



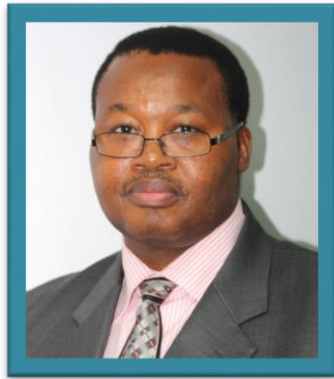
PUBLIC SERVICE COMMISSION

STRATEGIC PLAN

2020/21 to 2024/25

MARCH 2020





CHAIRPERSON'S FOREWORD

President Cyril Ramaphosa, in his State of the National Address delivered at the sixth democratic Parliament in June 2019, committed his Administration to, among other things, building an ethical State in which there is no place for corruption, patronage, rent-seeking and plundering of public money. He indicated that an ethical State is dependent, among other things, on the corps of skilled and professional public servants of the highest moral standards who are dedicated to the Public

Service.

Informed by Priority 6 government which is in support of the National Development Plan and seeks to build “A capable, ethical and developmental State”, and the President’s sentiments mentioned above, the Public Service Commission (PSC) held its Strategic Planning Session in July 2019 under the theme: *“Strengthening the PSC’s impact in building an ethical and values-driven Public Service”*.

The PSC’s strategic focus over the next 5 years is premised on making a contribution towards building “A responsive, ethical and value-driven Public Service that responds timeously, efficiently and effectively to the needs of the citizens”. This contribution will be realized through the various strategic interventions that have been planned for implementation over the next five years. At the centre of these interventions is the legislative reform project of the PSC which seeks to introduce in Parliament a Bill that will allow the PSC to be supported by a Secretariat that is independent of government in order to strengthen the PSC’s independence. Furthermore, the PSC will focus on the implementation of the overarching project that relates to monitoring of compliance with the Constitutional Values and Principles as echoed in Section 195 of the Constitution.

Realizing that it’s contribution towards building “A responsive, ethical and value-driven Public Service that responds timeously, efficiently and effectively to the needs of the citizens” is equally dependent on adherence to the principles of good governance. The PSC’s strategic interventions will focus on strengthening the skills set of its workforce and the overarching Monitoring and Evaluation System (Data Warehouse) that aims at providing real time data to enable evidence-based decision making within the PSC.

A handwritten signature in black ink, appearing to read 'Rizani'.

RK SIZANI
CHAIRPERSON
PUBLIC SERVICE COMMISSION



OFFICIAL SIGN-OFF

It is hereby certified that this Strategic Plan was developed by the PSC through the assistance of the management of the Office of the PSC under the guidance of Advocate Richard Sizani. The Strategic Plan takes into account all the relevant policies, legislation and other mandates for which the PSC will endeavour to achieve over the period 2020/21 to 2024/25.

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Chief Financial Officer

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MR M MALATSI
Deputy Director-General: Integrity & Anti-Corruption

MS L VIVIERS
Chief Operations Officer

DR DOVHANI MAMPHISWANA
OFFICE OF THE PUBLIC SERVICE COMMISSION
Accounting Officer

RK SIZANI
PUBLIC SERVICE COMMISSION
Chairperson

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PART A: OUR MANDATE

1. CONSTITUTIONAL MANDATE

The PSC is an independent institution established in terms of Chapter 10 of the Constitution. It derives its mandate from Sections 195 and 196 of the Constitution, 1996¹, which set out the values and principles governing public administration, which should be promoted by the PSC, as well as the powers and functions of the PSC. The PSC is required by the Constitution to exercise its powers and to perform its functions without fear, favour or prejudice. The Constitution links the PSC's independence firmly with its impartiality and no organ of state may interfere with the functioning of the PSC.

The PSC is vested with custodial oversight responsibilities for the Public Service and monitors, evaluates and investigates public administration practices. It also has the power to issue directions regarding compliance with personnel procedures relating to recruitment, transfers, promotions and dismissals. The PSC is accountable to the National Assembly and must annually report to the National Assembly on its activities and performance, and to Provincial Legislatures on its activities in a province.

The PSC's powers and functions in terms of the Constitution are set out below:

POWERS AND FUNCTIONS	SECTION OF THE CONSTITUTION
The PSC must exercise its powers and perform its functions without fear, favour or prejudice.	196 (2)
The PSC must promote the values and principles, as set out in Section 195, throughout the Public Service.	196 (4) (a)
The PSC must investigate, monitor and evaluate the organisation, administration and the personnel practices of the Public Service.	196 (4) (b)
The PSC must propose measures to ensure effective and efficient performance within the Public Service.	196 (4) (c)
The PSC must give 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.	196 (4) (d)
The PSC must report on its activities and the performance of its functions, including any finding it may make and directions and advice it may give, and to provide an evaluation of the extent to which the values and principles set out in Section 195 are complied with.	196 (4) (e)
The PSC may either of its own accord or on receipt of any complaint, a) investigate and evaluate the application of personnel and public administration practices and to report to the relevant executive authority and legislature; b) investigate grievances of employees in the Public Service concerning official acts or omissions and to recommend appropriate remedies; c) monitor and investigate adherence to applicable procedures in the Public Service; and d) advise national and provincial organs of state regarding personnel practices in the Public Service, including those relating to the recruitment, appointment, transfer, discharge and other aspects of the careers of employees in the Public Service.	196 (4) (f)
The PSC must exercise or perform the additional powers or functions prescribed	196 (4) (g)

¹ The Constitution of the Republic of South Africa, 1996 (promulgated by Proclamation No. 108 of 1996).

POWERS AND FUNCTIONS	SECTION OF THE CONSTITUTION
by an Act of Parliament.	
The PSC is accountable to the National Assembly.	196 (5)
The PSC must report at least once a year to the National Assembly.	196 (6) (a)
The PSC must report at least once a year in respect of its activities in a province, to the legislature of that province.	196 (6) (b)

The PSC has a responsibility to promote the values and principles governing public administration enshrined in the Constitution. The Constitution, in its preamble, outlines the fundamental values on which government should build such a transformed public service. These values include human dignity, the achievement of equality and the advancement of human rights and freedoms, non-racialism and non-sexism, supremacy of the Constitution and the rule of law, democracy, social justice and equity and respect. The principles in Section 195 of the Constitution are set out below:

VALUES AND PRINCIPLES	SECTION OF THE CONSTITUTION
A high standard of professional ethics must be promoted and maintained.	195 (1) (a)
Efficient, economic and effective use of resources must be promoted.	195 (1) (b)
Public administration must be development-oriented.	195 (1) (c)
Services must be provided impartially, fairly, equitably and without bias.	195 (1) (d)
People's needs must be responded to, and the public must be encouraged to participate in policy-making.	195 (1) (e)
Public administration must be accountable.	195 (1) (f)
Transparency must be fostered by providing the public with timely, accessible and accurate information.	195 (1) (g)
Good human-resource management and career-development practices, to maximise human potential, must be cultivated.	195 (1) (h)
Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.	195 (1) (i)

