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## DELIVERY AGREEMENT FOR OUTCOME 12:

An efficient, effective and development oriented public service and an empowered, fair and inclusive citizenship

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## **PREAMBLE OF THE DELIVERY AGREEMENT**

The Medium Term Strategic Framework (2009-2014) translated the Election Manifesto into 12 Outcomes. The department of Public Service and the Department of Arts and Culture are responsible for Outcomes 12: “An efficient, effective and development oriented Public Service and an empowered, fair and inclusive citizenship”. The Delivery Agreement comes as a result of a series of engagements that have taken place across the spheres of government as well as between government departments. The fourth democratic government of South Africa under the leadership of President Jacob Zuma agreed on 12 outcomes as a key focus of work between 2010 and 2014.

Early in 2010, the President of the Republic signed performance agreements with the Ministers in relation to the new outcomes based approach. Subsequent to the signing of the performance agreements, Ministers who lead outcomes were requested to coordinate the development of the Delivery Agreement across all spheres of government and its entities. The Delivery Agreement for Outcome 12 has been finalised and will guide the implementation of the programme of action for government. This Delivery Agreement is a sum total of commitments made by key government departments in all spheres to ensure that government is working together to improve on service delivery and thus the lives of the people. The Delivery Agreement for Outcome 12 covers the following key strategic areas:-

- Service Delivery Quality and Access
- Human Resource Management and Development
- Business process, systems, decision rights and accountability
- Tackled corruption effectively
- Nation Building and National Identity
- Citizen Participation; and
- Social Cohesion

The Delivery Agreement will be implemented on an incremental basis over the next four years. The Delivery Agreement to be reviewed annually will be informed by learning based on monitoring and evaluation (M&E) findings. Accordingly, it will be refined over time to be more inclusive of the relevant delivery partners. The Delivery Agreement provides detail to the outputs, targets, indicators and key activities to achieve Outcome 12. It also identifies required inputs and clarifies the roles and responsibilities of the various delivery partners. It spells out who will do what, by when and with what resources.

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**PART A OF OUTCOME 12: AN  
EFFICIENT, EFFECTIVE AND  
DEVELOPMENT ORIENTED  
PUBLIC SERVICE**

## 1. INTRODUCTION

Government has agreed on 12 outcomes as a key focus of work between now and 2014. Each outcome has a limited number of measurable outputs with targets. Each output is linked to a set of activities that will help achieve the targets and contribute to the outcome. Each of the 12 outcomes has a Delivery Agreement which, in most cases, involves all spheres of government and a range of partners outside government. Combined, these agreements reflect government's delivery and implementation plans for its foremost priorities.

This Delivery Agreement is a negotiated charter which reflects the commitment of the key partners involved in the direct delivery process to working together to undertake activities effectively and on time to produce the mutually agreed-upon outputs which in turn will contribute to achieving part A of outcome 12.

The process of crafting this Delivery Agreement has been managed by the G&A cluster as the Outcome Implementation Forum for outcome 12. The G&A cluster consist of key coordinating departments from national level as well as representation of provincial Directors-General. Task teams have been established for each of the four outputs of outcome 12. Each output consists of sub-outputs to which were assigned to separate workstreams (or sub task-teams). Twenty multi-departmental and intergovernmental workstreams (or sub-task teams) have made the detailed submissions for each sub-output which comprises the Delivery Agreement for outcome 12.

The delivery agreement will be implemented on an incremental basis over the next four years and reviewed annually in the light of learning by doing and monitoring and evaluation (M&E) findings. Accordingly, it will be refined over time and become more inclusive of the relevant delivery partners.

As outlined above, many different interventions have to take place in order to shift the public service to a new trajectory towards being efficient, effective and development-oriented. These interventions are all interdependent, and it is therefore important that adequate attention be paid to all of them. For example, the impact of initiatives aimed at improving the performance and supervision of front-line service workers will be limited if supply chain management practices are not also improved so that front-line workers are timeously provided with the good quality equipment that they require to do the job. In order for this Delivery Agreement to result in the outcome of an efficient, effective development oriented public service, buy-in and cooperation is required from all members of the executive and all public service managers.

The Delivery Agreement provides detail to the outputs, targets, indicators and key activities to achieve outcome 12, identifies required inputs and clarifies the roles and responsibilities of the various delivery partners. It spells out who will do what, by when and with what resources. The outcomes apply to the whole of government and are long term. While the Delivery Agreement may contain longer term outputs and targets, it also includes outputs and associated targets that are realisable in the next 4 years.

It also considers other critical factors impacting on the achievement of the outcome , such as the legislative and regulatory regime, the institutional environment and decision-making processes and rights, the resources needed and re-allocation of resources where appropriate.

The normal budgeting process will continue to determine the allocations to Departments. The Delivery Agreements will be an important input into the budgeting process for 2011/12 and the final budget allocations will affect the order of priorities and phasing of the implementation of this Delivery Agreement. For 2012/13 and subsequently, the annual revisions to the Delivery Agreement will be timed to link with the budget process so that the revised Delivery Agreement is signed off after the budget is signed off.

### 1.1 HIGH LEVEL PROBLEM STATEMENT FOR OUTCOME 12- PART A OF OUTCOME 12

Access to government services has improved for many people in South Africa since 1994, however, a 2009 geographical access study conducted by DPSA in collaboration with 8 key service delivery departments in some of the most impoverished rural districts of the country has shown that many people still travel very long distances to access service points in some areas.

Departments tend to plan their service access improvement initiatives in silos and spatial maps indicate that related services of government are often not located in close proximity to one another, making it inconvenient for people to access different services in the same area.

There is a lack of consolidated baseline information on geographic access to government services to assist departments in planning where to locate their services. Very few access studies have been done to determine whether service points are optimally located in relation to where citizens live and whether their access needs are being met.

Few departments have developed geographic access norms that can assist them in reviewing access to their services and to set targets for improving access, in particular, to reduce the travel distances to their service points.

Furthermore, minimum infrastructure access norms have not been developed to facilitate physical access to government service points for women and people with disabilities. No consolidated directory of services currently exists in government and the integrity of the infrastructure asset register of government is lacking.

In 2008, the people of South Africa re-affirmed their confidence in the policies of this government. They renewed its mandate in the belief that the policies would help improve their lives. Since 1994, the public sector has performed reasonably well in implementing government programmes and initiatives. Access to public services has improved, particularly the quality of life in those areas neglected under apartheid. However, it should be acknowledged that the state has not performed optimally in relation to public expectations. Quality and service standards have not always improved, despite massive increases in

successive budgets. In some areas service quality and standards have deteriorated. Public opinion on satisfaction with the delivery of basic services has declined from 75% in 2006 to 58% in 2008.

Consequently President Zuma indicated in his 2010 State of the Nation Address that he would work hard to build a strong developmental state, which responds to the needs and aspirations of the people, and which works “faster, harder and smarter”.

The reasons for not achieving our desired performance vary in different areas. Amongst them are: lack of political will, inadequate leadership, management weaknesses, inappropriate institutional design and misaligned decision rights. The absence of a strong performance culture with effective rewards and sanctions has also played a part.

In the first decade after the transition to democracy, the government focused on restructuring, intensive policy development and comprehensive legislative reform, including wholesale revision and modernisation of the legislation governing the public service. This included the introduction of key new legislation such as the Public Finance Management Act (PFMA) and the Public Service Act (PSA). Both the 10 Year Review (2004) and the 15 Year Review (2009), produced under the auspices of the Presidency, found that the legislative reform process had been largely successfully completed by 2004. The Reviews found that the key challenge facing government was to improve implementation, and that the focus of the second decade must be on improved implementation of these new policy and legislative frameworks.

The parties to this Delivery Agreement agree that the findings of the 10 and 15 Year Reviews remain valid in 2010. Whilst there is a need for regulatory review in some areas (such as discipline and recruitment with the aim of improving the efficiency, effectiveness and alacrity of processes), the key challenge facing the public service is to improve implementation, not further legislative reform. What has been lacking is an elaboration of exactly what needs to be done to improve implementation.

There are a number of departments and institutions at the centre of government which are responsible for leading the process of improving the efficiency, effectiveness and development orientation of the public service as a whole. These include the Presidency, the Premiers’ Offices, the Department of Public Service and Administration, National Treasury, the Department of Cooperative Governance and Traditional Affairs, the Public Service Commission, and the Department of Public Works.

The initiatives which these departments and institutions at the centre of government have taken to date have not been as successful as would have been desired in achieving the outcome of an efficient, effective and development-oriented public service. As part of the process of producing this Delivery Agreement, the centre-of-government departments and institutions have reviewed their activities and intended outputs in order to identify what should be done differently in order to achieve a better outcome.



## 1.2. HIGHLIGHTS OF THE DELIVERY AGREEMENT- PART A OF OUTCOME 12

This Delivery Agreement focuses on three major areas where things will be done differently in order to shift to a new trajectory leading to an efficient, effective and development-oriented public service:

- A. New implementation model;
- B. Anti-corruption interventions; and
- C. Monitoring and evaluation.

### **A. NEW IMPLEMENTATION MODEL**

As mentioned above, the centre-of-government departments and institutions have not been as successful as would have been desired in achieving the outcome of an efficient, effective and development-oriented public service. The reason for this is that the centre has not paid sufficient attention to providing leadership and support to the rest of government in the implementation of the new legislative, regulatory and policy frameworks. There has been an expectation that the publication of improved frameworks will automatically result in improved implementation, which has proven not to be the case. This is because there has been an incorrect assumption that public service managers will have the capacity and knowledge to implement the frameworks. A key lesson here is that publishing guidelines and sending managers on training courses is necessary but insufficient – much more intensive support programmes are required, including elements such as on-the-job guidance, assistance with organisation and business process redesign, and determining and putting in place the managerial capabilities required for various functions. This empowerment of managers must also be accompanied by increased measures to hold managers accountable.

A new implementation model is therefore required, in which the departments and institutions which are the custodians of the legislative, regulatory and policy frameworks (including both centre-of-government departments and line function departments) play a much stronger leadership and support role in assisting the rest of government to implement efficiently and effectively. In summary, the key pillars of the new implementation model are:

- (a) Appropriate location of decision rights (with decentralisation where appropriate) and clarity regarding mandates and roles and responsibilities
- (b) Implementation support coupled with increased accountability;
- (c) Project and programme management.

### **Appropriate location of decision rights**

Effective implementation is often undermined by over-centralisation of decision-making powers with insufficient delegation, and other forms of inappropriate or unclear decision rights. In the main, this problem is not caused by the legislative and regulatory frameworks, but by poor implementation of the

frameworks. For example, heads of department often do have appropriate human resource management delegations from executive authorities, and there is often insufficient executive authority involvement in respect of financial governance and oversight. Frequently even minor human resource or administrative approvals need to be referred from districts and regions to departmental head offices, or ten signatures need to be obtained on a memorandum before a decision can be made. There needs to be a suitable balance in defining roles and responsibilities: department heads and other managers need to be more involved in recruitment; and executive authorities need to be more empowered in relation to financial oversight. Appropriate delegations should balance the need for responsive delivery against ensuring effective internal controls, the capacity of the institution in question, and other risks.

In order to address this, DPSA and National Treasury will produce a guide on the principles which should underpin appropriate delegations and decision rights, and will engage in a proactive and extensive support programme to assist departments to review their existing delegations and decision rights against the principles in the guide and to put in place more appropriate delegations and decision rights.

A further problem which has been identified is a lack of clarity regarding mandates and roles and responsibilities, both within the spheres of government and between the spheres of government. In this regard, DPSA will produce a Functionality Analysis Toolkit and will engage in a process of working with departments (starting in priority areas where the lack of clarity is a burning issue) to use the Toolkit to clarify mandates, roles and responsibilities. The outcomes of functional analysis will inform determinations in terms of the Public Service Act and the Public Finance Management Act regarding the macro-configuration of government functions into departments, government components or public entities and the allocation and transfer of functions between organs of state. The aim will be to eliminate duplication of functions and to advise on the most appropriate corporate form to perform a particular function or service. In some instances this may lead to Cabinet or provincial Executive Council decisions to provide clarity.

These improvements in the location of decision rights and delegations and in clearer definitions of roles and responsibilities and mandates will also promote greater accountability for delivery, which will be complemented by increased implementation support and robust monitoring and evaluation (as described below).

### **Implementation support coupled with increased accountability**

Many national departments have, unfortunately, not yet positioned themselves to provide effective implementation support to provincial governments, municipalities and other delivery institutions. In the past, a common practice was for national government departments to promulgate legislative and regulatory frameworks and to issue policy directives, but they would then leave it to other national and provincial departments, municipalities and institutions to comply without providing much implementation support. The new implementation model involves all national departments (not just departments at the centre of government such as DPSA, National Treasury and COGTA) introducing a

major shift towards supporting implementation of legislative and policy frameworks, rather than just policy making.

This Delivery Agreement covers the support to be provided by the centre-of-government departments to improve the efficiency and effectiveness of the management and administration of the public service. This will require improvements in both internally-focused management functions (such as procurement) and externally-focused management functions (such as setting service delivery standards).

At his meeting with top managers in the public service on 23 April 2010, President Zuma said: “What we need is a different type of public servant; a public servant who respects the citizens he or she serves. A public servant who values the public resources she has been entrusted to manage. We need a public servant who comes to work on time and performs his or her duties diligently”. To this end, DPSA will continue to vigorously drive interventions aimed at instilling the Batho Pele principles and value system across all three spheres of government. DPSA will also continue to drive interventions aimed at developing commitment to service excellence across the public service such as the “Know Your Service Rights Campaign (KYSRC)”, putting people first, mainstreaming, institutionalising, sustaining and fostering accountability for the implementation of Batho Pele, setting service standards, designing Service Delivery Improvement Plans (SDIP), hosting Batho Pele Learning Networks, and implementing the Batho Pele Change Management Programme. Project Khaedu will also be intensified. This programme entails the deployment of senior managers to the coalface of service delivery to develop collective solutions to challenges experienced which removed SMS members from their traditional comfort zones and gives them the opportunity to understand how their policies are received on the ground.

Strategies to ensure the implementation of the Promotion to Access to Information Act as well as the Promotion of Administrative Justice Act across the public service are described in greater detail later in this Delivery Agreement. These will also assist in institutionalising key Batho Pele principles such as access to information and redress.

But these Batho Pele initiatives to improve courtesy and other customer service dimensions, though laudable, are necessary but not sufficient to create a responsive and development oriented public service. This is because improved attitudes and values need to be accompanied by improved management practices in order for the quality of services provided to citizens to actually improve. For instance, no matter how courteous and customer oriented a front-line worker is, there are limits to the degree to which she can provide good quality services if back office management is poor (e.g. if there are too few workers in the customer service booths, or if their computers are not working, or if the document management systems are in disarray, or if the supply chain section has failed to provide them with spare parts for their government vehicles).

Batho Pele therefore needs to be complemented by the new implementation model captured in this Delivery Agreement which will ensure that these back office processes become much more effective. Intensive and targeted implementation support programmes will therefore be put in place for the following internally- focused management functions:

- Supply chain management and procurement;
- Human resource management and development;
- Financial management;
- Appropriate delegations and decision rights;
- Expenditure reviews and comparative cost reviews to drive improvements in value for money;
- A turnaround strategy for the State Information Technology Agency and other initiatives to improve ICT as a key enabler of effective service provision in the public sector.

Implementation support programmes will also be put in place for the following externally- focused management functions:

- Managing the quality of service delivery, including setting and achieving service delivery standards (e.g. waiting times in queues or waiting times to receive documents). Managers of frontline services need to understand the needs of diverse citizens through segmentation and systematically respond to service user satisfaction surveys and citizen complaints;
- After having measured responsiveness of key government services, the DPSA will put in place plans to manage improvement e.g. through the Batho Pele revitalization programme to build a culture of customer service coupled with business process redesign;
- Stakeholder engagement regarding service delivery;
- Service delivery planning and access;
- Supervision of front-line services.

The Delivery Agreement for outcome 9 (an effective system of local government) pays particular attention to improving externally focused management functions which are key for improving service delivery at the local level, such as community participation, stakeholder engagement and development planning.

Implementation support will aim to not only build the capacity of the individual (through training and skills development to build critical delivery competences) but also to build organisational capacity through making necessary institutional changes in areas such as organisation design and organisational structure, business processes, management policies, and delegations and decision rights.

Implementation support programmes will involve the centre-of-government departments working together with targeted departments to improve implementation, and will usually contain the following three key components:

- a) Putting in place good-practice implementation guidelines or toolkits;
- b) Setting minimum capability levels for various management functions in different service delivery contexts, assessing existing capabilities against the required capabilities, and carrying out organizational redesign and putting in place individual capacity building programmes to realize the required capabilities;
- c) On-the-job support to managers to implement the good-practice implementation guidelines and toolkits, until this can be done consistently without support.

The centre-of-government implementation support programmes will be targeted and incremental in nature. Initially there will be a focus on key priority outcome areas such as health and basic education, but support will then be spread to other departments. The Delivery Agreement for outcome 9 (an effective system of local government) describes an analogous thrust for implementation support to vulnerable municipalities, as part of the new implementation model.

In order for the implementation support programmes to result in sustainable improvements in service delivery, they must be complemented by increased accountability for managers. In other words, managers need to be empowered to manage better and they then need to be held accountable for improvement management. There is a risk that beneficiaries of support programmes may use the support programmes as a means to dilute their own accountability. Unless departments take ownership of the process of building their own implementation capacity, the benefits of external support are likely to be short lived and may collapse once the support is withdrawn. Support programmes, on the other hand, need to focus on building sustainable capabilities in departments and genuine skills transfer. Building on work done by the Technical Assistance Unit (TAU) in the National Treasury, there will be an emphasis on quality assurance of implementation support and capacity building to ensure that their potential benefits are indeed realised.

Improved implementation lies not only in the realm of the technical solutions outlined above, but also in executive and legislative leadership in exercising oversight, and the political and managerial will to hold managers accountable. In this regard, initiatives will also be put in place to improve the implementation of the performance management system.

### **Project and programme management**

There needs to be greater emphasis on a “back to basics” managerial focus. The Performance Monitoring and Evaluation Department within the Presidency, together with the DPSA and National Treasury, will play a leading role in improving programme and project management capacity in government through a similar process of putting in place good practice guidelines and toolkits, assessing and increasing capabilities for programme and project management, and on-the-job support.

## **B. ANTI-CORRUPTION INITIATIVES**

There has been great frustration about the delayed response of departments in combating corruption. Sometimes it takes several months for disciplinary processes to even be started. Officials are often suspended on full pay for months, if not years. Furthermore, there are significant inconsistencies in the type of sanctions applied.

Allegations of corruption reported to the anti-corruption hotline are referred back to departments for follow-up, but because departments do not have sufficient investigative capacity, initial investigations

are never completed. The 2009 State of the Public Service Report by the Office of the Public Service Commission notes that of the 1524 cases of alleged corruption reported to the national anti-corruption hotline, only in 12% of the cases did public institutions provide feedback to the callers on the cases reported to them.

A key thrust of this Delivery Agreement will be on anti-corruption initiatives that step up the prevention and detection of corrupt activities, and significantly speed up enforcement responses. The focus is on developing the capacity of departments and other government institutions to carry out the initial investigations which are required before cases are referred to the law enforcement agencies, and to carry out internal disciplinary processes effectively and efficiently.

One fundamental innovation in this regard is that while the locus of anti-corruption prevention capacity will remain within departments and other institutions, enforcement will be strengthened by a new specialist anti-corruption unit to be located within the DPSA. This unit will operate through a multi-agency approach which will include coordination of anti-corruption initiatives within the public sector and have, amongst others, the following functions:

- Preventative measures including awareness raising;
- Providing implementation support to departments;
- Setting up anti-corruption norms and standards and guidelines for sanctions;
- Enforcing compliance to the normative and legislative frameworks;
- Investigating all corruption related misconduct;
- Conducting the necessary disciplinary processes and referring criminal related cases to the relevant law enforcement agencies; and
- Providing reports to Cabinet, Parliament and relevant stakeholders.

