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FACING THE PUBLIC SERVICE
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1. From the Desk of the Editor

Adequate capacity is the foundation of effective and efficient Public Service delivery anywhere in the world. In the South African context, the Public Service Commission (PSC) through its investigations and research has consistently raised the issue of capacity within the Public Service as a cause for concern.

It was therefore befitting for the PSC’s 2006 State of the Public Service Report to focus on the capacity challenges facing the Public Service in terms of service delivery. The Report closely examined this issue in relation to the nine constitutional principles governing public administration. We are delighted to bring you salient points from this Report through our lead article in this edition of the PSC News.

In this edition we also feature an article by the Human Rights Commission, which provides a perspective on citizens' rights pertaining to public services. We also take a look at the role of the Office of the Public Protector. These two organisations play a critical role in protecting the rights of and improving the quality of life of all citizens.

On human resource issues, we feature diverse and highly insightful opinions. The first article looks at effective recruitment and selection as a prerequisite for capacity building. Another article argues for effective performance management as a retention strategy. We also look at challenges in recruiting professionals for provincial service delivery.

Performance management in the Public Service is widely regarded as a critical management tool that ensures that the goals and objectives of every organisation are effectively and efficiently met. In this edition, we put performance management under the microscope by looking at the evaluation process of key people that manage state institutions, namely, Heads of Departments.

The Promotion of Administration Justice Act, 2000, has been a challenge for the Public Service since its inception. The Act requires that procedures followed to take administrative actions must be clearly stated and affected persons must be given notice of their rights to review or appeal decisions as well as to be provided with reasons why certain decisions were made. This edition puts to the fore the PSC’s assessment of the implementation of the Promotion of Administrative Justice Act.

Apart from promoting service delivery through audits of compliance by departments against the Batho Pele principles, the PSC also seeks to strengthen public participation. The PSC has accordingly conducted a Citizen Satisfaction Survey focusing on the Economic and Infrastructure services sector. In this edition we unpack the results of the survey. We hope that these results will help departments to attend to key service delivery areas that need immediate attention and strengthen those areas that they have been excelling at.

Lastly, we feature an article on an Audit of Government’s Poverty Reduction Programmes and Projects.

This bumper edition of PSC News contains a hybrid of topical articles and we hope that they will be educational and add value to the work that is done by the more than 1.2 million public servants.

Humphrey Ramafoko
INTRODUCTION

The critical issue of Public Service capacity has been raised in many forums, with the President in his 2006 State of the Nation Address, citing it as a major impediment for government to achieve its developmental goals and objectives. In previous editions of the State of the Public Service (SOPS) reports, the constraint that inadequate capacity poses for optimal performance of government has been raised. With this in mind, the Public Service Commission (PSC) dedicated its 2006 edition to examining the question of capacity more critically, especially as it relates to the nine Constitutional values and principles for public administration. The 2004 edition was a review of progress made in the first 10 years of democracy, with the 2005 edition being forward looking.

This article looks at some of the salient points and observations made in the 2006 report.

Principle 1: The promotion and maintenance of a high standard of professional ethics

The Report notes that the Public Service has generally responded well to demands for a transparent government. Comprehensive legislation and frameworks have been put in place, accompanied by commendable efforts to involve business and civil society. However, it is noted that the capacity to promote and maintain a high standard of ethics is central to sustaining a credible Public Service and safeguarding both its integrity and efficacy.

On the issue of combating corruption, the National Anti-Corruption Hotline (NACH) for the Public Service has bolstered the capacity of the Public Service to identify and act on corruption. As a toll-free facility operated in all official languages, the NACH offers an effective platform for anyone to actively participate in the reporting of corruption. However, the integrity of the system depends on how well feedback is provided. In this regard, departments still need to improve their capacity to investigate and finalise corruption cases referred to them. Furthermore, the use of whistle-blowing mechanisms needs to be strengthened, and the culture of blowing the whistle instilled. To this end, efforts to foster an understanding of the Whistle Blowing Guidelines need to be strengthened.

One of the key measures of ensuring clean governance is the Financial Disclosures Framework, which requires senior managers in the Public Service to disclose their financial interests. The Framework is one of the important mechanisms for preventing private abuse of public power and resources. The average rate of compliance with the Framework for the 2004/5 financial year was 70%. The PSC calls for a target of 100% compliance in this regard, and urges Executive Authorities (EAs) and
Heads of Department (HoDs) to be robust in fulfilling their responsibility to ensure that departments are fully compliant.

Given the growing concerns around potential conflicts of interest in the Public Service, the PSC believes that there is a need for the establishment of a comprehensive framework to manage conflicts of interest. The implementation of such a framework will promote perceptions of integrity and boost efforts to build and sustain a credible Public Service. The PSC has already completed a report in this regard and it has been tabled in Parliament.

**Principle 2: The promotion of efficient, economic and effective use of resources**

The Public Service needs the capacity to strategically deploy, manage and utilise resources in an efficient, effective and economic manner. The PFMA and its supporting guidelines have laid the basis for systematic planning and better financial management. However, the capacity to comply with the requirements of the Act needs to be strengthened. Reports by the Auditor General (A-G) show that a number of departments still fail to align their strategic plans with their annual and financial reports.

The A-G’s reports further show a decrease in unauthorised, fruitless and wasteful expenditure. Clearly, this is a positive development, but the mere existence of such forms of expenditure is still a concern for the PSC in the context of a Public Service that seeks to promote efficiency and effectiveness.

The PSC urges the Public Service to strengthen its capacity for sound financial management in order to ensure the efficient, economic and effective use of resources. This would include the strengthening of financial controls such as internal audit units and audit committees, which as the A-G pointed out, still do not function optimally.

Capacity for improved planning and reporting is also needed. This would ensure that annual reports begin to reflect a coherent link between plans, outputs and the Estimates of National Expenditure.

Equally, an important element of determining effectiveness in the Public Service is the implementation of sound monitoring and evaluation mechanisms. Notably, monitoring and evaluation has yet to be meaningfully embedded in the work of departments as a performance management and improvement tool. Nonetheless, it is encouraging to witness the attention that is being paid to building the capacity to monitor effectiveness by establishing a Government Wide Monitoring and Evaluation System.

**Principle 3: Development orientated public administration**

The 2006 SOPS Report argues that at the heart of the capacity required for the fulfillment of this principle is the need to ensure that the Public Service, as the primary delivery vehicle of the government, is astute in rising to the development needs of the country. Of significance is ensuring the capacity to formulate and enact policies that target the development priorities of government.

The Report notes that the Accelerated and Shared Growth Initiative of South Africa (ASGISA) recently launched by government as a strategy to consolidate economic growth in a manner that will also focus on poverty reduction, raises new capacity challenges for the Public Service.

The Report further notes that the strong economic foundation laid in the first decade of democracy has created a basis for increased social spending. This is evident in the increasing amount of funds allocated to social assistance and social security – R10 billion in 1994 to R70 billion in 2006, and from 2.6 million to 10 million beneficiaries respectively.

In addition, the Public Service has also embarked on a number of other diverse initiatives that seek to reduce poverty. While a number of these indeed contribute towards the improvement of the quality of life of citizens, they require a collaborative approach in order to harmonise and leverage capacity throughout the three tiers of government.

It will be worthwhile for the Public Service to enhance its capacity to plan and manage development projects.
Such projects need to be integrated if their impact is to be optimised. It is also essential to address capacity challenges that hamper local government from effectively delivering poverty reduction initiatives. Unattended, these challenges can potentially have adverse consequences on capacity at national and provincial levels. The negative multiplier effect of these consequences on key undertakings such as the ASGISA can also not be ruled out.

**Principle 4: Services must be provided impartially, fairly, equitably and without bias**

The Report notes that although the legal, normative and the regulatory framework to inculcate the ethos for just service delivery is in place, the capacity of the Public Service to fulfil this principle is far from developed. Coupled with this is the fact that in most departments, the capacity to adhere to the Batho Pele principles has not been fully developed beyond merely displaying the posters bearing them on walls. The implementation of the Promotion of Administrative Justice Act (PAJA) across departments, has also not improved significantly over the last three years.

The Report indicates that the Public Service needs to develop the capacity to redefine and redesign departmental communication processes so that PAJA requirements are explicit, and citizens fully understand their options. Plans by the Department of Justice and Constitutional Development to conduct training seminars for legal officers, with the PSC providing inputs into the monitoring and evaluation component, should therefore go a long way in improving the situation.

**Principle 5: People’s needs must be responded to and the public must be encouraged to participate in policy making**

The PSC’s research found that although there are encouraging signs with regards to service delivery as an indicator of the ability of the Public Service to respond to the needs of the people, the capacity to raise and calibrate public participation in policy formulation, implementation and review processes needs improvement. This will help avoid a disjuncture between policies and programmes on the one hand, and the needs they are intended to meet on the other.

Notably, the Izimbizo programme has facilitated public participation, but it needs to be systematically integrated into the work of the Public Service. To augment efforts around Izimbizo, Citizens Forums and Citizens Satisfaction Surveys have also proved to be effective mechanisms through which to involve citizens.

Overall, the Public Service needs to develop appropriate capacity to put in place functional systems, procedures and methods to elicit and process inputs from the public. Such systems should be linked to the decision making process of departments so that the input provided by the public is indeed integrated into the mainstream work of the departments.

**Principle 6: Public administration must be accountable**

The developmental state requires a commitment to accountability since public institutions have been assigned important management and regulatory powers. The 2006 SOPS Report notes that the number of national departments receiving qualified audit opinions has gone down as compared to the previous reporting cycle. At the same time however, it is of concern that there has been an increase in the number of matters emphasised. Clearly, matters emphasised are not as severe as qualified audit opinions. They are nonetheless very important, and thus warrant serious attention from the departments concerned.

It is also of concern that there has been an increase in the number of national departments that received qualified audit opinions for consecutive years. For a department to get a qualified audit opinion is in itself serious enough, let alone if that department gets a qualified audit opinion for four or even five years in a row.

At the level of provinces, the report of the Auditor General shows that qualified audit opinions are common across most departments, particularly the departments of Education, Health, and Social Development. This is worrying
because these departments collectively receive the largest share of the budget and are also at the core of government’s programmes of poverty reduction. The Public Service needs to develop the capacity to address the weaknesses identified in the reports of the Auditor-General (A-G).

Around the issue of HoD evaluation, the Report argues that senior Public Service management needs to integrate the performance management systems that are in place into the work of the departments, and to ensure that the use of these systems is not erratic or motivated by the need to ensure compliance for the sake of compliance. Furthermore, consistent compliance by HoDs and Directors-General (DGs) with the requirements for performance evaluation is found to be essential in enabling Cabinet and the President to have an accurate sense of the capacity of top leadership to lead the Public Service. In this regard, the PSC has noted with concern that only 46% of HoDs were evaluated for the 2003/4 financial year.

**Principle 7: Transparency must be fostered by providing the public with timely, accessible and accurate information**

For citizens to enjoy their right to transparent government, the Public Service must have the capacity to open itself to public scrutiny. In this regard, the Report notes that the format and content of departmental annual reports has improved significantly. However, an area which requires improvement is the need to ensure that these reports are written in a language that makes them easy for the public to understand and use. An analysis of annual reports shows that reporting still largely focuses on activities and outputs. While such information is useful, it does not go far enough to tell the important story of what difference the activities and the outputs make. Reporting also needs to be improved in such a manner that departments can provide reasons for non-performance.

Research shows that more needs to be done to ensure compliance with the provisions of the Promotion of Access to Information Act. This will improve responsiveness to information requests. Key to the achievement of such responsiveness is the strengthening of monitoring and evaluation capacity to ensure that departments generate reliable information on their activities.

**Principle 8: Good human resource management and career development practices to maximise human potential must be cultivated**

The Report argues that the ability of the Public Service to achieve its objectives depends critically on human resource capability. Given the importance of getting the best skills for the Public Service, recruitment and selection capacity are therefore of utmost importance. Incorrect appointments can be costly and have deleterious effects on the capacity of the Public Service to deliver.

Equally important, is the effective management and development of human resources, including addressing dissatisfactions among employees. Despite this importance, the PSC notes with concern that there is still insufficient adherence and compliance with the new Grievance Rules. In this regard, a number of departments still do not adhere to the time frames stipulated in the Grievance Rules, and refer grievances to the PSC prematurely. The development of capacity to comply with the grievance rules is very essential for minimising tensions in the workplace, and should be strengthened as a matter of urgency.

