The Latest in Legislative Changes

In This Issue

In the News
Skills Development
Employment Equity
DG Reviews
COIDA
POPI
HR
B-BBEE
Health and Safety
Payroll
Siyakha
Coaching Corner
Monthly Motivation

October opens the door to the final stretch of the year. With challenges come new opportunities, and this edition equips you with the updates and tools to navigate both

BREAKING NEWS

Big changes for retrenchments and dismissals in South Africa – BusinessTech

Follow us on Facebook for valuable insights and the latest news

Unlock the support you need with our custom retainer plans, designed to align with your goals. From ongoing assistance to specialized services, we offer flexible solutions tailored to your unique needs. Reach out today to discover the perfect fit for you!

Skills Development Update

SETA Discretionary Grant Funding Windows

Recently Closed Funding Windows

- **FASSET** – Closed on **3 September 2025** due to budget depletion.
  FASSET has received a significant number of applications and thanks all those who submitted.
  Successful applicants will be notified once the evaluation process is complete.
- **FoodBev SETA** – Closed on **12 September 2025**
- **SASSETA** – Closed on **22 September 2025**
- **INSETA** – Closed on **24 September 2025**
- **MQA Bursary 2025/2026** – Closing today, **30 September 2025**

Our Commitment to Employers

At **VCA**, we are committed to supporting employers in accessing these valuable opportunities.

- **No upfront invoicing**
- Only **10% of the approved amount** invoiced once funding is secured

Upcoming Opportunities

VCA will notify stakeholders as soon as **additional SETA Discretionary Funding Windows open.**
We encourage all eligible companies to:

- Act promptly to secure opportunities
- Invest in **skills development**
- Empower learners
- Strengthen the **future of their organisations**

For further information or support with SETA applications do not hesitate to contact us.

Employment Equity

Reminder of submission system open and Director General audits

The online Employment Equity (EE) reporting portal opened on 1 September 2025 for designated employers (employing 50 + employees and are designated by a collective agreement)

With recent amendments (especially the EE Amendment Act No. 4 of 2022 and accompanying regulations), the system now allows employers to request an EE Certificate of Compliance at any time throughout the year.

Reporting cut-off periods:
Manual reporting closes in October
Online reporting closes the 15th of January 2026

What you need to do ahead of submission :
Some of the preparatory tasks include: activating your profile, ensuring your EE plan is up to date (01/09/2025 – 31/08/2030) in line with the gazetted sector targets, running your workforce analysis and income differential statements, consulting with your EE forum/committee, filling in required forms (e.g. EEA2, EEA4), getting the approval/signature of CEO or accounting officer.

2025 DG Reviews

"Director-General's Review" refers to the assessment carried out under Section 43 of the Employment Equity Act.

Designated employers who are required by law to submit EE reports must also complete the Director-General Review Assessment Form when called upon.

- The "DG Review Assessment Form" (EEA7) includes sections such as: employer details; whether you've assigned a senior manager for EE; whether you have a consultative forum; whether you conducted workforce analysis; whether you have a current EE plan (with affirmative action measures); income differential information; etc.
- The Director General reviews whether employers are actually doing what the law requires.
- If gaps or non-compliance are identified, the law provides remedies. For example, Section 45 allows the DG to apply to the Labour Court.
- Supporting evidence is required: you need to attach documentation such as the analysis report, EE plan, proof of consultative processes etc.
- The completed assessment form must be signed by the Chief Executive Officer / Accounting Officer. It must also align with the information submitted in the EE report.

Consequences of non-compliance
If you don't fill out all sections, don't provide required supporting evidence, or fail to respond when asked, consequences can follow. Labour inspectors can enforce compliance, compliance orders can be made, and in worst cases the Director General may take the matter to the Labour Court.

Currently the DoEL inspectors are busy assessing the new Employment Equity plans. Ensure these are done, have been consulted with the EE committee and approved by the CEO.

Letter Of Good Standing for tender purposes

All organisations who employ 1 or more employees, are required to be registered with the Compensation fund and submit annual return of earnings in order to obtain a Letter of Good Standing from the Compensation fund.

