



# Template for Developing Guidelines on Public Participation

Public Service Commission

March 2010

## Vision

The Public Service Commission is an independent and impartial body created by the Constitution, 1996, to enhance excellence in governance within the Public Service by promoting a professional and ethical environment and adding value to a public administration that is accountable, equitable, efficient, effective, corruption-free and responsive to the needs of the people of South Africa.

## Mission

The Public Service Commission aims to promote the constitutionally enshrined democratic principles and values of the Public Service by investigating, monitoring, evaluating, communicating and reporting on public administration. Through research processes, it will ensure the promotion of excellence in governance and the delivery of affordable and sustainable quality services.

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Published in the Republic of South Africa by:

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Compiled by Branch: Monitoring and Evaluation

Distributed by Directorate: Communication and Information Services  
Printed by: Blackmoon Advertising  
ISBN: 978-0-621-39330-9  
RP: 59/2010



# Preface

The importance of public participation is captured in Section 195 (1)(e) of the Constitution<sup>1</sup>, which states that “people’s needs must be responded to, and the public must be encouraged to participate in policy-making”. Sections 59, 72 and 118 of the Constitution further mandate both the national and provincial levels of government to facilitate public participation. The involvement of citizens in policy-making and implementation is important to strengthen and deepen democratic governance. It is through active public participation that evidence-based policy-making and responsive service delivery can take place.

The Public Service Commission (PSC) has over the years investigated the mechanisms implemented by government departments to facilitate public participation in the Public Service. Overall, the PSC’s studies have found that the nature and extent of public participation is generally inadequate, and that concerted efforts are necessary to improve the situation. One of the critical measures that each department needs to put in place is a set of guidelines which will indicate, among others, how public participation will be achieved, who the “targeted” public is, and how the participation will be used to inform policy and practice.

Several PSC studies have shown that departments do not have such guidelines, which in part explains why public participation tends to be ad hoc as well as inadequate. Against this background, the PSC found it necessary to come up with a generic template which departments can in turn use to develop their own internal guidelines. This approach was taken because departments need to tailor their public participation guidelines to their mandates and unique circumstances. As a result, it was not going to be feasible for the PSC to develop public participation guidelines for each and every department, or develop guidelines that would be applicable to all departments. Given that departments know their own circumstances better, the PSC chose to instead assist by putting out a generic good practice template which departments can in turn use to develop their own specific guidelines. The reader is also encouraged to consult the PSC’s *Report on the Assessment of Public Participation Practices in the Public Service* for information on the experiences of departments with different public participation approaches.

<sup>1</sup> Republic of South Africa. *The Constitution of the Republic of South Africa. Act 108 of 1996.*

# Generic steps to consider in the development of guidelines on public participation

## Step 1: Establish consensus on the overall purpose of public participation

- Determine the legislative framework on public participation
  - Consider what the Constitution says about involving the public in policy-making and implementation?
  - What about other transversal legislation such as the White Paper on Transforming Public Service Delivery, and legislation specific to your Department?
- Clarify the aim of public participation
  - What is the aim of public participation in your department? Is it to -
    - Inform the community about proposed policies and/or actions?
    - Allow public inputs on proposed policies and administrative actions?
    - Cooperate with the community to shape policies and priorities?
    - Share decision-making with the community?
  - Please note that the need for public participation may arise out of a combination of the above or other factors
- Identify the benefits the department expects from public participation
  - What does your department expect to achieve through public participation ?
    - countering undue expectations about policy decisions?
    - getting buy-in from stakeholders?
    - providing opportunities to stakeholders to voice their opinions?
    - lending credibility to the department because of its openness to opinions?
    - changing behaviour patterns ?

*The above first step is important because unless there is a shared understanding in a department regarding the purpose of public participation, it becomes difficult to sustain momentum for such participation.*

## Step 2: Determine the role players which should be involved in the Department's public participation process

- Identify stakeholders and their roles

- What is the projected interest in the work of the department?
- Which stakeholders should be involved?
- What contribution is expected of the different stakeholders (groups or individuals)?

- Identify appropriate methods to inform stakeholders about your public participation process(es)

- What methods (briefing meetings, printed communication) will be most effective in making stakeholders aware of the public participation process(es)?