The Report further acknowledges that a policy framework for the management of HIV/AIDS in the Public Service is in place. However, while HIV/AIDS Committees have been established, there is still a lack of programmes such as those for counselling and support. Therefore, there needs to be a more proactive approach in implementing the HIV/AIDS framework and ensuring that effective HIV/AIDS related health and counselling infrastructure is in place.

**Principle 9: Public administration must be broadly representative of the people of South Africa**

The Report argues that whilst progress has been made in achieving numeric
targets for employment equity, low representivity of women in management and persons with disabilities still remain areas of concern. For example, in 2005 the targeted figure for female representivity at senior management level was 30%. However, the rate achieved by national and provincial departments was 28.6% and 26% respectively. The target for people with disabilities is 2%, but the rate achieved was 0.16%. This is not only far much lower than the set target, but actually also represents a decrease in the 0.25% achieved in 2002.

More work still needs to be done for designated groups on induction, training, mentorship and performance management. This is to ensure that employment equity targets are not just met for purposes of compliance, but that designated groups are indeed empowered to add value to the Public Service. The PSC further calls for the creation of a clear link between human resource planning and affirmative action as well as for Parliament and other oversight bodies to continue engaging with these issues in order to achieve this ideal.

There are some serious questions of capacity which need to be addressed. Most significantly, these include the capacity for optimal utilisation of human resources; the capacity for more consistent policy implementation; and the capacity to fully achieve a citizen-centred Public Service and improve the management of performance.

Addressing the capacity challenge in the Public Service requires dedicated leadership from the Executive and Senior Management levels. As a point of departure, the executive and senior managerial capacity required for this, must be such that it can build on the existing legislative, normative and regulatory frameworks.

Furthermore, to ensure clear line of sight throughout the Public Service, consistent and integrated monitoring and evaluation systems must be put in place.

The PSC will continue to monitor the performance of the South African Public Service and through its reporting generate a broader discussion and debate in the service delivery discourse.

*This article is based on the PSC’s *State of the Public Service Report 2006*. A comprehensive list of references is contained in the report.*
INTRODUCTION

The ability of public institutions to select and recruit staff of the desired quality is a key determinant in overcoming challenges such as poverty, HIV, etc. Viewed from this perspective, recruitment and selection represents one of the most important human resource practices on which the ability of any institution to deliver rests. It is therefore not surprising that in a 2006 membership survey undertaken by the International Public Management Association (IPMA-HR), the ability to recruit and retain high performing employees ranked as the top challenge facing human resource professionals.

The Importance of Human Resource Management

The Public Service is by its very nature a labour-intensive employer and the quality of its service delivery is directly dependent on the quality and performance of its employees. Good quality human resource management is therefore of paramount importance to the Public Service.

Despite this, how often do we as managers in our rhetoric declare staff as being the most important asset in our organisation, and immediately action this sentiment by leaving human resource management to the human resource functionaries? The management of human resources (HR) is an inalienable responsibility of every manager within an organisation. However, most managers are insufficiently trained for this responsibility and underestimate the complexities of human resource management as a field of study and specialisation. The evidence to this statement is contained in the findings of many investigations undertaken by the Public Service Commission (PSC) over the past decade, which note that managers grapple with their responsibilities in terms of critical areas such as recruitment and selection, performance management, career development, the management of discipline and the management of conditions of service such as leave and overtime. The resulting effect is that managers barely meet the compliance standards and have not even begun to strategically position their human resources and the benefits that can be reaped from such an approach.

The extent to which managers struggle to give effect to the principles underscoring human resource management, can perhaps to some degree be explained by the fact that the study of human dynamics is not an exact science and it requires years of study and experience to gain a little bit of insight into the complexities of human behaviour to enable one to make conclusions in respect thereof. It is therefore not surprising that even in the call for integrated human resources, there is a recognition of the strategic importance of having HR components to co-ordinate human resource management and provide strategic HR advice across the organisation. Entrusting such a role to HR practitioners presupposes the presence of two important factors, the one being that human resource practitioners are knowledgeable and competent enough to provide the advisory support and strategic insight, and the other being that managers in the organisation acknowledge this role and
are willing recipients of the advice and inputs provided to their responsibilities. Where this partnership is not functioning optimally it requires immediate attention.

**Positioning the Public Service as an Employer of Choice**

Attracting people into the Public Service is not an easy task. Explanations for this range from comparative low pay, the negative image of the Public Service, relentless criticism of public officials and stifling bureaucracy. With such pervasive cynicism, the Public Service has difficulty in attracting the brightest and the best. Such difficulty is compounded by the fact that recruitment takes place in the open labour market, where the Public Service have to compete with their private sector counterparts for trained and skilled employees. The diminishing skills pool, especially around so-called scarce skills, adds to the dilemma. To get its rightful share of such skills, the Public Service must be able to:

- convince prospective applicants that a career in the Public Service is a worthwhile pursuit where they can grow and further develop their skills;
- convince prospective applicants that they will experience real job satisfaction in the Public Service;
- convince prospective applicants that it is in actual fact an honour to be appointed to the Public Service; and
- remunerate prospective employees at a competitive level.

Given the overall structuring of the Public Service and the fact that taxpayers’ money is used for their operation, one will always find that the Public Service cannot be as competitive, especially in terms of their remuneration packages, as their private sector counterparts. Such inherent disadvantage must be made up in offering to the current and prospective employee the opportunity to contribute to the “Big Picture”. The Big Picture invites applicants to join a team that adds value to public services and to be at the coalface of changing policy of our time. I want to submit that in developing countries like South Africa if one has regard for the socio-economic challenges we face and our not too distant memory of a poor and inequitable Public Service, presenting this Big Picture should be fairly easy. In reality, however, Public Service as a calling has not resonated with many prospective employees.

Presenting the Big Picture must be underscored by having a value driven Public Service with a particular ethos and responsiveness. It must be a Public Service that inspires the confidence of the community it serves. The image of such a Public Service should not be one of sheltering pen-pushers nor rubber-stampers of bureaucratic processes. It should offer an environment that says joining this team places you at the cutting edge of public administration. South Africa is fortunate enough in that its constitutional principles outline the values and principles that should govern the Public Service. These principles provide important integrity building blocks and if implemented and inculcated in the Public Service should have resonance with individuals who subscribe to such values.

**Attracting the Right Candidate**

Attracting the right candidate entails recruitment drives that will attract candidates who are eager to pursue a career in the Public Service, as opposed to people who merely want jobs to earn a comfortable living. Thus contextualised, the challenge is to attract from a pool of possible candidates, that is, only those who subscribe to the Big Picture referred to above - people who see public administration as a calling and who will selflessly contribute, in a team context, to service excellence. Such candidates will contribute to the building of an organisation instead of damaging it! Up to now, the Public Service has generally marketed itself poorly in this regard.

Traditionally, the first formal contact between an organisation and the right candidate is the advertisement that is placed out there. Such advertisements should first of all market the Big Picture. It must be clear from the advertisement that the Public Service is value driven, with a particular ethos and responsiveness that requires skilled, knowledgeable and dedicated people who identify with a higher-order calling to serve the people of South Africa. The duties attached to the post should also be clearly identified. Based on the nature
of duties to be performed the advertisement should clearly indicate the following:

- **The type, level and extent of training required.** This should not be confined to tertiary training, but could also include, for example, introductory, intermediate, or advanced training received in respect of junior, middle or senior management, specific types of IT software, report writing, financial management, etc.

- **The type, level and extent of skills required**. For example, the proven ability to draw up reports with statistical tables and graphs, the proven ability to design investigative tools, the proven ability to guide and train others on certain subject matter, the ability to give strategic direction, etc.

- **The type, level and extent of experience required**. This is to be included where experience is a necessity and should not unduly discriminate against targeted groups who have been deprived the opportunity to gain such experience. Experience should be quantified in terms of the number of years required in a specific field.

- **The type of behavioural skills/personality traits required.** For example, the proven ability to facilitate workshops, the proven ability to manage a diverse workforce successfully, the proven ability to deal patiently with customer or client queries, the proven ability to promote sound labour relations in the workplace, etc.

The information alluded to will demonstrate why the set requirements are necessary for the successful filling of the post in question. For this reason it is also important that the set requirements and the duties and responsibilities correlate. Care needs therefore to be taken not to go about this process in a mechanical manner without careful thought of what goes into the means of recruitment, which is mostly an advertisement.

This comprehensive set of information allows prospective employees the opportunity to measure their abilities against what is required and to prevent large numbers of ill-equipped candidates from applying for the advertised post(s).

Such an approach could well appear laborious and could result in “cutting of corners”. This could be a costly mistake. To the strategic human resource practitioner and manager this preparatory work, normally referred to as the job analysis, is critical in ensuring the strategic fit of the candidate with the organisation. In actual fact, it needs to be done upfront to also allow the development of staff already in the employ to manage their career aspirations and to establish the necessary skills base to ensure optimal service delivery. It is therefore clear that having a job description available is only part of what is required.

What is required is a thorough job description that will allow the type of analysis required to allow for meaningful and responsible recruitment and employee development.

### Selecting the Most Suitable Candidate

The selection process that follows the recruitment drive is the key phase in deciding on the most competent candidate for a post. Research has shown that organisations with the best recruitment and selection processes find the best candidates and ultimately perform better. If done well, the results will yield an employee that will be able to add value to the work environment, and a person that will not require a lot of attention, guidance or motivation to get a job done. The image of the employee “hitting the tarmac running” immediately comes to mind. The choice you make at the selection process is the one you will have to live with and must therefore be approached with the necessary attention.

There are many selection processes that can be followed including interviews, competency testing and assessment batteries. Deciding on the appropriate methodology is largely dictated by the nature of the post involved. A managerial post or technical post could, for example, require the use of competency testing or assessment batteries. Traditionally the Public Service has relied on an interview approach.

Generally, the selection process is constituted of a sifting phase, followed
by a selection test or interview or both. Each phase of the selection process requires evaluating or selection criteria in respect of which each candidate is weighed up.

The first in line is the sifting phase. The selection criteria to be utilised for this phase is taken from the advertisement. Amongst the requirements set in the advertisement will be minimum requirements. These are normally statutory requirements, for example citizenship and no prior criminal convictions. Amongst them will also be the tertiary training of a type and level necessary to enter a certain post level. The objective of the sifting phase is to eliminate all those candidates who do not meet the minimum set requirements and in respect of whom it will serve no purpose to consider their applications any further.

Next in line is the short-listing phase where the very best amongst the applicants are selected for further consideration. The selection criteria to be utilised for this phase are also taken from the advertisement, but now much more is looked at than the mere minimum requirements. There are scientific ways of scoring and benchmarking “Training and Experience” with the job requirements and identifying the best and most suitable candidates. During this phase, the objective is to identify candidates that best conform to all the requirements set, or even exceed these. They will constitute the short list of applicants to be subjected to further or final selection. Further selection would entail subjecting the applicants to psychometric testing and/or competency testing/evaluation.

The final selection phase is popularly done by means of an interview, where a selection of panelists, fully apprised of both the job content and the set requirements subject each short-listed candidate to a predetermined set of questions. These questions are designed to test the depth and width of each candidate’s knowledge, skills and abilities in respect of the set requirements in order to identify the most suitable candidate. It stands to reason that in order to thoroughly assess candidates to this extent requires careful planning and phrasing of questions and further probing questions to obtain enough knowledge on which to draw a responsible conclusion on the profile of each candidate. So thorough does this process have to be that it will be able to withstand legal scrutiny.

However, during this phase special attention should also be paid to identifying, from the short-listed candidates, the one candidate that surpasses all others through the way in which he or she convincingly demonstrates that his or her interest goes beyond merely occupying a job, but is genuinely inspired by a higher-order calling to serve with dedication in helping the Public Service towards achieving excellence. Behaviour-based interviews and requesting candidates to do short presentations have proven to be invaluable alternatives to the mere question and answer approach of the traditional interviews.

**CONCLUSION**

Thorough attention to the recruitment and selection process is often overlooked, and many public services, including the South African Public Service fall far short of the standards required. Investigations undertaken by the PSC revealed poor recruitment and selection practices. The concern by the PSC that such little attention was being given to what must be seen as the most important HR function resulted in it developing a best practice Toolkit on Recruitment and Selection. This can be found on the PSC website [www.psc.gov.za](http://www.psc.gov.za). The PSC trusts that through the use of this Toolkit, recruitment and selection practices will improve and that this will contribute to capacity building.