This unit will ensure that gaps in the existing anti-corruption regulatory framework are covered (for instance minimum anti-corruption capacity in departments not currently being regulated and limited coverage of the financial disclosure framework and its non-existence for local government). It will also focus on implementation support to ensure that the existing anti-corruption legislation is implemented better (through, for example, guidelines for sanctions to ensure that they are applied promptly, consistently and appropriately, as well as support to departments in implementing these guidelines, advice and support to departments to implement the protection of witnesses under the Protected Disclosures Act.) Most importantly, it will step up investigative capacity from the perspective of the employer to ensure a swift and appropriate disciplinary response.

Where the preliminary investigations indicate that criminal proceedings need to be instituted, this unit will refer these cases to the relevant bodies in the criminal justice system (e.g. the Special Investigation Unit). As mentioned above, incidences reported on the anti-corruption hotline are referred to the relevant departments. However departments often lack the investigative capacity for effective follow-up. This new approach will significantly improve the responsiveness and credibility of the anti-corruption hotline.

### **C. MONITORING AND EVALUATION**

The introduction of the outcomes approach, of which this Delivery Agreement is part, is the start of a process of introducing much more systematic and comprehensive monitoring and evaluation (M&E) in the public service, as a key mechanism for improving the efficiency, effectiveness and development-orientation of the public service. The main focus of this M&E drive is not on monitoring of departments and other government institutions by external bodies – it is on developing the capacity of the managers of departments and institutions to do monitoring and evaluation themselves. This is the only way in which a sustainable improvement in service delivery can be achieved.

This involves getting the public service to focus on outcomes and to identify measurable indicators for the outputs and activities which are aimed at achieving the outcomes. It also involves changing the management culture in the public service. Currently, the public service is dominated by a bureaucratic management culture which rigidly does the same things in the same way over and over again. The monitoring and evaluation drive is aimed at developing a more modern management culture which involves regularly measuring and analysing indicators to inform changes to the way in which things are done – in other words, developing a management culture of continuous improvement.

The policy framework for systematic and comprehensive monitoring and evaluation has already been put in place, with the creation of the Government-wide Monitoring and Evaluation System (GWMES) under the auspices of the Presidency. This overarching policy platform is supported by: the Framework for Monitoring Programme Performance Information (FMPPI) under the custodianship of National Treasury; the South African Statistics Quality Framework (SASQAF), under the custodianship of Statistics South Africa; and the Evaluations Framework, which is still to be put in place by the newly established Performance Monitoring and Evaluation Department in the Presidency (PME).

As is generally the case, the key challenge is now to ensure that this monitoring and evaluation policy framework is implemented across government. The key thrusts in embedding M&E are:

- (a) Providing implementation support for M&E to empower departments to collect, analyses, and act on relevant data;
- (b) Ensuring compliance with M&E policy frameworks and verification of data;
- (c) Creating a culture of critical self-reflection and intensive use of M&E insights; and
- (d) improved oversight and citizen engagement around M&E insights and recommendations.

In this regard, PME will work with National Treasury, Statistics South Africa, COGTA and Premiers' Offices to:

- Provide support to national and provincial departments and municipalities to develop their M&E capabilities (this support will be similar in nature to the support programmes described

above, and will also initially focus on priority outcome areas such as basic education and health). This will be supported by PALAMA, which has put in place a structured programme for building capability of M&E practitioners, M&E managers as well as users of M&E (e.g. programme and line managers). In addition, M&E learning networks to build a vibrant community of M&E practice will be put in place.

- Encourage M&E related innovation through the introduction of Geographic Information Systems (GIS), which will revolutionise M&E insights across different services and spheres of government, providing a "whole-of-government spatial perspective.
- Create better integration of M&E across government (e.g. reduce duplicate reporting requirements). This includes setting up sectoral data forums to improve the quality of administrative systems across government and other data quality initiatives.
- Develop a legislative and regulatory environment that will support the institutionalization of M&E and the outcomes approach across all three spheres of government.
- Ensure better policymaking and policy implementation by using evaluations to identify lessons learnt and good practices which can be emulated across government. A common evaluation approach will be developed and capacity will be built within government to conduct methodologically credible evaluations.
- Ensure that gaps such as monitoring of non-financial governance are addressed.
- Change management interventions to highlight the strategic nature of M&E (as opposed to being relegated to a 'back office function' and engaging heads of department and senior management in creating a demand for M&E information, and using M&E findings to frame proactive management responses to service delivery bottlenecks and to strengthen policy implementation.

## **THIS DELIVERY AGREEMENT**

In the light of the introduction provided above, this Delivery Agreement focuses on what should be done differently, and how, with respect to public administration/management, to get the public service to operate more efficiently and effectively, in the following areas:

- (a) Service delivery quality and access (including responsiveness, service user satisfaction, value for money, and access)
- (b) HR management and development (including performance development, performance assessment, recruitment, retention, career pathing, discipline, HR planning, and skills development)
- (c) Business processes, systems, decision rights and accountability management (including improving PERSAL functionality and accuracy, SITA effectiveness, SCM and procurement, delegations and decision rights, implementation of PAIA and PAJA, financial management, organisation design and business processes)
- (d) Tackling corruption effectively.



Detailed analysis and action plans in relation to each of the above outputs are outlined in greater detail in the later sections of this Delivery Agreement.

The Delivery Agreements for the other 11 outcomes focus on improving functional (as opposed to 'administrative') implementation in sectors such as basic education, health and local government. Outcome 12 is, however, a crucial enabler for the other 11 outcomes.

It is foreseen that an efficient, effective and development orientated public service that delivery quality services should be supported by the following four key initiatives to ensure high performance:

- Service delivery planning and implementation,
  - Including amongst others service delivery improvement plans, service standard setting, service charters and rights, business process management, service delivery models, diagnostic tools and effective monitoring, evaluation and impact assessments
- Organisational development and access,
  - Including amongst others Macro organisation strategy, design tools, GIS for service delivery points, Joined up and multipurpose service centres, citizen segmentation and life journey, Job evaluation and organisational restructuring
- Change management and Batho Pele, and
  - Including amongst others Batho Pele programme and principles, induction and orientation programmes, complaints management strategy, Batho Pele impact assessments and learning networks, change management interventions and special change programmes
- Community Development and Public Participation
  - Including amongst others citizen participation strategy, integrated and inter sectoral structures for participation, know your service rights strategy, volunteerism to enhance service delivery and capacity building of citizens to enhance access

## 2. IDENTIFICATION OF DELIVERY PARTNERS

Unlike other outcomes which tend to focus on a single sector such as health, education or human settlements, outcome 12 spans the entire public service, across the three spheres of government. In the South African public service, the management of public finances, people, processes and technology has been decentralised to Executing Authorities and Accounting Officers. Each Minister, MEC, Mayor, Head of Department and municipal manager therefore plays a central role in achieving outcome 12: An efficient, effective and developmental public service. They are all therefore potential delivery partners.

For logistical reasons and the fact that crafting Delivery Agreements is an entirely new process for government, this initial Delivery Agreement will focus on the departments and institutions at the centre of government which are responsible for leading the process of improving the efficiency, effectiveness and development orientation of the public service as a whole.

The key delivery partners for outcome 12 include:

- Premiers' Offices,
- Department of Public Service and Administration,
- National Treasury,
- Department of Cooperative Governance and Traditional Affairs,
- Department of Public Works,
- Government Communication and Information System,
- Department of Justice and Constitutional Development,
- Department of Home Affairs
- Performance Monitoring and Evaluation
- Statistics SA
- State Information Technology Agency
- Service Sector Education and Training Authorities
- Public Administration Leadership and Management Academy
- Department of Home Affairs
- Sector Departments (Basic Education, Health, Social Development)

There will be ongoing liaison and consultation with these and other departments once this Delivery Agreement moves to its implementation phase.

### **3: LINKING OUTPUTS TO OUTCOME 12**

This section provides a high level problem statement for each of the 4 outputs comprising outcome 12: (a) service delivery quality and access, (b) human resource management and development, (c) business processes, decision rights and accountability and (d) tackling corruption effectively.

#### **3.1 OUTPUT 1: SERVICE DELIVERY QUALITY AND ACCESS**

The Constitution of the Republic of South Africa requires this continuous improvement through a set of set values stated in Chapter 10. Our President has many times called upon departments to know where the citizens stay, what their needs are and how government can address the shortfalls. To this extent output 1: service delivery quality and access needs to address issues that will ensure that service delivery is citizen-focused.

All departments have walked a long road to improve services on a continuous basis. Firstly an enabling environment was created by putting in place support mechanisms such as legislative frameworks and hands on support. Then departments such as Home Affairs, Health and Social Development were encouraged through development initiatives to improve services continuously. Following on these

initiatives capacity development projects were undertaken to empower departments through the establishment of learning networks, guidelines, tools etc.

The efforts made by departments are not always effective and efficient as limited co ordination of these efforts takes place.

The monitoring and evaluation of the initiatives is often not done comprehensively and are also not reported on fully. Furthermore it is not accurately known what the overall satisfaction rate of citizens is with the services they receive or what the overall perception of service delivery by citizens is.

At this stage progress now has to be made towards enforcement to kick-start new behavior. This will only be achieved by putting some sort of penalties in place. Without future enforcement continuous service delivery improvement will remain virtually impossible.

In order to address these issues, four initiatives are embarked upon under output 1: service delivery quality and access:

- **Service user satisfaction**  
Through comprehensive citizen satisfaction surveys and citizen score cards government will be able to determine where the citizens are experiencing shortfalls with service delivery and then direct these shortfalls to appropriate institutions to address. This will lead to improved quality of services.
- **Access to Government services**  
Under this sub output efforts are made to address the issue of knowing where the citizen resides through an access strategy to shorten the distance citizens have to travel to access service provision points. A transversal programme to improve access to government services will be established. It will begin by focussing on key service delivery departments at national and provincial level. Thereafter the programme will be broadened progressively to include more departments, local government and other areas of the country as well as the review of the Thusong Service Centres
- **Responsiveness and turnaround times**  
Responsiveness and turnaround times were always handled by departments in their own domains. This will now however be built to be part of a national programme and drive to ensure systematic measurement and improvement of responses offered by government institutions and turnaround times.
- **Value for money**  
Value for money is seen as the relationship between the resources consumed and the outcomes achieved. Cost effectiveness measures highlight how well the costs of interventions have been translated into desired outcomes. Measures of cost effectiveness can indicate which set of interventions are best able to achieve the desired outcomes at the lowest cost. Ideally, cost effectiveness measures apply full economic costs against a clearly defined outcome.

Under this area, two separate initiatives will be undertaken;

1. The first deals with the comprehensive review of expenditure to determine if funds are correctly allocated and thus resulting in value for money.
2. Secondly a methodology will be put in place, a toolkit developed and institutions trained on how to determine unit costs of services. This will enable departments to share information and see how they fare comparatively to others. It will also enable departments to set unit cost targets for improvement ensuring better service delivery quality.

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### **3.2 OUTPUT 2: HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT**

Poor human resource management in the Public Service is one of the main factors contributing to inadequate service delivery. The quality of human resources is a critical factor in the capacity of government to deliver on its mandate. Human capital of the desired quality and standards is critical in order to ensure the achievement of the required service delivery as expected.

Some of the challenges being experienced with regards to human resource management and development in the Public Service include:

- High vacancy rates
- Poor management of performance and discipline
- The inability to recruit and retain sufficient numbers of skilled people in key occupations and,
- Inadequate training and development of employees.

In some cases previous attempts to address these challenges have had limited success. One of the reasons for this may be that the root causes of the challenges were not properly identified and understood. For example, the Public Service has been grappling for some time with the high vacancy rate in some departments as well as the extended periods required to fill vacancies.

In most instances, the poor management of human resource and development in the Public Service, often results to over reliance on consultants with no capacity development officials as well as contributes to dysfunctional and ineffective back office systems. In response to these challenges, the delivery partners for this outcome will engage in the implementation support of Human Resource policies and frameworks that have been developed but have not been implemented successfully. The DPSA will also together with other central departments provide targeted hands on support to other government departments which are struggling with human resource as well as monitor compliance with regard to effective implementation of policies.

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### **3.3 OUTPUT 3: BUSINESS PROCESSES, SYSTEMS, DECISION RIGHTS AND ACCOUNTABILITY**

Frontline service delivery quality and access (output 1) depends not only on human resources (output 2), but also on effective back office processes (like supply chain management, financial management),

technology (SITA effectiveness) and good governance (such as the implementation of PAJA and PAIA). Often these processes are unclear, ill defined, inappropriate and/or undocumented (e.g. delegations and decision rights) which undermines the speed of service delivery as well as dilutes accountability. All these issues are dealt with in *output 3: business processes, systems, decision rights and accountability*

The inadequacy, or sometimes complete lack, of proper financial delegations within government institutions manifests as weak accountability, which contributes to poor financial management and ultimately service delivery problems. The same situation obtains in relation to human resource and administrative delegations. Heads of Departments, in some cases, do not have sufficient human resource delegations in order to manage properly. Effective delegations therefore have the effect of enhancing accountability through clarifying the roles and responsibilities and empowering people through the devolution of powers. This facilitates sound decision making and enables officials to perform their assigned duties effectively and quickly, thus improving service delivery quality and responsiveness (output 1).

Research conducted by the DPSA in 2008, indicates the following findings and challenges:

- (i) There is a direct relationship between the quality of delegations and the performance of departments in terms of their ranking in the Public Management Watch system.
- (ii) Powers and duties are sometimes over centralized by Executive Authorities and Heads of Department to the detriment of service delivery.
- (iii) Political leadership is a key element to promote efficient delegations to managers at the point of service delivery.
- (iv) Delegation register formats are inconsistent and incomplete and should also include regional and district levels.
- (v) Inconsistencies in delegations between the different performer levels in departments.
- (vi) Inadequate regulatory framework to standardize delegations and promote compliance to prescripts.

In order to address the delegation challenges it is necessary to:

- (i) To review human resource, financial and administrative delegations in terms of the Public Service Act, Public Finance Management Act and the Municipal Finance Management Act.
- (ii) Develop an overarching delegation principles document and standardized registers to guide effective human resource, financial and administrative delegations.

It has been 10 years since the implementation of the PFMA and 6 years since the implementation of the MFMA. Whilst these legislations were expected to improve the management of public monies most government institutions continue to receive negative audit outcomes.

A combination of empowered political and administrative leadership, effective oversight, increased and focused support to address the weaknesses in the control environment of spending agencies (including their capacity and organisational constraints), will improve financial governance and in that way decrease the number of negative audit outcomes.

The focus on PAJA and PAIA, which advocate for decision making processes that are open, transparent, and accountable, are general to the achievement of the whole OUTPUT 3: BUSINESS PROCESSES, DECISION RIGHTS AND ACCOUNTABILITY MANAGEMENT in that it requires formalised decision making processes, respect for citizens' rights in relation to decisions and accountability by decision makers.

The implementation of the PAJA will increase a potential for a large number of government's decisions to be lawful, reasonable and procedurally fair, thus ensuring good governance and good decision making. This has an inherent potential to increase the public's confidence in the government and its services, and eventually impact positively on service delivery.

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### **3.4 OUTPUT 4: CORRUPTION TACKLED EFFECTIVELY**

Since 1997 Government has put measures in place to combat and prevent corruption. Amongst these measure and initiatives are the adoptions of the Code of Conduct for the Public Service and Municipal Staff workers, the establishment of the National Anti-corruption Forum in 2001, the adoption of the Public Service Anti-corruption Strategy in 2002, implementation of the Local Government Anti-corruption Strategy in 2006, the passing into law of the Prevention and Combating of Corrupt Activities Act in 2004, the Protected Disclosures Act in 2000, and the Promotion of Administrative Justice Act in 2000.

In addition to these measures, Government has also ratified the United Nations Convention against Corruption in 2004, the AU Convention on Preventing and Combating Corruption in 2005 and the SADC Protocol against Corruption in 2003 including accession to the OECD Anti-bribery Convention in 2007.

Despite the establishment of these structures and adoption of anti-corruption policies and strategies many of which remains partially implemented, corruption is not in the decline and remains a huge challenge. The contributing factors include amongst others, non-compliance with the regulatory framework and lack of consistent monitoring and enforcement.

For the purpose of implementing this specific output, corruption is defined as *“the abuse of entrusted power for private and/or personal gain as a result of any financial and ethical misconduct in relation to persons entrusted with responsibilities in public office which violates their duties as public officials”*.

This definition encompass both the legal definition as contained in the Prevention and Combating of Corrupt Activities Act of 2004 and the general definition as contained in the Public Service Anti-corruption Strategy of 2002.

To support the attainment of this output one key sub-output has been identified, namely, the establishment of a Special Anti-Corruption which will amongst other functions coordinate and manage the detection of corrupt activities; prevention of corrupt activities, and enforcement, monitoring and evaluation measures.

#### 4. ACTIONS NEEDED TO ACHIEVE EACH OUTPUT

Each of the 4 outputs described above (i.e. service delivery quality and access, human resource management and development, business processes, decision rights and accountability, and tackling corruption effectively) can be broken down into sub-outputs. This section highlights in detail the interventions and changes required to achieve each of the sub-outputs of each of the four outputs.

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##### 4.1 OUTPUT 1: SERVICE DELIVERY QUALITY AND ACCESS

The service delivery quality and access output consists of three sub-outputs: (1) service user satisfaction, (2) access to government services, (3) responsiveness and (4) value-for-money. Detailed descriptions of each are provided below.

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###### 4.1.1 OUTPUT 1 SUB-OUTPUT 1: SERVICE USER SATISFACTION

###### ***What will need to be done differently?***

Government has been delivering services to the citizens and clients alike yet it has not conducted a comprehensive study on the level of satisfaction with the services provided. As a result, government has been unable to generate strategic information on its performance and results of its service delivery efforts.

Service User satisfaction surveys provide the opportunity to consult with service users about their experience in the provision and rendering of services by government. It is a platform through which citizens can express their views about the services received from government. It is therefore a tool through which government's performance in service delivery can be measured against expectations of the service users.

Different service delivery organs have undertaken numerous satisfaction studies relating to their service provision; however, there has not been coordination and uniformity in the undertaking of these efforts.

The proposed methodology will therefore seek to streamline and coordinate the work of the departments in service user satisfaction surveying.

In addition, due to the haphazard and uncoordinated manner in which service user satisfaction surveys were carried out in the public service, it became difficult to produce a comprehensive report on service user satisfaction levels. This proposed new methodology will render it easier to determine the satisfaction of service users across all services in the public service and it will also afford government the opportunity to produce a consolidated report on the level of satisfaction.

The implementation of this new methodology would assist government in the following areas:

- Developing public trust and confidence
- Creating a culture of service among the public servants
- Improve service delivery in government departments
- Use complaint management system information to address the needs of the service users

The service user satisfaction survey methodology will focus on the 5 strategic outcomes of government as captured in the Medium Term Strategic Framework:

- Health
- Education
- Fight against crime and corruption
- Rural development, food security and land reform
- Creation of decent work

The working group will conduct surveys at selected departments in an effort to understand the satisfaction level of service users regarding the actual and perceived quality of service provided by departments. The working group will assess other service user satisfaction mechanism currently used by departments, surveys conducted around service user satisfaction and indicators used to measure service user satisfaction level. This process will assist on instilling the culture of client care in the organizations, making sure staff satisfies those they serve and ensuring that service users receive effective and high quality services.

The working group will develop assessment tools for service user satisfaction survey that will be inclusive of the current initiatives undertaken by departments. Information will be collected from service users and employees (client care agents, frontline officers, Batho Pele implementers) to understand their perspective on the factors related to service delivery and difficulties encountered in rendering such services.

A project manager will compile a survey report with recommendations and submit to the survey steering committee for approval. Department will be expected to develop a service delivery improvement plan and DPSA will monitor the implementation of the plan and assist with best practice service delivery improvement mechanisms.



### ***Key activities***

The key activities that will be undertaken to ensure that the service user satisfaction level is determined and improved are highlighted as follows:

- The development of service user satisfaction survey methodology and tools
- Reviewing of existing service user satisfaction methodologies in the public service
- Conducting service user satisfaction surveys in priority departments
- Development of action plans( service delivery improvement plans) by departments
- Support and Monitoring the implementation of action plans

### ***Evaluation of the legislative environment***

The constitution of South Africa, the Public Service Act and White paper on Transforming Public Service Delivery provide enough legislative environment on how the public servants should conduct themselves in the provision of service and the execution of their duties. The constitution prescribes basic value and principles which put emphasis on responding to the people needs. This implies that departments should regularly consult the service users to determine what they need and the level of satisfaction with service provided.