*Knowing the stakeholders to be involved in public participation assists the Department to choose the most appropriate approach to ensure maximum impact - e.g. knowing what language to use and the level of information that should be provided to stakeholders on the issues under discussion. A proper stakeholder analysis makes it easier to divide the stakeholders into groups to ensure more focused discussions where stakeholders attending a specific intervention are on the same level in terms of background on the issue. Providing all appropriate information beforehand will ensure that stakeholders can participate meaningfully in the session.*

## Step 3: Develop a public participation action plan

- Identify the most appropriate public participation approach(es) to be used

- What public participation approach(es) (Imbizo, public meeting, workshop) would be most appropriate under the specific circumstances?
  - What are the strengths and weaknesses of the relevant approach(es)?
  - What is the choice of an approach based on (cost effectiveness, reach, stakeholder expectations)?

- Identify capacity required to facilitate public participation

- What are the capacity needs of the Department to facilitate public participation? (needs in terms of, but not limited to facilitation skills, research skills, mediation skills, and interviewing skills)
- What are the capacity needs of stakeholders to participate in public participation?
- Ensure that there is a capacity building strategy in place to fulfil the capacity needs of the Department/ensure that stakeholders are empowered to meaningfully participate in the process?

- Develop a detailed action plan

(It should be noted that sound public participation guidelines/policy is key to effective public participation)

- Assess if the Department has public participation guidelines/policy in place?
- Based on the assessment, which activities will have to be carried out to effect public participation?
- Which resources (in terms of human resources, cost, time and logistics) will be needed for each of the activities in the action plan?
  - Which resources are available for implementing the action plan?
  - What are the gaps between available and needed resources?
  - What sources can be explored to address gaps?
- Has a detailed action plan with timeframes, milestones and responsibilities been developed?

*This step provides baseline information for monitoring and evaluating the Department's efforts in practicing public participation. It will assist the Department in deciding on which officials to use for the process, or where the officials do not have the necessary skills, how such skills can be acquired. The costing of activities will assist in developing a comprehensive budget for the planned process.*

#### **Step 4: Implement public participation process**

- Conduct the planned public participation session (meeting, hearing, forum, survey)

- Ensure proper logistical arrangements such as
  - Who will liaise/engage with the public?
  - Who will record the inputs of the public?
  - How risks would be managed, including
    - \* Stakeholders overpowering others
    - \* Not keeping to agenda and issues to be discussed
    - \* Disrupting behaviour of stakeholders
- Has the purpose of the session been clearly explained to stakeholders?

*This step attempts to provide direction on conducting the actual public participation session to ensure that the action plan is properly carried out for accountability reasons. Activities are also proposed that will ensure that possible conflict is mediated and misunderstandings addressed. Credibility of the process is further ensured by providing stakeholders with the necessary information throughout the process.*

## Step 5: Provide feedback to members of the public/stakeholders

- Provide all stakeholders with feedback about the outcome of the public participation process as well as the incorporation of their input into the work of the department
- Have stakeholders been informed on how their inputs influenced decisions?
- Has the appropriate form and language in which to provide feedback been identified?
  - Media releases where a larger component of the public has to be reached for instance in announcing a specific policy
  - Published reports for distribution to stakeholders or posting on departmental websites
- Have stakeholders also been allowed to provide feedback on;
  - Their satisfaction with the public participation process?
  - Challenges they have identified in the process?

*Providing stakeholders with feedback on the incorporation of their inputs in policy decisions ensures openness and transparency of the public participation process and ensures credibility of the process. It will ensure that stakeholders are more committed in future to become involved in the Department's public participation processes. Stakeholders will feel that their opinions are taken into account and it is therefore unlikely that they will enter into disrupting behavior to ensure that their voices are heard.*

