forensic Audit of the provincial department to scrutinize the overall mischief and shenanigans that took place under her watch. We are also calling on the MEC for Health and the Honourable Premier to establish a provincial team to look at the total transformation of the healthcare sector over the next six months. We are prepared to be constructive partners with the department, to improve the services delivered to the people of the province and the entire nation.

We are calling on all workers to be ready to improve the level of service they provide to the nation and also lead from the front in the fight against corruption, maladministration and mediocrity in the public service. We pledge that anyone, who attempts to use the public service for especially the health sector for their selfish ends, will find a mortal enemy in our union. We are also urging all stakeholders and members of the public to join us in the fight against laziness and decay in the public service.

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