### ***Evaluation of the existing regulatory framework***

The Minister of Public Service and Administration must be given powers to set standards with penalties for departments failing to implement survey recommendations. Appropriate disciplinary actions should be taken for non compliance.

### ***Evaluate the existing institutional arrangements***

No existing institutional arrangements need to be reviewed as the work can be done within the context of existing arrangements.

### ***Evaluate the management systems, processes and skills***

The implementation of the service user satisfaction survey requires research skills in order to facilitate qualitative and quantitative data collection. The Stats SA will oversee the process of developing the data collection tools and the sampling frame. The GCIS will be responsible for the communication and dissemination strategy. Stats SA and DPSA will conduct the survey and continually assist departments with other mechanisms that can be used to regularly get feedback from service users.

## ***Funding framework***

A detailed budget in line with activities is included in Appendix B with an estimated spending of R5million per annum. A request for additional funding through the MTEF process has been submitted. Negotiations are underway to solicit support from donor agencies.

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### **4.1.2 OUTPUT 1 SUB-OUTPUT 2: ACCESS TO GOVERNMENT SERVICES**

#### ***What will need to be done differently?***

Given the priority of government to improve access to its services there is a need to do things differently. Departments need to know where citizens live and they need to analyse the service delivery needs of citizens throughout their life journey. Such analysis can assist them in segmenting the access needs of citizens and in developing more targeted approaches to meeting such needs.

A transversal programme to improve access to government services will be established. It will begin by focussing on key service delivery departments at national and provincial level that contribute to the 5+2 priorities which include the Departments of Basic Education, Health, Home Affairs, Labour, Justice, SA Police Service, the Social Development as well as the Government Communication and Information System (Thusong Service Centres). Thereafter the programme will be broadened progressively to include more departments, local government and other areas of the country.

The programme will include a range of activities. Firstly an accessibility study including various services will be done and consolidated baseline information on access will be developed. Departments will then be able to use this baseline information to develop access norms and to set targets for progressively reducing travel times to their service points. The programme will also include the development of a framework of standardised, differentiated geographic access norms for related types of government services that will contribute to achieving greater alignment of access improvement initiatives across government. The Department of Home Affairs will develop and implement models for access to DHA services developed (distance versus travel). Accessibility to Home Affairs services will be enhanced through the establishment of additional service delivery points and participating in Thusong Centres, SAPO and local government as well as refurbishment of existing service points.

Thereafter departments will develop implementation plans in which they will indicate the various measures they will take to improve access to their services. Each department, when it develops its plans to improve access in line with the norms to be determined, will have to look at what is affordable in terms of physical centres, like Thusong Service Centres, and what can be done by mobile or other means to extend access affordably. The Thusong Service Centre model will have to be re-thought to ensure that they function better and that the model contributes towards improving access to services. Furthermore, the Department of Basic Education will develop a citizen segmentation strategy that defines the different categories of learners that require access to their various services and a branding strategy for service points will be developed by DPSA.

Finally, geographic information on government service points will be made accessible on the DPISA spatial portal and the integrity of data on service point infrastructure in the asset infrastructure register of government will be improved.

### ***Key activities***

The aim of the sub output is to establish a comprehensive set of indicators for improving geographic access to government service points. Key activities include the following:

- The development of consolidated baseline information on geographic access to government services.
- The development of access norms that define the maximum distance for people to travel to government service points.
- The setting of targets for reducing travel distances to service points.
- The development of departmental plans for the progressive achievement of the aforementioned targets.
- Monitoring and reporting on improvements in access to government services.
- The development of a guideline to assist departments in improving geographic access to their service points.

### ***Evaluation of the legislative environment***

Departments are required to improve access to their services in terms of the Constitution which states that the national government should provide legislation to ensure equal opportunity and equal access to government services. It specifically identifies the need to provide effective access to health care services, social security, basic education and courts and that the services need to be made available progressively and practically.

The Public Administration Management Bill envisages that institutions of all three spheres of government must work together more effectively on fulfilling the needs of citizens. This highlights the need for government-wide approaches, institutional arrangements and frameworks to work together better. It also challenges departments within all three spheres to develop new service delivery models to improve access and to provide services more effectively and efficiently. Draft legislation is also being developed in the form of the Public Administration Management Bill.

### ***Evaluation of the existing regulatory framework***

No regulatory changes are required to achieve the output as the Public Service Regulations require that Executing Authorities establish and sustain Service Delivery Improvement Programmes for their departments. Such a programme must indicate standards for the delivery of services and specify mechanisms or strategies to be used to improve access to services. In the light hereof departments are required to set specific targets for improving access to their services.

### ***Evaluate the existing institutional arrangements***

No existing institutional arrangements need to be reviewed as the work can be done within the context of existing arrangements.

### ***Evaluate the management systems, processes and skills***

Departments require skills capacity to develop geographic access norms for their different types of service points, to improve their baseline data in relation to access and to conduct location analysis which can assist them to identify optimum sites for service points.

DPSA will develop a guideline on improving geographic access to service points and will be providing advice and capacity building to assist departments in this regard. Officials from departments can be trained to make use of readily available systems to assist them in their work.

Furthermore, DPSA collaborated with the Departments of Education, Health, Home Affairs, Labour, Justice, SA Police Service and the SA Social Security Agency in 2009 to conduct an accessibility study in selected rural areas. The results of this study can be used by departments to define access norms for their service points in rural areas.

### ***Funding framework***

An initial summary of the total costs of the sub outputs over the next 4 years is set out in Appendix B attached. These preliminary estimates may have to be refined as detailed implementation plans are developed.

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## **4.1.3. OUTPUT 1 SUB-OUTPUT 3: RESPONSIVENESS**

### ***What will need to be done differently?***

In order to ensure systematic and sustained improvement in responsiveness to citizens, the following things will be done differently:

- An comprehensive audit of the current state of affairs regarding government's responsiveness to service delivery and turnaround times which can serve as a baseline;
- Identify good practices and disseminating these lessons learnt across the public service;
- Development of a national programme to improve responsiveness rather than leaving it to individual departments or sectors;
- Prioritise departments annually for intensive support.
- Put change plans into practice after having measured government's responsiveness – e.g. the Batho Pele revitalization programme be vigorously implemented, as well as devise and implement further training for officials.

This sub-output will work closely with *output 1 sub-output 1: access to user satisfaction* to ensure that citizen's perceptions of levels of responsiveness are canvassed. Should support to prioritized departments indicate that business processes are undocumented or need to be optimized, there will be close cooperation with *output 3: sub-output business processes*. Similarly, should problems with supply chain management, financial management; recruitment of personnel to fill vacancies etc., there will be cooperation with the relevant sub-outputs.

### **Key activities**

Critical activities would include:

- Developing standards for waiting time for pensions, hospital queues and vehicle licensing centers;
- Developing a turnaround time strategy for key government services.
- Appoint trained visible front office supervisory staff.
- Support the development and implementation of Service Delivery Improvement Plans
- Developments of a complaint manage system.

The Department of Home Affairs has already identified standards for improving turn-around time and coverage of its services by 2014 and will put in place interventions to ensure that these are achieved. For example:

- *70% of all new born children registered before their first birthday*  
*(Average total births is 1 million per year)*
- *100% of LRB applications collected are processed within 90 days*  
*95% of all citizens 16 years and above in possession of birth certificates, reached through outreach campaigns, issued with an ID*
- 95% of applications received from applicants, through outreach campaigns, turning 16 years of age issued with ID
- Applications for IDs (First issues) processed and issued within 55 days (on average)
- Applications for IDs (Re- issues) processed and issued within 35 days (on average)
- Applications for machine readable passports processed and issued within 10 days (on average)
- Sections 22 permits issued within 1 day - on average
- Status determination finalised within 6 months - on average
- 90 days for issuance of a Refugee ID - on average
- Travellers cleared within 1.5 – 2 minutes
- 6 months for issuance of a permanent residence permit - on average
- 4 weeks for issuance of a temporary residence permit (work, business, corporate) - on average
- 1 week for issuance of a temporary residence permit (study, treaty, exchange, retired) - on average

- 10 days for issuance of a temporary residence permit (intra-company transfer permit) - on average

### ***Evaluation of the legislative environment***

The current legislations affecting this sub-output include transversal frameworks such as Public Service Act, the White Paper on the Transformation of the Public Service and the White Paper on Transforming Service Delivery (Batho Pele White Paper). However sectoral legislation such as the Schools Act is also important. This analysis has been requested from the relevant departments. The feedback from participating departments will complete a listing of all the relevant legislation affecting this sub-output.

### ***Evaluation of the existing regulatory framework***

The Public Service Regulations are relevant to this sub-output. Evaluation of the relevant sector regulation relevant to responsiveness will be important. Similar to the legislative framework analysis, a sector regulatory analysis has been requested from participating departments. Births and Deaths Regulations must be amended to make provision for stringent measures (new process) for LRB cases

### ***Evaluate the existing institutional arrangements***

The baseline information currently available is the recently concluded Department of Home Affairs' Turnaround Strategy. This strategy will be used as a good practice case study. Participating Departments have been requested to provide information in this regard as well. A generic framework will be developed after considering the present status quo and how it could be improved.

### ***Evaluate the management systems, processes and skills***

The Department of Home Affairs' Turnaround Strategy will be used to develop a generic framework on management systems, processes and to determine the skills required to ensure improvements in the responsiveness and turnaround times when providing government services.

### ***Funding framework***

A funding model will be developed to ensure that the enumerated activities are adequately funded. Departments will provide information on the current funding of projects and activities associated with this sub-output.

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## **4.1.4 OUTPUT 1 SUB-OUTPUT 4: VALUE FOR MONEY**

### ***What will need to be done differently?***

Given the significant demands on the fescues and a continued accountability pressure on South African government to operate efficiently and effectively within limited expenditure parameters, it is imperative to conduct a detailed assessment of unit costs of services, to develop consistent methodological approaches, to co ordinate the baseline information and to share it with the relevant stakeholders to enable them to compare costs for appropriate benchmark comparators.

A unit cost analysis ultimately entails a complete analysis of what baseline information is available, where critical gaps are, how new baseline information can be generated and how it best can be coordinate for analysis, reporting and dissemination.

While baseline data on unit costs of service do exist, they are spread throughout various departments across the various spheres of government. The National Treasury has a limited amount of data, as do the Departments of Basic Education and Health. Within the provincial sphere baseline information is also available to some extent. This baseline information is however not coordinated anywhere, is not comprehensive or generated by commonly agreed upon methodologies, nor is it shared with all stakeholders.

Given this current scenario further baseline information needs be developed on the unit costs of services, realizable targets for improvement need to be set and plans need to be developed on how these targets will be met. There should also be reporting on the degree to which the set targets are being achieved.

Once the baselines are in place optimal efforts should be made to improve on the baselines set. The relevant sector departments will play a crucial role in identifying the services for which baselines would be set. They would also set the targets for improvement and, with assistance from the National Treasury and DPSA, develop plans for improvement. The provincial treasuries would also play a crucial role in coordinating the gathering of baselines and the setting of unit cost improvement targets in the provincial sphere.

Initially it may be possible to only focus on monetary values as such but at a later stage the quality dimension should also be linked to unit costs for example if it costs Rx for a grade 12 pupil per year, what was the % pass rate at that specific cost.

In the past the National Treasury has been spread too thinly in terms of support to departments. With the value for money initiative the National Treasury and DPSA will not work directly with provincial departments, but will work with the provincial Treasuries intensively and build their capacity to implement unit costing methodologies and analyse and act upon the unit cost information generated to improve value for money. The National Treasury role will therefore focus on coordination and the sharing of information together with the national departments of Health and Education. The Department of Home Affairs will also identify key civic services for (IDs and passports) initially. This will be extended over the next four years to immigration and the remaining civic services). On the basis of these unit costs analyses, tariffs will be reviewed and cost saving measures identified

### ***Key activities***

These would include a range of initiatives focused on the calculation and comparison of unit costs of services such as:

- Determining baseline data on unit costs for provincial education and health departments through the relevant national departments,

- Determining baseline data with regard to selected national departments and services,
- Developing guidelines and a standard methodologies for unit costing which can be applied consistently across provinces, districts, municipal areas and institutions to generate comparable benchmarks
- Developing tools and build capacity around the application of unit costing methodologies in provincial treasuries and in turn relevant sector departments
- Setting of unit cost targets for improvement by the relevant sector departments, coordinated by the provincial and National Treasuries.
- Development of plans for improvement in unit costs by the relevant sector departments, with support from the provincial Treasuries and National Treasury.
- Sharing of unit costs of services amongst spheres of government for benchmarking purposes as well as track improvement of unit costs of selected services.

### ***Evaluation of the legislative environment***

The Constitution of South Africa, the Public Service Act and the Public Finance Management Act create a sufficient legislative environment that requires the public service to be efficient and effective. This thus implies that departments should as a basic step determine unit costs of services rendered.

### ***Evaluation of the existing regulatory framework***

In the current regulations flowing forth from the acts mentioned above, there is no specific requirement for departments to develop unit costs for rendering of services. It is foreseen that such regulations or at least directives will be needed to ensure compliance.

### ***Evaluate the existing institutional arrangements***

The Minister for Public Service and Administration (MPSA) as well as the Minister of Finance is linked to Outcome 12: through their performance agreements with the President. However the powers to organise a department and to ensure that it is efficient and effective lies with each department's executive authority. The mentioned Ministers thus have limited powers directly over the efficient and effective running of a department except their own but they can set norms and standards within which parameters other executing authorities must operate. These norms and standards then set the minimum requirements to which a department must adhere. Furthermore the MPSA can monitor compliance and share best practice amongst departments.

### ***Evaluate the management systems, processes and skills***

In order for departments to determine unit costs of services, the necessary skills will have to be developed. New processes and systems need to be put in place to monitor the determination of unit costs and to be effectively sharing the results of the various departments for comparison purposes. Most probably a change management process will have to be undertaken to ensure that the initiative of determining unit costs is taken on board fully by all role players and that it is rolled out to its maximum



## ***Funding framework***

Departments will have to fund the determination of unit costs from their own existing budgets. DPISA has limited funding available to support the development of the guidelines and toolkit. Most of the work can however be done with existing in house capacity.

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## **4.2 OUTPUT 2: HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT**

The terrain of HRM& D is governed by a range of legislative frameworks and policies that overarch the various sub-outputs; hence the input provided in the evaluation of the legislative environments, existing regulatory framework, existing institutional arrangements and the management of systems, processes and skills covers the four sub-outputs namely : (1) performance development, performance assessment and performance agreements, (2) recruitment, retention and career pathing (3) discipline and (4) Human Resource (HR) planning, skills development and cadre development.

### ***Evaluation of the legislative environment***

The Constitution sets out nine principles in section 195 which govern the Public Service and provide the basis for all other employment legislation applicable to the Public Service. The prescriptive framework for Human Resource Management practices, including HR planning, recruitment, selection , human resource development , performance management and career management of staff in the Public Service is determined by the Public Service Act 1994 (PSA), Public Service Regulations, 2001 and various other subordinate prescripts such as Ministerial directives and collective agreements (Similar sectoral legislation exists for Education, Police, Defense and Correctional Services). Besides these internally focused pieces of legislation the following laws are amongst others also of relevance to the aforementioned practices.

- Labour Relations Act, 1995
- Employment Equity Act, 1998
- The Promotion of Administrative Justice Act, 2000
- The Basic Conditions of Employment Act, 1997
- National Strategic Intelligence Act, 1994
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
- The Immigration Act, 2002
- Skills Development Act, 1998

The current regulatory framework in the Public Service came into operation on 1 July 1999 with the amendment of the Public Service Act, 1994 and the promulgation of the Public Service Regulations, 1999. This framework flows from the Government's policy as expressed in the White Paper on Human Resource Management in the Public Service, 1999.

The current management framework provides for a largely decentralized model and vests extensive powers with Executive Authorities of departments to develop and implement their own human resource management policies, practices and processes within the parameters of national norms and standards.

In order to improve the implementation of the current decentralized Human Resource Management framework, the DPSA, COGTA, NT and PME will provide intensive support programmes aimed at developing the implementation capacity of other government departments to effectively implement the policies. This support will consist of a coordinated approach to improve the recruitment and selection processes as well as strengthen compliance to the regulatory and normative frameworks through auditing aspects of human resources management and development such as human resource plans.

### ***Evaluation of the existing regulatory framework***

The Public Service Regulations contain detailed provisions relating to human resource management. It serves as a set of national norms within which departments are compelled to conduct the management of human resource matters. In terms of section 41 of the Public Service Act, 1994, the Minister may issue directives which are not inconsistent with the PSA to elucidate or supplement any regulation. The Act also provides that the Minister may, subject to the Labour Relations Act and any collective agreement, make determinations regarding the conditions of service of employees generally or categories of employees, including determinations regarding salary scales and allowances for particular categories of employees. All collective agreements concluded at the PSCBC are deemed to be determinations made by the Minister in terms of section 3(5) of the PSA and the Minister is empowered further to issue directives to elucidate or supplement such determinations.

The current regulatory framework requires that human resource management in the Public Service undergo considerable change to actualise the following principles:

- Increased delegation of managerial responsibility and authority for day-to-day human resource management decisions to line managers.
- The establishment of a competent and adequately staffed Public Service that is service-oriented and builds positively on the multi-cultural and diverse workforce of the Public Service.
- A continuous endeavour for and focus on strategic human resource management to enhance efficiency and effectiveness.
- The establishment of a flexible management environment that takes into account both the operational needs of the organization and the needs of the employees.

In order to improve implementation of the regulatory provisions, improve the management of human resources for better service delivery and to achieve this sub-output, specific consideration should be given to review the PSRs and ministerial directives governing the discipline management in the Public Service with a new rigour to ensure that disciplinary cases are finalized within 90 days of initiation of the process and that the necessary sanctions are applied.

### ***Evaluate the existing institutional arrangements***

Since 1994, extensive policies and legislation have been developed to guide human resource management and development practices in the Public Service. This legislative framework compels national and provincial departments to, among other things, develop and integrate strategic plans, operational plans and human resource strategies; determine organizational structures; compile and review job descriptions and conduct performance evaluations.

The government and in particular the Department of Public Service and Administration (DPSA) and the Public Service Commission (PSC) have put in place credible frameworks to inform the implementation of the strategic aspect of the human resource management value chain.

However, many departments fail to implement these frameworks into practice. The Public Service continues to face substantial challenges around strategic planning, developing organizational structures, human resource management and development, and career pathing. In nearly every instance skills audits are outsourced, making Departments reliant on service provider dependency models for implementation, which are invariably unsustainable without the service provider

In January 2007, the Cabinet Lekgotla took a decision that all public service departments should apply a uniform skills audit process (DPSA, 2007). This decision emphasised the importance of having a single uniform and coordinated approach to a skills audit system which will be utilised within the entire public service.

In order to address the identified challenges with regards to human resource management and development practices in the Public Service the following will need to be ensured;

- Powers relating to the human resource management function to be delegated to the appropriate levels in departments to support service delivery.
- Roles and responsibilities for human resource management matters to be clarified within departments and relevant delegations should be provided to HR practitioners and line managers to enable them to perform their respective functions.
- Reasons for non compliance to national policies to be determined and appropriate actions should be taken. In this regard, lead departments such as the DPSA, Basic Education, National Treasury, Cooperative Governance, PME, National Health and the Offices of Premiers will have to guide and support departments.
- Transverse governance structures may need to be formalized between certain departments to facilitate the reporting as well as monitoring and evaluation of the implementation and intended outcome of policies.
- Management to be empowered and capacitated to deal with issues of discipline and how to follow the prescribed procedures.

### ***Evaluate the HR management systems, processes and skills***

Some of the current challenges and shortcomings with regard to HR management systems, processes and skills:-

- Although PERSAL has various human resource management functionalities, it cannot be regarded as a comprehensive electronic human resource management system which also impacts negatively on the ability of the Public Service to plan strategically around human resource utilization and requirements.
- Various human resource management functions are still conducted manually and are paper based.
- Integration between the various HRM practices is often lacking.
- Very limited to no integration exists between post information on the organizational structure and personal profiles of individual employees in relation to practices such as recruitment and career management.
- In analyzing the findings in reports issued by the PSC and the DPSA, it can be deduced that;
- Human resource practitioners and line managers are often not adequately skilled to function optimally within the decentralized human resource management framework.
- There is a general negative working culture within and across the public service;
- There is also an apparent lack of follow-up of performance reviews, over-emphasis on the appraisal and rewards aspects at the expense of development, as well as inadequate performance information and challenges around maintaining consistency and objectivity.

