



REFERENCE: 20190627-6220

53513673

ENQUIRIES: S Flandorp

Mr GA Snyman

Educator

GROOTKRAAL UCC PRIMARY SCHOOL

Dear Mr Snyman


NOTICE OF DISCIPLINARY HEARING

1. You, Mr Snyman are hereby given notice to attend a disciplinary hearing in terms of item 5, Schedule 2 of the Employment of Educator Act 76 of 1998, (hereinafter referred to as the Act). The alleged misconduct and the available evidence is based on the following:

Testimonies:

- o Witnesses
2. A description of the alleged misconduct is attached as Annexure A.
 3. Ms S Flandorp (telephone number (021) 467 9224), has been appointed as the Departmental representative.
 4. The hearing will be held virtually via Microsoft Teams **on Wednesday, 14 October 2020 at 09H30**. If you do not attend and cannot give reasonable grounds for failing to attend, the hearing will be held in your absence.
 5. You have the right to be represented by a fellow employee or a representative of a trade union.
 6. If you intend making use of a legal representative, you must notify the Department of your intention by contacting **Ms Flandorp** at telephone (021) 467 9224 at least **three (3) working days** prior to the disciplinary hearing. Please note that the onus rests upon you to direct a formal request to the presiding officer for legal representation. It is important to note that in terms of Schedule 2, Item 7(5) of the Act, the presiding officer has the power to rule in favour or against legal representation and it will be incumbent upon you to ensure that alternative arrangements are made for representing you at the disciplinary hearing. Details of the Presiding Officer may be obtained by contacting the Director: Employee Relations on telephone number (021) 467-2950.

7. Please note that the Western Cape Education Department has the right to object to postponement of a hearing in a case where the accused has failed to make the necessary arrangements for his or her representation.
8. You may give evidence at the hearing and adduce evidence in the form of documents or through witnesses. You are entitled to question any witness called by the employer.
9. If the presiding officer finds that you are guilty of misconduct you may present any relevant circumstances which you wish to be taken into account by the presiding officer in determining the sanction.
10. Please note that you, or your representative, are invited to a pre-hearing meeting on **13 October 2020 via a telecom or Microsoft Teams (if available) at 14h00**. The purpose of this meeting is to clear up any relevant issues or questions that you may have and to exchange evidence. Also note that nothing that is discussed at this pre-hearing meeting will be admissible in the disciplinary hearing unless the contrary is expressly agreed upon between yourself and the representative of the employer. If you are not willing to attend the pre-hearing meeting, please inform **Ms Flandorp** accordingly.


1 HEAD: EDUCATION
DATE: 23/9/2020

ACKNOWLEDGEMENT OF RECEIPT BY EMPLOYEE

DATE:

SIGNATURE OF WITNESS [if applicable]

DATE:

DISCIPLINARY HEARING

In the matter of

The Western Cape Education Department (WCED)
(The employer)

and

Mr GA Snyman
(The employee)

REF: 53513673

CHARGE SHEET

CHARGE 1

It is alleged that you are guilty of misconduct in terms of section 18(1)(dd) of the Employment of Educators Act, 76 of 1998(hereinafter referred to as the Act) in that on or about 21 October 2017, you committed a common law offence, to wit fraud by stating on your Curriculum Vitae, when applying for the principal post at Fezekile Secondary School, post 1668 of 2/2017 that you are African male whereas in truth your records indicates that you are a Coloured male, and by doing so gain an advantage for purposes of being shortlisted.

ALTERNATIVE TO CHARGE 1

It is alleged that you are guilty of misconduct in terms of section 18(1)(ee) of the Act in that on or about 21 October 2017, you committed an act of dishonesty by stating on your Curriculum Vitae, when applying for the principal post at Fezekile Secondary School, post 1668 of 2/2017 that you are an African Male whereas in truth your records indicates that you are a coloured male, and by doing so gain an advantage for purposes of being shortlisted.