In terms of the Constitution and other legislation relevant to the PSC, the key responsibilities are as follows:

KEY RESPONSIBILITIES	POWERS AND FUNCTIONS	SECTION OF THE LEGISLATION
Access documents and information	Official documents and information as may be necessary for the performance of its functions under the Constitution or the Public Service Act.	PSC Act: 9
Advise	On own accord or on receipt of any complaint, advise national and provincial organs of state regarding personnel practices in the Public Service, including those relating to the recruitment, appointment, transfer, discharge and other aspects of the careers of employees in the Public Service.	Constitution: 196 (4) (f)
Call upon and administer oath/accept affirmation	The PSC may call upon and administer an oath, or accept an affirmation from any person present at an inquiry.	PSC Act: 10 (2) (b)
Conduct inquiry	Conduct an inquiry into any matter authorised by the Constitution or the Public Service Act.	PSC Act: 10 (1)
Consider grievances	Grievances of employees and Heads of Department under certain circumstances.	Public Service Act: 35

KEY RESPONSIBILITIES	POWERS AND FUNCTIONS	SECTION OF THE LEGISLATION
Evaluate	Evaluate the organisation, administration and the personnel practices of the Public Service.	Constitution: 196 (4) (b)
	On own accord or on receipt of any complaint, the application of personnel and public administration practices and to report to the relevant executive authority and legislature.	Constitution: 196 (4) (f)
Examine or require a person to act	Any person to produce any book, document or object which may have a bearing on the subject of the inquiry.	PSC Act: 10 (2) (c)
Exercise/perform functions	The additional powers or functions prescribed by an Act of Parliament.	Constitution: 196 (4) (g)
	The powers and the duties entrusted to it by the Constitution, the PSC Act and the Public Service Act.	PSC Act: 8
	Its powers and perform its functions without fear, favour or prejudice.	Constitution: 196 (2)
Inspect	Departments and other organisational components in the Public Service.	PSC Act: 9
Investigate	The organisation, administration and the personnel practices of the Public Service.	Constitution: 196 (4) (b)
	On own accord or on receipt of any complaint, the application of personnel and public administration practices and to report to the relevant executive authority and legislature.	Constitution: 196 (4) (f)
	On own accord or on receipt of any complaint, grievances of employees in the Public Service concerning official acts or omissions and to recommend appropriate remedies.	Constitution: 196 (4) (f)
	On own accord or on receipt of any complaint, adherence to applicable procedures in the Public Service.	Constitution: 196 (4) (f)
	Compliance with the Public Service Act.	Public Service Act: 5 (8) (a)
	Grievances of employees and Heads of Department under certain circumstances.	Public Service Act: 35
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.	Constitution: 196 (4) (d)
	Contemplated in Section 196 (4) (d) of the Constitution in order to ensure compliance with the Public Service Act.	Public Service Act: 5 (8) (a)
Keeps register	The Director-General: Office of the Commission shall keep a register of designated employees' interests, who are members of the Senior Management Service (SMS)	Public Service Regulations, 2016, Chapter 2
Make rules	On the investigation, monitoring and evaluation of those matters to which Section 196 (4) of the Constitution relate.	PSC Act: 11 (a)
	On the powers and duties of the chairperson, deputy chairperson or any other commissioner and the delegation and assignment of any power and duty entrusted to the PSC by the PSC Act, the Constitution or the Public Service Act to provincial commissioners.	PSC Act: 11 (b)
	On the manner in which meetings of the PSC shall be convened, the procedure to be followed in meetings and the conduct of its business, quorum and the manner in which minutes should be kept.	PSC Act: 11 (c)

KEY RESPONSIBILITIES	POWERS AND FUNCTIONS	SECTION OF THE LEGISLATION
Monitor	The organisation, administration and the personnel practices of the Public Service.	Constitution: 196 (4) (b)
	On own accord or on receipt of any complaint, adherence to applicable procedures in the Public Service.	Constitution: 196 (4) (f)
Promote	Values and principles, as set out in Section 195, throughout the Public Service.	Constitution: 196 (4) (a)
Propose measures	Measures to ensure effective and efficient performance within the Public Service.	Constitution: 196 (4) (c)
Recommend	Appropriate remedies regarding the investigation of grievances of employees in the public service.	Constitution: 196 (4) (f)
	That executive authorities act in terms of a particular provision(s) of the Public Service Act or any other law.	Public Service Act: 35
Report	On its activities and the performance of its functions, including any finding it may make and directions and advice it may give, and to provide an evaluation of the extent to which the values and principles set out in Section 195 are complied with.	Constitution: 196 (4) (e)
	To the relevant executive authority and legislature on the application of personnel and public administration practices.	Constitution: 196 (4) (f)
	At least once a year to the National Assembly.	Constitution: 196 (6) (a)
	At least once a year in respect of its activities in a province, to the legislature of that province.	Constitution: 196 (6) (b)
	The PSC is responsible for reporting on the level of compliance as well as trends on financial misconduct in the public service.	Treasury Regulations: 4.3
	As part of conducting its oversight work, the PSC also reports to Parliament.	
	The accounting officer of a department must, as soon as the disciplinary proceedings (financial misconduct) are completed, report to the executive authority, the Department of Public Service and Administration and the PSC on the outcome, including – (a) the name and rank of the official against whom the proceedings were instituted; (b) the charges, indicating the financial misconduct the official is alleged to have committed; (c) the findings; (d) any sanction imposed on the official; and (e) any further action to be taken against the official, including criminal charges or civil proceedings.	
Summons	Any person who may be able to give information of material importance concerning the subject matter of the inquiry.	PSC Act: 10 (2) (a)
Verify	The PSC shall verify the interests disclosed by SMS members in terms of the Financial Disclosure Framework	Public Service Regulations, 2016, Chapter 2

2. LEGISLATIVE AND OTHER MANDATES

2.1 Legislative Mandate: PSC Act, 1997

The PSC is a constitutional oversight body, established in 1996, primarily to promote “a high standard of professional ethics in the Public Service”². The PSC operates in terms of the *PSC Act, 1997*³. The Act provides for the regulation of the PSC with regard to:

- a) the constitution of the PSC;
- b) appointment of Commissioners;
- c) designation of the Chairperson and Deputy Chairperson;
- d) conditions of appointment of Commissioners;
- e) removal from office of Commissioners;
- f) functions of the PSC (inspections, inquiries, etc.);
- g) rules according to which the PSC should operate;
- h) the Office of the PSC (OPSC); and
- i) transitional arrangements with regard to service commissions (created under the Interim Constitution).

The powers and functions of the PSC in terms of legislation is set out above.