To address the underlying challenges mentioned above, various initiatives will have to be implemented and different role players will have to be involved. In this regard specific attention will have to be given to improving the skills of human resource practitioners to support their departments in achieving their strategic goals and to line managers to improve the management of human resources, including performance management and development.

The institutionalisation of HR Connect is pivotal in the rationale for implementing the process. Although dpsa coordinates and manages the project, have to keep it dynamic to ensure skills audits are replaced with a dynamic skills review process. This would ensure that organisation structures are kept up to date, post outputs are regularly updated, based on government wide jobs. Training and development processes need also be aligned to the said occupations, and enrolments on learning opportunities must be as a result of performance discussions between managers and employees. A quarterly forum or meeting of all participating departments was suggested as the platform to manage is the enrichment and updating of the HR Connect system

#### **4.2.1 OUTPUT 2 SUB-OUTPUT 1: PERFORMANCE DEVELOPMENT, PERFORMANCE AGREEMENTS AND ASSESSMENTS**

##### ***What will need to be done differently?***

The review of the Performance Management and Development System will assist in achieving the following:

- Ensuring the consistent application of performance management across departments.
- Performance assessments are done as a development tool rather than only as an evaluation to determine the level of incentives to be awarded to an employee as it is currently the case in most departments.
- A development approach to performance management is inculcated
- Individual performance management is linked to organizational performance management in as far as each's individual's contribution to the achievement of departmental objectives.
- PA's to be evaluated for their quality and their alignment to the objectives of the department.
- Employees are held accountable for the achievement of the objectives within their scope of responsibility as stipulated in their Performance Agreement (PA)

The Ministers' signing of Performance Agreements with the President provides a basis of how work will be done differently regarding performance management. Each DG/ HOD must have a signed PA with the Executive Authority. Evidence of a signed PA must be forwarded to the relevant structures for filing and recording. Each individual must have regular performance assessments.

In an attempt to deal with non-compliance of signing of PAs by Ministers; the Presidency (PME) must be integrally involved in ensuring that each Minister signs a PA with their relevant DG/ HOD and that regular assessment is done according to the prescripts. Performance management information needs to be included in the Annual Report of each department; this will ensure that compliance is adequately managed.

##### ***Key activities***

The key activities that will be undertaken to ensure that performance development, management and assessment are achieved are highlighted as follows:

- Monitor and report on the compliance regarding the signing of Performance Agreements including % of senior managers who have signed Performance Agreements by stipulated time.
- Improved quality of PMDS system and implementation thereof
  - Review, revise, pilot and roll-out of the reformed PMDS
  - Align department's specific PMS with core principles
  - Departments of Health and Education to refine and develop sector specific PMS
  - Develop indicators for measuring the effectiveness of performance management system, apply indicators and produce a report with recommendations

- Develop indicators to measure the quality of PAs and workplans, apply and report on findings.
- Improved management of Poor performance of DGs DDGs and Municipal managers:
  - Develop and implement a strategy for improving the management of poor performance of DG, DDGs and Municipal managers.

### ***Funding framework***

In order to do an adequate qualitative assessment of DGs and DDGs performance, substantial high level management will be required. OPSC has a directorate that deals with Performance Management however not sufficient capacity exists to deal with the quality of PA at this stage. In order to ensure that adequate capacity exist, an amount of **R 7 million** will be needed for resources, operational and project costs in the initial years (i.e. 2010/11 and 2011/12).

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## **4.2.2 OUTPUT 2 SUB-OUTPUT 2: RECRUITMENT, RETENTION AND CAREER PATHING**

### ***What will need to be done differently?***

The recruitment and selection norms and standards applicable to the Public Service as determined by the Minister for Public Service and Administration through the PSA, the PSR and other directives that are issued from time to time, and supplemented by departmental policies on recruitment and selection need to be further enhanced by ensuring:

- That open competition supports application for deviation in terms of recruitment, retention and career-pathing. More flexibility introduced in terms of the open competition system and career progression of employees
- Improved departmental HR implementation capacity through the HR competency model and integration of the HR value chain as defined in the Repositioning of HR.
- Increased monitoring and reporting of Top Management involvement and accountability in the recruitment and retention processes
- Improved management of the quality of HR information and reporting.
- Increase support to Departments to improve the way they manage their data on PERSAL. Amongst others, the actual vacancy rate must be determined (unfunded vacancies should not be regarded as “real” vacancies).
- Structured partnering with lead departments
- Follow up on identified “red flags” regarding the recruitment process as part of an early-warning system of potential delays
- Changes effected to the Regulatory Framework the quality of recruitment and the time it takes to fill critical and or scarce skills posts. In this regard the following must be introduced:
  - Centrally developed job profiles for transverse occupations to enhance alignment between job descriptions and recruitment processes.

- Amend the PSR to regulate the practice of headhunting and the deviation from the open competition principle under prescribed circumstances
- Amend the PSR to prescribe compulsory elements to be included in the assessment of candidates for employment at identified levels.
- Compliance (to minimum standards) in terms of advertising of vacant posts

### ***Key activities***

The key activities that will be undertaken to ensure that recruitment, retention and career pathing is achieved are highlighted as follows:

- Improved recruitment in identified occupational categories.
  - Determine and set targets for identified occupational categories. Monitor and report against targets.
  - Develop a strategy to target, attract and retain people with the best skills from the identified occupational categories
- Increased duration of employment period per post level for SMS members % of SMS members achieving minimum competency levels
  - Determine policy that sets minimum requirements (time and competency) for appointments to higher levels for SMS members Define minimum competency requirement per SMS post level.
  - Define minimum competency requirement per SMS post level.
  - Develop a strategy to ensure that SMS members achieve the minimum competency levels per post level.
  - Develop sector specific functional and technical competencies per SMS post level.
- Period it takes to fill a vacancy reduced
  - Determine the actual average period for filling of vacancies and determine whether periods vary between occupations/grading levels.
  - Determine reasons why it takes a long time to fill vacancies.
  - Develop interventions to ensure that vacancies are filled within an acceptable period.
  - Develop mechanisms to monitor trends in this regard to determine whether matters are improving.

### ***Funding framework***

Each of the participating departments will have to fund their involvement in the different projects from its own budget and reallocate internal resources in terms of the integrated versus silo approach. It is anticipated that DPSA will have consultation workshops in the provinces. Offices of the Premiers will be requested to coordinate and arrange these workshops. Where DPSA is the lead department for a project, it will coordinate the arrangements for national workshops. It is not anticipated that service providers will be appointed and costs related to subsistence and travel will be covered from departmental budgets. Where research is required, it will be funded from current budget allocations. Sufficient funding (initial estimate is R2 million) must however be allocated to ensure, as a minimum, that posts are allocated and filled.

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### 4.2.3 OUTPUT 2 SUB-OUTPUT 3: DISCIPLINE

#### ***What will need to be done differently?***

DPSA will actively support departments in the management of discipline. In terms of information management on discipline matters, the PERSAL function for Labour Relations matters should be made compulsory to complete. This will ensure that Labour Relations information is adequately captured. Changes in the PERSAL fields to support this may be necessary.

#### ***Key activities***

The key activities that will be undertaken to ensure that management of discipline is achieved are highlighted as follows:

- Reduced time taken to finalise disciplinary processes
  - Engage with AG to ensure compliance with the timeframes regarding disciplinary processes form part of the audit process.
  - Institutionalise the maximum period of three months to finalise disciplinary process.
  - Develop a strategy to ensure that suspensions with full pay are finalised within 60 days, which includes regular monitoring and reporting.
  - Measure the number of SMS members that are charged with misconduct and are disciplined and/or discharged.
  - Develop a framework of appropriate sanctions ensuring consistent application of discipline

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### 4.2.4 OUTPUT 2 SUB-OUTPUT 4: HR PLANNING, SKILLS DEVELOPMENT AND CADRE DEVELOPMENT

#### ***What will need to be done differently?***

The negative effects of legacy of the past apartheid education and training system cannot be overemphasized. The need for redress and re-skilling of public servants as a result of the changing and ever-increasing demands for quality service delivery puts a lot of emphasis on further development and underscore and further support the issue of lifelong learning in the Public Service.

The Public Service occupies a unique position in ensuring that the state functions optimally and that it remains responsive to the needs of the South African citizenry. This uniqueness therefore requires unique strategies for training and development to ensure that Public servants properly comprehend and are able to respond to the demands placed on them to deliver relevant and quality services.

Training in the Public Service has generally neither been driven by appropriate skills needs assessments that results on improved performance nor have been driven by the strategic value add of such training interventions. The result has been training that has not added value to work place performance and thus the wastage of resources.



Training and development interventions need to be focused on areas where the need has been identified as acute and where there is scarcity of skills. As we accelerate our levels of training interventions in a focused manner, appropriate resource allocation, utilization and accountability will have to be arrived at and decided upon.

Training and development in the Public Service is currently managed through the legislative and budgetary processes as expressed in the Skills Development and Skills Development Levies Act as amended, the Public Finance Management Act and the Public Service Act. The budgeting, utilization and accountability measures leave a lot to be desired and therefore requires drastic changes to ensure that we do things differently to realize our objectives.

To ensure that the government is able to achieve the targets that have been set by 2014 the training and development interventions will have to be needs-based, respond to government priority skills areas, support the government's developmental agenda and contributes to increased performance. To that end, the identification of the compulsory/mandatory programmes and minimum compulsory annual training days per public servant will be undertaken. A policy to support this new training and development model and trajectory will be developed, communicated to all departments and monitored.

The new measures to be taken in achieving this sub-output will include:

- Ensuring that all departments budget appropriately for their skills development activities
- Providing a framework/model for the utilization of the departmental training budgets to ensure that they are utilized appropriately in accordance with government priorities
- Ensuring accountability by managers through the strengthening the planning and reporting mechanisms in the form of Annual Performance Plans, Quarterly Performance Reports and Annual Reports
- Establishing and strengthening accountability measures through the Office of the Auditor General

The HR Connect will also assist with the determination of the current skills base and identify gaps in terms of the government developmental trajectory in line with the Medium Term Strategic Framework as it ( the HR Connect) introduces well defined job profiles that inform performance assessment and related development plans; advertisements for new appointments; and career paths.

Furthermore, the HR Connect process helps to normalise job profiles with similar occupations in the Public Service. It quality assures HR assessment delivered by service providers and relate findings to personal profiles to inform development plans. Finally, the HR Connect process standardises and "e"-enables all compulsory HR reporting on normalised data to ensure report validity and limit impact of report generation on productivity.

### ***Key activities***

The key activities that will be undertaken to ensure that HR Planning, Skills Development and Cadre Development are achieved are highlighted as follows:

- Quantitative improvement of skills of Public Service
  - Determine and implement the methodology to measure the extent and depth of skills level of the PS with the view of improving the skills levels
- % of departments using their training budget in keeping with policy.

- Develop and implement policy/model that determines the manner in which departments' budget, spend and account for their training budgets.
- Communicate the new policy/model to all departments through a policy directive
- Implement and monitor the policy or provisions of the model to ensure that at least 75% of departments adhere to policy provisions
- % of public service employees trained in mandatory training programmes.
  - Together with PALAMA and PSETA, identify the mandatory training programmes in line with the HR Connect skills base and government priorities
  - Issue a directive to all departments on the implementation of the mandatory programmes
  - Monitor the implementation of the mandatory programmes and report on the progress
  - Develop and implement policy that provides for the attendance of mandatory training programmes and minimum compulsory annual training days

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### 4.3 OUTPUT 3: BUSINESS PROCESSES, SYSTEMS, DECISION RIGHTS AND ACCOUNTABILITY

Below, the various sub-outputs of this output are described in detail: PERSAL functionality, SITA effectiveness, supply chain management, the implementation of PAIA and PAJA, delegations and decision rights, financial management, organisational design and business processes.

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#### 4.3.1 OUTPUT 3 SUB-OUTPUT 1: PERSAL FUNCTIONALITY

##### ***What will need to be done differently?***

From the assessment of the quality and the factors that contribute to inaccurate information on PERSAL it was identified that poor management is the major contributor to the inaccurate information.

Accounting officers and top management are often unaware of what human resource management information could be found on PERSAL if it is properly managed, and how these reports can be used as a management tool.

Improved credibility of PERSAL information would increase usage of human resource information by departments and this usage would itself improve the quality of the data (since errors would be picked up earlier).

The focus in this sub-output would then be on enhancing the management of PERSAL within departments and not on the technical functionality of the system and enhance the use of PERSAL information as a strategic resource which will encourage more attention and resources would be allocated to the management of the system and the information.

##### ***Key activities***

- a. Clarification and formalisation of roles and responsibilities in ensuring credible human resource information from PERSAL
- b. Identification of crucial and strategic HR information

The crucial and strategic HR information would be identified and maintained in this part of the strategy. The DPSA in 2001 identified the information that was deemed as strategic and crucial to be maintained in the National Minimum Information requirements. The Western Cape Provincial Administration has embarked on a project to improve the accuracy of information and also identified the information deemed to be strategic and crucial. The DPSA also embarked on the HR Connect project in order to answer the question as to whether the Public Service does have the required capacity for the developmental state.

### **Data quality analysis**

Once the strategic and crucial information to focus on has been identified, an analysis should be done on the quality of this information. The services of the National Statistical System (NSS) in Statistics South Africa would be secured in this process. The South African Quality Assurance Framework (SAQAF) would be utilised. The SAQAF framework focuses on factors for example relevance, accuracy, methodologically soundness, integrity and timeliness. This analysis would also identify sub-project/interventions that could lead to the improvement of the data quality. The results of the quality assessment should be disseminated in order to guide the users of the information on the reliability, and whether they need to compensate for the data quality. The high level data assessment should be finalised before the end of July 2010.

### **Development of the data management/cleanup methodologies and tools**

In order to implement the cleanup projects, the following documents would need to be developed:

- PERSAL cleanup methodology – this will be based on the methodologies used by HR Connect and WC Province (still to be discussed with PGWC)
- PERSAL management guide
- Guide on the use of management information

The data cleanup tool utilised by the WC Provincial Government will be investigated to determine the potential to customise it for the rest of the Public Service to assist with the implementation of this strategy.

### **Clean-up projects**

The delivery partners for outcome 12 lead by DPSA will support government departments in developing implementation plans to improve the quality of PERSAL information based on the following:

- approved cleanup methodology,
- self assessment by departments on the functioning of PERSAL based on the credibility and compliance toolkit developed jointly by DPSA and NT

- Data quality assessment based on the methodology developed in paragraph e above.

These plans will be monitored by the Steering Committee to identify best practices and short comings as well as ensure that government departments comply with the implementation plans.

### **Enhancement of the use of the information**

In order to improve the use of PERSAL information within the Public Service, it is required that information be made more readily available and in a suitable format for use by management. To address this need, it is necessary to develop a MS Excel based summarised departmental report (DG Report) based on the information in PERSAL. The initial aim of the report is to demonstrate the strategic value of management information and display the inaccurate and incomplete information to departmental top management. The DG Report mechanism would be used to also circulate selected PERSAL exception report to departmental top management.

### **Strengthening accountability**

The strengthening of the accountability of departmental management for the quality of information on PERSAL should be explored. It is proposed that the following mechanisms be explored:

- Integration of data quality into DG performance agreement
- Integration of data quality into the EA's delivery agreements
- Reporting of data quality analysis to National and Provincial Cabinet.

### **Skills development**

- i. Development of training material for Persal Users, Persal Managers on the following areas:
  - Guide on the management and maintenance of PERSAL
  - Guide on the utilisation of management information
  - Cleanup methodology (to be developed)
  - System training
  - Use of management information
  - Cleanup methodology (to be developed)
  - Management of systems and information
  - System training
  - Use of management information
  
- ii. Awareness campaigns and training Users of PERSAL information to cover the following:
  - functionality of PERSAL
  - Interpretation of PERSAL information

- Project management of the cleanup project
- Use of management information

### **Development of a change management strategy**

Based on the analysis, the problems of PERSAL data quality are not primarily as a result of technology, but as a result of people and processes. It is therefore imperative to ensure the strategy incorporate the change management aspects to address to changes in people and processes. As part of the change management strategy, it is important to create awareness of the project and the benefits associated with the project. The DPSA in collaboration with the departments on the steering committee will embark on a series of workshops to create the awareness of the strategy to improve the management and use of PERSAL and information. The workshops will be held in the 2nd quarter of 2010/11.

### **Monitoring of improvement in data quality**

Based on the initial data quality assessment of the identified strategic and crucial information a 6 monthly analysis would be performed to determine the change in the quality of the information utilising the same methodology as the initial analysis to determine the impact of the implementation of the strategy. Departmental progress against plans and data quality assessment would be assessed by the steering committee on a 6 monthly basis and reports should be submitted to DG's in order to hold them accountable and require them to initiate interventions to address the shortcomings or lack of progress. Changes in the status of exception reports should be monitored on a six monthly basis and instances of no or slow progress must be communicated to the appropriate structures to be identified by the Steering Committee.

### ***Evaluation of the legislative environment***

It is proposed that through the delivery agreements the responsibility to ensure accurate information and the management of PERSAL will be vested in the Executing Authority and no further legislative changes will be required.

### ***Evaluation of the existing regulatory framework***

It is proposed that through the delivery agreements the responsibility to ensure accurate information and the management of PERSAL will be vested in the Executing Authority and no changes in the regulatory framework are foreseen.

### ***Evaluate the existing institutional arrangements***

It is essential that the roles and responsibilities of the DPSA, National Treasury, SITA and national and provincial departments be clearly defined and formalised.

### ***Evaluate the management systems, processes and skills***

This sub output aim is to improve the skills within the area of usage of management information and the management of PERSAL. This sub output will focus on the strengthening of processes and the management of the PERSAL systems within departments. The capacity within departments to management PERSAL and usage of management information must be enhanced within this sub objective.

### ***Funding framework***

The DPSA currently have R200 000 budgeted for this sub objective, the impact of this funding will be limited and if high impact would want to be achieved additional funding will have to be identified.

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### **4.3.2 OUTPUT 3 SUB-OUTPUT 2: SITA EFFECTIVENESS**

#### ***What will need to be done differently?***

The State IT Agency (SITA) was established on the 4th April 1999 as a result of the SITA Act (Act 88 of 1998 as amended by the SITA Act no 38 of 2002.) SITA is managed as a private company. It was registered with the Registrar of Companies as "State Information Technology Agency (Pty) Ltd", registration number 1999/001899/07, on 29 January 1999. The Government is the sole shareholder and the rights attached to the shares shall be exercised by the Minister of Public Services and Administration on behalf of the State.

The establishment of SITA was as part of the implementation of the findings The Presidential Review Commission of 1996 which was tasked with the review of structures and functions of government with a view to making recommendations on the transformation of the Public Service. In chapter 6 of the PRC report, focusing on Information Technology in Government, the commission identified challenges and made specific recommendations.

- Lack of clear roles and responsibilities for IT in the public sector,
- Lack of co-ordination of ICT initiatives,
- Incompatibility of systems and architecture,
- Waste of resources,
- Lack of knowledge and skills and
- IT not business process driven

Although SITA has achieved some of its mandate it is still experience some challenges and gaps that need urgent attention and these include:

- Complaints from its clients (national & provincial government departments) about the quality and pricing of services;
- Concerns about overcharging on the mandatory components of its services (“monopoly”);
- Deficient or possibly non-existent Service Level Agreements (SLA’s) or absence of SLA processes;
- Capacity and competency constraints (HR);
- Project management and continuity (projects which are started but then abandoned for various reasons)
- Concerns with respect to security, business continuity and disaster recovery
- The lengthy procurement lifecycle from date of submission by the Departments through to the SITA Recommending Committee’s final accreditation of vendors; and
- Timely submission of correct and accurate invoices.
- SITA has been unable to provide a common IT infrastructure framework and IT plan for the public service.