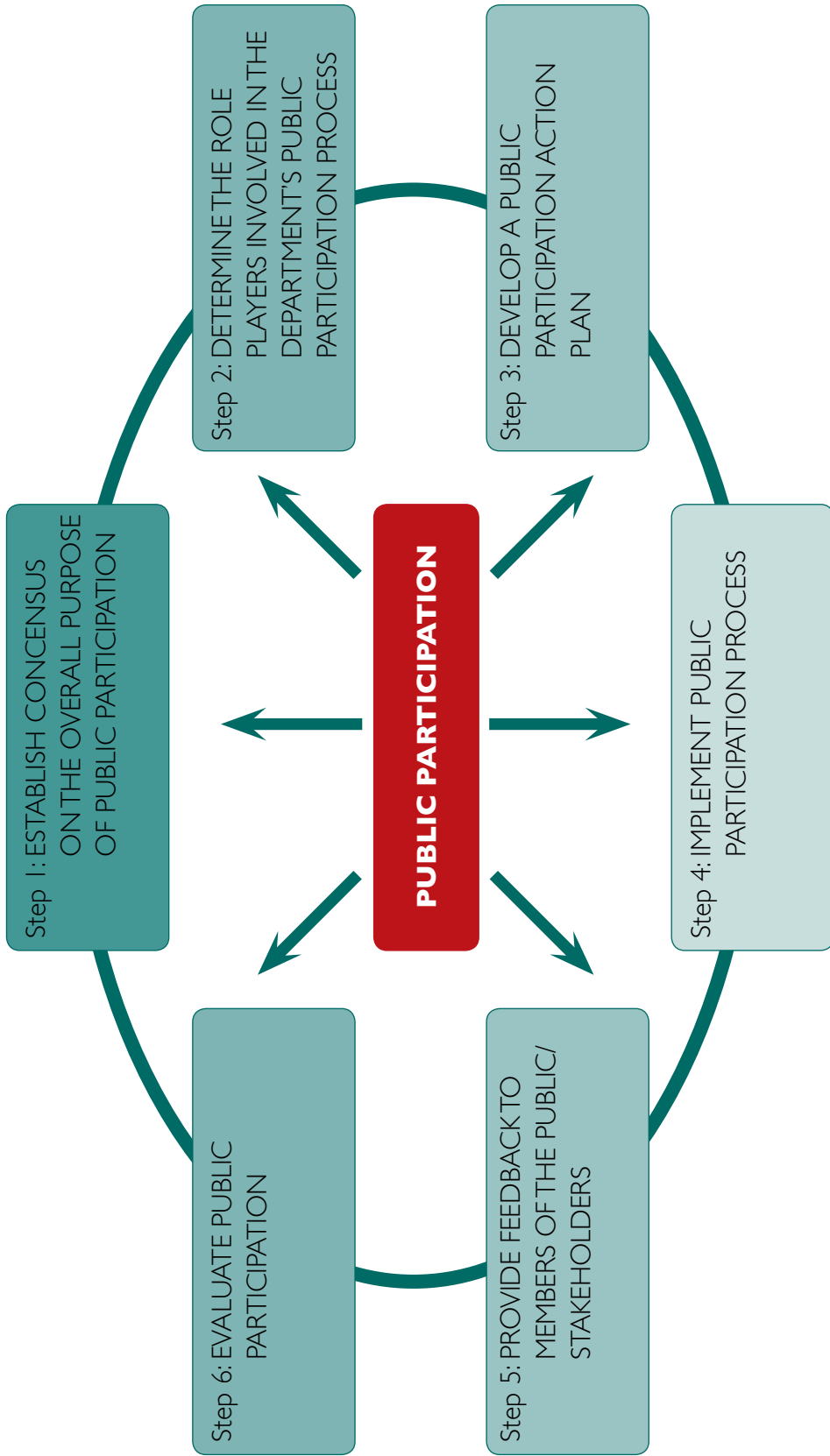
## Step 6: Evaluate public participation

- Review the Department's public participation processes and initiatives
- Has the Department used effective instruments (e.g. surveys, reviews) and indicators to evaluate whether the public participation process and or initiatives have accomplished its objectives?
- Have the constraints and challenges in the public participation process been identified?
- Has the Department devised ways to improve public participation?
- Have lessons from the process been used in planning future public participation initiatives?

*Regular review of the public participation process and or initiatives is necessary to address challenges and constraints experienced in the process and to ensure usefulness of the Department's public participation processes and initiatives. The instruments used to carry out the evaluation of the process should be appropriate in terms of the specific purpose of the evaluation – surveys will be used to get feedback from stakeholders while reviews will be used to evaluate the action plan, the specific initiative or the public participation process. The identification of what hampered the completion of the process according to plan will assist in devising alternative solutions based on the lessons learnt and in refining the process or plans.*



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