This letter proves that the organisation is fully paid up and compliant, showing they won't be liable for any work-related injuries or diseases contracted during their employees employment.

One of the requirements when tendering and for government work, is the Letter of good standing, as the client needs re-assurance that should something happen to a contractor's employee, the liability does not sit with the client but with the contractor for any medical costs.

Here's why it matters in tenders:

- Compliance Check – Tendering authorities want assurance that bidders are up to date with tax payments or industry-specific levies.
- Credibility & Reliability – It demonstrates that your company is financially stable, well-managed, and not facing suspension or penalties.
- Risk Management – Procurement bodies avoid awarding contracts to companies that may face legal or financial problems which could disrupt project delivery.
- Fair Competition – Ensures all bidders are operating legitimately and not gaining an unfair advantage by avoiding statutory obligations.
- Eligibility Requirement – In many jurisdictions, submission of a valid letter of good standing from the compensation fund is a mandatory condition for your tender bid to even be considered

POPI

Annual POPI audits and updates to PAIA manuals

Regular audits under POPIA help ensure ongoing compliance with the law, which protects personal information and regulates how organisations process it.

Why Annual POPIA Audits Are Important

- Legal Compliance: POPIA requires organisations to safeguard personal data. An annual audit ensures policies, processes, and systems stay aligned with the law.
- Risk Management: Helps identify data protection risks, such as security gaps or unlawful data processing, before they result in breaches or fines.
- Reputation Protection: A breach of personal information can seriously harm an organisation's credibility. Audits help maintain public trust.
- Staff Awareness: Ensures employees remain informed about their obligations in handling personal information.
- Regulator Readiness: If the Information Regulator investigates, having up-to-date audit reports demonstrates accountability and good governance.

PAIA (Promotion of Access to Information Act) Manual Updates

The PAIA manual is a legally required document that outlines what records an organisation holds and how people can request access to them.

Why Annual PAIA Manual Updates Are Important

- Legal Requirement: Every public and private body must keep a PAIA manual that is accurate and up to date. Outdated manuals may result in non-compliance penalties.
- Transparency & Accessibility: Updated manuals show stakeholders, regulators, and the public how to access information, promoting openness.
- Alignment with POPIA: Since PAIA and POPIA work together, updates ensure that data access rights (under PAIA) align with data protection obligations (under POPIA).
- Organisational Changes: Staff, processes, and systems change over time. Manuals must reflect current information, structures, and processes.
- Avoiding Fines or Legal Action: Failure to update can expose organisations to penalties or reputation

Ensure your PAIA manuals are updates as the Human Rights commission no longer oversees POPIA compliance, this is now done by the Information Regulator.

HR - Let VCA assist YOU with all YOUR HR needs!!

Toolkit Contents:

1. Recruitment & Employer Branding:
- Job Description Template (EE compliant)
- Recruitment Policy
- Candidate Screening Checklist

2. Onboarding & Induction
- New Employee Welcome Pack (customised)
- Onboarding Checklist

3. Performance Management
- Performance Review Template
- KPIs by Job Level (customised)

4. Employee Relations & Labour Law
- Disciplinary Procedure
- Grievance Handling Policy
- Workplace Harassment Policy
- Code of Conduct
- Remote Work Policy (POPIA compliant)
- Basic Conditions of Employment Act (BCEA)
- Labour Relations Act (LRA)
- Employment Equity Act
- Protection of Personal Information Act (POPIA)
- Warning Letter Templates (Verbal, Written, Final)
- CCMA Case Preparation Checklist
- HR Disciplinary Hearing Pack

5. HR Admin Templates
- Employee Contract (Fixed, Temporary, Intern)
- Payslip Template (if no payroll system is in place)

6. Offboarding & Exit Management
- Exit Interview Template
- UIF Documents Checklist (UI-19)

B-BBEE : Breaking Down the Five Elements: Part 5: Socio Economic Development

Socio-Economic Development (SED) is a key element used to measure a company's contribution to the empowerment of black people. Spend is focused on initiatives viz. education, skills / social development and opportunities for growth.