It is also prudent to point to those objectives that have also not been attained during the same period

- The economies of scale have not been optimised
- E-government Services have not taken off as envisaged
- Business Process Re-engineering for government has not been completed
- No marked progress in public/private risk & reward sharing
- National IMST strategy & implementation plan are still absent. It must be noted that the development of the IMST strategy rests with the Office of the Government Chief Information Officer (OGCIO) and that the lack of an IMST strategy has contributed to the non-optimisation of the economies of scale as there is currently no framework for procurement planning.
- An IT skills development plan similarly should have been the responsibility of the OGCIO to coordinate and for SITA to drive its implementation.

### ***Key activities***

In order to address challenges related to SITA effectiveness a turnaround strategy will be implemented. The strategy ,which will be implemented by the SITA Board ,will cover strategic areas of focus as listed below to ensure that there is a golden thread between the founding mandate, identified problems and the interventions themselves;

- Clarify the mandate of SITA
- Upgrading the effectiveness of the Board and reinforcing good governance
- Enhance Shareholder Capability
- Operational efficiencies (procurement practices, financial, operational improvement, performance management, skills or capacity development)

### ***Evaluation of the legislative environment***

Cabinet Memorandum 38a notes, amongst other things, the following:

- The Minister for Public Service and Administration (MPSA) and the Department of Public Service and Administration (DPSA) are responsible for the management and functioning of departments and provinces regarding the optimal utilisation of IT (for the purpose of this document, reference to IT includes Information Management, Information Systems and Information Technology) as a scarce and valuable resource to enable government to accelerate service delivery to the citizen.
- To give effect to this responsibility the function of a Government-wide Office of the Government Chief Information Office (OGCIO) was created within the DPSA.
- With the establishment of the State Information Technology Agency (SITA) it is compulsory for all departments (national departments and provincial administrations) participate in this agency (SITA Act, 88 of 1998).
- At participation in SITA and *the transfer of the IT function of departments to SITA, it will leave a gap/vacuum in terms of aligning and management of SITA service delivery to departmental needs*, the availability of appropriate IT management skills to utilise IT in support of departmental goals and aligning the service delivery of SITA with the strategic direction of government.

The Public Service Act further mandates the MPSA to:

- Promote and manage the use of ICT's in the design and delivery of citizen-centred services; and
- Ensure that ICT's are used as enabler to ensure that the internal and administrative operations of the public service are efficient and effective as possible.

### ***Evaluation of the existing regulatory framework***

SITA has a monopoly on the provision of certain (mandatory) services and the price it charges to departments. Charges associated with BAS and PERSAL are fairly well regulated, but charges with regard to the network remains a cause for concern. The recovery model needs to be reviewed as a matter of urgency as this creates a number of problems. Each department should have its own vpn with QoS but have either opted to not use the vpn service or move to TELKOM and other service providers ostensibly due to price; performance; functionality and quality



### 4.3.2 OUTPUT 3 SUB-OUTPUT 3: SUPPLY CHAIN MANAGEMENT INCLUDING PROCUREMENT

#### ***What will need to be done differently?***

A multi-agency working group (comprising the Accountant-General, SARS, the Financial Intelligence Centre, the Auditor-General and the Special Investigation) Unit has been established and will focus on preventative measures and enforcement in supply chain management (SCM). While Supply Chain Management (SCM) Regulations in respect of the PFMA, MFMA and PPPFA will be refined, the main focus will be on more effective implementation of the SCM regulations to improve probity, value –for-money and alacrity. To this end, there will intensive support to departments in implementing SCM regulations. This will include:

- (i) Conducting gap analysis in departments in relation to SCM processes and initiating measures to close identified gaps,
- (ii) Improving value for money by implementing strategic sourcing methodologies,
- (iii) Coordinating training of ±22 000 SCM practitioners and provide support to institutions on the implementation of revised regulations and strategic sourcing methodologies

#### ***Key activities***

- (i) Align preferential procurement with the aims of the BBBEE Act and its related Codes of Good Practice
- (ii) Enhance demand management as part of financial management
- (iii) Improve value for money by assisting with the application of strategic sourcing methodologies

#### ***Evaluation of the legislative environment***

The PFMA, MFMA and PPPFA legislation will not be amended immediately i.r.o. SCM, but the preferential procurement regulations will be revised (as discussed below).

#### ***Evaluation of the existing regulatory framework***

The PPPFA regulations are in process of being revised to align preferential procurement with the aims of the BBBEE Act and its related Codes of Good Practice.

#### ***Evaluate the existing institutional arrangements***

The Multi-agency working group consisting of the Accountant-General (chairperson), National Treasury, SARS, the Financial Intelligence Centre, the Auditor-General and the Special Investigation Unit will continue to drive preventative measures, enforcement and oversight measures. Training and support

will be joint initiatives of National Treasury and PALAMA and will draw on accredited private sector training providers for delivery.

### ***Evaluate the management systems, processes and skills***

These are currently adequate.

### ***Funding framework***

To be funded from normal budget.

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## **4.3.2 OUTPUT 3 SUB-OUTPUT 4: IMPLEMENTATION OF PAJA AND PAJA**

Government's compliance with the Promotion of Administrative Justice Act, 2000 (PAJA) is at the average of 41% for the periods of assessment by the Office of the Public Service Commission (OPSC) between 2001 and 2009.

This information is gleaned from the State of the Public Service Reports (SOPS Reports) for the periods in question. Whilst there has been a slow pace of improvement in the progress made towards the implementation of the PAJA, more work needs to be done to improve the compliance of organs of state with the PAJA.

In the past the implementation of the PAJA has been seen as the sole responsibility of the Department of Justice and Constitutional Development (DoJ&CD), including the training, awareness raising and the necessary changes in business procedures. However, the implementation of the PAJA is the responsibility of every organ of state that makes an administrative action, as defined in section of the PAJA. The PAJA is binding on the entire public service as it sets out how public power must be exercised and public functions must be performed in all spheres of government.

Experience shows that a combination of various instruments is necessary to successfully implement the PAJA. The SOPS reports, ranging from 2004 to 2007 and including 2008, recurrently raises concerns about the low level of compliance with the PAJA. In this regard the SOPS Report 2008 befittingly articulates this point as: *"The most obvious recurring challenge is the low compliance with PAJA, which despite being in operation for 7 years now, shows little improvement in uptake by Departments."*

*The problem has been compounded by the fact that very few departments have service delivery standards, and when citizens attempt to complain, redress mechanisms are either not available or ineffective. It may be for this reason that invoking PAJA to hold government to account by citizens has been very low. It would appear that the high investment in raising levels of awareness and providing training have not translated into consummate improvement in how decision-making is carried out."* Further the same report recommends that *"in order to enhance implantation, departments need to*

*honestly reflect on their own specific circumstances that hinder implementation and address these accordingly.”*

In this context the DoJ&CD has developed a strategy which aims at impacting on the environment within which the administrator has to exercise a public power or perform a public function. In this regard the SOPS Report 2008 records that *“there are reasons for the generally weak result found around PAJA compliance. These relate primarily to the implementation environment”*. The implementation of that strategy will, amongst others, focus on high level interventions to achieve the necessary system change through high level co-ordination and facilitation of key stakeholders. These interventions include: offering advice to government departments and municipalities on how to scrutinize the existing decision making processes/systems and how to undertake the necessary changes in business processes e.g. through the mainstreaming of the PAJA in (existing) guidelines or the introduction of form-letters that influence the standards of operation procedures and facilitate a system change, providing input on the content of the PAJA training courses offered by the PALAMA. The advice on systems change and effective implementation of the PAJA are contingent on senior management’s deliberate buy-in and support of an institution under guidance.

### ***What needs to be done differently to implement PAJA effectively?***

It must be emphasized, that despite that the target for the sub output3.4 “IMPLEMENTATION OF PAIA AND PAJA”, government departments and municipalities take decisions that are lawful, reasonable and procedurally fair (PAJA compliant), therefore the DoJ&CD together with its key stakeholders cannot effect a change in an institution without that institution’s commitment and participation. In fact it is not for the DoJ&CD to implement the PAJA in another department or municipality but for the specific institutions to implement the PAJA. In this regard the SOPS report 2008 states: *“Whilst the period after the enactment was rightly dedicated to awareness-raising, it was found that this did not translate into behavioural change- in particular how managers exercised their decision –making function.”*

Hence, the implementation of the PAJA can be successful only if all relevant stakeholders are involved and the tasks are properly shared. In this context it is especially important to link the PAJA to other government programmes that aim at improving administrative processes such as the Batho Pele Programme and service standards. The PAJA compliance will enable departments to improve, as well as maintain high standards of professional ethics and to put people first.

### ***Key activities***

The key interventions for the DOJ&CD, in collaboration with relevant role-players, under Outcome 12: Output 3.4.:

- Development of PAJA Implementation Strategy for the Public Service.
- Establishment of an Inter-Departmental Working to facilitate the implementation of the Strategy.

- Mainstream PAJA into business processes of the Public Service departments as well as local government through the implementation of programmes such as the development of guidelines for the implementation of the PAJA and training and awareness raising programmes.
- Assist the Department of Public Service and Administration with the integration of PAJA into government initiatives aiming at Service Delivery and Organisational Transformation.

### ***Evaluation of the legislative environment (PAJA)***

The legislative framework flows from section 33 of the Constitution of the Republic of South Africa, 1996 (Constitution) which guarantees the right to just administrative action, requiring that all administrative action be lawful, reasonable and procedurally fair and that *written* reasons must be provided for administrative decisions, and prescribe for the enactment of a national legislation, hence the PAJA. The realisation of the right to just administrative action is dependent largely on two contingent rights viz. section 32 (the right of access to information) and section 34 (right of access to courts, tribunals or fora). These rights strengthen the attainment of the right to just administrative action in that they assist a person aggrieved by an administrative decision to challenge an administrative action, such as a potentially invalid social security decision (disability grant) by an administrator, to challenge the action in question.

At this stage there may be no need to change the PAJA legislative framework, .However, with time should the desired result not be obtained, a possibility for a change may be explored requiring a review of the relevant parts of the South Africa's Statute Book to be made compliant with requirements of the PAJA in terms of substantive and procedural requirements. Currently an administrator who has no legal background is expected to do analysis and evaluation if their empowering provisions together with *relevant* administrative procedures are compliant with the PAJA or not. Should their finding be that certain administrative procedures are non-compliant, to top-up with the PAJA provisions, which potentially poses a practical challenge depending on knowledge, skills and experience of the administrator concerned.

Administrators are expected to apply their own line-function legislation in their respective areas often forgetting about the impact that PAJA has on their legislation. This can be addressed through training and support programmes from the institutions' own internal legal services.

An innovative aspect of the PAJA relates to enhancing access to justice by requiring magistrates' courts to be designated to resolve disputes arising out of administrative actions. Currently only the High Courts of South Africa, Supreme Court of Appeal and the Constitutional Court have jurisdiction to hear matters of administrative action on review. Magistrate courts will be designated upon the promulgation of the Rules of Procedure for the Review of Administrative Actions pending the finalisation of a High Court matter regarding the constitutionality of certain provisions of the Rules.

Furthermore the PAJA requires the promulgation of the Code of Good Conduct for Administrative Actions. This process has commenced and is receiving the attention of the Parliamentary Portfolio Committee on Justice and Constitutional Development.

### ***Evaluation of existing regulatory framework (PAJA)***

Regulations are issued by the Minister of Justice and Constitutional Development in terms of section 10 of the PAJA. The regulations impact positively on the implementation of the PAJA, thus contributing to the overall sub output 3.4. There is no need to change anything in so far as the regulations are concerned. Save to say that the Rules of Procedure for Judicial Review of Administrative Action, approved by Parliament on 18 February 2009, are currently not operational pending a High Court case challenging their constitutionality.

### ***Evaluation of existing institutional arrangements***

There is work underway to locate the PAJA correctly taking into account the scope and mandate of the DoJ&CD. The PAJA must be implemented in all organs of state as per the wide definition of an organ of state in section 239 of the Constitution, with a few exceptions under the definition of an administrative action in section 1 of the PAJA. Taking into account the scope and mandate of the DoJ&CD, together with the extent to which the PAJA applies, the DoJ&CD needs to be well equipped to fulfil its facilitating and policy coordinating role as outlined above. This matter is receiving the attention of the Department.

### ***Evaluation of the management systems, processes and skills (PAJA)***

Currently there is a need to improve the management systems and processes. For the DoJ&CD to fully manage its coordinating role of all key stake holders relevant to achieve the sub output 3.4 there is an urgent need for additional human resources.

### ***Funding framework (PAJA)***

It must be noted that the implementation of the PAJA was in the past not budgeted for by state institutions, which in general never had the dedicated budget to have their officials trained on the PAJA. However, it must be noted that the implementation of the PAJA is a deliberate process and must, therefore, be integrated into the departments' planning mechanisms. Hence, it has to be ensured that the related activities are planned and budgeted for by all organs of state.

### **Promotion Access to Information Act (PAIA)**

PAIA stands out as a classic example of just how far South Africans must still travel to turn the corner from affirmation of a human right to realisation thereof. It is established that government's compliance with the Promotion of Access to Information Act (PAIA) is at the average 40% for the period of assessment between 2001 and 2009. The consistency of this figure remains a major concern.

In 2004 ODAC released a report on PAIA compliance that showed that in South Africa just over half of request for information that are submitted to government departments are not responded to. By the year 2006 this figure had increased to 63% when the Open Society Justice initiative released findings of its fourteen-country comparative study on compliance with Freedom of Information legislation.

The percentage of the institutions that responded has increased from 30% in the 2007 Access to Information index to 40% in 2008. While this is a slight improvement in responsiveness, the response rate below 50% remains a cause for worry, especially since the lack of responsiveness and access to information has been attributed as one of the causes for public service delivery protests. Studies by various institutions including PSC and the University of the Free State (UFS) have clearly shown that lack of access to information and proper communication between local government structures and local communities are “arguably the single most important reason for the protests.

This is also corroborated by the survey conducted by the Department of Justice on the national state of compliance with the Promotion of Access to Information Act. The intention was to identify challenges encountered by these institutions in the implementation of the Promotion of Access to Information Act. The focus was on key areas that must be attended to in order to ensure compliance with the Act. The report identifies lack of appointment of Deputy Information Officers (DIOs) as the key obstacle in the implementation of the Act.

In its various State of the Public Service Reports (SOPS reports), the PSA consistently highlights the constitutional principle that administration must be accountable and that “*transparency must be fostered by providing the public with timely, accessible and accurate information*”. Allowing the public to have access to information on how the public administration is functioning and delivering public services would not only lead to improved transparency but also promote public knowledge of the state of service delivery and, therefore, an incentive to improvement service delivery. In the 2007 report on the Access to Information Index researchers expressed concern about the lack of responsiveness and dissemination of service delivery information at local government level, especially with regard to district municipalities.

### ***What needs to be done differently (PAIA)?***

The proper implementation of PAIA requires the participation of all relevant stakeholders and for all organs of government to put funds aside for its implementation. PAIA must also be linked to other government programmes which are intended to ensure transparency, openness and accountability and good corporate governance such as Batho Pele policy, King’s reports etc to ensure a coordinated approach towards proper implementation of the Act and to ensure social justice.

### ***Key activities***

To promote improved implementation of PAIA, the following initiatives will be important:

- Facilitate the appointment of Deputy Information Officers by all Public Bodies
- Provide training to Deputy Information Officers on the implementation of PAIA.
- Facilitate the mainstreaming of PAIA into local and provincial sphere of government.
- Development of a strategy to ensure conscious and systematic development of human resources beyond awareness and education programmes.
- Campaigns to inform the public that Magistrate Courts have been designated to hear PAIA matters

### ***Evaluating the legislative frameworks (PAIA)***

The purpose of PAIA, as stated in its long title, is: *“To give effect to the constitutional right of access to information held by the State and any information held by another person and that is required for the exercise or protection of any rights”*. Section 33(2) of the *Constitution* provides for the promulgation of a legislation which will give effect to the constitutional right of access to information hence, PAIA. There are numerous pieces of legislation that, to varying degrees impact on PAIA. Section 5 of PAIA states very clearly that PAIA overrides all provisions of other legislation *“that prohibits or restricts the disclosure of a record... and is materially inconsistent with an object, or a specific provision of this Act”*. On closer inspection of other, related pieces of legislation though, things are not as clear-cut. As is always the case with potentially conflicting pieces of legislation, the real problem resides in the field of interpretation and practice.

### ***THE PROMOTION OF ADMINISTRATIVE JUSTICE ACT***

PAJA gives effect to Section 33 of the ‘Bill of Rights’-that is *‘the right to administrative action that is lawful, reasonable and procedurally fair’*. A decision to grant or to refuse a request for information under PAIA is an administrative action and thus subject to the provision of PAJA. However, Section 1 of PAJA provides for exceptions to what is covered, as an administrative action, under its rubric. One of those exceptions is applied to, *‘any decision taken, or failure to take a decision, in terms of any provision of PAIA...’* This exception thus allows for the exception, from the provisions of PAJA of administrative decisions to grant or refuse a request for access to such information under PAIA. Any accountability for the process behind, and content of, such decisions vanish. Once again, a key aspect of determining the process and scope of exercising the right of access to information is left to ‘official’ interpretive privilege which ultimately result to unaccountable and secretive administration to the prejudice of the public. A strategy to reconcile the two is still to be devised to broaden the remedies available to the public in cases of non-compliance with PAIA.

### ***Evaluation of the existing regulatory framework (PAIA)***

The Promotion of Access to Information Act empowers the Minister of Justice and Constitutional Development to promulgate regulations to give flesh to certain provisions of PAIA. These regulations are currently in place and may be amended, as and when the need arises. They contribute meaningfully in the implementation of PAIA and thus important to the overall sub output.

### ***Evaluation of the existing institutional arrangements (PAIA)***

Section 15 (1) of the *Promotion of Access to Information Act, 2000 (Act No 2 of 2000)* requires public bodies to, *“on a periodic basis not less frequently than once each year, submit to the Minister of Justice and Constitutional Development a description of:*

- a. Categories of records that are automatically available without a person having to request access in terms of the Act, including such categories available, and

- b. How to obtain access to such records.

In terms of Section 32 of the *Promotion of Access to Information Act, 2000 (Act No 2 of 2000)* public and private bodies are required to submit a report to South African Human rights Commission on the statistics of requests for access to information received by them.

In compliance with the above-mentioned requirement public bodies must submit reports to the South African Human Rights Commission on the 31 March every year.

### ***Evaluation of the management systems, processes and skills (PAIA)***

As outlined above, it was established that poor record keeping system is a major impediment in the implementation of PAIA. Record management system refers to how records are generated, organised and stored and is fundamental to compliance with timeframes prescribed by PAIA. It is recommended that a system must be in place to ensure that all records held by the institution are well documented and organised so that records can easily be identified when a request for information is received. Guidelines on what constitutes a record and how institutional correspondence, discussions and material are documented must be developed. It is further recommended that a study be conducted to establish the following: Whether an institution is having a record management policy, and if it has, is it complying with it; the name of the record manager and his job description and Key Performance Agreements (KPAs) of record manager, internal instruction/rules on generation of records and whether there is a file plan in accordance with the *National Archives Act*.

Internal Procedures/guidelines/policy documents or plans for implementation of PAIA to be developed and adhered to. The following must be established from all organs of government to enable a meaningful intervention:

- Any document detailing the system used for recording and reporting on both the number of requests received and how they were responded to.
- Documentary evidence that frontline staff ( e.g. receptionists and building access personnel) have been instructed or trained on how to handle requests and where to refer them
- Any document prescribing internal procedures to be followed from the time a request is received up to the time a response is provided to the requestor within 30 days
- Any document describing provisions that have been made to assist the following disadvantaged requestors in getting access to information
  - The visually impaired
  - The illiterate
  - Non-English speakers
  - People who do not have access to IT-based communication tools, such as the internet
  - The unemployed, who therefore cannot afford to pay access fees in terms of PAIA and
  - A copy of any internal instruction/policy document that encourages regular publication of records.



A high level official in each department, municipality or parastatal must be tasked to ensure that all these factors are attended to and implemented. As outlined above, PAIA, in one way or another, it is clear that it is one of the more complex and technical pieces of legislation that has come into operation since 1994. Therefore, to be able to implement it properly is a huge task that requires extensive knowledge and training. A critical synopsis of the state of human resources development within government institutions since the operationalisation of PAIA reveals, for the most part, a public sector that remained wholly unprepared, under-equipped and under resourced. It is recommended that a conscious and systematic development of human resources beyond awareness and education programme is embarked on and adhered to.