*This article is based on presentations made by Dr. Norman Maharaj, PSC Commissioner, at the IPMA-HR Conference, held in Cape Town in April 2007 and at the KZN Provincial Public Sector HRM Convention held in Durban in September 2007.*
INTRODUCTION

In the context of increasing globalisation and fierce competition for the existing skills pool, focusing on retention approaches is critical. This article will argue that any effective retention thrust must be seen within the context of an overall performance management system.

Literature research very seldom, if at all, identifies retention as a primary objective of performance management. This is not surprising! If anyone were to be asked why they stayed in their organisation, of course they will not say it is because of the performance management system.

They are more likely to say it is because of the remuneration package or promotion opportunities. And yet, if we pause for a moment it is the application of the performance management system that facilitates many of the aspects which we give as reason for staying. It is through our interface with it that we can gauge the extent to which we feel valued or not within the organisation. And this becomes an important barometer in determining whether our commitment to our organisation grows or whether we slowly start to distance ourselves from it. And it is at these cross-roads that we decide whether to stay or to leave.

Performance management approach in South Africa

The backdrop to this article on performance management as a retention strategy is the South African approach to performance management. Performance management in its current context within the South African Public Service has been informed by the evolution of human resource management since 1994. Forgotten are the days when human resource management was viewed as a means of indoctrinating current and prospective public servants to conform to the ideals of an oppressive apartheid employer. Instead the focus has been placed on how the Public Service can enhance its performance to the benefit of citizens.

The South African government realised early that if it was to transform the way the Public Service operates, it needed to transform the manner in which it manages its employees. It introduced policy frameworks that focused on transforming the Public Service into an agency that is coherent and representative, as well as capable of achieving the crucial goals set for it by the people and government of South Africa. Such an approach placed people at its centre. Through effective performance management the belief was that the attitudes of public servants would be directed in such a manner that that the priorities of government, and as such of the community of the people that it serves, would be enhanced through improved individual performance.

The overall objectives with performance management as contained in the Public Service Regulations\(^1\) are supported by Armstrong\(^2\) who indicates that from both a private and public sector perspective the objectives can be defined as follows:

- to align organisational and individual goals;
- to foster organisation wide commitment to a performance oriented culture;
- to develop and manage the human resources needed to achieve organisational results;
- to identify and address performance inefficiencies;
- to create a culture of accountability and a focus on customer service; and
- to link rewards to performance\(^3\).

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\(^1\) Public Service Regulations, 1999, South Africa.
The performance management systems applicable in the South African Public Service are not unpacked in this article. The article rather engages with the key principles underpinning these systems and how these promote retention. Suffice to say that the application of performance management systems, which apply to two categories of staff, namely, senior managers and staff below the senior management service (SMS), provides a sound basis for the objective measurement of performance. Performance measures are discussed and agreed to upfront and development plans are put in place. Through the review of performance, feedback is provided on a regular basis and employees are made aware of the areas they should improve on. The training facilitated through the development plans of individuals contributes further to improved performance as a result of gained competencies, knowledge and skills.

To this end the South African performance management system has the following underlying principles:

- it provides the basis for improving the performance of the Public Service as a collective;
- it establishes a performance and learning culture;
- it helps clarify responsibilities, priorities and expectations of employees;
- it encourages communication between supervisors and subordinates;
- it provides a mechanism for promoting accountability;
- it provides performance incentives and therefore the basis to reward good performers; and
- it provides the basis to deal with poor performers.

These principles as a collective seek to enhance Public Service performance, retain good performers and improve the performance of the Public Service and its ability to effectively deliver services as a whole.

**Significance of an overall performance management system for the retention of employees**

The performance management systems for public servants in South Africa apply a three-pronged approach designed to retain employees.

**Facilitating human resource development through the application of performance management**

Firstly, it allows for personal growth through the application of the personal development plan. The training needs of employees are identified and addressed through this plan and their knowledge, competencies and skills and therefore their ability to perform effectively is increased. The net result is that employees are empowered to perform their duties with confidence. If employees are empowered through knowledge it improves their self-worth and their sense of belonging to an organisation. They have an improved perception of where they fit into the organisation and what they can contribute. As such they become increasingly attached to their work environment and the organisations that employ them.

The importance of personal growth was confirmed in a study conducted by the PSC into the causes and effects of staff turnover at senior management level where managers placed a high premium on personal growth and learning as a means of ensuring their retention. The following practices were identified as playing a significant role in their retention:

- awarding of bonuses for performance;
- awarding of bursaries;
- external conferences and seminars;
- managerial training; and
- on-the-job training.

Developmental opportunities are therefore seen as an important consideration by employees to stay in an organisation. Also, the consistent monitoring of turnover in the Public Service will make it possible to identify the causes of mobility and take measures to strengthen the practices that contribute to retention.

**Granting of performance incentives facilitated by an effective performance management and development system**

Of course when discussing retention one cannot downplay the significance...
of remuneration. Secondly, through the application of the performance management system, employees are also awarded permanent increases to their salaries. Employees are awarded salary progression to the next higher salary in the salary band on the basis of a performance rating of satisfactory and higher or fully effective and higher. The implication of the annual performance based salary progression is permanent increases to the pensionable salaries of employees. Employees know exactly what their monthly income will be and that there will not be any downward variances in the amounts they received. The remuneration system coupled with the incentives from the performance management system offer “predictable pay”, and with that, elements of financial security.

Thirdly, the performance management system also provides for an annual cash incentive through the awarding of merit based awards and cash bonuses. Senior managers who receive a rating of “significantly above expectations” and “outstanding” may receive a cash bonus between 3 to 5% of the total remuneration package for performance rated as “significantly above expectation” and 6 to 8% for performance rated as “outstanding”. Heads of departments are assigned the power to develop reward systems for staff below the SMS. Experience has shown that awards of between 10% and 18% of pensionable salary are paid to staff below senior management for performance that is above satisfactory. These once-off incentives translate into sizeable amounts which serve as mechanisms to enhance individual performance. The knowledge that such performance rewards are payable and that employees through their continued hard work can aspire to receive such rewards, also facilitates the retention of good performing staff.

When applied correctly, the system offers employees incentives to improve their remuneration position and strengthen their personal growth. As such performance management contains essential elements required in the retention of employees.

Challenges to overcome in applying performance management to ensure its effectiveness as a retention strategy

All of the above thus far seems simple and straightforward enough. However, research on performance management suggests otherwise. Rather than drawing from the success of effective performance management as a retention strategy, its ineffective application and the under-mining of its principles have failed to fully harness its contribution to the retention of employees.

An analysis of the top five causes of grievances in the South African Public Service counts grievances of performance assessments as the top reason for dissatisfaction. What this says is that public servants are most aggrieved about how their assessments are dealt with by their supervisors and managers.

Table 1: Top five causes of grievances dealt with by departments from January 2005 to June 2006

<table>
<thead>
<tr>
<th>Nature of Grievances</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Performance assessment</td>
<td>2346</td>
</tr>
<tr>
<td>2. Salary problems (adjustments to salary notches, payment of salary due, etc.)</td>
<td>831</td>
</tr>
<tr>
<td>3. Filling of posts</td>
<td>817</td>
</tr>
<tr>
<td>4. Unfair treatment</td>
<td>584</td>
</tr>
<tr>
<td>5. Refusal to approve applications</td>
<td>116</td>
</tr>
<tr>
<td><strong>Total number of grievances in the “top five category” dealt with by departments</strong></td>
<td><strong>4694</strong></td>
</tr>
</tbody>
</table>

*Drawn from the Public Service Commission’s database on grievances*
with their employer; this may impact on commitment to their employer and in such a scenario performance management could actually become a deterrent to the retention of staff.

Performance management reviews offer a great opportunity for strengthening communication and providing feedback. Again, studies show that performance reviews are not conducted timeously and thoroughly. There is an inconsistent roll-out of the Performance Management and Development System. There is also widespread failure to uphold its underlying principles. Many managers appear not to have a thorough grasp of the constituent elements of the System and lack the necessary time, dedication and skills to make it work. If performance reviews and evaluations are done only as an ad hoc exercise once a year, the opportunity to open dialogue on the level of performance is missed. Such dialogue helps to identify early warnings of discontentment and proactive means for addressing these. Failure to recognise the importance of performance feedback results misses the opportunity for remedial action and sufficient engagement on differences of opinion. As a result, employees register a loss of confidence in the performance management process and question its outcomes. Such a loss in confidence eventually translates in a loss of trust in the organisation. Consequently good performing employees actually become demoralised and start looking outside the organisation.

Performance indicators are there to facilitate the objective measurement of performance and are the basis upon which the whole performance measurement process rests. Instead what you see is inadequate and poorly identified performance indicators that encourage subjectivity, inequity and unfairness. This leads to staff becoming frustrated with the unevenhandedness of the performance evaluation process and consequently diminishes the effect of performance management on retaining good performing staff. The net result of inadequate identification of performance indicators and standards means that conclusions reached on staff performance may be incorrect and consequently decisions on performance rewards and development needs of employees may not be arrived at correctly. Employees are denied access to the right forms of training interventions as the outcomes of their performance assessments are not informed by effective performance management.

The ad hocery nature of performance management is best seen in the submission of documentation around performance assessment. These documents are usually poorly presented and have a checklist approach. This points to the fact that performance management is not regarded as a priority and more of a formality. I have often wondered why performance assessment documents are not given the same consideration you will give to your curriculum vitae. This is your opportunity to proudly present your performance against the objectives that have been pre-determined! Instead the System is utilised mainly for compliance purposes on both the part of the employee and employer.

Employees often complain of being in the dark in as far as their performance objectives are concerned and many have no idea how their performance objectives link up with that of their employing departments. Many employees are therefore not altogether sure of what is expected of them, either in terms of objectives or in terms of standards, or both. They could be spending a whole year working and believing that they are adding value to their work environment and are eligible for rewards only to discover after the fact that they have fallen dismally short of what is generally expected from employees at their levels. There is hardly any ongoing monitoring of performance, with a resultant absence of regular manager-employee communication, performance feedback, guidance, coaching and mentoring.

Given the overall scenario, the potential for low morale and discord is therefore real. The resultant impact on the health of the organisation can be corrosive. Such manifestation could be avoided through a more focused application of the norms and standards that underscore the performance management and development system. Current practice negates the effectiveness of performance management as a retention mechanism.

**Applying effective performance assessment as a prerequisite for retention**

If performance management as a mechanism contributing to the retention of employees is to succeed, sufficient attention to its effective implementation will have to be given. Management will
have to ensure that the building blocks for performance management are in place and applied appropriately whilst employees in general have a responsibility to also do their bit in contributing to a healthy work environment.

The appropriate implementation of the building blocks for sound performance management is non-negotiable if the benefits of performance management are to be derived from its application. Employees should have adequate information on their job contents through concise job descriptions. Clear and measurable performance standards should be negotiated between management and subordinates to ensure that there is clear understanding on the standards of work expected of them. Regular monitoring of performance and work quality should be done. Based on this, regular performance feedback should be given. If this is done with the required diligence, managers will start to see the benefits of performance management as a method of retaining their good performing staff. Staff in turn, will reap the benefits of continuous development and training and be rewarded for their good performance.

Individual employees can, however, not just sit back and assume that performance management will be applied by their managers or supervisors in the manner that it should be. They should take ownership and charge of their careers. If they are unsure of their performance objectives and standards, they should take the initiative to obtain clarity from their managers. Where they do not receive performance feedback they should initiate discussion/interaction with their managers to obtain feedback on their performance. In order to ensure that the performance evaluation process commence timely they must prepare their assessment documents, with evidence of performance, well in advance and without having to be requested to do so. They should take the initiative to master their responsibilities and consult whoever can assist them to excel. Employees must be driven by a desire to do better, to become experts in what they do. Employees are driven to perform better through performance management and their belief that their personal development goals are achieved through the process, are likely to feel fully engaged and valued in their work and will generally be happy with their employer. In such circumstances the success of performance management as a retention strategy will be ensured.

However, for organisations and employees to derive the maximum benefit from performance management, the human resource management departments must support and facilitate the application of the performance management system. Such components must ensure that the Departmental Policy on Performance Management and Development provides the necessary guidelines, delegated power of authority and timeframes and that all managers and all employees are familiar with the objectives, principles and procedures of the Performance Management and Development System. The human resource component should utilise the performance assessments to guide the workforce planning and skills strategy for the organisation. By providing such professional support, the human resource components will ensure that all aspects of performance management that contribute to staff retention, such as the personal development of staff members and the granting of performance rewards to deserving employees are in place. The thorough management of the performance evaluation process by all role players as outlined should ensure that performance management is applied in terms of its underlying principles and therefore contribute to the retention of employees.

