



Systematic review and development of the CVP evaluation tool:

**Lessons learnt from engagements with departments
and pilot evaluations**

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1. Introduction

The PSC has started in all earnest with its work around the Constitutional Values and Principles (CVPs). This work includes both promotion of the CVPs and consultation on the appropriateness of the PSC's tool to evaluate whether departments adhere to the principles listed in Section 195 of the Constitution.

The project was introduced in the previous edition (August 2016) of the Section 196(4)(e) report. The report highlighted that it was important for the PSC to ensure that there was a uniform understanding of the CVPs in the public service and how it will be evaluated, and against which indicators, before actually evaluating whether departments comply with the CVPs.

During the period 2016/17 the PSC has done a lot of preparatory work on the project. The following activities were completed during the period under review:

- Developing the CVP theoretical framework and Evaluation Tool;
- A roundtable with external stakeholders and experts;
- Consultation with departments at both national and provincial levels; and
- Piloting the CVP tool.

The PSC learnt important lessons from the stakeholder roundtable, the consultations with departments and the pilot evaluations. These lessons are briefly discussed below. Based on the lessons decisions were taken on the further development of the Tool and the roll-out of the CVP promotion and evaluation programme.

2. Theoretical framework

Extensive work has gone into developing the theoretical framework. The framework document provides the theory and understanding of Section 195 of the Constitution. The theoretical framework provides definitions for each principle, spell out the scope and content of each principle and propose a number of indicators against which compliance with the principles can be evaluated. Since the principles are complex

concepts, they have been analysed into their constituting dimensions and indicators have been set for the most important dimensions. To ensure validity of the evaluation, indicators must measure important dimensions or aspects of the principle so that we do not measure peripheral issues. The framework has been used by the PSC in its engagements with departments to provide the theoretical basis for this project.

3. Evaluation Tool

The Tool contains methodological detail for each indicator, including –

- Evaluation standards
- Rating scales
- Data sources
- Data collection methodology
- Data tables
- Evaluation methodology

With regard to standards, no evaluation can be undertaken without standards. The Tool does not contain a comprehensive list of standards but only carefully selected standards associated with the indicators chosen by the PSC for evaluation purposes. However, section 16 of the Public Administration Management Act gives the responsibility to the Minister for Public Service and Administration to prescribe minimum norms and standards regarding the promotion of values and principles referred to in section 195 (1) of the Constitution. The Tool will therefore eventually have to be aligned with the norms and standards set by the Minister.

4. Roundtable

On 7 September 2016 the PSC held a roundtable with external stakeholders to consult on its work. The stakeholders, in addition to government, were from academia as well as experts in the field of monitoring and evaluation. The PSC used the roundtable to outline the purpose of the project and its processes and also to solicit inputs on the theoretical framework. Those who participated included Professor Patrick Fitzgerald of the Wits School of Government.

Comments made during the roundtable were:

- The PSC is taking a bold and ambitious step with this programme. To give a valid evaluation of the state of the public service as measured against the values and principles, is a challenging undertaking.
- The Constitution is not only about law but about values. Similarly the public service can not only be governed by law and regulations, but by values. If public servants do not live these values, no management technique will ensure performance.
- Linked to this is the need to have ethical leadership. The public service cannot reach excellence in delivering services without being driven by values.
- It is good to see the PSC taking an activist role.
- The debate between efficiency and effectiveness was highlighted. The order should be effectiveness first and then efficiency. Public service should firstly be about making a difference in people's lives and serving those most in need, but at the same time as efficiently as possible. Evaluation should be asking programmes whether they are doing the right things (effectiveness), not only how well they are done (efficiency).
- Public administration must be development oriented – to achieve this the idea of development must be in the foreground of everything that government does.
- It was observed that evaluation in South Africa is taking a very technical character. Here we must be careful because evaluation in the public service many times requires careful judgement rather than measurement of performance.
- The tension brought about by evaluation without setting standards first was recognised. The Public Administration Management Act, 2014 (Act No 11 of 2014) gives the power to the Minister for Public Service and Administration to set norms and standards in the specific areas listed in section 16 of the Act and section 3(1) of the Public Service Act, 1994 (Act No 103 of 1994). These areas include the values and principles in section 195 of the Constitution, which the PSC is specifically charged to promote. However, the PSC can't evaluate

without standards and can't wait for the standards setting process to be completed. The PSC evaluations will thus necessarily involve a fair amount of standard setting where such standards cannot be derived from existing policy and regulatory frameworks.