To earn B-BBEE points, Measured Entities must contribute 1% of their Net Profit After Tax (NPAT) & ensure at least 75% of the beneficiaries are black South Africans.

Benefits of Socio-Economic Development:

Benefit Area	Explanation
BEE Compliance	5 points available in this category
Tax Relief	donations to registered Public Benefit Organisations (PBOs) are tax deductible under Section 18A of the Income Tax Act.
Market Access	A high BEE level can win government tenders and state contracts (mandatory minimum levels apply)
Corporate Social Responsibility	SED shows that your company is invested in social upliftment, not just profit

SED contributions are monetary donations & non-monetary contributions. When done right, SED not only earns you valuable points but also creates lasting social impact.

Examples of SED initiatives:

Education & Training: bursaries or scholarships; donating to black schools, TVET colleges, or universities; career guidance / mentorship to high school learners

Skills Development (External to Employees): Funding skills training for unemployed black youth; supporting entrepreneurship for black startups

Health & Wellness: HIV/AIDS awareness programmes; mobile clinics or vaccination drives in rural areas; mental health initiatives

Support for NPOs/ NGOs/ Trusts: Funding NGOs supporting black women in business; youth empowerment foundations focused on work-readiness

Required Documentation for Audit:

- Proof of contribution (invoices / bank statements)
- Signed SED agreement
- Thankyou letter from beneficiary- confirm amount received from Measured Entity
- Project report from the partner (NGO/NPO)
- SED Beneficiary Affidavit (stating ≥75% black beneficiaries)
- Photos, attendance registers, or testimonials (where possible)
- Section 18A Certificate [donations to registered PBOs/ NPOs]
- Proof of payment/contribution within financial period being verified

Occupational Health and Safety: Manual Handling Workshop

Who should attend?

Warehouse staff
Individuals involved in lifting, pushing, or pulling goods in the workplace. This comprehensive and highly practical course equips learners with the knowledge and skills to minimise risks & ensure safety when performing manual handling tasks. Participants will gain a deeper understanding of the importance of proper techniques, reducing the likelihood of injuries and improving workplace efficiency.

Whether you’re a seasoned professional or new to manual handling, this course offers valuable insights into safe practices. Learn effective manual handling techniques and ensure a safer working environment for yourself and your team.

Course outline:

The qualifying learner is capable of understanding:
✓what manual handling is and why it is so important to follow the correct procedure
✓the anatomy of the spine and human movements
✓the risks associated with the handling of loads
✓the principles of safe handling
✓manual handling techniques
✓ergonomics in the workplace
✓ risk assessments

Duration: ✓ Half-day ✓ Maximum 8 learners per session

Cost per group:

R8 400 ex VAT

Contact Renetia today on 011 425 3575 OR renetia@vcaconsulting.co.za to book your team!

The Importance of PAYE and VAT Deregistration at SARS when closing a business.

When a business ceases operations, it is crucial to ensure that all tax obligations are properly managed and concluded.

Deregistration for PAYE (Pay-As-You-Earn) and VAT (Value-Added Tax) at SARS (South African Revenue Service) is a vital step to avoid future liabilities, penalties, and legal issues.

Proper deregistration ensures compliance with tax laws and helps protect the business owner from unnecessary costs.

Why Deregistration of PAYE and VAT Is Important

1. **Legal Compliance**: SARS requires businesses to deregister once they stop trading to prevent ongoing obligations and reporting requirements.

2. **Avoid Penalties**: Failure to deregister can lead to penalties, interest on unpaid taxes, or unexpected audits.

3. **Prevent Future Liabilities**: Unsatisfied obligations or incorrect filings after deregistration may result in future liabilities or disputes

Steps to deregister PAYE and VAT at SARS when closing a business:

1. Submit all outstanding returns and pay all outstanding tax obligations

2. Notify SARS of Business Closure and submit relevant deregistration documents

Deregistering PAYE and VAT with SARS when closing a business is a crucial step that safeguards the business owner from future liabilities and ensures compliance with tax laws.