2.2 Institutional Policies and Strategies over the five year planning period

2.2.1 Change and Sustained Agenda of the PSC

In order to be responsive to the attainment of the NDP priorities over the period 2020/21-2024/25, a NDP 5-year Implementation Plan and a more focused Medium Term Strategic Framework have been developed by the Presidency as announced by the President in the SONA. At the time of the PSC’s strategic planning session, the MTSF was still in draft format and the provisions of the draft MTSF, which were later confirmed by the Office, formed the basis for the PSC’s strategic direction and how the PSC should position itself to make an impact given its wide mandate. The Plan consists of the following 7 Priorities:

- Priority 1: Economic transformation and job creation
- Priority 2: Education, skills and health
- Priority 3: Consolidating social wage through reliable and quality basic services
- Priority 4: Spatial integration, human settlements and local government
- Priority 5: Social cohesion and safe communities
- Priority 6: A capable, ethical and developmental state
- Priority 7: A better Africa and world

Although the PSC can play a role in most of these priorities, the initiatives in Priority 6 find

² Certification of the amended text of the Constitution of the Republic of South Africa, 1996 (Case CCT 37/96, para 142)

³ Republic of South Africa. Public Service Commission Act, 1997 (promulgated by Proclamation No. 46 of 1997)

very specific application to the mandate of the PSC, and involves the following, among other things:

- a) 80% case resolution of cases from the National Anti-Corruption Hotline
- b) 100% compliance to e-disclosure of financial interests.
- c) Strengthening the oversight role of Parliament and provincial legislatures.
- d) Managing performance of Executive Authorities and Heads of Departments, and provide necessary capacity building around the management of the political-administrative interface.
- e) Adopting and implementing six strategic pillars of the National Anti-Corruption Strategy.

The strategies planned for implementation over the next five years are outlined in the Theory of Change that has been developed in order to enable the PSC to have a more focused approach to making a meaningful contribution towards building “A responsive, ethical and value-driven Public Service that responds timeously, efficiently and effectively to the needs of the citizens”. Please refer to pages 31- 33 for a full explanation of PSC’s Theory of Change.

2.2.2 Institutional Policies of the PSC

Institutional Policies supporting the PSC’s Change and Sustained Agenda as instituted in terms of Section 11 of the PSC Act are the following:

Governance Rules of the PSC, published in Government Gazette No 38620 of 30 March 2015

The Governance Rules have been put in place to ensure the effective functioning of the PSC. These Rules, inter alia, define the powers and duties of commissioners; delegations and assignment of powers and duties; and the manner in which the meetings of the PSC must be convened. The Governance Rules are read in conjunction with the other Rules and Delegations promulgated by the PSC.

Rules for the summoning of witnesses in connection with inquiries and investigations of the Public Service Commission, published in Government Gazette No.23267 dated 28 March 2002

The mandate of the PSC to issue summonses is contained in Section 10 read with Section 11 of the PSC Act, 1997, as well as Section 196 (3) of the Constitution of the Republic of South Africa. In order to manage the process in terms of which witnesses can be summonsed, the PSC published Rules for the summoning of witnesses during 2002. The Rules provide for the process that should be followed when a person is summonsed to appear before an inquiry of the PSC.

Rules on Referral and Investigation of Grievances of Employees in Public Service, published in Government Gazette no 40359 of 21 October 2016

The purpose of the Rules is to provide for the procedures and service standards in the investigation of grievances by the PSC, timeframes within which grievances may be referred to or lodged with the PSC and mechanisms of monitoring grievance management by departments. Once the PSC has finalised its investigation, the relevant Executive Authority is informed of its findings and recommendations. The latter is expected to inform the PSC and aggrieved employees about his or her decision based on the PSC's recommendations. The PSC also reports on the outcome of its investigations in respect of grievances to the National Assembly and Provincial Legislatures on at least an annual basis.

PSC Rules on Conducting Investigations, published in Government Gazette No 40552 dated 20 January 2017

The purpose of these Rules is to provide for the investigation and evaluation of matters as contemplated in section 196(4) (f) (i), (iii) and (iv) of the Constitution, 1996. It describes the matters that may be investigated and evaluated by the PSC, those matters that will not be investigated, the procedure to be followed before lodging a complaint with the PSC and the information required when lodging a complaint with the PSC.

2.3 Relevant Court Rulings

The following judgments have helped to clarify the role and functions of the PSC:

CASE	BRIEF SUMMARY
Certification of the Constitution of the Republic of South Africa, 1996 (CCT 23/96) [1996] ZACC 26; 1996 (4) SA 744 (CC); 1996 (10) BCLR 1253 (CC) (6 September 1996)	With regard to the PSC, the Constitutional Court dealt with the certification of the formulation of the wording of the role and functions of the PSC. It ruled that the independence and impartiality of the PSC shall be provided for and safeguarded in the Constitution.
Ex Parte Chairperson of the Constitutional Assembly: In Re Certification of the Amended Text of the Constitution of the Republic Of South Africa, 1996 (1997 (2) SA 97 (CC))	<p>The Court decided that Section 196 (1) “<i>provides that there shall be a single PSC for the Republic. As a commission it will have joint responsibility for the work that it does. This, and the fact that it consists of 14 members appointed by 10 different legislatures, enhances its independence and makes any individual commissioner less vulnerable to unfair dismissal than the Public Protector and the Auditor-General might be. The dismissal of one of 14 commissioners will not necessarily have a significant impact on the work of the PSC; the removal of the Public Protector or the Auditor-General could have a profound impact on the functioning of that office.</i>”</p> <p>During the proceedings, the Court also dealt with the argument that Section 196 (13) provides that a commissioner appointed by a province may perform the functions of the PSC in that province 'as prescribed by national legislation'. The Court found that “<i>that is so, but it will not relieve the PSC of joint responsibility for the work that it does, nor prevent the 13 remaining commissioners from coming to the support of an individual commissioner wrongly accused of misconduct, incompetence or incapacity.</i>”</p>