### ***Funding framework (PAIA)***

The majority of organs of State have not been budgeting for the Promotion of Access to Information Act. It is understandable that the central focus of both the government and the majority of South Africans- with varying degrees of legislative and 'civic' intensity and effect- has been on those rights whose potential realisation, historically, provided the greatest impetus to the struggle against apartheid ( for example: equality before the law regardless of race, ethnic or social origin, culture and belief; freedom and security of a person, expression and association; housing and basic education and so on). The indirect result however, has been that other constitutional rights such as the right of access to information have taken a backseat and been generally viewed as secondary human rights, artificially detached from the realisation of the more 'central' rights. The reality is PAIA is a pre-requisite for the attainment of all other rights enshrined in the Constitution. Without access to information, enjoyment of all constitutional rights will forever remain a myth. Enjoyment of all these rights is dependant on proper implementation of PAIA. It is impossible to exercise a right to health care when you do not have access to health care policies or any knowledge relating to health care. You need information to exercise your rights to social services. Therefore all organs of government must put funds aside for the implementation of PAIA as a fundamental right necessary for attainment of other constitutional rights.

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## **4.3.2 OUTPUT 3: SUB-OUTPUT 5: DELEGATIONS AND DECISION RIGHTS**

### ***What will need to be done differently?***

Improved processes for the compilation of efficient and effective delegations will be put in place. What is an appropriate set of delegations will differ from department to department depending on its service delivery context, size, geographical dispersion, capacity etc. The structure of delegations also impacts the control environment, and the Accounting Officer of each department would have to assess the service delivery needs against the risks which would differ from department to department. A guideline will be developed that will outline the principles of effective delegation. In addition, there will need to be consistency between financial and HR delegations to ensure, for example, those appointments are budgeted for. The delegation guides, support and other key activities described below will address

issues such as the signatures of 10 persons being required before service delivery can commence, ensuring appropriate balance between sufficient controls and facilitating service delivery.

- (a) Improved processes for the compilation of efficient and effective delegations.
- (b) Promote common delegation principles.
- (c) Standardise delegation templates for organs of state.
- (d) Promote closer alignment between human resource and financial delegations in view of the division of roles and responsibilities between Executive Authorities and Heads of Department as accounting officers.
- (e) Providing guidelines for various performer levels on exercising delegated authority including the setting of conditions to ensure balance between central control / accountability and responsibility for decision making.
- (f) Strengthen the delegation regulatory framework to promote compliance.
- (g) Promote capacity development for effective delegations.
- (h) Monitor and evaluate, and audit the quality of delegations. It is envisaged to involve the Auditor-General to promote compliance to any delegation regulations.

The key activities in respect of improving financial delegations include:

- Conducting a review of financial delegations in terms of PFMA and MFMA.
- Development of a principles document to guide effective delegations.
- Regular review of institutional delegations (e.g. annually, bi-annually) to ensure that delegations are appropriate (e.g. avoiding over-centralisation which may undermine service delivery).

### ***Key activities***

- (a) Conduct a review of financial delegations in terms of the PSA, PFMA and MFMA, including municipal human resource delegations.
- (b) Development of a principles document to guide effective delegations.
- (a) Capacity building presentations by dpsa, NT and COGTA
- (b) Development of delegation training module by PALAMA, or inclusion into existing management courses.
- (c) Strengthening existing regulatory frameworks for delegations. The Public Service Regulations to be amended to regulate that “an Executive Authority and Head of Department shall keep a register of delegations in the format prescribed by the Minister and submit the register annually to the Minister by 30 April of each year”.
- (d) Development of monitoring and evaluation mechanisms.
- (b) Auditor-General compliance audit in terms of regulatory frameworks
- (a) Continued monitoring and evaluation.

- (b) Assessment of compliance.
- (c) Report to Cabinet on the status of delegations.

### ***Evaluation of the legislative environment***

No amendments to the PFMA and MFMA are envisaged as the current legislative framework is sufficient to support the initiatives referred to above. The Public Service Amendment Act No. 30 of 2007 did away with the previous practice whereby an Executive Authority may delegate to other employees (other than the Head of Department). (Section 42A of the PSA as amended deals extensively with delegation. Subsection 42A (4) provides that an Executive Authority may delegate to the Head of a Department any power conferred on the Executive Authority by the PSA. Subsection 42A (5) provides that the Head of a Department may delegate to any employee of the department any power conferred on that head by the PSA. Subsection 42A (6) provides that any person to whom a power has been delegated shall exercise that power or perform that duty subject to the conditions the person who made the delegation. Subsection 42A (7) sets conditions that any delegation:

- (i) Shall be in writing;
- (ii) Does not prevent the person who made the delegation from exercising that power or performing that duty himself or herself; and
- (iii) May at any time be withdrawn in writing by that person.

### ***Evaluation of the existing regulatory framework***

- (a) Consideration will be given to introducing regulations to give effect to the PFMA and MFMA delegations referred to above.
- (b) Part II, Chapter 1 of the Public Service Regulations, 2001, still confirms the principle that delegation is a discretionary matter for the Executive Authority and the Head of Department. The PSR specifies that an Executing Authority and a Head of Department shall ensure that prior Treasury approval exists for any decision that involves expenditure from revenue.
- (c) The existing regulatory frameworks for delegations needs to be strengthened through an amendment to the Public Service Regulations to regulate that “an Executive Authority and Head of Department shall keep a register of delegations in the format prescribed by the Minister for Public Service and Administration and submit the register annually to the Minister by 30 April of each year”.

### ***Evaluate the existing institutional arrangements***

- (a) To be determined. The National Treasury, the DPSA and COGTA will cooperate as part of the project to determine the required institutional arrangements to give effect to the implementation of delegation principles and standardised templates.

- (b) It is envisaged to involve the Auditor-General on compliance audit in terms of regulatory frameworks for delegations.

***Evaluate the management systems, processes and skills***

- (a) The National Treasury, the DPSA and COGTA will cooperate as part of the project to determine appropriate management systems and processes. It is envisaged that the Offices of the Premiers and provincial Treasuries will play an important role to promote the quality of delegations.
- (b) To improve the management skills of members of the senior management service, PALAMA will be requested to develop a delegation training module, or to include it into existing management courses.
- (c) Monitoring and Evaluation systems will be established to promote quality delegations.

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**4.3.2 OUTPUT 3 SUB-OUTPUT 6: FINANCIAL MANAGEMENT**

***What will need to be done differently?***

In order to increase the number of unqualified audits across government and to encourage improvements in the financial management capability maturity of departments, the following change levers will be crucial:

- Increased engagement with political and administrative leadership on their roles and responsibilities. Active oversight by Executing Authorities, provincial EXCOs, parliamentary and legislature portfolio committees can create incentives for departments to improve their financial management outcomes.
- Intensified financial management capacity building initiatives across all three spheres of government aimed at building capability at both individual and organisational levels
- Proactive, focused support to identified government institutions to enable them to improve their financial management maturity capability.

***Key activities***

**Leadership**

- Revised guideline document to strengthening the monitoring and oversight responsibilities of role players (Legislatures; Executive Authorities and Accounting Officers).
- Workshops / information sessions to empower oversight structures to fulfill oversight responsibilities.
- Cabinet memorandum with regard to the roles and responsibilities of Executive Authorities, Accounting Officers and Accounting Authorities.

## **Support**

- Focused support to selective departments / municipalities with qualified, disclaimed and adverse audit reports.
- Implement Capability Maturity Assessments in selected departments / municipalities to determine baselines for the various disciplines of financial management.
- Development of Strategic Support Plans (SSP's) based on the outcome of the maturity assessments for selected departments / municipalities.
- Oversee and monitoring implementation of Strategic Support Plans (SSP's) by selected departments/municipalities

## **Skills development**

- Research and develop a strategy to address staff shortages in finance, internal and risk management.
- Research and develop a Capacity Building Strategy detailing development strategies that address the individual, institutional and environment and provide practical guidelines for its implementation in departments/municipalities.
- Assessment of finance staff in National and Provincial departments against developed occupational profiles as part of the HR Connect roll-out process initiated by DPSA
- Reports submitted to National and Provincial departments reflecting the identified skills gaps and other organizational constraints, including proposed solutions to address gaps and organizational issues.

## ***Evaluation of the legislative environment***

The legislative framework is sufficient to support the initiatives referred to above.

## ***Evaluation of the existing regulatory framework***

Consider issuing or amending regulations as the case may be to give effect to minimum competencies for financial management.

## ***Evaluate the existing institutional arrangements***

Establish or refine as the case may be appropriate coordinating mechanisms and capabilities (e.g. Public Sector Audit Committee and Risk Forum, CFO and PAG Forum, MFMA Co-Ordination Forum)

## ***Evaluate the management systems, processes and skills***

National and Provincial Treasuries: Capacity to be determined through an assessment of institutional skills and structures.

Government institutions: Capacity to be determined through an assessment of the financial management competencies of staff, as well as an analysis of the FCMCM results and audit outcomes.

## ***Funding framework***

Implementation of the activities will require additional funding, which will be explored through the NRF and donor support.

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### **4.3.2 OUTPUT 3 SUB-OUTPUT 7: ORGANISATIONAL DESIGN**

#### ***What will need to be done differently?***

The *MPSA Directive on Changes to Organisational Design (OD)* was sanctioned by Cabinet after a study that revealed the poor state of organisational structures in the public service. Departments need to consult MPSA when making changes to organograms to ensure that they do not create bloated, financially unsustainable “empires” that may cause duplications and overlaps. The current Directive is restrictive in that the focus is only on the top three tiers of the organisational structure and departments manipulate lower levels to influence the level of upper posts. The current review process is meant to remove loopholes in the process by requesting MPSA consultations with every change affecting the SMS posts and to strengthen the quality assurance role of Offices of the Premier.

Compliance with the directive is also a challenge since there are no penalties for non-compliance relating to whether departments to consult or not. In order to do things differently we want to propose that NT plays a role in promoting full compliance by linking the Organisational Design processes explicitly with personnel budgeting processes. As a result of the poor quality of organisational structures, development of OD Capacity in provincial and national departments has become a priority. PALAMA has been engaged to develop a training module to popularise the DPSA Guide and Toolkit on Organisational Design and provide practical instruction on their implementation, primarily targeting Provincial Administrations. The module is 60% complete with the first pilot expected in this current financial year.

Another response to poor OD capacity has been reflected in inconsistency in structures of the same sector with proper qualification. DPSA is implementing generic structures for Health and Social Development and will to include Basic Education in the near future. In the outer years we will be developing generic structures for Ministries and Offices of the Premier to ensure consistency and avoid clouding Executive Offices with operational matters.

#### ***Key activities***

Highlights include:

1. Review the current status of compliance with the MPSA Directive on Changes to OD in the Public Service
2. Develop and implement of OD training module to build capacity in Provincial and National Departments

3. Development of sector generic structures for Health, Education, Social Development, Ministries and OTP's

### ***Evaluation of the legislative environment***

Public Service Regulations, as amended

MPSA Directive on Organizational Changes

### ***Evaluation of the existing regulatory framework***

MPSA Directive on Organizational Changes as described in the first paragraph.

### ***Evaluate the existing institutional arrangements***

We urgently need to empower OTP's to assume their coordinating function in provinces and to strengthen the punitive interventions associated with deviations from Public Service Act and Regulations.

### ***Evaluate the management systems, processes and skills***

The DPSA needs to beef up its own response and support teams to be able to effectively implement these changes and to attend to the increased number of state departments as a result of NMOS.

### ***Funding framework***

To be discussed broadly with NT during the MTEF process.

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## **4.3.2 OUTPUT 3 SUB-OUTPUT 8: BUSINESS PROCESSES**

### ***What will need to be done differently?***

The Minister for Public Service and Administration (MPSA) entered into a performance agreement with the President on outcome 12 which indicated that indicators must be identified for measuring the efficiency and effectiveness of business processes in departments. Targets for improvement in this regard must also be set, the indicators must be measured and plans for improving business processes must be developed and implemented.

Although the initiatives mentioned above need to be undertaken it was realized during the roll out of Service Delivery Improvement Plans by the DPSA that departments do not understand the value chain regarding the setting and improvement of service standards. Departments were for example embarking on service delivery improvement initiatives without knowing their business (thus the mandates and services rendered) or the processes followed in the delivery of their services, the service standards for these services. They also had no standard operating procedures informing the delivery of services.

Undocumented processes means that staff turnover can compromise service delivery, and that consistent quality standards are difficult to maintain.

A further complicating factor is that where mapping of processes is being conducted, it does not take place within a nationally set norm and standard and also outside of any set framework regarding the value chain dealing with service delivery improvement. This vacuum has the effect that business processes are not shared and compared between departments and spheres to optimize service delivery.

The development of a framework and toolkit stipulating the minimum required norms and standards for business process mapping, review and management as well as the rest of the value chain made up of standard operating procedures, setting of service standards and the development of service delivery improvement plans is thus seen as a first necessary step to ensure that the development of the separate aspects within the value chain takes place in an orderly environment with maximum benefits towards service delivery.

Parallel to the development of the framework, the Departments of Health and Basic Education will be engaged to determine baselines with regard to indicators that they utilize currently to measure efficiency and effectiveness of selected frontline services they render. This initiative will inform the development of the abovementioned framework.

Once the framework and toolkit are in place, business process mapping can start with the set norms to develop business processes selected frontline services in the Departments of Health and Basic Education. The development of a framework and toolkit will thus attempt to ensure that the process of improving service standards take place in a regulated environment whilst in a parallel process also identify what indicators for efficient and effective business processes exists for selected frontline services in the Department of Health and Basic Education.

This will be a totally new engagement and project for the DPSA which has never been attempted before. It is however seen as the most basic but at the same time important step towards enhancing the institutional memory and institutional maturity of government.

### ***Key activities***

The key activities over the next four years will entail the following:

- Develop indicators for measuring the efficiency and effectiveness of business processes in Departments of Health and Education for selected frontline services and establish baseline data for the selected services.
- Development of a framework and toolkit for business process mapping, review and management, standard operating procedures, setting of service standards and service delivery improvement plans,
- Apply business processes framework and toolkit to selected frontline services in the Departments of Health and Education,



- Advocate the framework and toolkit, share mapped business processes and monitor the implementation of the framework and toolkit, and
- Capacity building and hands-on technical support on implementing the framework for business process mapping and using the toolkit, and in relation to monitoring the indicators of business process efficiency and effectiveness in departments.

### ***Evaluation of the legislative environment***

The Constitution of South Africa and the Public Service Act create a sufficient legislative environment that requires the public service to be efficient and effective. Within this environment more detailed norms and standards could be set.

### ***Evaluation of the existing regulatory framework***

The White Paper on Transformation of Public Service Delivery and the Public Service Regulations instructs departmental heads to develop a service delivery improvement plan for the department aimed at continuous improvement of services. The regulatory framework however does not go any further by setting norms and standards within which this process should take place. This created a void as most departments did not comply with the regulatory framework. Where there was compliance departments did their own thing resulting in the fact that the various departments could not share content or best practices. A regulatory framework thus needs to be put in place through a directive or regulations to give some structure in the development process.

### ***Evaluate the existing institutional arrangements***

The Minister for Public service and Administration is linked to an effective and efficient public service through his performance agreement with the President. However the powers to organise a department and to ensure that it is efficient and effective lies with each department's executive authority. The MPSA thus has limited powers directly over the efficient and effective running of a department except his own but he can set norms and standards within which parameters other executing authorities must operate. These norms and standards then set the minimum requirements to which a department must adhere. Furthermore the MPSA can monitor compliance and share best practice amongst departments.

### ***Evaluate the management systems, processes and skills***

The skills on how to develop business processes, mapping thereof, the management, the development of standard operating procedures, the setting of service standards, the development of service charters and the development of service delivery improvement plans are not in place in all departments. The efforts to develop a framework will have to go hand in hand with the creation of capacity and hands on assistance.

## ***Funding framework***

The development of business processes can be a very costly exercise but something that must be done. The development of the framework and the roll out thereof will be done with resources within the DPSA's current budget but the application of the framework need to be funded by the recipient departments.

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### **4.4 OUTPUT: 4 CORRUPTION TACKLED EFFECTIVELY**

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#### **4.4.1 OUTPUT 4 SUB-OUTPUT 4.1: ANTI-CORRUPTION CAPACITY**

##### ***What will need to be done differently?***

In 2002, Cabinet approved the Public Service Anti-corruption Strategy. This was followed by the adoption of the Local Government Anti-corruption Strategy in 2006. Both these strategies provide a roadmap for the fight against corruption. The Public Service Anti-corruption Strategy requires a review of the legislative framework to strengthen the fight against corruption. In 2005/2006 a compliance audit of the Strategy was undertaken to establish the level of compliance with all nine considerations of the Strategy. Even though there has been compliance with most of these considerations, implementation still remains a challenge. Despite the development of anti-corruption policies and legislation, implementation is not satisfactory as a result of lack of knowledge about the measures, differing and inconsistent interpretation and lack of general understanding of the intent of the measures thus necessitating the need to develop guidelines in an effort to address some of the challenges identified

In 2003, Cabinet approved the implementation of the Minimum Anti-corruption Capacity Requirements (MACC) and subsequently guidelines were issued to assist National and Provincial departments with implementation. The MACC requirements call for departments to develop capacity in order to prevent, detect, investigate and resolve corruption. The requirement relating to prevention entail developing and implement training and awareness campaigns; manage conflict of interest; roll out the code of conduct, PAJA and PAIA and conduct personnel suitability checks. The detection measures requires departments to ensure that there are whistleblowing mechanisms and policies in place, that whistleblowers are protected and that information disclosed remains confidential. In addition, departments are also required to implement information management systems to keep records of all allegations, analyse trends and provide feedback on the management of these allegations.

In addition, departments are expected to build internal capacity to investigate cases of corruption or ensure that procedures are in place for acquiring external capacity should the need arise. Departments are also required to put in place policies and procedures to guide investigations. Most importantly, departments should develop capacity to deal with disciplinary procedures, report criminal matters to SAPS, revise internal controls and recover losses. Between 2004/2005, the DPSA undertook a compliance audit of the requirements and again in 2009/2010. Although there has been some improvement from the first audit, the overall compliance rate of 47% is not impressive. Detection is the

most important mechanism to fight corruption. In establishing whether mechanisms are in place to enable and promote whistle blowing, and whether systems are in place to deal with reports in a structured way and whether information management systems are in place, the 2009/2010 compliance audit indicated that 66% of National departments do have capacity in place as compared to 40% in Provincial departments.

### ***Key activities***

- Conduct training on conducting corruption risk assessments;
- Conduct 1 national and 9 provincial workshop on the outcomes of the MACC Audit;
- Provide hands on technical assistance on preventative measures;
- Conduct audit of local government capacity to fight corruption;
- Develop and implement of the Public Sector Integrity Management Framework;
- Implement communication and awareness campaign;
- Develop and implement the Fraud Prevention Strategy

In order to ensure that this particular output is achieved the following will be undertaken;

- DPSA to adopt a pro-active approach to policy implementation The DPSA will regularly visit departments to provide hand-on assistance on an ongoing basis. According to information coming out of the 2009/2010 MACC Audit Provinces are at 47% compliance and will require strategic intervention from DPSA in this regard.
- The Department of Cooperative Governance will work closely with the DPSA through the anti-corruption working group to ensure that minimum anti-corruption requirements are mandatory within the local government.
- Encourage the use of external auditing of financial statements, and the introduction of surprise audits to reduce losses suffered as a result of fraud;
- Regularly monitor disclosure of interests and resolve declared conflict timely and transparently;
- Analyse the national treasury's supplier blacklisting function for effectiveness in its application and use as well as possible increased co-ordination and/or oversight of this mechanism.
- Introduce the special anti-corruption unit to strengthen internal capacity of departments to deal with cases of corruption;
- The South African Revenue Service, Auditor General, the Special Investigation Unit and National Treasury have conducted a gap analysis to identify problems around Supply Chain Management (tender) process. This process is aimed at strengthening the legislative framework and departmental policies and procedures around supply chain.
- Conduct studies into the effectiveness of disciplinary procedures and tracking of cases to help assess the current anti-corruption efforts.
- Government needs to take advantage of a new generation of innovative tools and thereby put much more emphasis on regulatory capabilities, actual enforcement and international cooperation.
- The Government should assess the number of resources available for anti-corruption and ensure that trained and skilled anti-corruption resources are properly deployed within the Public

Service. In this regard, the DPSA, PALAMA and PSETA will collaboratively work on the implementation of the Public Sector Anti-corruption Capacity Building Programme.