**CONCLUSION**

The retention of staff requires a multi-dimensional approach. Through this article I have attempted to highlight the importance of performance management in relation to the retention of staff. However, performance management should be seen in the context of human resource management as a whole. It contributes to various practices, including human resource development and staff compensation. Within this context the application of sound performance management is a prerequisite beyond the determination of performance levels. If given due attention, it can become a powerful management tool that is effective in attracting and retaining the best employees.

*This article is based on a presentation made by *Ms. Odette Ramsingh, Director-General: Office of the Public Service Commission*, at the IPMA-HR Conference, held in Cape Town in April 2007.*
INTRODUCTION

Chapter 2 of the Constitution sets out the rights of all people in South Africa. These rights range from equality to specific rights which include, among others, access to housing, basic health care, social security, basic education, access to water and reasonable justice action. This means that, among others, citizens can have some expectations on the delivery of certain services from government.

Furthermore, the Constitution also enshrines basic values and principles by which public administration must be governed (Chapter 10 – Section 195). One of the principles is that of responding to people’s needs, that is, the needs of the people must be put first.

To promote the notion of putting people first and to provide for a framework for the transformation of Public Service delivery, government introduced the principles of Batho Pele in 1997. This concept is an initiative to get public servants to be more service-user-orientated. Despite this developed framework, research indicates that there is still a great deal of work needed to be done in terms of consulting citizens to determine their needs and expectations in service delivery. In simple terms, government’s performance is judged by the extent to which citizens’ expectations are met.

The Constitution entrusts the Public Service Commission (PSC) with the task of monitoring and evaluating Public Service performance and also promoting the values and principles set out in the Constitution. To fulfill its Constitutional responsibilities, the PSC decided to introduce a research project that will measure satisfaction levels of citizens with government services. This project was undertaken in phases and concentrated on specific government sectors. The third phase was for the 2005/2006 financial year and focused on the economic and infrastructure services sector, namely the Departments of Water Affairs and Forestry, Agriculture as well as Land Affairs.

The aim of this article is to unpack the findings of the research of the third stage, albeit in a summarised form. It also examines whether the Public Service has the necessary capacity to meet citizens’ expectations around government services.

OBJECTIVES OF THE SURVEY

Since 2002 the PSC has gone directly to citizens with the purpose of surveying their needs and expectations regarding service delivery. The underlying purpose of this exercise was to establish an integrated instrument to measure and evaluate the performance of the Public Service regarding service delivery.

The objectives of the survey were to:

• outline client expectations and provide examples of where service delivery standards could be aligned to citizens’ needs;
• assess the level of satisfaction experienced overall, as well as of key components in the delivery of public services;
• document perceived strengths, weaknesses, opportunities and threats to the equitable delivery of public services;
• gather information from citizens about their needs, which the service does not adequately address;
• prioritise specific areas where services can be improved; and
• provide tools that could be standardised, and provide baseline information for future service satisfaction surveys in South African government departments.

In a nutshell, the aim of the survey was to determine the citizens’ expectations of services versus their actual level of satisfaction with the services. The gap between these two were therefore determined and analysed in order to determine the reasons and causes. From these, the PSC identified areas for improvement as well as capacity challenges. Furthermore, the PSC recommended possible solutions for departments to strengthen their capacities to ensure that the needs of citizens are met.

Services identified
A process of extensive consultation, involving the PSC, Departments of Water Affairs and Forestry, Agriculture as well as Land Affairs, resulted in the selection of 14 services across these three departments for inclusion in this survey. The services of these departments are designed to cater for specific economic and infrastructure interest groups.

An outline of the departments and their services is provided below.

<table>
<thead>
<tr>
<th>Department of Agriculture</th>
<th>Breeding Certificates and Authorisations</th>
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<tbody>
<tr>
<td></td>
<td>Import Permits</td>
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<tr>
<td></td>
<td>Farmer Settlement</td>
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<tr>
<td></td>
<td>Bursaries, Internships and Experiential Training</td>
</tr>
<tr>
<td></td>
<td>Agricultural Engineering Services</td>
</tr>
<tr>
<td>Departments of Land Affairs</td>
<td>Cadastral Surveys Information Supply Service</td>
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<tr>
<td></td>
<td>Surveys and Mapping</td>
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<tr>
<td></td>
<td>Restitution of Land Rights</td>
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<tr>
<td></td>
<td>Land Reform</td>
</tr>
<tr>
<td></td>
<td>Deeds Registration</td>
</tr>
<tr>
<td>Department of Water Affairs and Forestry</td>
<td>Billing of Major Water and Forestry Users</td>
</tr>
<tr>
<td></td>
<td>Licensing of State Forest Land</td>
</tr>
<tr>
<td></td>
<td>Authorisations for Water Disposal</td>
</tr>
<tr>
<td></td>
<td>Authorisations for Water Use</td>
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</tbody>
</table>
KEY FINDINGS

The graph below depicts overall satisfaction scores by respondents for each service across the three departments.

The overall satisfaction scores for the departments were 79% for the Department of Agriculture (DOA), 73% for the Department of Land Affairs (DLA) and 71% for the Department of Water Affairs and Forestry (DWAF). The satisfaction scores for DOA ranged from 68% (Farmer Settlement) to 81% (Engineering Services) while that of DLA ranged from 62% (Restitution) to 79% (Surveys and Mapping). For the services offered by DWAF, the satisfaction scores ranged from 67% to 79%. The average percentage for this survey including the previous two is 71%. The Department of Agriculture must be particularly acknowledged for the achievement of a high level of satisfaction by their clients.

Highest and Lowest Scoring Services

- On a service level, the highest-scoring services were Agricultural Engineering (81%), Breeding Registrations (80%), Surveys (79%) and Authorisations (80%), Surveys and Authorisations (79%) and Licensing of Activities on State Forest Land (79%).

- The lowest-scoring services were Farmer Settlement (68%), Land Reform (68%), Restitution of Land Rights (62%), Authorisations for Water Use (69%) and Billing of Major Water Users (67%).

Strengths

- The analysis of the strengths, weaknesses, opportunities and threats facing each department clearly indicates that there are common strengths across all the departments, for example, the majority of clients indicated that they had received individual attention when requesting the services.
- Clients were satisfied with most aspects and issues relating to staff, and found them friendly, helpful and courteous. However, the availability of knowledgeable staff at some places was not satisfactory.
- The departments were rated as accessible and the operating hours were seen to be convenient in most cases. Clients who had visited physical service points, found them to be clean and safe environments, and the majority of them felt that the services they had received provided value for their money.

Weaknesses

- The majority of clients indicated that they were certain that they would receive the services they required the first time around. However, some service delivery gaps were identified between the levels of service clients expected and the levels of service they actually received. Many clients indicated that they experienced lower levels of service than they had expected, which negatively influenced their level of satisfaction.
- The overriding weakness of the services of all the departments related primarily to turnaround time. Although the average turnaround time for each service was different, clients were duly dissatisfied.
- The complexity of the application processes and inadequate information about the services and processes were also noted as concerns for many of the clients across most services and all departments.
- The results also show that signage, and subsequent finding of the correct counters/assistance at service sites was unsatisfactory.
- Although the number of complaints
lodged by clients was not particularly high, an issue that is of great concern is that the majority of the clients who had lodged complaints were dissatisfied with the manner in which the complaints were handled.

- Overall, there was a low level of consultation with clients. Service delivery and the alignment of services with the needs of users can only be improved if clients are consulted.

- Record-keeping and accuracy was noted by both the clients and the researchers as deserving attention. Most service delivery components had poor record-keeping systems.

**Opportunities**
- Most services are accessible through other means and clients are willing to utilise the Internet.

**Threats**
- Some clients prefer to utilise private sector service providers.

Although there seems to be an improvement, overall, Public Service entities must build their capacity in order to enable them to meet citizens’ expectation pertaining to service delivery. The following capacity challenges facing the three departments were identified:

<table>
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<tr>
<th>AREA</th>
<th>CHALLENGE</th>
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| Human resource| Satisfaction with staff is an aspect which is crucial in the overall satisfaction with service delivery. Overall the clients held favourable opinions of the staff and found them neat, friendly and professional. However, in some services, staff and subsequently service delivery were not very efficient with expectations of service delivery higher than that of the actual level of service received. Certain services were highlighted as the ones with a very low efficiency, namely Farmer Settlement (-2.6), authorisations for water use (-2.3) and billing services (-2.1). If taken into account that scores of between -0.5 and -1.0 are of concern (but not of immediate concern), the above large gaps should thus receive immediate attention from the relevant departments.  
- While the type of attention given to clients during their interaction with the service providers may not seem important, it is an emotional issue for some (farmer settlement and land restitution) and it influences their perception of the service either positively or negatively. A positive factor is that a total average of 88% respondents indicated that they received individual attention, but on the other hand only 67% revealed that they were informed about the processes while a much higher percentage (78%) were satisfied with the fact that they received sufficient information during the whole period of interaction. |

Record-keeping and accuracy was noted by both the clients and the researchers as deserving attention. Most service delivery components had poor record-keeping systems.
### Administration

- Accessibility of service points was overwhelmingly found to be good. However, users of the Billing of Major Water and Forestry Services, Authorisation for Waste Disposal and Farmer Settlement did not find services satisfactory. Most users of services indicated that they would prefer access to services by Internet.
- On average, 84% of the clients from DOA, 75% from DLA and 65% from DWAF indicated that the turn-around time for services was reasonable. The most negative clients were from Farmer Settlement (41%) and Land Restitution (36%). Clients applying for authorisations for Waste Disposal indicated that authorisations take three months to be issued.
- Record-keeping and accuracy of information were not measured, but on enquiry about problems experienced, the following replies from clients came up:
  - Permits and certificates incorrect;
  - Lost documents; and
  - Mistakes, errors and problems with accuracy of information, data, records and accounts.
  The factors mentioned above caused unnecessary delays in service delivery and are genuine capacity challenges facing the departments. Most services had poor and outdated record-keeping systems. Protocols for maintaining and updating client records have not been standardised. The limited application of technology to assist in archiving, updating and reporting on client particulars jeopardises the effectiveness of various services and the understanding of client profile.
- The complexity of applications/processes was another challenge identified.

### Consultation and Communication

- Generally, it was also found that signage was not adequate, forcing clients to ask for directions from attendants or other clients. On average only 27% said they used information boards to find their way.
- Although the number of complaints lodged by clients was not particularly high, what is of great concern is that the majority of clients (60%) who did lodge complaints were dissatisfied with the manner in which the complaints were handled. Most clients who lodged complaints were from Farmer Settlement, Agricultural Engineering, Land Reform and Water Usage.
- Overall, respondents indicated that the availability of information from departments was a primary problem.
It can be concluded that the Departments that participated in this survey generally met the needs of clients, as the majority of citizens were satisfied with the service they received. There are, however, several capacity challenges that have been identified and need management attention. The main problems are the turnaround time for applications and the lack of information.

Moreover, the following are issues that need immediate attention:

- Billing errors and response to queries
- Complexity of application processes
- Period of validity of authorisations
- Accuracy and record-keeping
- Complaints handling process
- Knowledgeable staff and decision-making
- Telephone management
- Consultation and communication
- Signage

RECOMMENDATIONS

The results from the survey have been used to form the basis on which to make recommendations for improvements to the services of the three Departments. Furthermore, these recommendations have drawn on the most common or serious service delivery capacity challenges highlighted by clients who participated in the survey. These recommendations serve to provide guidelines for addressing service delivery challenges in the light of the Constitutional values and principles that govern public administration and the Batho Pele principles.