CASE	BRIEF SUMMARY
	<p>The Court also held that <i>“The functions of the PSC are materially different to those of the Public Protector and the Auditor-General....”</i> The PSC's primary function is to promote 'a high standard of professional ethics in the Public Service'. While it has important supervisory and watchdog functions, a good deal of its work will be of a routine or advisory nature. A similar distinction is to be found in the IC which affords a lesser protection to the PSC than it does to the Public Protector and the Auditor-General...”</p>
<p>Premier, Western Cape v President of the Republic of South Africa 1999 (3) SA 657 (CC)</p>	<p>Financial independence is a key component of institutional independence and it is for Parliament and not the Executive to determine what funding is available to the PSC to enable it to carry out its constitutional mandate.</p> <p>In addition, the Constitutional Court made clear that the reference in the Constitution to “a public service in the Republic” is intended to mean a Public Service which applies to both national and provincial spheres of government.</p>
<p>Independent Electoral Commission (IEC) v the Langeberg Municipality⁴</p>	<p>The Court confirmed the independence of the IEC as articulated in Section 181 (2) of the Constitution. The Court held that <i>“the very reason the Constitution created the Commission was that it should be and manifestly be seen to be outside government”</i> and <i>“the Commission is accordingly not an organ of state in the national sphere of government”</i>. Given its standing as an Institution Supporting Democracy, as in the case of the IEC, the PSC would therefore also be regarded as an institution outside government.</p>
<p>Macssand v City of Cape Town and Others unreported judgment of the Constitutional Court, [2012] ZACC 7</p>	<p>There will in most instances be no overlap in the functions of the PSC and Institutions Supporting Democracy, established in terms of Chapter 9 of the Constitution. Each of these institutions and the PSC operates independently of each other. There is also nothing preventing the PSC from entering into a MoU with the Institutions Supporting Democracy to regulate how such overlaps will be managed and dealt with, or the broader relationship between such institutions.</p> <p>In a different but analogous context, the Constitutional Court⁵ has ruled as follows in relation to the overlap of functions and role between spheres of government: <i>“...these powers are not contained in hermetically sealed compartments, sometimes the exercise of powers by two spheres may result in an overlap. When this happens, neither sphere is intruding into the functional area of another. Each sphere would be exercising power within its own competence. It is in this context that the Constitution obliges these spheres of government to cooperate with one another in mutual trust and good faith, and to co-ordinate actions taken with one another.”</i></p>
<p>Chirwa v Transnet Ltd and Others 2008 (4) SA 367 (CC) at paragraphs 74-76, (relying on the decision of Institute for Democracy in South Africa and Others v African National Congress and Others 2005 (5) SA 39 (C) (2005 (10) BCLR 995)</p>	<p>It was confirmed that the rights in Section 195 of the Constitution are not justiciable. In other words, while Section 195 of the Constitution provides important interpretative assistance, it does not found a right to bring an action for breach of any the principles. The court held that: <i>“The values enunciated in s 1 of the Constitution are of fundamental importance. They inform and give substance to all the provisions of the Constitution. They do not, however, give rise to discrete and enforceable rights in</i></p>

⁴ Independent Electoral Commission v the Langeberg Municipality (as successor to the Stilbaai Municipality). Case CCT 49/00

⁵ Macssand v City of Cape Town and Others unreported judgment of the Constitutional Court, [2012] ZACC 7

CASE	BRIEF SUMMARY
	<p><i>themselves. This is clear not only from the language of s 1 itself, but also from the way the Constitution is structured and in particular the provisions of Chapter 2, which contains the Bill of Rights ... the same considerations apply to the other sections of the Constitution ... [including] Section 195(1). These sections all have reference to government and the duties of government, inter alia, to be accountable and transparent. ... In any event, these sections do not confer upon the applicants any justiciable rights that they can exercise or protect ... The language and syntax of these provisions are not couched in the form of rights, especially when compared with the clear provisions of Chapter 2. Reliance upon the sections in question for purposes of demonstrating a right is therefore inapposite. ... therefore although Section 195 of the Constitution provides valuable interpretive assistance it does not found a right to bring an action".</i></p>
<p>Khumalo and Another v Member of the Executive Council KwaZulu-Natal Education J- CCT10-13A</p>	<p>The formulation and application of requirements for a particular post is a minimum pre-requisite for ensuring the objectivity of the appointment process. Persons who do not meet the requirements for a post in the public sector ought not to be appointed.</p>
<p>Minister of Defence and Military Veterans v Motau and Others [2014] ZACC 18</p>	<p>The Constitutional Court in this matter found that the implementation of legislation constitutes administrative action, except where there is a clear indication that it does not.</p>
<p>Public Protector v Mail & Guardian Ltd and Others 2011 (4) SA 420 (SCA) at paras 21-22</p>	<p>In considering what a proper investigation entails, the Supreme Court of Appeal in the above case held in as follows:</p> <p><i>"...the investigation must have been conducted with an open and enquiring mind. An investigation that is not conducted with an open and enquiring mind is no investigation at all. That is the benchmark against which I have assessed the investigation in this case. I think that it is necessary to say something about what I mean by an open and enquiring mind. That state of mind is one that is open to all possibilities and reflects upon whether the truth has been told. It is not one that is unduly suspicious but it is also not one that is unduly believing. It asks whether the pieces that have been presented fit into place. If at first they do not then it asks questions and seeks out information until they do. It is also not a state of mind that remains static. If the pieces remain out of place after further enquiry then it might progress to being a suspicious mind. And if the pieces still do not fit then it might progress to conviction that there is deceit. How it progresses will vary with the exigencies of the particular case. One question might lead to another and that question to yet another, and so it might go on. But whatever the state of mind that is finally reached, it must always start out as one that is open and enquiring."</i></p> <p>While the above case was decided in relation to the office of the Public Protector, the scope and meaning of "an investigation" as defined above applies equally, in our view to an investigation carried out by the PSC.</p> <p>In addition to the above, the court held that <i>"His or her mandate is an investigatory one, requiring pro-action in appropriate circumstances. Although the Public Protector may act upon complaints that are made, he or she may also take the initiative to commence an enquiry, and on no more than "information that has come to his or her knowledge" of maladministration, malfeasance or impropriety in public life... But although the conduct that may</i></p>

CASE	BRIEF SUMMARY
	<p><i>be investigated is circumscribed I think it is important to bear in mind that there is no circumscription of the persons from whom and the bodies from which information may be sought in the course of an investigation. The Act confers upon the Public Protector sweeping powers to discover information from any person at all. He or she may call for explanations, on oath or otherwise, from any person, he or she may require any person to appear for examination, he or she may call for the production of documents by any person and premises may be searched and material seized upon a warrant issued by a judicial officer. Those powers emphasise once again that the Public Protector has a proactive function. He or she is expected not to sit back and wait for proof where there are allegations of malfeasance but is enjoined to actively discover the truth".(At paras 9-11)</i></p> <p>The PSC also has the power to perform functions of its own accord and in this regard, some level of pro-activity is required of the PSC. In line with Section 197 (1) of the Constitution, Section 10 of the PSA Act provides the PSC with tools to be used during the course of an investigation, such as the power to summons a person to an inquiry for the person concerned to give information to the inquiry and/or to produce documents. The person so summoned can also be examined under oath.</p>
SABC v DA (393/2015) [2015] ZASCA 156 (8 October 2015)	A person is not entitled to simply ignore the findings, decision or remedial action taken by the Public Protector. Moreover, an individual or body affected by any finding, decision or remedial action taken by the Public Protector is not entitled to embark on a parallel investigation process to that of the Public Protector and adopt the position that the outcome of that parallel process trumps the findings, decision or remedial action taken by the Public Protector.
Economic Freedom Fighters v The Speaker of the National Assembly and Others and Democratic Alliance v the Speaker of the National Assembly and Others (CCT 143/15 and CCT 171/15)	The court further highlighted the Constitutional obligation on the National Assembly in terms of sections 42(3) and 55(2) of the Constitution read with section 8(2) (b) (iii) of the Public Protector Act, 1994 (and section 181(3) of the Constitution) to provide for an oversight mechanism "to facilitate compliance with the remedial action" of the Public Protector.
Minister of Home Affairs and Another v Public Protector of the Republic of South Africa (308/2017) [2018] ZASCA 15; [2018] 2 All SA 311 (SCA); 2018 (3) SA 380 (SCA) (15 March 2018)	The constitutional and statutory powers and functions vested in the Public Protector to investigate, report on and remedy maladministration are not administrative in nature and so are not reviewable in terms of section 6 of the Promotion of Administrative Justice Act 3 of 2000. This being so, the Public Protector's exercise of her core powers and functions is reviewable on the basis of the principle of legality that stems from the founding constitutional value of the rule of law.
Sun International Management (Pty) Ltd v Commission for Conciliation, Mediation and Arbitration and Others (LC) (unreported case no JR939/2014, 18-11-2016) (Lagrange J) delivered on 18 November 2016	An employee claiming they ought to have been appointed to the position applied for, bears the onus to establish that 'but for' the employer's unfair conduct, they would have been appointed.