### ***Evaluation of the existing legislative framework***

The Public Service Act impose a duty on every employee in the public service, in the course of his or her official duties, to report to the appropriate authority, fraud, corruption, nepotism, maladministration and any other act which constitute an offence, or which is prejudicial to the public interest. The Public Finance Management Act and the Municipal Finance Management Act also impose duties on employees to report corruption. In addition, section 34 of the Prevention and Combating of Corrupt Activities Act places a duty on certain persons to report corrupt transactions to the Police.

The Protected Disclosures Act, 2000, aims to protect employees in both public and private sectors from being subjected to occupational detriment on account of having made protected disclosures. The Act established procedures in terms of which employees may disclose information regarding workplace improprieties and introduced certain remedies in connection with any occupational detriment. A number of weaknesses have been identified with the implementation of the Protected Disclosures Act including the definition of who should blow the whistle and perceived lack of 'adequate protection' to whistleblowers. In this regard, the South African Law Reform Commission was mandated to conduct an investigation into the Protected Disclosures Act, 2000. The SALRC has completed its investigation and submitted a Report to the Minister which Report is being considered by the Department of Justice and Constitutional Development with the view to the promotion of amendments to the Protected Disclosures Act. The investigation focussed on the feasibility of:-

- (i) extending the ambit of the Act beyond the traditional employer and employee relationship;
- (ii) granting an employee who makes a protected disclosure immunity from criminal and civil liability;
- (iii) creating a new remedy for an employee who has been victimised by an employer in contravention of the Act and whether such remedy should be enforceable against the person who acted in contravention of the Act or against both the employer and such person; and
- (iv) creating offences in terms of which an—
  - \* employer unlawfully subjects an employee to an occupational detriment; and
  - \* employee makes a false disclosure not knowing or believing it to be true.

Despite the development of anti-corruption policies, strategies and regulations, implementation is not satisfactory including the review to assess impact. Lack of knowledge and understanding of some existing legislation is another weakness. Compliance with ethical and anti-corruption prescripts in the public service is a huge challenge. Lack of understanding of definition of and what constitutes remunerative work outside the public service, including lack of clarity between remunerative work outside the public service and declaration of interest still exist. In 2006 the compliance audit of the Public Service Anti-corruption Strategy identified the need to develop measure regulating post-public employment. To date no measures have been put in place. The matter will be addressed in the Public Sector Integrity Management Framework.

### ***Evaluation of the existing regulatory framework***

The Public Service Regulations and the Codes of Conduct for the public service and municipal staff workers (as contained in the Municipal Systems Act) contains requirements for preventing corruption in the public sector. These measures include acceptance of gifts, performance of remunerative work outside the public service and declaration of financial interests. Plans are afoot to have the Minimum Anti-corruption Capacity Requirements regulated. In addition, the codification of the requirements will take into account recommendations of both the first and second audits.

The Code of Conduct for supply chain officials also requires of them to conduct themselves in a particular manner when discharging their official duties. The Code of Conduct for municipal staff workers stipulates that a staff member of a municipality may not use the position or privileges of a staff member or confidential information obtained as a staff member for private gain or to improperly benefit another person; or take a decision on behalf of the municipality concerning a matter in which that staff member or that staff member's spouse, partner or business associate, has a direct or indirect personal or private business interest.

The Financial Disclosure Framework contained in Chapter 3 of the Public Service Regulations requires of all senior managers to disclose their financial interests on an annual basis to their Executive Authority for submission to the Public Service Commission. For both officials in the public service and in municipalities, acceptance of gifts as a result of performing official duties is prohibited including performing remunerative work outside the public service or municipality without approval.

However a number of gaps have been identified in some of the preventatives measures including limited coverage of the financial disclosure framework, non existence of financial disclosure framework in local government, performance of remunerative work without approval and no recovery of funds as a result, and inconsistent application of disciplinary measures. As a result the DPSA is developing a Public Sector Integrity Management Framework to address all the gaps. The Framework is currently undergoing consultations and the necessary regulatory framework will be amended following approval by Cabinet.

### ***Evaluate the existing institutional arrangements***

In 2003, Cabinet approved the establishment of the Anti-corruption Coordinating Committee to oversee the implementation of the public service anti-corruption strategy. The ACCC consists of key departments

that perform transversal functions and have anti-corruption as a functional mandate. These departments come from the G&A Cluster and the JCPS cluster. The newly formed Governance and Administration Anti-Corruption Working Group will be incorporated into the ACCC to ensure alignment and synergy. The work of the Committee will be reported to the Cabinet Cluster as part of the Anti-Corruption Working Group.

Additionally, improving capacity of departments and municipalities is critical in order to achieve some of the identified key activities as such, the working relationship between the DPSA and COGTA, over and above its participation in the ACCC, is critical and should be cultivated. Dedicated capacity should be prioritised to ensure that capacity is adequate and where there are gaps both DPSA and COGTA should be able to assist. Evaluate the management systems, processes and skills

The existing management system as developed for the sub-committees of the ACCC, which includes, the chairperson and secretariat will be utilized for the management of the G&A Anti-Corruption Working Group. The work of this output will be managed by the Governance and International Relations Branch from the DPSA. Furthermore, each of the project leaders as identified will have to ensure that they fully commit to the implementation of the various projects plans supporting the attainment of the output. The human resource is a challenge for all departments and the Working Group will ensure that it utilises the available resources efficiently by making sufficient use of competencies and skills in its disposal.

### ***Funding framework***

Departments to make available a certain percentage, depending on their allocated budget, toward the implementation of the projects of the G&A Anti-Corruption Working Group. Activities already undertaken and budgeted for under the MTEF to utilize that funding.

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#### **4.4.3 OUTPUT 4: SUB-OUTPUT 2: ENFORCEMENT, MONITORING AND EVALUATION**

##### ***What will need to be done differently?***

To achieve the most effective results in the shortest possible time, a more holistic intervention is required. In this instance the establishment of the special anti-corruption unit by the DPSA will achieve the most effective results in the shortest possible time. The objective of the project is to assist departments with investigations of corruption related misconduct and disciplinary cases.

The activities of the special service delivery unit will include assisting department with investigation of corruption related misconduct (this will include cases that departments are investigating and requiring further assistance from the Unit and cases that are referred to the Unit for investigations; coordinating disciplinary processes on behalf of departments; ensure that recommendations from investigations concluded by other agencies/and or government components are enforced; collating data on ongoing and pending investigations and provide support to departments to address the backlog, and maintaining a centralised database of ongoing and concluded investigations, pending and ongoing disciplinary cases.

According to the Public Service Act, Heads of Departments are required to discipline officials for misconduct. The HOD can appoint presiding officers to preside over disciplinary. The Disciplinary Code and Procedures for the Public Service which is a collective agreement aims to ensure uniformity of disciplinary procedures for misconduct related cases across the public service. In order to strengthen the sanctions for corruption related misconducts and ensure that sanctions applied are uniform and consistent, the DPSA will develop a framework on sanctions for corruption related cases.

With regard to investigating procurement related fraud and corruption, the Minister of Finance constituted a multi agency working group composed of representatives of National Treasury, the Office of the Accountant-General, the Auditor-General, the South African Revenue Service, the Financial Intelligence Centre and the Special Investigating Unit. The DPSA and SAPS have been participating in the working group given the work they are doing in the field. The multi-agency working group is divided into two sub groups, the first dealing with supply chain management systems at large, and the second with compliance and enforcement. The compliance and enforcement working group is aimed at identifying high risk clusters of tenders with the aim of conducting investigations to determine:

- Whether all SCM procedures and policies were adhered to;
- Whether any conflict of interest were properly managed;
- Whether government received value for money; and
- Whether there was full tax compliance amongst role players.

The work of the multi agency working group is a work in progress and the DPSA participate in both sub committees.

At the local government, the Department of Cooperative Governance will establish the Inspectorate Unit to expedite enforcement of anti-corruption measures. Cooperative Governance also participates in the multi-agency working group.

The three transversal departments (DPSA, NT and Cooperative Governance) are leading critical anti-corruption projects which will require working collaboratively to ensure that optimum results.

In order to ensure enforcement, monitoring and evaluation of anti-corruption measures, the following key activities will be undertaken:

These include:

1. Improve the effectiveness of the anti-corruption framework;
2. Develop guidelines for sanctions to ensure that they are promptly, consistently and appropriately applied and monitoring the implementation thereof; the implementation of this activity will be linked with output 2 sub output 3
3. Development of a referral mechanism for the cases reported on the NACH and the Presidential Hotline;
4. Investigate corruption related misconduct;
5. Conduct disciplinary hearings for corruption related misconduct;
6. Follow – up on reported cases at department level;
7. Investigate procurement corruption and fraud;

### ***Evaluation of the legislative environment***

In terms of section 3 of the Public Service Act, the Minister for the Public Service and Administration is empowered to make policy, establish norms and standards and promulgate regulations in respect of integrity, ethics, and anti-corruption in the public service. In discharging this mandate in addition to other initiatives the Minister has implemented, the Minister is establishing the anti-corruption special service delivery unit. The purpose of the Unit is to address the high level of corruption that is taking place in the country. The increases in corporate corruption that involve tender rigging by officials, awarding tenders to friends, relatives and the involved officials is a serious concern to the President of the Republic, the Minister of DPSA, and government as whole. Corporate corruption causes the greatest sense of insecurity in the country and deters prospective investors. At the same time, they encourage corrupt business practices to flourish unabated in the country.

### ***Evaluation of the existing regulatory framework***

Non-compliance with anti-corruption measures constitute misconduct as outlined in the Public Service Regulations, the Municipal Systems Act, the PFMA, MFMA, the SMS Handbook, and related disciplinary codes. However, there is a need to develop additional disciplinary guidelines or sanctions for corruption related offences. In this regards, the Disciplinary Code and Procedures which outlines disciplinary measures to be implemented may require amendments to incorporate these additional sanctions.

### ***Evaluate the management systems, processes and skills***

In strengthening enforcement measures, the DPSA will continue working with all law enforcement agencies which are part of the working group. In particular, the DPSA will forge a strong partnership with the multi agency working group and department of cooperative affairs.

### ***Funding framework***

Departments to make available a certain percentages, depending on their allocated budget, toward the implementation of the projects of the G&A Anti-Corruption Working Group. Activities already undertaken and budgeted for under the MTEF should continue to utilize that funding.

## **5. INDICATORS, BASELINES AND TARGETS FOR PART A OF THE OUTCOME**

This section looks at the indicators, baselines and targets for the outcome 12 as a whole, and for each individual output/sub-output. See attached Appendix A.



## 6. RISKS, CONSTRAINTS AND MITIGATION STRATEGIES

A number of systematic risks were identified which cut across many of the outputs and sub-outputs of *outcome 12: an effective, efficient and developmental public service*. These include:

- Insufficient buy-in and cooperation from delivery partners and other critical stakeholders
- Lack of capacity in terms of human resources (insufficient staff and/or insufficient skills)
- Inadequate funding
- Non-existence of baseline information or poor quality information
- Lack of specific enforcement mechanisms
- Poor integration between outcome 12 and outcome 9

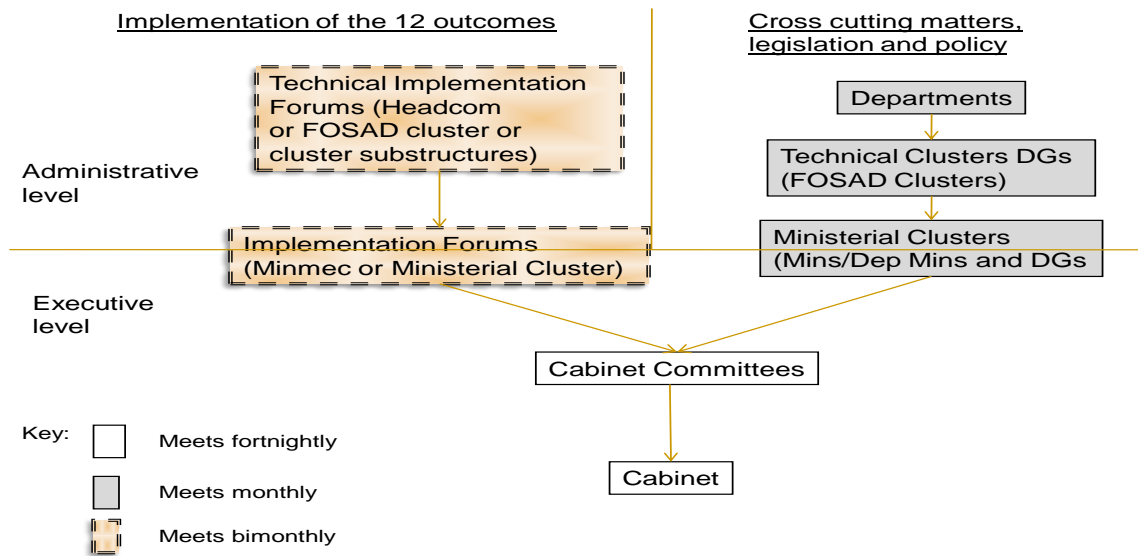
Output-specific risks and constraints were also identified (see Appendix A). For instance, in relation to output 4: tackling corruption effectively, the following risks have been identified:

- The number of cases lodged with regard to particular departments.
- Backlogs that may have developed with regard to addressing cases of alleged corruption.
- Commonality of the cases lodged manifesting a particular problem.
- Financial implications or potential loss to the State
- Political considerations or lack of political will.
- The level of the official(s) against whom the allegations are made.
- The issues to be investigated.
- Confidentiality of the case to be investigated
- Time delays in conducting face to face interviews and approval to conduct investigations.
- Difficulties in getting the relevant information.

Having identified these risks, the detailed implementation plans for each of the sub-outputs will put in place appropriate mitigation strategies e.g. various contingency plans, project risk management, critical stakeholder management and consultation activities, submissions of cogent budget motivations based on delivery agreement commitments in the 2011/12 MTEF cycle etc. The Implementation Forum for outcome 12 will play a major role in monitoring and managing these risks.

## 7. GOVERNANCE AND REPORTING ARRANGEMENTS

The Outcome Implementation Forums are responsible for producing the 12 Delivery Agreements, coordinating implementation, and monitoring and reporting on progress against the 12 outcomes to Cabinet Committees. FOSAD clusters will remain responsible for policy issues. These relationships are illustrated in the diagram below.



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For outcome 12 the institutional arrangements comprises an executive implementation forum (the Governance & Administration Implementation Forum) supported by a technical implementation forum (the FOSAD Governance and Administration Cluster) which reports to the Governance and Administration Cabinet Committee,

The executive Implementation Forum for outcome 12 is chaired by the Minister of Public Service and Administration, the lead coordinating Minister for the outcome 12. As contributing Ministers, the Minister of Finance and the Minister of Cooperative Government and Traditional Affairs also play pivotal roles in the executive implementation forum. The Presidency Monitoring and Evaluation Ministry (PME) will provide a deputy-chair for all the Implementation Forums, as well as technical support on the outcomes approach where needed.

The technical Implementation Forum is chaired by the Accounting Officer of the lead coordinating department (i.e. DPSA).

Outcome	FOR IMPLEMENTATION OF 12 OUTCOMES		FOR IMPLEMENTATION AND POLICY ISSUES		FOR POLICY ISSUES	
	Administrative Technical Implementation Forum	Executive Implementation Forum	Cabinet Committee	Administrative FOSAD Cluster		
<b>Education</b>	Technical Education Minmec (as constituted)	Education Minmec	Social Protection and Human Development	Human Development		
<b>Health</b>	Technical Health Minmec Plus (as constituted)	Health Minmec	Social Protection and Human Development	Human Development		
<b>Security</b>	JCPS	JCPS Implementation Forum	JCPS	JCPS		
<b>Skills</b>	Technical Minmec	Minmec	Social Protection and Human Development; Economic Sectors and Infrastructure Dev.	Human Development FOSAD; Economic Services FOSAD		
<b>Employment</b>	Economic FOSAD cluster as constituted	Executive Implementation Forum as constituted	Economic Sectors and Infrastructure Development	Economic FOSAD		
<b>Infrastructure</b>	Infrastructure FOSAD Cluster as constituted	Executive Implementation Forum as constituted	Economic Sectors and Infrastructure Development	Infrastructure FOSAD		
<b>Rural Development and Food Security</b>	Technical expanded Agriculture/Rural Development Minmec as constituted	Expanded Agriculture/Rural Development Minmec as constituted	Economic Sectors and Infrastructure Development; Social Protection and Human Development	Social Protection FOSAD Economic Services FOSAD		
<b>Human Settlements</b>	Technical Human Settlements expanded Minmec as constituted	Expanded Human Settlements Minmec as constituted	Social Protection and Human Development	Social Protection FOSAD Human Development FOSAD		
<b>Local Government</b>	Technical Local Government expanded Minmec as constituted	Expanded Local Government Expanded Minmec as constituted	Governance Administration	Governance and Administration FOSAD		
<b>Environment</b>	Technical Environment Minmec as constituted	Expanded Environment Minmec as constituted	Economic Sectors and Infrastructure Development	Economic FOSAD Infrastructure FOSAD		
<b>International</b>	ICTS	ICTS Implementation Forum	ICTS	ICTS		
<b>Public Service</b>	Governance and Administration FOSAD as constituted	Governance and Administration Implementation Forum	Governance Administration	Governance and Administration FOSAD		

The Implementation Forums do not implement the Delivery Agreement activities. The locus of planning and budgeting for, undertaking and managing the activities remains with individual delivery partners, who are therefore the first link in the decision-making and reporting chain. The second link is the technical Implementation Forum, which comprises the senior officials directly involved in implementing the Delivery Agreement. The technical Forum discusses a joint report and agrees on recommendations to the executive Implementation Forum on the content of the progress report, solutions to blockages and when required, adjustments to the Delivery Agreement. The executive Implementation Forum

reviews and adopts or adjusts the technical Implementation Forum recommendations and reports to the relevant Cabinet Committee, which in turn submits its recommendations on the Implementation Forum Report to Cabinet. Feedback occurs through-out the chain to direct and coordinate the work of delivery partners.

The Implementation Forums are meeting-based structures; they do not implement activities themselves. They provide a forum in which delivery partners can report to each other on progress against their mutually agreed milestones, coordinate their activities, resolve blockages and disputes, and take on board new developments. They are also a mechanism to agree on consolidated bimonthly reports by all delivery partners in an outcome to Cabinet. Each Implementation Forum must agree its own ground rules. Standard items on the executive Forum agenda are:

- Formally adopting the minutes of the previous meeting;
- Report back by individual Delivery Partners;
- Discussion of coordination issues, blockages and resolutions;
- Collection of action points from the meeting and review of forward Implementation schedule.

The technical Forum meeting will mirror this agenda.

Delivery Partners are required to provide standard reports to the Implementation forums. These reports would include:

- 1) A completed matrix of activities and milestones
- 2) A report on spending to date and forward allocations to activities
- 3) A narrative that highlights the due milestones that were achieved and not achieved and an explanation of non-achievement, as well as progress in activities towards milestones.
- 4) Blockages and steps taken to resolve blockages, including a discussion of blockages that require intervention by the Forum.

The standard reporting period for Implementation Forums is the two months preceding the start of preparations for the next regular Technical Implementation Forum (see diagram in Appendix 2). Institutions are expected to make the necessary adjustments to their internal monitoring and evaluation systems to provide the data for the PoA and the reports accurately and on time on a regular basis.

Each executive Implementation Forum will prepare reports to its relevant Cabinet Committee(s). This report will mirror reports into the Implementation Forum, but will be at a higher level of detail. In addition – where necessary – they will present adjustments to the implementation schedule and discuss changes to the Delivery Agreement. The documentation flow from the technical to the executive Implementation Forum must include a draft report to the Cabinet Committee(s), based on the preparatory discussions of the technical Forum.