<table>
<thead>
<tr>
<th>AREA</th>
<th>RECOMMENDATIONS</th>
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| Human resource capacity     | • The availability of competent staff on duty needs to be investigated and improved. More staff members have to be trained to improve competency and their availability in and around the service points should be improved.  
                               • It is also recommended that departments consider ways and means to centrally, and in a coordinated process, assist components to attend to all these recommendations. |
| Administration capacity     | • Turnaround time needs to be given top priority in all the services. Departments should evaluate their administrative processes in order to post gains in service delivery enhancement.  
                               • Signage has to be improved in order to ensure effortless access to services offered.  
                               • Departments should attend to complaints especially the complaints mechanisms and the use of complaints boxes and toll-free numbers. The details of an official or manager on duty should also be visible to all clients at all times.  
                               • Departments, who have not done it yet, should consider introducing access to their services via the Internet and also taking advantage of the available and advanced technology. This source could also be used to register clients and potential clients on a database, which would enable departments to distribute information to them.  
                               • In line with the Constitutional principle of ‘efficiency, economy and effectiveness’, departments must consider the simplification of application processes. Making forms readily available and reducing the complexity of the application and ordering processes (using simple formatting and language on forms) may further streamline the process.  
                               • Many of the recommendations can not be implemented properly without valid and updated records of clients. It is therefore recommended that attention be given to the development and application of workable record-keeping systems/databases. |
Consultation and communication

- Frequent consultations should be held with service users in order to determine their expectations.
- Users should be provided with more information on the processes involved and the time taken to achieve their end goals. By the use of service standards, based on the priorities of citizens, departments should ensure accountability in meeting client expectations.

*This article is based on the PSC’s report on *Citizen Satisfaction Survey: Economic and Infrastructure Services Sector*. A comprehensive list of references is contained in the report.*
INTRODUCTION

The South African Public Service has undergone a number of reforms since the advent of democratic rule in 1994. Throughout these reforms, the guiding imperative has been the repositioning of the Public Service to be responsive, and to ensure efficient and effective service delivery to the public. In essence, Public Service institutions have been entrusted with the responsibility to manage public resources and to deliver quality services to the people.

At the top of the administrative echelon of the Public Service, Heads of Department (HoDs) are effectively the administrative drivers of government’s Public Service delivery programme. They thus shoulder the most crucial role of ensuring that service delivery objectives of their respective departments are actually achieved. It is therefore logical to ensure that service delivery plans of departments are aligned to the strategic priorities of government and that the key performance areas of HoDs are aligned to the strategic plans of their departments. Such alignment helps to create a basis for effective monitoring of the performance of HoDs and for holding them accountable for the achievement of the objectives that fall within their scope of responsibility. Accordingly, the effective implementation of performance management systems remains a critical tool for promoting accountability in the Public Service.

The Public Service Commission (PSC) has been facilitating the evaluation of the performance of HoDs since the 2000/2001 evaluation cycle, thus ensuring accountability at the highest level of the Public Service administrative leadership. However, over the years there has been a noticeable decline in the number of HoDs whose performance get evaluated. The PSC is understandably concerned that unless urgent action is taken to address the procedural challenges facing the evaluation process, compliance with the Evaluation Framework may never be realised. This article is therefore meant to highlight the challenges around the implementation of the Framework for the Evaluation of HoDs in the Public Service.

PROCEDURES AND CHALLENGES

A Framework for the Evaluation of the Performance of HoDs was adopted by Cabinet in November 2000, to assess the performance of the highest administrative echelon of the Public Service leadership. This framework is based on the Performance Management and Development System (PMDS) for Senior Management Service (SMS), which was implemented in April 2000. The framework was initially mandatory for national HoDs but in 2002 the PSC approached Cabinet to declare this directive mandatory for provincial HoDs with effect from 2002/2003 financial year. It is in terms of this Framework that the PSC facilitates the evaluation of HoDs.

The evaluation process

The responsibility to evaluate HoDs lies with Executing Authorities (EAs). At the beginning of each financial year, the EA and the HoD must enter into a Performance Agreement (PA) in which they agree on the goals and objectives that the HoD will achieve in that particular year. After the PA is signed it must then be submitted to the PSC for filing. At the end of the financial year the EA must arrange for the evaluation of the HoD by appointing a panel that will assess the performance of the HoD and advice the EA on the level of the HoD’s performance.

The EA is expected to provide the PSC with documents that will be used during the panel meeting. These documents
include the Performance Agreement, the Verification Statement, the Departmental Strategic Plan and the Annual Report. The Verification Statement (VS) is a statement by the HoD which states the HoD’s achievements during that particular financial year, and it is based on the Performance Agreement. The VS must be agreed to and signed by both the HoD and the EA. The EA must also set the date and venue for the evaluation meeting.

All Evaluation Panels are chaired by PSC Commissioners and the Office of the Public Service Commission acts as secretariat for the Panel. The Evaluation Panel is expected to assess the HoD’s performance based on what was agreed upon in the PA and what has been achieved according to the Verification Statement and the Annual Report. The EA and the HoD also give oral evidence of the HoD’s achievements during the panel meeting. Based on evidence given, the panel formulates a recommendation on the HoD’s level of performance and identifies developmental areas for the HoD. The EA has the prerogative to either accept or decline the advice given by the Panel. The level of the HoD’s performance agreed on has an impact on rewards (pay progression and/or cash bonus).

Compliance with requirements

Since inception of the Framework for the Evaluation of HoDs during the 2000/2001 financial year, there was a steady increase in participation and compliance, particularly during the 2002/2003 financial year. The 2003/2004 evaluations showed a sharp decline on compliance where only 51% of HoDs who qualified were evaluated. PSC’s records show that 61 HoDs were evaluated in terms of the Framework in 2001/2002 as compared to 44 in 2003/2004 (see Table 1 below). Although 73 HoDs qualified to be evaluated during 2004/2005, only 43 (59%) were evaluated by November 2006. For the 2005/2006 financial year, only 11 HoDs have been evaluated by January 2007. Even though the 2005/2006 evaluations are still continuing, the figures are worrying given that ideally evaluations for 2005/2006 should be completed by April 2007.

Table 1: Number of HoDs evaluated since the implementation of the Framework for the Evaluation of HoDs

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<tbody>
<tr>
<td>National</td>
<td>12</td>
<td>23</td>
<td>21</td>
<td>12</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Provinces</td>
<td>23</td>
<td>38</td>
<td>31</td>
<td>32</td>
<td>30</td>
<td>5</td>
</tr>
<tr>
<td>Totals</td>
<td>35</td>
<td>61</td>
<td>52</td>
<td>44</td>
<td>43</td>
<td>11</td>
</tr>
</tbody>
</table>

This is a worrying trend especially given the fact that the Framework is in its sixth year of implementation. The PSC had hoped that after five years of implementation there would be at least 80% compliance. The reasons for non-evaluation of HoDs ranges from documents not submitted to the PSC by the EAs; the HoD not in the post for a full financial year as is required by the Framework; PA not agreed to by the EA and the HoD; and the HoD being in an acting capacity.

Core to the performance management of HoDs is the filing of the Performance Agreements with the PSC. In terms of a Cabinet decision of December 2002, HoDs must file their PAs with the PSC by end of June each year. However, the statistics show that 25 PAs out of 37 HoDs nationally were submitted for 2005/06 and 67 out of 103 provincial HoDs were submitted. To date, there is 63% submission for both national and provinces for the current financial year.

Future developments

Some members of the Evaluation Panels have raised concerns that the evaluation of the HoDs and the outcome of these evaluations is not a true reflection of the level of performance of their departments. As a result the PSC has developed an Organisational Performance Assessment Instrument that will assist to gather and analyse information regarding the performance of departments. This instrument will assist in closing the gap between the individual (HoDs) and organisational performance.
assessment. The information derived from this instrument will be used to give feedback to EAs on the performance of their departments. The information will also be made available to Panel members assessing the performance of the HoD.

**CONCLUSION**

The noticeable decline in the number of HoDs that are evaluated is a serious cause for concern for the PSC. The HoD evaluation process continues to face several challenges that have made it impossible to attain full compliance with the Framework.

The PSC has continuously engaged the Executive and Parliament in an endeavour to improve the level of compliance with the Framework. Key challenges facing the process have been brought to the attention of the Executive and Parliament with proposals on how they should be dealt with.

Performance management is a strategic tool for effective human resources management and when properly applied leads to improved organisational performance. The fact that EAs and HoDs have not fully complied with the Framework for Evaluation of HoDs is worrying. If the highest management echelon in the Public Service does not take this important process seriously, it will translate to the rest of the Public Service not taking this process as an important step towards accelerating service delivery.

*This article is based on the PSC’s internal report on the Implementation of the Framework for the Evaluation of HoDs in the Public Services. A list of references is contained in the report.*

“It is therefore logical to ensure that service delivery plans of departments are aligned to the strategic priorities of government and that the key performance areas of HoDs are aligned to the strategic plans of their departments.”
INTRODUCTION

The Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (PAJA), is a pioneering legislation aimed at changing the way government interacts with the people it serves. The Act seeks to protect the public from unlawful, unreasonable and procedurally unfair administrative decisions. It gives people affected by administrative decisions the right to be informed that a decision is to be taken, to be given reasons for decisions and to have decisions reviewed in court.

One can also not overlook the fact that PAJA is an extremely challenging piece of legislation. Moreover, the ability to understand and the capacity to implement PAJA determine the level of compliance within departments.

Based on this context, the Public Service Commission (PSC), Department of Justice and Constitutional Development (DoJ&CD) as well as German donor agency (GTZ) cooperated in undertaking research aimed at reviewing the ability of the Public Service to implement PAJA. This article, therefore, seeks to provide an overview of the study, the findings and the recommendations made to enhance the implementation of PAJA.

The article also provides insight into issues around the capacity of the Public Service to comply with the requirements and the extent to which human rights are being promoted and protected.

BACKGROUND

PAJA needs to be understood in the context of both the Constitution of the Republic of South Africa, 1996, with its Bill of Rights, and the history of our country, which requires the provision of equitable and quality services for all South Africans.

It must also be noted that PAJA will only become more effective if it is promoted and applied appropriately. The conclusion is that a culture of compliance with the constitutional values of openness, transparency and accountability is required to ensure that the implementation of PAJA is more than merely legalistic compliance.

In order to understand issues around non-compliance, the purpose of the study was to:

- assess the degree to which public servants and staff in civil society organisations are aware of PAJA;
- assess the current status of compliance with the provisions of PAJA in national, provincial and local government, and selected civil society organisations;
- assess the extent to which administrative decisions meet the fairness standards stipulated in PAJA; and
- identify the reasons for non-compliance in agencies where support and promotional activities had been undertaken, as well as in those where they had not.

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Compliance with the Promotion of Administrative Justice Act, 2000
(Act No. 3 of 2000)

Public Service Commission
December 2007
RESEARCH INSTRUMENTS AND METHODOLOGY

The research focused on Public Service institutions at all three levels of government. The following departments were included in the sample and the reasons for their inclusion are briefly outlined.

- A national department that provides services directly to the public. The Department of Home Affairs was ideal as its services have a profound impact on the lives of citizens, immigrants, and foreigners. Interviews were held at the national and district office levels.
- Two provincial departments. One whose officials received formal training on PAJA (the Northern Cape Department of Social Development) and one whose officials did not receive such training (Limpopo Department of Health and Social Development).
- One local authority that had received training on PAJA (City of Cape Town). The intention was also to include one local authority that had not received training, (City of Tshwane Metropolitan Municipality), but interviews with this local authority did not materialise.
- A small selection of Gauteng based civil society organisations that assist citizens in getting access to services.

A research instrument was developed and comprised the following:

- A one-page, anonymous awareness questionnaire that simply asked whether respondents had heard of PAJA, and if so, what they knew about it and what the sources of their knowledge were. This questionnaire was distributed in an ad-hoc fashion. On average, 50 of these were completed for each department researched.
- A questionnaire to interview administrative decision makers on the procedures they used to reach decisions, their own attitudes to PAJA and the need for it, their perceptions of their superiors’ attitudes to PAJA, and what they believed was needed to become compliant with it. Between 8 and 10 of these interviews were undertaken in each department.
- A questionnaire to review what institutions were doing to implement PAJA in a systematic manner. This questionnaire was completed for each department.

KEY FINDINGS

Awareness of PAJA

There is a very low level of awareness of PAJA in both the national and provincial departments and a higher level of awareness in the local authority and civil society organisations as illustrated by the table below.

Table 1: Impact of Training - Comparison between institutions where training had been provided and those where no training had been provided.