PART B: OUR STRATEGIC FOCUS

3. VISION

A champion of Public Service excellence in democratic governance in South Africa.

4. MISSION

To promote the constitutionally enshrined democratic values and principles throughout the Public Service by-

- a) investigating, monitoring, evaluating the organisation and administration, and personnel practices;
- b) proposing measures to ensure the effective and efficient performance;
- c) issuing directions with regards to personnel procedures relating to the recruitment, transfers, promotions and dismissals;
- d) advising on personnel practices; and
- e) reporting on its activities.

5. VALUES

The PSC's values give direction to our actions and describe how we behave. We uphold the following values:



6. SITUATIONAL ANALYSIS

In understanding the context within which the PSC operates, the leadership of the PSC adopted a SWOT analysis as a tool for analyzing its internal and external environment. The issues emanating from the SWOT analysis informed the application of the Theory of Change/ Logical Framework (as its planning methodology) in mapping out the PSC's strategic direction over the next five years through which the strategic interventions were identified and operationalized in line with the mandate of the PSC.

6.1 Outcome of PSC's SWOT Analysis

The PSC's strengths, weaknesses, opportunities and threats that have been taken into consideration in the application of the Theory of Change/ Logical Framework, which served as a basis for the development of the PSC's Strategic and Annual Performance Plans, are reflected below:

	STRENGTHS	WEAKNESSES
INTERNAL	<p>Legislative/ Policy Environment Clear mandate that is impact driven and enables the PSC to perform its functions without fear, favour or prejudice.</p> <p>Legitimacy</p> <ul style="list-style-type: none"> There is increased confidence and trust in the PSC from structures such as Parliament/ Provincial Legislatures, departments and civil society bodies. The PSC is regarded as a thought leader due to its strategic position and usefulness of its products. The PSC has a competitive advantage in that it interfaces at institutional level (departments), policy, individual (public servants) and citizens in respect of its work. <p>Strong stakeholder relations and awareness of the PSC</p> <ul style="list-style-type: none"> The PSC has partnered and collaborated with other bodies such as Higher Education Institutions (universities), Chapter 9 institutions (AG, Public Protector) etc. to leverage performance. The PSC is represented and accessible in all provinces in carrying out its legislative mandate by being a caring and responsive organization. 	<p>Discharge of legislative mandate</p> <ul style="list-style-type: none"> Reluctance to use summoning powers as a punitive measure to enable the PSC to carry out its investigative work. Unwillingness to give directions on matters that have a bearing on the mandate of the PSC. <p>Weakened voice of the PSC in Public Service discourse As a thought leader, there is insufficient sharing of body of knowledge of the PSC through writing of opinion pieces, publications and Lectures.</p> <p>Timing of PSC reports to unlock service delivery blockages The turnaround time to finalize and publish some reports takes longer thus weakening the relevance of the reports.</p> <p>Lack of integration and alignment across the branches There are similarities in some areas of work across the branches in sourcing information from departments reflects poor coordination and lack of integration of resources by the PSC.</p> <p>Capability</p> <ul style="list-style-type: none"> Inadequate capacity building programs to addresses skill gaps in areas such as (investigative) research, report-writing and impact analysis and record keeping. MoUs with the identified stakeholders are not fully aligned to the Human Resource Strategy of the PSC to address the skills gap.

	<p>Capacity</p> <ul style="list-style-type: none"> • The PSC prides itself by attracting skilled and experienced employees to deliver on its mandate. • In spite of the wide mandate and due to resource constraints, the PSC is more focused and its products and interventions are better refined • There is demonstrated evidence of teamwork within and between directorates as well as inter-disciplinary collaboration across branches. • Some of the PSC's reports are used by practitioners, researchers and academics and are also relied upon by government departments and Parliament, especially Standing Committee on Appropriations (SCOA). <p>Sound corporate governance system Record of sound corporate governance</p>	<p>Old IT Infrastructure</p> <p>The IT infrastructure is old and does not support the functionality of new application systems thus impacting negatively on the overall work of the PSC.</p>
EXTERNAL	<p style="text-align: center;">OPPORTUNITIES</p> <p>Sustained stakeholder relations</p> <ul style="list-style-type: none"> • Sustain existing relations with Parliament and the Executive for political buy-in of PSC's impending Bill. • Political will serves as an advantage for donor community to fund institutions advancing the fight against corruption. <p>Enriching teaching methodology on public administration Through the PSC's MoUs with institutions of higher learning, there is an opportunity for the PSC to complement the curriculum on public administration by infusing theory with practical experience through guest lecturing.</p> <p>Oversight of the National Macro-Organisation of Government (NMOG) The PSC has an opportunity to conduct oversight on the process of reconfiguration of government departments in order to improve HRM practices and harmonise labour relations in the Public Service.</p> <p>District Service Delivery Model Enhance PSC's knowledge base through lessons learned from forging partnership</p>	<p style="text-align: center;">THREATS</p> <p>Mushrooming of other hotlines Mushrooming of other hotlines within the Public and the Private sector has the potential to render the Public Sector National Anti-Corruption Hotline (NACH) ineffective.</p> <p>Imminent function shift of NACH The function shift of the NACH to the DPSA could result in a decrease in budget allocation for the PSC, thus impacting negatively on the fiscus of the organisation as well as integrity of the PSC to deliver on its mandate on curbing corruption in the Public Service.</p> <p>Reputational risk on the PSC</p> <ul style="list-style-type: none"> • The investigative work and product that is of poor quality could result in litigation or negatively affect the integrity and reputation of the PSC. • Some political principals are inclined to source advice from other sources rather than the PSC on matters that have a bearing on PSC's mandate, thus weakening certain functions of the PSC. <p>Political will to fully ensure the independence of the PSC as a Chapter 10 institution Failure to garner sufficient support by the Cabinet of the 6th Administration and delays in the legislative programme of Parliament to consider</p>

	with The Presidency in the roll-out of District Service Delivery Model pilot.	the Bill could result in the OPSC not migrating from being a department to a Secretariat serving the PSC.
	4th Industrial Revolution (IR) The PSC has an opportunity to embrace the ideas of 4 th IR to improve business processes and systems (automation of systems for document management, leave, recruitment)	

6.2 The Strategic Focus of the PSC for the period 2020/21- 2024/2025

The strategic focus of the PSC over the next five years is to contribute to building “A responsive, ethical and value-driven public service that responds timeously, efficiently and effectively to the needs of the citizens” as espoused in Priority 6 of the NDP. Various strategic intervention projects have been identified and mechanism to operationalize these projects have been developed for progressive realization of this. A more detailed explanation is outlined in PSC’s Theory of Change (please refer to pages 31-33).