Always consider consulting a tax professional for guidance tailored to your specific situation.

Siyakha – Your Strategic Enterprise Development Partner

Siyakha Procurement

Siyakha is a proudly South African **51% Black female owned Exempt Micro Enterprise (EME)** and a **Level 2 B-BBEE contributor**.

We are uniquely positioned to help your company achieve its **Enterprise Development (ED)** objectives under the B-BBEE Codes of Good Practice, while also building a strong, sustainable business partnership.

1. Understanding Enterprise Development (ED)
Enterprise Development is a key element of the B-BBEE scorecard, designed to promote the growth of black-owned enterprises through **financial support, mentorship and infrastructure assistance.**

Companies need to spend 1% of their Net Profit After Tax [NPAT] on ED initiatives. Partnering with Siyakha provides a direct, impactful, and compliant way to achieve these targets.

2. Why Siyakha?

- **Higher Recognition** – Contributions to Siyakha are recognised at an enhanced level on the B-BBEE scorecard.
- **Credibility & Impact** – Our ownership structure signals genuine empowerment, giving corporates confidence that their support delivers measurable transformation.

3. How Siyakha Can Assist Your Company

- **Procurement management** – By granting your ED spend [1% of NPAT] to Siyakha, we are then listed as your ED beneficiary; we will do the procurement on your behalf from selected Suppliers on your vendor list [your choice]. No additional mark-up is added. This is a once-off payment, to be paid within your measurement period. This directly affects your Preferential Procurement score, as these orders are now being done through Siyakha.
- **Strategic ED Partnership** – Once Siyakha has completed the 12-month ED cycle, they then graduate to Supplier Development, where the Measured Entity needs to then spend 2% of NPAT. Siykaha Procurement is now listed as one of your Suppliers on your Vendor list.

4. Benefits for Both Parties
For Siyakha:

- Access to funding, resources, and networks
- Increased capacity and market opportunities

For Your Company:

- Earns Enterprise Development points, with higher recognition from partnering with a Level 2 EME
- Strengthens supply chain empowerment and black economic participation
- Demonstrates a real commitment to transformation and economic inclusion

Contact us for more information on how to better your scorecard.

Drop us a mail on hello@siyakhaprocure.co.za

Spring clean your mindset

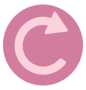
Spring has a way of reminding us to clear out and get rid of everything that no longer serves and supports us. We tidy our homes, we refresh our wardrobes. But how often do we give our mindset the same attention?

Just like a cluttered desk can make it hard to focus, a cluttered mind can hold us back. Old commitments, outdated habits, and unhelpful thought patterns take up space that could be used for growth, creativity, and wellbeing.

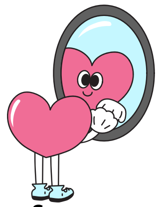
This new season, how about a “mental” spring cleaning?

- *Declutter your calendar*
  - Notice which tasks and routines no longer add value, then let them go.

- *Refresh your perspective*
  - Ask yourself: What new opportunities could I make room for if I released some of the old?



- *Polish your self-talk*
  - Replace “I should” with “I choose,” and see how your energy shifts.



The beauty of spring is that it shows us what’s possible when we create space for renewal. By refreshing your mindset, you not only open doors for yourself, you set the tone for your team and those around you.

This month, give yourself permission to sweep away the mental clutter and step into the season with a little more lightness, clarity, and possibility.

About Sonja McKaiser
Sonja is a certified life coach and self-care facilitator who helps professionals reclaim clarity, energy, and purpose, both at work and in life. Alongside private coaching, she designs workshops for teams on wellbeing, boundaries, and leadership, creating space for healthier, more productive workplaces.

If you want to explore how self-care can support you or your team, send an email to hello@sonjamckaiser.com.


"Every day is a chance to begin again. Don't focus on the failures of yesterday, start today with positive thoughts and expectations."
—CATHERINE PULSIFER