<table>
<thead>
<tr>
<th>Name of Department</th>
<th>Training provided</th>
<th>Never heard of PAJA</th>
<th>Heard of PAJA but know nothing about it</th>
<th>Heard of PAJA and knew something about it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Home Affairs</td>
<td>No</td>
<td>96%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Northern Cape Department of Social</td>
<td>Yes</td>
<td>50%</td>
<td>28%</td>
<td>22%</td>
</tr>
<tr>
<td>Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
It can therefore be concluded that:

- There is a very low level of awareness. This is of great concern especially for those entities that have substantial public interface and provide vital services to the public.
- Training should, therefore, be regarded as valuable and must be increased. It seems that formal courses and workshops are the main sources of information about PAJA.
- Even though some training was provided to staff in certain institutions, the level of awareness was still very low and there is clearly a need for more training. Responses indicated that staff knew that PAJA requires decisions to be fair only. There was generally no mention of the need to provide reasons for decisions. This shows a very limited understanding of PAJA.
- It can, however, be noted that training created a greater level of awareness in the Northern Cape Department of Social Development and the Cape Town Metro than those where no formal training had taken place.

In addition, there seemed to be no awareness of the time limits set by PAJA to respond to requests (i.e. within 90 days) and little effort is made to ensure that applications were considered within the limitation set by PAJA.

One can therefore argue that without awareness and knowledge of legislation, and the systems to implement the legislation, which are two critical building blocks, appropriate implementation will always be lacking. Overall, Public Service institutions should invest in training their staff in order to ensure capacity to fast-track the implementation of PAJA.

- Generally, with the exception of the Northern Cape Province and the City of Cape Town, responses indicated that there were almost no efforts to ensure compliance by institutions.
- The Northern Cape Province followed a specific implementation process by appointing Compliance Officers with the responsibility of implementing PAJA. The mainstreaming of PAJA is evident in the higher levels of awareness in the Province. The establishment of Compliance Officers is a good practice as PAJA was institutionalised in this manner.
- Procedural changes to procedures of the City of Cape Town were made to ensure compliance with PAJA, including documentation of workflows and procedures, centralised receipt of appeals, the appointment of an ombudsman, the creation of a standing committee to deal with certain appeals and an increase in the time for lodging of certain objections. This highlights the importance of detailed knowledge of

<table>
<thead>
<tr>
<th>Limpopo Department of Health and Social Development</th>
<th>No</th>
<th>86%</th>
<th>9.6%</th>
<th>3.8%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local authority - City of Cape Town</td>
<td>Yes</td>
<td>60%</td>
<td>6%</td>
<td>34%</td>
</tr>
<tr>
<td>Civil society organisations</td>
<td>In some instances</td>
<td>32%</td>
<td>26%</td>
<td>42%</td>
</tr>
</tbody>
</table>

**Compliance with the provisions of PAJA**
- It seems that while there was a general and discernable desire and intention to make administrative actions fair and just, the PAJA legislation did not necessarily result in the alignment of administrative practices with its requirements.
the requirements of PAJA and the ability to align internal processes to the requirements. The procedures for making decisions (building plan applications, the holding of public gatherings, zoning applications, business licenses, and water disconnections) were clearly stated in written policy documents and in some instances, it was supported by electronic applications. Deviations were authorised by responsible managers and the scope for discretionary decision-making seemed well regulated and controlled.

• The right to appeal social security decisions is enshrined in the Social Security Act, 2004 (Act No 13 of 2004) and procedures for dealing with requests for reasons were well established in the departments. The study found that exercising of this right by the public stems from this provision in the Social Security Act rather than the application of PAJA.

POSSIBLE STRATEGIES TO INCREASE PAJA COMPLIANCE

There is enough evidence to conclude that there is, generally, a shortage of capacity amongst public servants to implement PAJA. The key driver to comprehensive compliance with PAJA is knowledge, which can be achieved through proper training. There is also a need to introduce strategic plans for the implementation of PAJA, which should also clearly spell out responsibilities.

Government institutions should therefore acknowledge that a skilled workforce that is knowledgeable about the requirements of PAJA is critical to ensuring the successful implementation of government programmes aimed at consolidating democracy.

The following are some key interventions that can facilitate compliance with PAJA.

Awareness and communication
• More needs to be done to promote PAJA and encourage the implementation of its provisions. Targeted and strategic efforts are needed to increase awareness of PAJA to address the current limited, often vague understanding of it.
• Awareness raising activities should also address the culture in the Public Service, specifically with regards to informing the public of their right to appeal decisions, instead of keeping quiet in order not to “invite trouble.”
• A strategy for integrating PAJA awareness raising activities into other Public Service programmes (e.g. induction courses, Batho Pele initiatives, and service delivery improvement programmes) should be sought, especially in partnership with the Department of Public Service and Administration (DPSA) and South African Management Development Institute (SAMDI).
• Increased use of electronic media and direct emails to staff with access to computers should be made. Departmental web sites should clearly inform citizens of their right to appeal and to whom appeals should be addressed in relation to the specific services provided by the department.
• A dedicated link on the government web site www.gov.gov.za should be created to inform citizens about PAJA, the obligations it places on government and its implications for themselves. A summary of the main provision of PAJA should be posted on the web site. This could be linked to other DoJ&CD or DPSA web sites, but it should be clearly and immediately visible on the www.gov.za web site.
• A short handbook, similar to the A5-sized books on the Constitution and the Public Service Code of Conduct, should be compiled. It should be written in a language that is accessible and easily understood by end users.
• A summary handout, highlighting the main provisions of PAJA, should be developed.

Training
• Awareness raising activities should be supplemented by the provision of training and by developing practical guidelines and procedures that consistently ensure fairness in administrative decisions. Innova-
Effect if training needs on PAJA compliance

- Internal departmental training components officials should be targeted to undergo train-the-trainer courses, to enhance awareness of PAJA and ensure greater compliance with PAJA in their respective departments.

- The summarised PAJA handout can be distributed as part of related training programmes. The material should give a summary and explanation of the main provisions and requirements of PAJA.

- Material on PAJA should be integrated into all internally provided training programmes by developing a brief, accessible information/training module.

- A standard short course, possibly of just a single day’s duration, which can be delivered by experienced and competent trainers, should be developed. The course could also be tailored to address the training needs of civil society organisations.

- Training that is topical, related to specific jobs, and based on common and everyday-related situations requiring the application of PAJA, should be developed.

**Integration with other government programmes**
- PAJA promotion should be included in current and future Batho Pele promotion initiatives.

**Integration with business processes**
- The business processes in departments need to be systematically mapped, clearly indicating where and by whom decisions are taken. Manuals and guidelines that prescribe procedures, identify where decisions are made and assist in minimising deviations from specific processes should be developed to enhance PAJA compliance.

- Consideration should be given to amending the provisions of PAJA allowing 90 days for the processing of requests, since this is regarded as excessive. Exceptions could still be provided for, should a shorter period be adopted.

- Support should be provided to all government departments to become PAJA compliant. Although respondents suggested the development of a certification process through which institutions or programmes can be certified as being PAJA compliant. However, careful consideration should be given to the consequences of such a process, which may result in a multitude of certificates being issued.

**CONCLUSION**

Notwithstanding the difficulties around implementing PAJA, overall, it seems that there is a general desire and intention by the Public Service to make administrative actions fair and just. Nonetheless, PAJA legislation has not necessarily resulted in Departments aligning their administrative practices with its requirements. Moreover, the low level of awareness around PAJA suggests that the Public Service lacks the necessary understanding and therefore the capacity to comply and implement PAJA requirements. In this regard, the Public Service should prioritise training around the Act.

Ultimately, PAJA will only become more effective if it is promoted and applied appropriately. The Public Service should strive to improve its capacity to deliver on the requirements of PAJA thereby ensuring that it does not subject citizens to unlawful, unreasonable and procedurally unfair administrative decisions. In essence, a culture of compliance with the constitutional values of openness, transparency and accountability is required to ensure that the implementation of PAJA is more than merely legalistic compliance.

*This article is based on the PSC’s report on Compliance with the Promotion of Administrative Justice Act, 2000 [Act No. 3 of 2000]. A comprehensive list of references is contained in the report.*
INTRODUCTION

With the advent of democracy in 1994, one of the government’s key priorities was to eradicate poverty. Now, more than a decade later, poverty still remains a challenge.

Nonetheless, apart from the social security programmes which are currently major instruments for redressing poverty, both national and provincial departments have been implementing a broad range of developmental interventions to address poverty. Although these programmes have largely been allocating funds to the neediest sectors in the country, the impact of some of them has still been limited, especially amongst the ultra poor. Concerns that have been raised about these programmes include poor coordination, poor integration of service delivery, lack of proper processes, exclusionary practices and a lack of monitoring and evaluation. Another concern, which is possibly overlooked, is whether the Public Service has adequate capacity to implement poverty eradication measures.

Given this context, the Public Service Commission (PSC) decided to undertake a series of evaluations of government’s poverty reduction programmes. In preparation for such an evaluation, the PSC had to first undertake an Audit of current poverty reduction programmes and projects, as a first phase of the project. The aim of the Audit was to gain a better understanding of the definitions used to describe poverty and the interventions implemented to address it as well as the criteria used to categorise interventions. This article therefore strives to provide a summary of the findings of the Audit as well as some comment around the state’s capacity to implement poverty reduction programmes.

AIMS OF THE AUDIT

The purpose of the Audit was to provide all the necessary definitions, criteria and data on government programmes aimed at poverty reduction. The idea is that, once the universe of projects and programmes being implemented by the national and provincial departments has been defined, a realistic and representative sample could be drawn to evaluate. This will enable the PSC to implement Phase 2 of the project which will entail a series of evaluations of the success of selected programmes and projects.

To achieve the purpose of evaluating government’s poverty reduction programmes and projects, the following three objectives were set for the Audit:

- to define what is meant by poverty relief (and related terms);
- to develop criteria for the classification of poverty relief programmes and projects; and
- to develop and populate a database on poverty relief programmes and projects in all government departments at national and provincial level.

SUMMARY OF FINDINGS

Definition of poverty

In South Africa, there is little or no
consistency in the manner in which different terms are used (i.e. “poverty alleviation,” “poverty relief,” “poverty eradication,” etc.), but there is an understanding that there are in fact different types of interventions aimed at addressing poverty. This was confirmed by both a scan of the literature and interviews with government officials. The central distinction, as with the case of “poverty alleviation” versus “poverty eradication”, is between ‘welfare’ and safety-net type measures and ‘development’, as most visibly illustrated by the shift in thinking which was reflected in the name change from Department of Welfare to Department of Social Development.

At one level, the distinction between welfare interventions and developmental interventions is very real. Clearly the activity of disbursing grants is entirely different from supporting an income generating project or financing the transfer of land to poor people. However, at another level – that of impact – it is important to be cautious: it appears that it is not correct to assume that grants only assist poor people in terms of short-term relief from income poverty, while developmental interventions, by contrast, ‘teach them to fish’. There is credible research to the effect that South Africa’s social grants are in fact quite developmental, while a lot of would be developmental initiatives are not.

Since the anti-poverty activities are referred to as “programmes” and “projects” in this Audit, working definitions of both are provided:

- A poverty reduction project is a systematic process of activities aimed at achieving a decrease in the number of individuals or households that are unable to meet his/her basic human needs. It has a cost parameter and a time defined for its development.
- A poverty reduction programme is a portfolio of projects related to the common objective of reducing poverty in a specific functional area (e.g. the Comprehensive Agricultural Support Programme of the Department of Agriculture) or a combination of functional areas (e.g. the Expanded Public Works Programme combining inter alia infrastructure, environmental and culture, economic and social related projects).

In selecting criteria for categorisation of projects and programmes, two issues were considered. In the first instance, that the categorisation should lend itself to future monitoring and evaluation; and in the second instance, that it should resonate with the way that decision makers see their various endeavours. The first approach defines programmes by the type of poverty that they address (i.e. income, capability, asset, special needs and social insurance). The second approach simply defines programmes based on the existing programme interventions (i.e. social security, free basic service, subsidised services, housing, land reform, income generating and public works). This latter, more practical approach, was eventually decided upon to guide subsequent work.

After engaging various stakeholders and also because government policy does in fact recognise the multi-dimensional nature of poverty, as evidenced by its attempts to address poverty in a number of different ways, the PSC is adopting a working definition of poverty that is as broad and encompassing as possible. That is, “an individual or household is said to be in a state of poverty when they have no income or have an income below the standard of living or are unable to meet their basic human needs”.

Database of poverty relief programmes / projects

In addition to gaining a better understanding of the definitions used to describe poverty and the interventions implemented to address it as well as the criteria used to monitor and measure interventions, the Audit was also intended to develop a database consisting basic information on all the poverty eradication programmes and projects.