6.3 Recent statistics relevant to the PSC

The development of the PSC’s Theory of Change and the identification of the strategic intervention projects have taken into consideration the routine outputs that the PSC delivers on so as to maintain its sustained agenda as informed by its Constitutional and Legislative mandate. These routine outputs are delivered at national and provincial level and also serve as a basis for the baseline information provided in the setting of progressive targets for both the Strategic and Annual Performance Plan for the period 2020/21- 2024/25.

Management of grievances

Section 196(4)(f)(ii) of the Constitution mandates the PSC to investigate grievances of employees in the Public Service concerning official acts or omissions. In terms of fair and sound labour relations practices, all employees in the Public Service have the right to be treated with dignity, equality and fairness. This, amongst others, implies that grievances of employees should be dealt with in a manner that does not prejudice any employee and affords employees a fair and just opportunity to have their grievance(s) resolved to their satisfaction. The PSC through its mandate, as provided for in section 196(4)(f)(ii) of the Constitution considers grievances of public servants and makes recommendations “*that an Executive Authority acts in terms of a particular provision of the Public Service Act or any other law*”.

The trends analysis in **Figure 1** below shows that the number of grievances referred to the PSC over the period 2015 to 2019 has marginally declined.

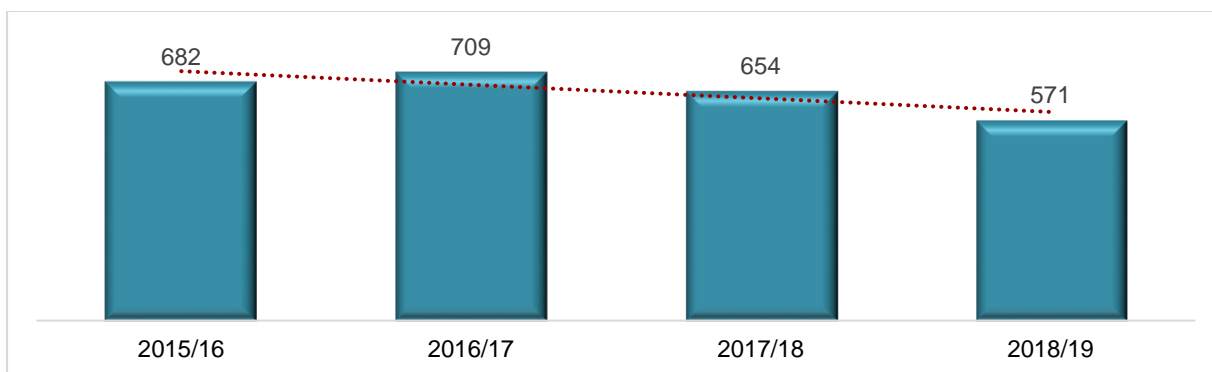


Figure 1: Trends analysis of the number of grievances referred to the PSC over the period 2015 to 2019

The reason for marginal reduction in the number of grievances referred to the PSC may be attributed to a range of proactive strategies adopted by the PSC to guide and support departments in the management of grievances closest to the point of origin and various advocacy sessions and capacity building initiatives through engagements and publications. The proactive engagements have contributed toward the internal resolution of grievances by departments and in some instances the withdrawal of grievances by employees once clarity on the implementation of prescripts are provided. In addition, the PSC shares critical information such as case law with departments on key human resource management and labour relations issues to empower departments so they do not repeat similar mistakes.

In the next five years, the PSC will continue to investigate grievances that are referred to or lodged with the PSC. The PSC will continue to publish reports and factsheets on grievance management in the Public Service, as well as engage with departments individually and collectively on key topical issues that are identified during the investigation of grievances and the monitoring of grievance trends in the Public Service. In addition, the PSC will implement information sharing and capacity building sessions in the Public Service in collaboration with the bargaining councils.

Monitoring of service delivery sites

The PSC conducts service delivery inspections at various service points in order to influence positive behavioural change in the manner in which services are rendered in the Public Service by the public servants. Service delivery inspections are regarded as a fact-finding exercise to observe and get first-hand information on service delivery. Since 1994, various service delivery inspections on compliance with the Batho Pele principles were undertaken in the Health sector, Department of Home Affairs (border posts), South African Police Services, Departments of Education (Learner and Teacher Support Material (LTSM), Department of Correctional Services and Department of Justice and Constitutional Development. The PSC conducted announced and unannounced service delivery inspections at selected service delivery sites. These inspections aim to assess the quality of services provided to the public and to determine if departments are meeting the required service standards and the needs of the people using the service. Emanating from these inspections, the PSC issued reports with recommendations for improvements. These inspections provided the PSC with valuable information on practical service delivery challenges at the coalface.

Furthermore, the PSC conducted evaluations of service delivery models such as the “Thusong Service Centres”, “Outsourcing”, “Agencification” and “Public-Private Partnership” (PPP) models in the rendering of public services”. This included the developments of service delivery guidelines such as the “Procedure Manual for Social Development”, “Guidelines on Institutional Support to Departments” and “Guidelines on Hospital Management”.