- To arrive at an Institutional Evaluation Tool that will stand the test of time and will be recognised as rigorous and valid, containing the right indicators and standards, will require a rigorous process. The Tool will probably go through many iterations before the ideal of evaluating (judging) values and principles rather than just performance measures, will be achieved. To keep all this manageable will require careful prioritisation of indicators.

5. Consultation with departments (national and provincial levels)

The PSC undertook extensive consultations with the Executive Authorities (EAs) and various departments at both national and provincial levels. Twenty six such engagements were undertaken during the 2016/17 financial year.

6. Pilot evaluations

The PSC piloted its Evaluation Tool in three departments during 2016/17, namely the Department of Water and Sanitation, the Department of Correctional Services and the Department of Economy and Enterprise Development in the North West province.

7. Lessons Learnt

The key lessons learnt from the consultation and piloting process were the following:

- The indicators chosen by the PSC are adequate. The indicators that the PSC has set largely work when used to evaluate the performance of departments against the nine principles. The Tool will nevertheless be further refined to make it much more nimble and improve its validity.
- Beyond compliance. The tools currently applied in the public service, such as the Management Performance Assessment Tool (MPAT), focus on compliance,

mostly with the Public Service and Treasury Regulations and related policies, frameworks, guidelines and directives (rules). Evaluating compliance assumes that there is a strong relationship between the rules and organisational performance. Yet it cannot be assumed that compliance ensures achievement of the purpose of the rules. In fact, it can be argued that a rules driven public service is anathema to a developmental public service. Though compliance establishes the underlying organisational hygiene for good public administration, evaluation on this level alone does not enable decision-makers in charge of improving the functioning of the public service to identify the critical changes that need to be made to transform the public service.

So, the PSC has set itself the very ambitious task to evaluate on the level of whether policies and regulations actually work and whether the intention of the principles is achieved, rather than simply compliance. Anybody who has designed indicator-based tools will know that the compliance indicators are easy to come by. The evaluation standards for compliance exist but the standards for a well-functioning public administration as measured against the principles do not.

- Quantitative versus qualitative indicators. Compliance with the values and principles can not simply be reduced to measurable indicators, especially if what is meant by this is simple quantitative indicators. Compliance with the values will in many cases require careful qualitative judgement. The challenge of designing an evaluation tool that measures (judges) on the level of values should be clear from this. In the public service evaluation should be normative – that is, rooted in values and beliefs.

Consequently the PSC has decided to separate its quantitative and qualitative evaluations. It will alternate in following years between these two methodologies with a quantitative evaluation in Year 1 followed by a qualitative evaluation in Year 2. The Year 1 evaluation will be based on rating scales and scores whilst the Year 2 evaluation will simply be narratives that raise pertinent issues about the performance of a department within its unique context with regard to each of the principles.

- Customisation of the Tool to the different contexts of departments. Many of the principles apply very differently to the specific functional contexts of different departments. For example, the principle of development orientation applies differently to the Department of Rural Development and Land Affairs as to the National Treasury. Departments who were consulted emphasised that these differences will have to be taken into account and that the PSC should not apply indicators that are irrelevant in their contexts.