The database was designed to contain fields and capture aspects of the most important information needed to populate an extensive database of poverty reduction related programmes and projects. These aspects included the programme and project name, main activities, contact details, budget information, location of projects (by municipality), outputs, beneficiaries, etc. Furthermore, the database was also designed with the future requirements of government in mind.
A major challenge for this project was that no central national database of poverty reduction programmes and projects was in place. It was also established that apart from the programme and project inventories in the Free State, Limpopo and North West, no such database existed at a provincial level. This meant that information had to be sourced from the national and provincial departments themselves. Furthermore, both programmes and projects did not have sets of unique numbers to distinguish them from one another, which means that it was difficult to pick up duplicate projects in the data sets and to do comparative analyses of programmes and projects from one year to another. A future requirement of any central database would be to identify both a core set of variables for which information on programmes and projects needs to be collected and a set of indicators for measuring the impact of programmes. Norms and standards should also be developed on the collection of information on programmes and projects and its storage in a database. Notwithstanding all the hurdles, eventually a database of more than 40 programmes that contained more than 29,900 projects was produced. However, many more important national and provincial programmes could have been incorporated if support from some departments was forthcoming.

On the issue of monitoring and evaluation, The Presidency has been identified in the Programme of Action as the ideal department to take forward the development of a government-wide monitoring and evaluation system. The Audit recommends that The Presidency take responsibility, in consultation with National Treasury, Statistics South Africa and the PSC, for the development and maintenance of the database of government’s poverty reduction programmes and projects. Furthermore, it is recommended that the database be updated on an annual basis. In addition, a standardised set of variables and indicators for each programme and project need to be developed and adapted for department specific circumstances. Moreover, appropriate business processes to ensure the proper recording of information on programmes and projects need to be developed. In this regard, there is a need for government to develop a system that allows programmes and projects to be provided with unique identifier codes or numbers. It is also critical that geographic information on the projects is provided and that the sub-place names database of Stats SA becomes the official source to be used for geolocating projects.

INITIAL PERCEPTIONS ON CAPACITY OF THE STATE TO IMPLEMENT THESE PROGRAMMES

The seemingly limited capacity and lack of resources at national and provincial departments to deal with requests for information on programmes and projects prevented the project team from compiling a comprehensive list of poverty reduction programmes and projects. It was also concluded that there is generally a lack of systems and standards when it comes to information management and reporting. This surely led to the perception that capacity to implement these programmes is underdeveloped. Ultimately, the key issue is to ensure that departments demonstrate the capacity to design, plan, implement and monitor these programmes in such a manner that they achieve their objectives. The initial impression gained from the Audit, especially the effort involved in just getting data from departments, is that capacity is limited. Most importantly, there is a need for national strategy as well as norms and standards for the implementation of poverty reduction programmes. Only when these programmes are conducted in a comprehensive, coherent and coordinated framework will government succeed in achieving its development goals.

In the second, actual evaluation phase of the project, the PSC hopes to gain a thorough understanding of the successes / shortcomings and challenges faced by these developmental programmes.

*This article is based on the PSC’s Report on an Audit on Government’s Poverty Reduction Programmes and Projects. A comprehensive list of references is contained in the report.*
9. Challenges in Recruiting Professionals for Provincial Service Delivery

By Dr. GA Lawrence
Director-General
Provincial Government, Western Cape

INTRODUCTION

Globalisation has arguably propelled the art or science of recruitment into a market activity on a worldwide scale. One of many consequences is that various employment and labour broking agencies have become thriving businesses. In fact, the increase in activities and influence by these agencies can be ascribed to the ever changing nature of work and work organisation (production and/or service delivery processes and methodologies), mainly caused by rapid economic activity and expansion; as well as technological advancement and modern information systems.

The contemporary situation for developed and developing countries alike is a paradox of intense public and private sector competition in attracting semi to highly skilled professionals across conventional international, regional and domestic boundaries. It is, therefore, this article’s supposition that the challenges in recruiting of professionals for provincial service delivery lies in addressing the fundamentals of human resource (HR) management at a strategic and practical level. This comes in the face of an increasing international debate about the changing role and function of HR, where the global economies of scale scenario – international, regional and domestic - reflects a bias against the domestic public sector of developing countries.

Furthermore, in clarifying the challenges associated with the above-mentioned fundamental question for provincial service delivery, one must note that developing countries are also faced with particular socio-economic circumstances that potentially have led to more intensive and increasing demands for effective and efficient service delivery.

South Africa, as one such developing country, which on the strength of its adopted developmental state approach is presently faced with both strategic and practical challenges in recruiting (and retaining) professionals for service delivery at provincial level. The South African scenario can arguably compare with other developing countries with a similar socio-economic standing in present day historical development terms.

The nature of services and type of professionals required in a development state

In South Africa, the nine provinces’ service delivery mandate is essentially constitutionally prescribed and the medium term priority focus in such regard are set from time to time by its national government. The State of the Nation Address, the National Plan of Action, and ASGISA, both state and declare these mandates. Thus, the service delivery agenda is determined nationally and implemented provincially and locally (municipal level).

The provincial service delivery mandate thus specifically and jointly includes amongst others, the provisioning of public education, health services, maintenance and development of roads and transport infrastructure, housing development, agriculture development, as well as enhancing tourism. In terms of its inter-governmental role provinces perform an oversight role in respect of integrated and coordinated development and planning at municipal level. The provincial service delivery process in this regard is therefore strategically guided by economic growth and devel-

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6 For the purpose of this article, this concept refers to complex economic activity and expansion by Multi-National and Trans-National companies that transcends all the boundaries and state formations of the contemporary world.
7 High poverty, unemployment, low skills levels and literacy levels, as well as the HIV/AIDS pandemic.
8 For the purpose of this article, this approach can simplistically be described as the notion that the state has an important interventionist role to play in determining its own domestic socio-economic direction and future within existing market forces.
10 This refers to the South African government’s annual national programme of action, encapsulating yearly priorities as informed by its medium term developmental goals.
Development levers, which are significantly influenced by environmental and spatial considerations. In a medium to long term sense these are packaged in a typical Provincial Growth and Development Strategy (PGDS).

This strategic development approach determines the provincial government’s medium and annual service delivery program. This programmatic approach has now been intensified by the 2010 Soccer World Cup impetus especially in areas such as integrated transport and infrastructure projects.

It is arguable that it is in this mandatory context, together with the bureaucratic nature of government, that the strategic and practical challenges in recruiting professionals are contained.

**STRATEGIC CONSIDERATIONS**

**Changes in the skills requirement trajectory**

The PGDS, within the broader ASGISA context, in many ways, expresses what skills sets would be required from a short to medium term perspective. However, if provinces are to impact positively on South Africa’s millennium goals in addressing particular societal inequalities related to poverty and unemployment, then attracting and retaining certain specific occupations require further prioritisation: **health professionals** (these include specialist nursing and medical practitioners also in the areas of primary healthcare, community nursing, trauma, paediatrics); **legal occupations** (these include: prosecuting capacity in the justice system); **educators** (these include professionals who can teach in scarce subject fields of mathematics, science and technology, as part of national Further Education and Training focus); **social workers** (these refer to the appointment of professionals with a bias towards social redress and access to public social development services); **architects, town planners and engineers** (these include professionals with infrastructure development expertise in, for example, public works, transport, housing and spatial development); **finance and audit professionals**; as well as **skilled artisans**. These are not all generally classified as professional classes.

However; specialised skills alone are not sufficient within the developmental state. The over-arching skills sets required are in the unconventional professional areas of **programme management** and **project management**. This reflects government’s profound shift from a policy development focus to necessary service delivery implementation, monitoring, evaluation, and review activities for growth and development.

Such requirements imply a shift in the requisite skills-set trajectory. This is a fundamental move from a traditional professional focus to one where recruitment is guided by provincial delivery requirements. In a developmental state, it is proposed that HR management and practice is challenged to engage in recruitment activities that would reflect a multi-disciplinary, organisationally systemic and holistic approach, in the quest for attracting strategic leadership professionals who should develop alternative service delivery models that are custom-made for specific provincial circumstances without compromising quality and high standards.

Furthermore, this new requisite skills set focus does compel provincial governments to pursue a partnership approach with, amongst others, organised labour; organised business, broader civil society; higher education and training institutions, the SETA’s, state owned enterprises and other state entities.

**Labour migration**

Notwithstanding the raising of international security measures, the changing nature of work and work organisation – mainly due to new technology and information systems – have increased the free movement of people in general, and skilled professionals in particular. The search for skilled capacity is being made easier by the fact that we are now operating in a global village, where the internet is a vehicle to find and market talent for recruitment purposes. The present information age is complemented by formal regional arrangements ranging from the European Union (EU), the North Atlantic trade arrangements (via NAFTA) and to the South African Development Community (SADC) .

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6 This is an associate factor in the recruitment debate.

7 These professionals are not necessarily recruited into a provincial mandate, but are a key factor in community safety and crime prevention strategies of a province.
(African Union) and NEPAD, that makes the free movement of highly skilled professional persons possible across boundaries and borders. Success in providing ethical recruitment practices especially between north and south has been limited. South Africa is also challenged in this. One consequence is that whilst the private sector players and the public sector in developed economies are reaping the benefits, the public sectors in developing countries (like South Africa) are experiencing the so-called “brain drain”. The effects are particularly profound on provincial service delivery commitments and obviously vary from province to province.

Notwithstanding our own inter-provincial competition for scarce skills.

The pressure on developing countries is multi-fold and governments’ macro-economic policy options are constrained often to that of structural adjustment; and thus developmental interventions are geared towards competitive economic activity to attract foreign-direct investment (FDI). One adverse consequence for provincial Public Service delivery is that the labour market, in a job access and security sense, reflects an instability that does not appear attractive to professionals. However, whilst this has been argued to be a contributing factor for the exit of professionals from developing economies, it is more likely that professionals are offered a better dispensation by the receiving employer.

Atypical employment
As mentioned above, the concept of ‘work’ in terms of how it is regulated, its forms and organisation has changed radically. The consequent effect is the emergence of ‘atypical work’ – ranging from knowledge workers, project work and complex professional assignments to ordinary ‘casual work’. Whilst the Public Service in general has not escaped the criticism that the emergence atypical work is often associated with poor quality of working life, the high turn-over rate of those who fall in the skilled professional occupational categories must impact negatively on service delivery commitment.

A further relevant point to highlight here is that the annual to medium change in the service delivery agenda may lead to necessary transformation and restructuring exercises. Common consequent features are regular rationalisation, outsourcing, short term contract appointments, etc. This ongoing scenario requires another kind of flexible working arrangements, which could make it difficult to attract professionals. This is especially profound in the context of a developmental state where the labour legislative policy environment that is focussed (justifiably so) on attracting professionals from previously disadvantaged groups - especially women.

Moreover the challenge for provincial service delivery for South Africa is rather whether it is recruiting professionals that are representative of the communities that provincial governments serve. This is further compounded where the issue of language differences is concerned, in relation to education provisioning, health care and social development, to name but a few. The potential challenge here is that optimal delivery could be compromised and the essential or basic service could be available but not adequately accessible to the recipients because of barriers in communication; for instance, health consultation / examination.

Recruitment Policies & Practices
A peculiar, but often held to be a necessary feature of the Public Service, is protracted and cumbersome recruitment procedures and processes. It can take months before an appoint-
ment is made. The guiding policies in this regard are usually consulted with stakeholders like unions, as means of ensuring employee participation. Equally, appointments are made in accordance with legislative empowering provisions of the Public Service Act (1994) or legislation for such purposes in the public sectors such as education, health, justice and safety and security. Whilst these instruments are necessary for the purpose of ensuring good governance and preventing corruption, the cumbersome and highly regulatory nature frustrates the speedy appointment of a professional who might instead be recruited by the domestic private sector or elsewhere in the world. Why do we take so long?

The issue of remuneration packages, whilst subject to collective bargaining processes, remains a huge challenge for the public sector. I submit that whilst the public sector might attempt to compete with the private sector at entry level of certain occupational or professional class jobs, the battle is lost in favour of the private sector in the quest to retain skilled professionals with appropriate rewards. How adequate and appropriate are our reward systems.

**CONCLUSION**

Further answers to the challenges in recruitment of professionals for provincial service delivery can also be found in more innovative HR research. Some examples could be:

- more rethinking on the role and function of HR management and practice in a changing global context;
- HIV/AIDS in the workplace: the role of HR management and practice;
- HR management in a multi-cultural and multi-lingual corporate governance setting;
- HR management and practice in a developmental state Public Service context; and
- HR management’s direct change management role in restructuring exercises.