A high level account of inspections conducted by the PSC at national and provincial spheres of government is summarised as follows:

Department	2015/16	2016/17	2017/18	2018
NATIONAL				
Department of Correctional Services & Defence	None	Correctional Services: <ul style="list-style-type: none"> • Pollsmoor, • Durban, Kokstad • Kgosi Mampuru II 	None	Defence: 1 Military hospital
PROVINCIAL				
Eastern Cape: Education and Health	Availability of LTSM at Schools	<ul style="list-style-type: none"> • Selected hospitals • Availability of LTSM at Schools 	Availability of LTSM at Schools	<ul style="list-style-type: none"> • Availability of LTSM at Schools • Thusong centres
Free State: Education, Health, SAPS & Home Affairs	<ul style="list-style-type: none"> • Availability of LTSM at Schools • Selected hospitals • Department of Home Affairs 	<ul style="list-style-type: none"> • Various hospitals • Availability of LTSM at Schools 	<ul style="list-style-type: none"> • Availability of LTSM at Schools • Selected police stations 	Availability of Learner LTSM at Schools
Gauteng: Education & Health	<ul style="list-style-type: none"> • Availability of LTSM at Schools • Selected hospitals • Availability of medicines and medical equipment at selected hospitals 	Availability of LTSM at Schools	Availability of LTSM at Schools	Availability of LTSM at Schools
KwaZulu- Natal: Education & Health	None	<ul style="list-style-type: none"> • Selected hospitals • Availability of LTSM at Schools 	Availability of LTSM at Schools	<ul style="list-style-type: none"> • Availability of LTSM at Schools • Selected health facilities
Limpopo: Education &	<ul style="list-style-type: none"> • Availability of LTSM at Schools • SAPS Garage 	<ul style="list-style-type: none"> • Inspections conducted in hospitals • Availability of LTSM at Schools 	Availability of LTSM at Schools	Availability of LTSM at Schools.

Department	2015/16	2016/17	2017/18	2018
Mpumalanga: Education, SAPS & Health	<ul style="list-style-type: none"> • Inspections on the availability of LTSM at Schools conducted. • Inspections conducted in Rob Ferreira Hospital • Inspections of border gates. 	Inspections on the availability of LTSM at Schools conducted.	Inspections on the availability of LTSM at Schools conducted.	<ul style="list-style-type: none"> • Inspections on the availability of LTSM at Schools conducted. • Inspections of police stations
Northern Cape: Education	Availability of LTSM at Schools	Availability of LTSM at Schools	Availability of LTSM at Schools	Availability of LTSM at Schools
North West: Education & Health	Availability of LTSM at Schools	<ul style="list-style-type: none"> • Selected hospitals • Availability of LTSM at Schools 	Availability of LTSM at Schools	Availability of LTSM at Schools
Western Cape: Education	Availability of LTSM at Schools	Availability of LTSM at Schools	Availability of LTSM at Schools	Availability of LTSM at Schools

Promotion of constitutional values and principles in the Public Service

The PSC is mandated in terms of Section 196(4)(a) and (e) of the Constitution, amongst others, to—

- a) promote the values and principles set out in section 195 throughout the Public Service; and
- b) report in respect of its activities and the performance of its functions, including any finding it may make and directions and advice it may give, and to provide an evaluation of the extent to which the values and principles set out in section 195 are complied with.

The PSC has a constitutional mandate to promote and monitor compliance with constitutional values and principles in the course of the rendering of services to the public. The promotion of the constitutional values and principles is aimed at fostering a positive behavioural change in public servants and the Public Service in order to ensure that services are delivered in a responsive, caring and ethical manner, among other things.

Parliament resolved in November 2011 that the PSC's State of the Public Service report should be based on a fixed set of indicators, so that over time, "the style of reporting will allow greater comparability, monitoring, evaluation and oversight of the progress any particular government entity makes in implementing Section 195(1) of the Constitution". The Resolution requires the PSC to report on the implementation of Section 195 (1) by the administration of all spheres of government, organs of state and public enterprises in South Africa and to include its report in the annual reports of all entities every year.

The PSC has, since 2001, conducted evaluations of departments against the Constitutional Values and Principles (CVPs). The last cycle of evaluations in this phase was in 2012/13. During this phase, the PSC produced 170 departmental reports. Its last State of the Public

Service report, based on these and other evaluations, was published in 2014. In 2015 the PSC decided to review the programme because the old evaluation tool tended to emphasize institutional due diligence and compliance rather than fundamental change to adherence to values.

During the period 2016/17 the PSC undertook the preparatory work on the project, which among others included the following:

- a) Developing the theoretical framework and evaluation tool.
- b) Conducting a roundtable with external stakeholders and experts.
- c) Consultation with departments at both national and provincial levels.
- d) Piloting the evaluation tool in three departments, 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.

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

- a) To promote compliance with the CVPs in the Public Service;
- b) To evaluate whether the intention of the public administration values and principles is achieved on an outcome level;
- c) 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;
- d) To ensure the contextual application of the principles;
- e) 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; and
- f) To issue directions where personnel procedures are not adhered to.

During 2017/18 financial year, the CVP programme was rolled out to the following departments including the Department of Social Development, Department of Human Settlements, National Treasury and the nine provincial Social Development departments. Based on these evaluations, the PSC resumed its State of the Public Service report, now Part B.2 of the 3rd Edition of the PSC's Section 196(4)(e) report.

The CVP programme also included a promotion campaign as envisaged under its first objective mentioned above. The PSC conducted 99 promotional engagements in 2018/19. The PSC embarked on an intensive drive to engage with government departments, key societal stakeholders, organized labour and the citizenry at large. These engagements focused on ensuring that the values and principles are understood, adhered to and find expression in public administration and within society. The engagements have affirmed the PSC's view that all public servants and leaders need to be constantly reminded of the CVPs and develop a concern for impact and responsiveness to citizens' needs. In particular, it was clear that mechanisms to constantly work on the human factor of professionalism, integrity and accountability must be mainstreamed into the routine work of all public officials. In line with its Constitutional mandate, the PSC's contribution towards strengthening state capability is the ambition to build a value-driven Public Service through ethical, credible and accountable leadership, and embedding constitutional values and principles across the public sector. During 2018/19 the PSC completed quantitative evaluations of 100 departments.

Over the next five years and going beyond, the PSC will alternate between quantitative and qualitative evaluations. The quantitative evaluations will be supported by a much sharper focus on data, through a data warehouse that the PSC has set up. The focused approach is aimed at bringing about a culture change in the Public Service, from a culture of institutional due diligence to one of a values-driven Public Service with a high degree of responsiveness to the needs of citizens. This would require a shift of emphasis from evaluation to solution. Solutions would require that the PSC define exactly the change in administrative practice that is required for the bureaucracy, with its multiple structures, systems, frameworks, processes and rules, to better conform to the public administration principles.

Public Administration Investigations

While it is important that the Public Service hold employees and holders of public office accountable, just as important is that they have mechanisms through which they can exercise this civic duty. A variety of access mechanisms have been established by the PSC to promote accountability and encourage a culture of reporting ethics related issues, accountability related issues such as appointment, procurement and financial irregularities, non-compliance with Public Service legislation and policy, service delivery and professionalism related issues such as bias/impartiality, unfairness, discrimination and prejudice, and ,performance related issues such as incapacity, incompetence, lack of training/ capacitating and lack of representivity.

The PSC Rules on Conducting Investigations⁶ have been specifically designed to provide a framework for lodging complaints on public administration matters and for the PSC to investigate the complaints as contemplated in section 196(4)(f)(i), (iii) and (iv) of the Constitution.