For purposes of customisation of the Tool the PSC has classified departments into six sectors or types. The principles are prioritised differently for the six sectors and different evaluation questions may be asked to departments in the different sectors, especially with regard to the qualitative tool. For instance, for departments that regulate the administrative system, like National Treasury and the Department for Public Service and Administration, principles that relate to systemic issues, like development orientation, efficient, economic and effective use of resources and accountability are prioritised and weighed more heavily. For departments dealing directly with citizens on a daily basis, principles dealing with professional behaviour, like a high standard of professional ethics and responsiveness, are prioritised.

- Demand on staff of the PSC. Normative in stead of compliance evaluation places much higher demands on the skills of the evaluator because judgement against normative principles is involved. This will require that staff will have to be continuously developed and exposed to current debates in public administration.
- Overlaps between the work of the PSC and the Department of Public Service and Administration (DPSA) and the Department of Planning, Monitoring and Evaluation (DPME). Departments charge that the PSC is simply coming with another evaluation tool that they must comply with and this places a huge **reporting burden** on them, together with reporting to the treasury departments, the DPSA and the Auditor-General. The DPME already conducts management evaluations using the Management Performance Assessment Tool (MPAT), as well as frontline service delivery monitoring and programme evaluations. The work of the DPSA around promoting the Batho Pele policy, HR policy research,

productivity improvement and operations management has many overlaps with the public administration processes and practices associated with each of the principles. Moreover, the DPSA is specifically charged with setting norms and standards for each of these principles.

The PSC replied as follows to this charge of overlapping mandates:

- i. The PSC has a very specific mandate under the Constitution and can't retreat from it.
 - ii. The PSC has a unique mandate and will differentiate its evaluation tools from those of other departments.
 - iii. The PSC is an independent constitutional body who provides its evaluations to strengthen parliamentary and legislature oversight and not in the first instance to help the executive to monitor its programmes.
- Enforcement of PSC's recommendations. Many departments charged that this work of the PSC will have no impact because the PSC has no teeth. They proposed that rather than conducting another evaluation, the PSC should rather make sure that many existing recommendations of the PSC, as well as other bodies, are implemented. The PSC is however convinced that its analysis and advice can add a lot of value to public administration. This depends in the final analysis on the quality of the work of the PSC and this programme of promoting the public administration values and using them as an evaluation frame aims to ensure that the PSC brings a unique and value-added perspective to public administration.

8. Objectives

The PSC has consequently set the following objectives for the CVP programme:

- To promote compliance with the CVPs in the public service.
- To evaluate whether the intention of the public administration values and principles is achieved on an outcome level.

- To determine how institutional processes can be changed to make sure that the public service is values driven rather than (only) by law and regulations.
- To ensure contextual application of the principles.
- To identify systemic public administration issues, which are currently hampering the development of the public service, rather than a list of deficiencies, and make recommendations to change key features of the institution of the public service.
- To issue directions where personnel procedures are not adhered to.

These objectives are discussed in turn below.

i. To promote compliance with the CVPs in the public service.

The PSC cannot evaluate departments before it hasn't promoted the values and the expectations from departments about what is required of them under each of the principles are not clear. The PSC will undertake a promotion campaign that will cover the foundational as well as public administration values and principles.

ii. To evaluate whether the intention of the public administration values and principles is achieved on an outcome level.

The principles in section 195 can be interpreted on both an outcome level and a process level. In the public service processes have been put in place (many of them through laws and regulations) to ensure compliance with the principles. However, it should be tested whether the (prescribed) processes actually achieve the intention of the principle on an outcome level. For instance, the principle of the maintenance of a high standard of professional ethics imply a behavioural change, that public servants will always act with integrity and make serving people and their country the highest aim of their professional lives. To ensure this an integrity system consisting inter alia of law, codes of conduct, auditing, disclosure of financial interest and reporting of corruption, has been put in place. This project will test the integrity system but will also test

whether all these measures have really brought about the behavioural change in the practical ethics of public servants.