The Programme of Action (PoA) reporting system will form the basis of the information flow to Implementation Forums. The PoA is being upgraded and an updated manual on the PoA will be released by the Performance Monitoring and Evaluation Department in the Presidency shortly.

## 8. SIGNATORIES

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Public Service and Administration

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Home Affairs

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Finance

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Justice and Constitutional Development

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Performance and Evaluation: The Presidency

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Cooperative Governance and Traditional Affairs

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Basic Education

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Health

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Public Works

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Gauteng Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Free State Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of KwaZulu-Natal Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Mpumalanga Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Limpopo Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Western Cape Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Northern Cape Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of North West Province

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Premier of Eastern Cape Province

## APPENDIX A: RESULTS CHAIN

This section provides high level programme of action on Outcome 12 for Governance and Administration Implementation Forum. Appendix A highlights all outputs, sub-outputs, targets and baseline information for Outcome 12. (Appendix A is herein attached)



**PART B OF OUTCOME 12: AN  
EMPOWERED, FAIR AND  
INCLUSIVE CITIZENSHIP**

## INTRODUCTION

Government has agreed on 12 outcomes as a key focus of work between now and 2014. Each outcome has a limited number of measurable outputs with targets. Each output is linked to a set of activities that will help achieve the targets and contribute to the outcome. Each of the 12 outcomes has a delivery agreement which in most cases involve all spheres of government and a range of partners outside government. Combined, these agreements reflect government's delivery and implementation plans for its foremost priorities.

This delivery agreement is a negotiated charter which reflects the commitment of the key partners involved in the direct delivery process to working together to undertake activities effectively and on time to produce the mutually agreed-upon outputs which in turn will contribute to achieving outcome 12.

The delivery agreement provides detail to the outputs, targets, indicators and key activities to achieve outcome 12 identifies required inputs and clarifies the roles and responsibilities of the various delivery partners. It spells out who will do what, by when and with what resources. The outcomes apply to the whole of government and are long term. While the delivery agreement may contain longer term outputs and targets, it also includes outputs and associated targets that are realisable in the next 4 years.

It also considers other critical factors impacting on the achievement of outcome 12, such as the legislative and regulatory regime, the institutional environment and decision-making processes and rights, the resources needed and re-allocation of resources where appropriate.

This Delivery Agreement will be reviewed annually in the light of learning by doing and monitoring and evaluation (M&E) findings. Accordingly it will be refined over time and become more inclusive of the relevant delivery partners.

## 1. HIGH LEVEL PROBLEM STATEMENT

One of the major achievements of South Africa's democratic break-through in 1994 was to establish empowered, fair and inclusive citizenship as one of the key pillars of South Africa's constitution. Demands for equal citizenship were at the heart of the anti-apartheid struggle and these same demands constitute the centre-piece of the vision of a non-racial future. The South African constitution goes far in admitting and tolerating diversity amongst South Africans, while at the same time emphasising our commonality as Citizens. What this means concretely is that South African national identity is to be achieved, not on the basis of appeals to race or culture or religion, but on the basis of a shared commitment to the norms and values of Citizenship.

Citizenship involves two relationships, a vertical one and a horizontal one. The first relates to the rights and responsibilities individual Citizens have with respect to the State. The second relates to the rights and responsibilities Citizens have with each other.

While much has been done to build fair and inclusive relationships between individual Citizens and government departments and agencies, including the establishment of Chapter Nine Bodies, the development of participatory processes at numerous levels of government and in many different sectors (Integrated Development Planning, ward committees and so on), it is not clear that these forums have real powers and functions or are sufficiently resourced to be effective. Xenophobic violence and widespread service delivery protests suggest that many South Africans feel disempowered in the face of government bodies and institutions. Many have become passive citizens, others have increasingly turned to religious organisations and prayer (and/or turn to NGO's and other civil-society organisations) and still others, a minority, engage in extremist politics or criminal and corrupt activities to find a 'better life'.

The wide gap between the formal promise of Citizenship and the few opportunities to exercise it fairly and inclusively means that the rights of citizenship accrue selectively. There is a lack of service delivery in some cases. More frequently, service delivery happens unevenly and idiosyncratically, decisions are made opaquely and who benefits seems arbitrary.

This gap explains one of the major anomalies of post-apartheid South Africa. On the one hand, high levels of electoral participation amongst all South Africans suggest that the electoral system and the democratic system as a whole enjoy widespread support and legitimacy. This is true too of the majority party, the African National Congress.

On the other hand, the norms and values of citizenship are not well grounded in South African society. This is manifest in the continued prevalence of racism in South African society, the high levels of violence against women and children and incidents of xenophobia, including past xenophobic violence.

The failure to give substance to the formal architecture of rights in South Africa, has also made it difficult to make the responsibilities of Citizenship meaningful in people's lives. That is, if citizens cannot exercise their rights in fair and inclusive ways, it is hardly surprising that they do not take seriously the social and political responsibilities that Citizenship demands as well.

The challenge in South Africa is to create a *virtuous circle of Citizenship*. The more Citizens are empowered in their relations with government, the more the norms and values of Citizenship will become real and meaningful in the social lives of South Africans.

1. *Empowered Citizenship* means that South Africans understand what rights and responsibilities they have, what they can expect from public organs and from other citizens and are informed about the forums and processes are available for them to exercise these rights.
2. *Fair Citizenship* means that the allocation of resources happens transparently and predictably and that the rules governing the allocation of rights apply evenly and equally to everybody.
3. *Inclusive Citizenship* means that everybody has an equal chance of exercising their rights in the various processes, forums and structures that are available for the exercise of rights.

## 2. IDENTIFICATION OF DELIVERY PARTNERS

Department of Public Services and Administration (DPSA), Department of Traditional Affairs (DTA), Department of Cooperative Governance (DCG), Department of Arts and Culture (DAC), Department of Basic Education (DBE), Department of Justice & Constitutional Development (DoJ&CD), Department of Correctional Services (DCS), Department of Women, Children and People with Disabilities (DWCPD)

## 3: LINKING OUTPUTS TO OUTCOME 12

Empowered, Fair and Inclusive Citizenship underlies efforts across government and at all levels to improve its effectiveness. Firstly, the ability of Citizens to hold agencies and departments accountable, not just occasionally at election time, but on a regular and ongoing basis, is one of the key conditions of improving the responsiveness of these bodies and the quality of their services. Secondly, empowering citizens to engage public officials is a key component of entrenching the Batho Pele principles in government and amongst public servant. Thirdly, the creation of meaningful, resourced processes and forums for public participation is an important way of educating South Africans about their rights, but also their responsibilities as Citizens. In this way, educating South Africans about their rights and responsibilities as Citizens and creating fair and inclusive opportunities for them to exercise their rights is a way of improving governance in the public sector and also channeling protests and dissatisfaction with government in and through appropriate and constructive channels.

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### 3.1 OUTPUT 1: NATION BUILDING AND NATIONAL IDENTITY

Apartheid-era conceptions of nation-building and national identity made race and ethnicity the core values of political belonging and of social solidarity. Democracy in South Africa is associated with a rejection of ethno-nationalism and a move to place the norms and values of citizenship at the heart of national identity. Efforts at nation-building, therefore, have to place citizenship education and citizenship empowerment at the core of government's efforts. Concretely, this means encouraging awareness amongst South Africans about the constitution, their rights as citizens and their responsibilities as citizens.

The embrace of civic-nationalism also means recognising the great diversity of South Africans in their roles and positions in society, in terms of culture and religion, in terms of sexual orientations and also of their political opinions. It is important, therefore to make South Africans aware of this diversity as part of a broader message about citizenship, that South Africans are socially diverse, yet common in their Citizenship.

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### 3.2 OUTPUT 2: CITIZEN PARTICIPATION

Making citizenship central to South African national identity means empowering South Africans to behave as citizens in their vertical relationships with public bodies and with respect to the law. In order for Citizenship to be fair and inclusive, Citizens will need access to accurate and up to date information about government and its activities. For this purpose it is crucial that government makes information concerning how what it does, how it functions and whom to contact available through a variety of media, not just Internet. In addition government departments and agencies at all levels need to build the institutional capacity to respond accurately and quickly to information requests from the public.

Citizens will also need to know what fora and processes exist, where they are and how they operate. The fairness and inclusivity of such processes is also measured by the degree to they are accessible to all, especially to women and the disabled and the poor. In this regard, special attention will need to be paid to issues of *institutional or process design* so as to maximise participation. What powers and functions do these bodies have? Are they more than talk-shops? What time are they held? Is this time convenient to most people or does it, effectively, discriminate against certain potential stakeholders? Where are these meetings held? Is their accessibility for people with disabilities? How are they run? Are meetings held in a language that is understandable to most people? Are meetings chaired in a manner that encourages participation, especially from women or from people who are less formally educated than others?

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### 3.3 OUTPUT 3: SOCIAL COHESION

One of the key measures of nation-building is the degree to which there are strong, horizontal relationships between South African citizens. A socially cohesive and democratic society is one where individuals treat each other on the basis of the norms and values of Citizenship, that is, with fairness, respect and as equals. The key challenge here is to develop democratic social capital.

It will be important for government to support activities that build democratic social capital. In this regard, there are strong links between volunteerism in civil-society organizations and the emergence of generalized social trust. Participation in effective, democratic organizations has also been shown to develop understanding of and commitment to democratic norms and values. Support for volunteerism and active citizenship needs to be accompanied by campaigns to educate South Africans to their responsibilities to each other in everyday situations.

There are several key measures of the degree to which the norms and values of Citizenship are permeating into social relations. Foremost amongst these is the way that women and children are treated in society. South Africa has very high levels of violence against women and children and the challenge for this sub-output is to develop ongoing programmes to reduce such violence.

## 4. ACTIONS NEEDED TO ACHIEVE EACH OUTPUT

### 4.1 OUTPUT 1: NATION-BUILDING AND DEVELOPING NATIONAL IDENTITY

#### 4.1.1 OUTPUT 1: SUB-OUTPUT 1: CAMPAIGNS TO INFORM AND EDUCATE CITIZENS ABOUT THE RIGHTS AND RESPONSIBILITIES OF THE SOUTH AFRICAN CONSTITUTION

##### ***What needs to be done differently?***

It will be necessary to develop multiple and diverse campaigns and educational interventions to educate South Africans about the history of the Constitution, what it says, how it works and what rights and responsibilities it grants to and expects from Citizens.

Such interventions will include broad, public campaigns and initiatives to support and strengthen civic education in the schools. Such campaigns need to include information about what forums and processes are available to citizens to exercise their rights in diverse places and at different tiers of government, from parliament and parliamentary forums, across Provincial government right down to ward committees at local government level.

Despite numerous discussions about launching campaigns to build ‘social cohesion’, few such initiatives currently exist. More especially, there have been few public initiatives aimed at educating South Africans about their rights and responsibilities as Citizens. Given that radio is the major medium of news and information in South Africa, it will be necessary to design programmes for all media types, especially radio. Recipients of social grants will need to participate in educational workshops designed to inform them about the responsibilities that attach to citizenship, the norms and values that underpin the benefits that they receive.

Citizenship education must be included in the training and preparation of public servants. Here PALAMA has an important role to play. Currently, too little focus is given to this aspect of the education and training of public servants. Moreover, the emphasis must not simply on understanding laws and regulations and how to apply them and/or operate within them. Public servants must come to understand the rights of citizens and the responsibilities that public servants have towards them as part of a broader focus on the meaning of South Africa’s democracy and the challenges of development.

##### ***Evaluation of the legislative environment***

It will be necessary to revisit the National Qualifications Framework that includes a Manifesto on Values, Education and Democracy that provides for citizenship education in the school curriculum.

### ***Evaluate the existing institutional arrangements***

Civic education is supposed to be part of the school curriculum, though it is not clear to what extent. What is the state of civic education in the schools? Does the constitution form part of any dedicated curriculum at school level? Are there dedicated resources for such programmes?

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#### 4.1.2 OUTPUT 1: SUB-OUTPUT 2: CELEBRATING SOUTH AFRICA'S CULTURAL DIVERSITY

### ***What needs to be done differently?***

Understanding and appreciating diversity in South Africa is more than about cultural sensitivity and awareness. It must be expanded to educating South Africans about diversity in a broader sense, of gender and race and class and political opinions.

### ***Evaluate the existing institutional arrangements***

The Department of Arts and Culture has existing institutional capacity to run programmes of the kind discussed above as well as relationships with civil society bodies that can be assisted in this task.

### ***Funding framework***

The DAC has existing resources for campaigns of various kinds around social cohesion. Some of these resources will need to be allocated to programmes around citizenship education more directly. PALAMA too has a mandate and resources to train and inform public servants.

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#### 4.2 OUTPUT 2: CITIZEN PARTICIPATION

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##### 4.2.1 OUTPUT 2: SUB-OUTPUT 1: ACCESS TO INFORMATION

Social Equality is achieved to degree that Citizens have access to accurate and up to date information about government and its activities. Central to the empowerment of citizens, is an informed citizenry.

### ***What will need to be done differently?***

Government departments and agencies will need to respond quickly and accurately to requests for information, they will have to make information available publicly through a variety of channels, including the Internet, but not restricted to the Internet. At the same time government departments

and agencies need to build internal, institutional capacity to respond accurately and quickly to requests for information from the public.

### ***Evaluation of the legislative environment***

Need to revisit the implementation of the Access to Information Act to ensure that it is properly implemented

### ***Evaluate the existing institutional arrangements***

Government departments will have to build institutional capacity to respond to information. Even though this has been a requirement of government departments for some time now, there is still a lack of departmental will and capacity to effectively respond to the information needs of Citizens.

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#### **4.2.2 OUTPUT 2: SUB-OUTPUT 2: PUBLIC AWARENESS ABOUT PARTICIPATION**

Government departments and agencies, at all levels, must make information available to the public about what forums exist for participation, when, how and where they function. This must be practical information aimed at assisting Citizens access to these processes. Details must be widely available about how to contact relevant persons.

#### ***What needs to be done differently?***

Even though various processes and forums currently exist for Citizens to participate in, information about where, how and when they happen is not always easy to find. Do these processes, forums have a secretariat or, at least, an administrator who is available to field enquiries?

#### **4.2.3 OUTPUT 2, SUB-OUTPUT3: INSTITUTIONAL DESIGN TO MAXIMISE PARTICIPTION**

Social Equality is achieved to the degree to which Citizen fora are accessible to all, especially women and the disabled and the degree to which the rules and regulations governing how such forums operate and when and where they take place are transparent and easily available. For this purpose it is necessary for government departments and agencies to actively engineer participatory forums to maximise their effectiveness. Such deliberations need to reflect on logistical matters (time, nature of the venue), whether the forum has any real powers or resources over which it has decision-making powers and how meetings are conducted. Do they encourage the participation of women and the disabled? Are they conducted in a language that most people understand and feel comfortable speaking in?



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### 4.3 OUTPUT 3: SOCIAL COHESION

The challenge for social citizenship is to translate the norms and values of Citizenship into behaviours and practices between Citizens themselves. To what extent do people, in their families, in their communities, on the roads, the streets, in their workplaces, treat each other with respect, with fairness and as equals?

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#### 4.3.1 OUTPUT 3: SUB-OUTPUT 1: SOCIAL CAPITAL

Volunteerism in civil-society bodies encourages generalised social trust and/or reinforces the values of the Constitution, including choirs and art groups, book-clubs, self-help groups, charities and welfare associations. In addition, participation in sports, apart from its health benefits and the pleasure that it creates, develops a keen sense of fair play, of the rule of law, of team-work and cooperation. These are all values that are key to the development of social trust and social solidarity.

There is substantial evidence to show that sport has the ability to overcome social barriers and empower individuals. It can help to increase social cohesion, and provide opportunities for engagement in community life through voluntary work. Well-designed sport and physical activity programs are powerful tools for fostering healthy child and individual development, teaching positive values and life skills, reducing conflict and criminal behaviour, strengthening education and preventing disease (particularly HIV and AIDS). These programmes can help empower and promote the inclusion of marginalized groups, especially women, the youth, rural and people with disabilities. Sport's unparalleled popularity and reach also make it a highly effective communication and social mobilisation tool.

#### ***What needs to be done differently?***

Government departments and agencies should develop programmes to support those members already volunteering in civil-society bodies as well as develop initiatives to encourage volunteerism more widely in the organisation.

It is necessary for government to roll-out sports leagues in the major codes (soccer, rugby, netball, hockey) at schools around the country as well as support new and ongoing initiatives in communities. These interventions aimed at encouraging mass participation in sports events must be used to foreground citizenship education, especially the way sport, even competitive sport, is based on team-work, respect for rules and processes.

Let Ministers, senior government officials and other prominent South Africans be seen to be working through established processes to obtain licenses, ID documents and other official documents and permits.

### ***What needs to be done differently?***

Government departments and agencies need to ensure that there are uniform rules and processes for everyone, that the only exceptions to processes or systems are on compelling grounds, rather than on the basis of wealth or patronage or social position.

### ***Evaluation of the legislative environment***

No new legislation is required in this regard. What is important is that the legislation that does exist is implemented transparently and fairly.

## 5. INDICATORS, BASELINES AND TARGETS FOR OUTCOME

1.1. The degree to which South Africans know and understand the Constitution, their rights and their responsibilities.

Baseline: TBD

Target: 80%

1.2. The degree to which public servants understand the rights and responsibilities of Citizenship and appreciate how their tasks relate to the broader goal of democracy and development

Baseline: TBD

Target: 100%

1.3. The degree to which South Africans come to understand and appreciate the meaning and value of diversity, including cultural diversity, diversity of religions, of political beliefs.

Baseline: TBD

Target: 80%

2.1. The degree to which government departments respond accurately and speedily to Citizen's requests for information

Baseline: 12%

Target: 50%

2.2. The degree to which Citizens know what forums exist for participation, how they function, when and where they happen, and how they work and how Citizens can get involved

Baseline: TBD

Target: 60% of South Africans report knowing this information.

2.3. The degree to which women, the poor and the disabled have access to forums and are able to effectively participate in participatory forums and processes

Baseline: TBD

Target: 20% increase

3.1. The degree to which there is increased social trust amongst South Africans based on the norms and values of Citizenship

Baseline: TBD

Target: TBD

## 6. SYNOPSIS OF KEY ACTIVITIES

1.1. Campaigns and Civic education programmes, including at school level – DBE, DAC, Social Development

1.2. Courses on Citizenship as a major component in the training of public servants - PALAMA

1.3. Programmes that inform and educate about diversity, including tolerance for cultural diversity, religious diversity, diversity of opinions and so on- DAC, Social Development

2.1. Develop institutional capacity in government departments and allocate resources for speedy and accurate responses to requests for information – DPSA, DCG, DTA

2.2. Information campaigns via appropriate media, especially radio, to inform Citizens about what processes and forums are available where they are, how they work and how Citizens can participate in them – DAC, DPSA, DCG, DTA

2.3. Appropriately resource participatory forums, design processes to maximize participation, paying special attention to accessibility of venues, how they are run (to prevent educational or male bias, for example) – DPSA, DCG, DTA

3.1. Develop and/or support volunteer programmes for government employees in civil society organizations - DPSA

3.2. The introduction of leagues in all the major sporting codes at school level. Support and launch community events for mass participation in sports, making the link between participation in sport and the values of the Constitution (fair play, mutual respect, tolerance) – DBE, DSR

3.3. Process engineering to improve through-put, reduction of the exceptions made for individuals - DPSA, DCG, DTA.

## 7. RISKS, CONSTRAINTS AND MITIGATION STRATEGIES

The major risk to the achievement of this Output is the degree to which there is political will to include considerations of Citizenship in how departments work and plan. In the second instance, Outcome 12 requires that government departments are willing and able to coordinate their activities such that a consistent and coherent message about Citizenship is broadcast.

## 8. GOVERNANCE AND REPORTING ARRANGEMENTS

For outcome 12, the G&A cabinet cluster would be the implementation forum with the technical G&A cluster as the technical implementation forum.

## 9. SIGNATORIES

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Arts and Culture

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Women, Children and People Living with Disabilities

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Sports and Recreation

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Cooperative Governance and Traditional Affairs

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Justice and Constitutional Development

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Basic Education

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Correctional Services

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ 2010

Minister of Social Development

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