The changes in the world of work – nature of work, work organisation, service delivery models and production methodologies – have caused a paradigm shift from the conventional notion of the term professional to an unconventional concept. Programme management and project management have presented a new skills requirement trajectory, where scarce skills are required.

The particular circumstances faced by the public sector of a developing economy like South Africa, makes the case for innovative service delivery at provincial level. The strategic challenge at provincial Public Service level is mainly the cyclical shifts in government service delivery programme priorities to ensure national relevance, through effective alignment and efficient coordination. The practical challenge, in turn, at provincial level is proper project and programme management where budgetary and other resources (including human capital) are optimally utilised to achieve maximum positive impact on communities in need.

The recipe for greater service delivery impact at the South African provincial level, lies in real collaboration amongst the three spheres of government and key stakeholders; and joint further review and research in the continuous quest to retain HR’s strategic and practical relevance for a provincial public sector governance model, based on a developmental state approach in effecting economic growth and development.

**References**

INTRODUCTION

One of the aspirations of our people as reflected in the Preamble of our Constitution is the improvement of the quality of life of all citizens and maximisation of the potential of each person in our country. This is often translated into phrases or slogans such as ‘a better life for all.’

This aspiration is also the main, if not the only basis for the existence of a democratic government – a government ‘based on the will of the people’ and a government in which ‘every citizen is equally protected by law.’ It is in this regard that the drafters of the American 1776 Declaration of Independence held:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by the Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”

GOOD GOVERNANCE AND PUBLIC SERVICE DELIVERY

This view of the main purpose of a good government and thus the Public Service pronounced as far back as 1776 and even much earlier in African communities through phrases or expressions such as ‘morena ke morena ka batho’ (a leader is a leader through and because of the people) has found expression in numerous international human rights. For example, in 1993 at the World Conference of Human Rights held in Vienna, heads of states and governments declared through the Vienna Declaration and Programme of Action that ‘human rights and fundamental freedoms are the birth rights of all human beings (and that) their protection and promotion is the first responsibility of governments’.

The various provisions of our constitution have also recognised and entrenched this position. The very first provision of our Bill of Rights\textsuperscript{11} provides that human rights are the cornerstone of our democracy and that the state ‘must respect, promote and fulfil human rights’. The promotion and protection of human rights is thus the first task assigned to the state and by matter of fact and law, the Public Service. Section 1 of the Constitution also envisages a responsive form of governance for our people, a form of governance that in keeping with the Preamble of our Constitution cares for our people and is responsive to their needs.

Despite this indisputable role of a good and democratic government with its Public Service, the drafters of our Constitution, in recognition of the tendencies of many governments and public servants to either forget their role and responsibility to the people and or abdicate their role and responsibilities, saw it necessary to spell out very clearly the expected role the government, all organs of state and public servants are to play in relation to the needs and aspirations of our people. Chapter 3 of our Constitution\textsuperscript{14} thus provides the following as principles of good governance every organ of state and every public servant is required to adhere to:

- preservation of peace, national unity and the indivisibility of the Republic;
- securing the well-being of the people of the Republic; and
• providing effective, transparent, accountable and coherent government for the Republic.

These principles together with all provisions of the Bill of Rights as interpreted by the Constitutional Court and as supported by various statutes such as the Promotion of Equality and the Prevention of Unfair Discrimination Act, the Promotion of Access to Information Act and various other pieces of legislation inform the mandate or responsibility of the Public Service to our people. This mandate would entail, amongst other things:

• the right for the people to live in a free and safe society, free from crime and in an environment that is not harmful to their health or well-being;

• the right for the people to be free from poverty and have access to all necessary services such as roads, clean water, electricity and recreation activities; and

• the right of the people to have access to health and education facilities and the right to pursue their various trades and professions including access to jobs.

The people are thus entitled to demand from the various structures of the Public Service and public servants, the realisation of this mandate within available resources and within reasonable time frames. This mandate is indeed what those who want to be elected by the people to constitute government, promise the people to do if so elected. Public servants are thus those members of the public appointment by those elected to form a government in order to realise the promises made to the people by politicians and their parties.

The failure to meet the demands or rights of the public carries the risks of those unable to satisfactorily meet these needs or demands not being elected in forthcoming elections. However, the main challenge is what happens where such rights or demands are not met in between elections, which often take place every five years and where political interventions do not offer much assistance.

The courts of law provided for in Chapter 8 of the Constitution have been established to provide a forum where the people could take their disputes in relation to the failure of the Public Service to realise their rights. Section 35 of the Constitution gives every person in our country the right to access any appropriate court or another independent and impartial forum or tribunal in order to have any dispute resolved by such a structure. The problem with courts or related fora or tribunal is access to such structures by the poor and marginalised members of our communities.

In order to address these problems about the courts and related fora or tribunals, the Constitution provides for various state institutions supporting our constitutional democracy which could assist members of the public where their rights are not being satisfied. Amongst these institutions are the South African Human Rights Commission, the Public Protector, the Public Service Commission and the Commission for Gender Equality.

MANDATE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The mandate of the South African Human Rights Commission is to promote and protect the rights of all people in South Africa. One of its powers is to receive complaints on human rights violations and to secure appropriate redress for such violations. The Commission also has a mandate to monitor and assess the observance of human rights including rights pertaining to housing, health care, food, water, social security, education and environment. These rights constitute the core responsibility of the Public Service. The Commission also has a statutory mandate to ensure that the right of access to information through the Promotion of Access to Information Act is realised. This right is also important in terms of service delivery by the Public Service in that citizens have the right to know the progress or failures by the Public Service in meeting its fundamental mandate.

In its execution of its constitutional mandate, the Commission and other constitutional bodies can play an important role in assisting members of
the public to claim and assert their rights in relation to the Public Service but can also help the Public Service in meeting its primary responsibility, i.e. a better life for all.

CONCLUSION

In a country such as ours with major challenges around service delivery by the Public Service – poverty, inequalities, corruption and high levels of crime – it is important that we have an efficient and effective Public Service that is also responsive to the needs of our people. It is also important, however, that the public also plays its role by rendering necessary support and not just be arm chair critics. This is our country and our Public Service and we all need to work together to ensure that the Public Service does function properly. This requires constructive criticism and support where required. It is also important that public servants understand and appreciate their role and responsibilities. Unfortunately some public servants have no interests of our people and country at heart and simply see their roles in the public services as an opportunity to enrich themselves and friends at the expense of our people.

“The failure to meet the demands or rights of the public carries the risks of those unable to satisfactorily meet these needs or demands not being elected in forthcoming elections.”
11. A look at the Role of the Office of the Public Protector

By Charles Phahlane
Communications Manager
Office of the Public Protector

INTRODUCTION

The Office of the Public Protector is an institution that investigates complaints lodged against state organs and officials. It is an institution of last resort that is approached when all other remedies have been exhausted. The Office therefore strives to be accessible especially to those who cannot afford other, and often more expensive, remedies.

Complaining to the Public Protector

The Public Protector can be approached in many ways. A complainant can approach the Office directly to lodge a complaint by filling in a form. If the complainant is unable to write, officials are required by the Public Protector Act to assist. After completing a complaint form, the complainant then consults with an investigator who captures any crucial information that may have been left out, and in some cases, refer the complainant to a relevant institution. Such referrals can also be in cases where the Office of the Public Protector does not have jurisdiction.

Referrals and advice will also depend on the relief that a complainant seeks. Where a complainant seeks relief that only a court of law can provide, for example, the complainant will be advised to follow the legal route.

A complainant can also write to the Public Protector setting out the complaint. The letter can then be sent by ordinary post or by fax. There is also a facility on the website www.pprotect.org to lodge a complaint electronically.

It is not always necessary for complainants to provide their particulars when they lodge complaints. Complaints can also, in exceptional circumstances, be lodged anonymously. This is to encourage complainants who may fear reprisals. At times, members of the public may be aware of improper conduct on the part of government officials and wish to bring this to the attention of the Public Protector without necessarily divulging their names. When lodging a complaint anonymously, complainants should strive to provide as much detail and facts as possible; otherwise, it becomes impossible to investigate an anonymous complainant.

Complainants can also be lodged telephonically. In such cases, there is always an investigator on standby, who takes down the details of the complaint. It is always advisable, however, to put complaints in writing, and where a telephonic complainant can write down the complaint, he or she is advised to do so. Prisoners mostly lodge complaints telephonically.

1 Section 182(4) of the Constitution.
2 Section 6(2) of the Public Protector Act, 23 of 1994
Challenges faced by the Office in offering its services

The Office faces various challenges in offering its services to members of the public. The first challenge is a lack of basic education on the part of many prospective complainants. With this lack of education comes the fear, or lack of knowledge, to confront authorities about services that members of the community are entitled to by law. The challenge is therefore to get people to complain and in so doing hold government officials accountable for their actions.

The second challenge is a lack of knowledge of the services that the office offers. For people to access services, they first have to know about them. Given the size of the country, and the population spread, it is not easy to publicise services. A good case in point would be in the Northern Cape where settlement patterns are almost sporadic and distances between towns and cities are vast.

This is where the outreach programme plays an important role. The Office seeks to reach out to as many people as possible, not only by making its services known, but also by bringing services nearer to communities by holding workshops throughout the nine provinces and taking complaints on site. The Office also teams up with various stakeholders who have access to communities such as non-governmental organisations, advice offices and community development workers in spreading its message.

The third challenge relates to resources. Lack of adequate resources affects both the Office and members of the public. Although the Office has sufficient human and financial resources to deal with the current cases, more resources will enable the Office to conduct more outreach programmes and further increase its capacity to investigate complaints.

The majority of people who require the Office’s services at times do not even have the resources to buy a postage stamp to affix to an envelope addressed to the Public Protector, let alone to telephone, send faxes or even pay taxi fares to points where they can access the services of the Office. Due to low literacy levels, the internet is almost out of the question.

The fourth challenge relates to information. To effectively investigate a case, the Office needs information held by state organs. The Office therefore relies on these institutions to provide it with information in order to finalise complaints. While there is good cooperation from departments, others view our request for information with suspicion, and at times even nonchalance. This results in even further delays by organs of state that are charged with delivering services that members of the community require.

Ideally, organs of state are supposed to treat such requests as reminders that something is amiss in the way they offer services and need to rectify the problem. They should treat the Office as a friend who constantly reminds them of their duty to members of the public. This is not to say that every complaint that the Office receives is valid or has merit. But even where complaints are without merit, if state organs deal with them promptly, it enables them to handle more valid complaints and to get on with their work.

A fifth challenge relates to lack of sufficient information. As already indicated, complainants can write to the Office to lodge their complaints. Sometimes however, pertinent information is left out, and before the investigation of the complaint can even begin, this information has to be sought first.

Related to this, is the challenge of dealing with anonymous complaints. Sometimes the information given is insufficient or cannot be independently verified. At times, during the course of an investigation, it becomes necessary to consult with the complainant, and where the complainant is anonymous, it becomes difficult.

CONCLUSION

In order to be accessible to as many people as possible, complaints procedures have to be as user friendly, and accessible to as many people, as
possible. The yardstick should be that complainants should not find it difficult to approach the Office of the Public Protector as they sometimes do in approaching state organs. They come to the Office because they are already frustrated and the Office should not add to that. Were that to happen, the Office would be failing in its role as an institution of last resort.

It is with this in mind that the Office makes it possible for complainants to approach it in every way possible, even anonymously. Like everything else, the complaints procedure has its shortcomings, depending on the circumstances of each complaint and complainant. It is better to be alerted to problems about good governance than not. For example, with anonymous complaints, it is possible at times to verify information independently, and the anonymous complainant will have played his or her role in alerting the Office to the problem.

Other challenges such as lack of adequate resources will always be there, and the Office will continue to work with stakeholders and in this way to share the burden. For those that do not have resources to visit the Office, attempts will be made to bring the services to their doorstep.

The Office will also continue to spread knowledge about its services and mandate through the print and electronic media as well as awareness campaigns. The Office will strengthen its co-operation with sister organisations such as the South African Human Rights Commission, the Public Service Commission and the Commission on Gender Equality. The Office has in the past and will continue to work closely with government departments, institutions, and municipalities. This is our contribution to good governance and strengthening democracy.

For more information visit our website on www.pprotect.org or call our toll free number 0800 11 20 40.