Another example: under the principle *“good human resource management and career development practices, to maximise human potential, must be cultivated”* the outcome that this principle intends to achieve is a public service department that possesses and maintains key capabilities – a department that has the people, who are skilled, adhere to the values, and are productive. The focus is on the human resource. All the HR practices, such as recruitment and selection, career management and performance management, aims to achieve this outcome. Again, the principle will have to be tested on both the outcome level and the process (HR practice) level. The question then becomes whether the HR practices really achieve their purposes.

iii. To determine how institutional processes can be changed to make sure that the public service is driven by values rather than (only) by law and regulations.

The Constitution is not only about law but about values. Similarly the public service cannot only be regulated by the Public Service Act and Regulations and by the PFMA and Treasury Regulations. Public servants’ behaviour cannot only be governed by rules. Similarly, performance cannot simply be driven by performance measurement and the management maxim of “if it can’t be measured it can’t be managed”.

A performance management system based on performance measurement (and the assumption that it can indeed be objectively measured) may be totally inappropriate for the public service because how public administration affects the daily lives of citizens and whether public servants treat people in a caring manner require judgement based on values and not measurement. The question then becomes how public administration practice should be designed to make values the main governing instrument. This will require that unique solutions be developed for South African public administration – an innovative public administration and not simply one inherited from American textbooks.

iv. To ensure contextual application of the principles.

All the principles do not apply equally across all departments and will have to be applied in the unique contexts of the different departments. This implies that appropriate standards need to be developed to ensure contextually valid evaluations.

Under the principle of “a high standard of professional ethics must be promoted and maintained”, the PSC cannot simply conduct workshops on a generic code of conduct. Each department has its unique ethical issues. In Correctional Services it is how correctional officers treat prisoners. The question then becomes *‘does the department have an effective system – apart from discipline that focuses on misconduct – to observe, give feedback on, discuss ethical issues and promote ethical behaviour?’* This is closely linked to culture – in the case of Correctional Services the change from a military culture with emphasis on guarding prisoners to a civilian culture with emphasis on rehabilitation.

v. To identify systemic public administration issues, which are currently hampering the development of the public service, rather than a list of deficiencies, and make recommendations to change key features of the institution of the public service.

This programme is specifically aimed at developing innovative public administration practices – not to be an audit to identify a list of deficiencies. It will not simply test compliance with prescribed practice but aims to identify systemic public administration issues that will affect the whole of the public service if addressed. It will require that the PSC asks: How did a public administration practice work and why did it work? rather than: It should have worked like this. It would require developing solutions with departments, piloting solutions and demonstration projects to show how these values can be made alive in practical public administration.

For example, the National Development Plan Diagnostic¹ said that accountability has been eroded. The question can then be asked: Why has accountability eroded despite the formal system of annual performance plans, performance agreements, performance reviews and reporting? And how should accountability arrangements be re-arranged to address this erosion of accountability?

Under the principle of responsiveness to needs, departments will normally give a programmatic response – government is responding to housing needs through a housing programme. Yet the programme rules may be so inflexible that the housing authorities cannot adequately respond to specific individual or community needs.

vi. To issue directions where personnel procedures are not adhered to.

Under section 196(4)(d) of the Constitution the PSC is empowered to issue directions aimed at ensuring that personnel procedures relating to recruitment, transfers, promotions and dismissals comply with the values and principles set out in section 195. Since the charge of departments is that the PSC has no teeth, the PSC will issue directions should its evaluation programme identify any instances where these specific personnel procedures do not comply with the public administration principles.

9. Roll-out of the Programme

In the coming year the CVP programme will be rolled out to the following departments:

- Department of Social Development
- Department of Human Settlements
- National Treasury
- The nine provincial social development departments

The programme will also include a promotion project as envisaged under Objective 1 above.

10. Conclusion

The CVP is a huge project bearing in mind the limited capacity of the PSC. It is ambitious since its aim is to enthuse departments to adhere and embed the values and principles in their daily work. Sustaining it will need tremendous effort and pulling together of all the PSC's resources and those of its partners.

ⁱ National Planning Commission. 2011. Institutions and Governance Diagnostic.