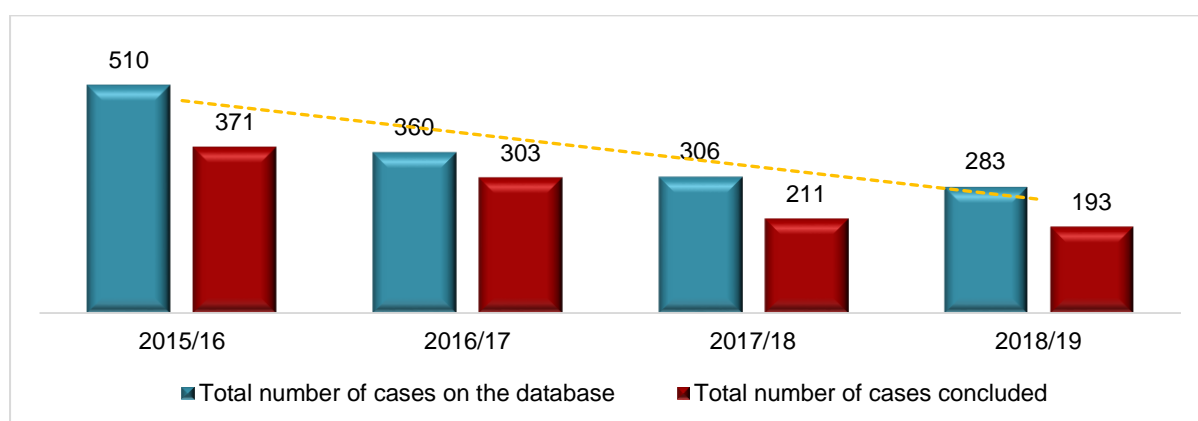


Figure 2: Trends analysis of the management of complaints over the period 2015 to 2019

The trends analysis in **Figure 2** above shows a decrease in number of complaints lodged and closed by the PSC over a four year period. It is a reflection of the impact of the cost containment measures introduced by National Treasury in respect of Compensation of

⁶ PSC Rules on Conducting Investigations, published in Government Gazette No 40552 dated 20 January 2017

Employees, which resulted in the PSC abolishing a post of Director and posts at the level of Deputy Director in Programme 4.

A trend has also emerged wherein the scope and complexity of investigations have increased resulting in more resources being assigned to a single investigation at a time and investigations spanning over extended periods. As an example, during the 2018/2019 financial year, 60% (6 out of 10) of the PSC investigators at national level were assigned to focus solely on large-scale investigations in the national Departments of Public Works (at the request of the Minister of Public Works) and Agriculture, Forestry and Fisheries. Although departments have expressed a willingness to fund the PSC's investigations, the National Treasury has not supported that the PSC "charge" for its services. The impact of the lack of funding for travel and subsistence for investigators also impedes negatively on the PSC's ability to effectively conduct public administration investigations.

The PSC will continue to conduct investigations on complaints lodged with the PSC over the next five-year strategic planning period. Consistency and uniformity in the handling of complaints will be ensured through the process of reviewing the existing PSC Rules on conducting investigations, and the establishment of standard operating procedures for the handling of complaints lodged with the PSC. The PSC will also continue to conduct own accord investigations as provided for in section 196(4)(f) of the Constitution.

The focus of the PSC in the next five years in respect of investigations will be aimed at achieving the following, among other things:

- a) A responsive, ethical and values driven Public Service, ensuring quality service delivery.
- b) A professional, patriotic, committed and responsive public servant.
- c) Good governance culture and people centred public administration.
- d) An effective accountability framework for the Public Service.
- e) The PSC delivering on its Constitutional mandate in an effective and efficiency manner by, among others, conducting investigations on complaints lodged with the PSC.

Management of the Public Sector National Anti-Corruption Hotline

A further mechanism to prevent and combat corruption is the NACH. Government has introduced the NACH for departments, public entities and local government in September 2004 through a Cabinet Decision of 14 August 2003. Cabinet decided that a single Anti-Corruption Hotline for the Public Service should be established to replace all existing anti-corruption hotlines in departments and agencies and that the NACH should be managed by the PSC. The investigation or resolution of NACH cases has been a challenge since its inception, and has been a MTSF commitment for a number of years and departments are expected to resolve 80% of cases lodged with the NACH per quarter. The PSC monitors the resolution of these cases.

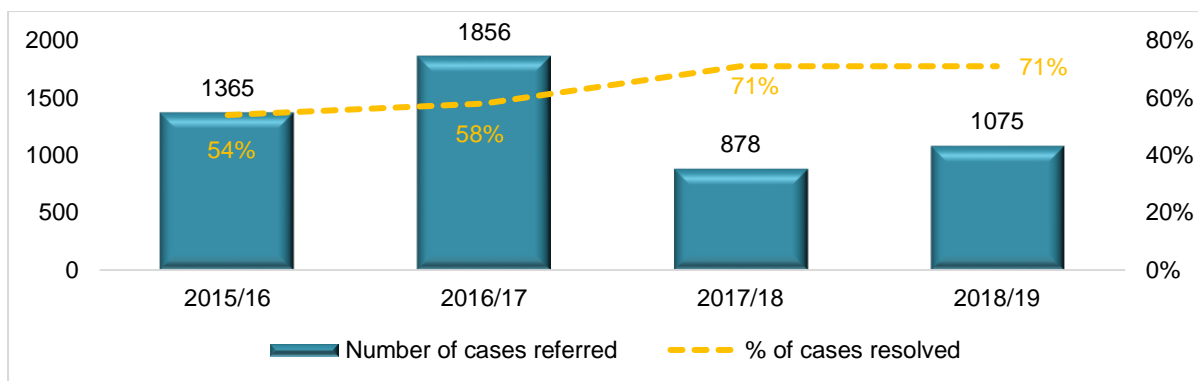


Figure 3: Trends analysis of NACH cases referred by the PSC and closed by departments over the period 2015 to 2019

Between 2004 and 2016, the NACH was operational 24 hours a day and was contracted to a third party to receive calls, generate reports and maintain a database management software system until December 2016 and the cost for these services was slightly in excess of R4 million annually. Due to its financial constraints, the PSC introduced in-house management of the NACH in January 2017 in order to reduce costs and to enhance data management security.

The reduction in cases between 2016 and 2019 can be ascribed to a number of reasons:

- The in-house Call-centre is operated by Early Resolution Officers, who receive the complaints for a decision by the Commissioners.
- The NACH Call-Centre is operational five (5) days a week and (8) hours and 30 minutes per day (between 08:00 AM and 16:30 PM). This is due to a lack of sufficient funding to appoint adequate employees to man the Call-Centre for longer hours. To deal with the challenge of shorter operating hours, a recording facility is available to allow callers to leave messages after hours and over weekends.
- Despite the PSC's intervention, there was no dedicated (ring-fenced) budget for NACH.

Figure 4 below reflects the total number of calls registered on the NACH for the period 2017 to 2019.

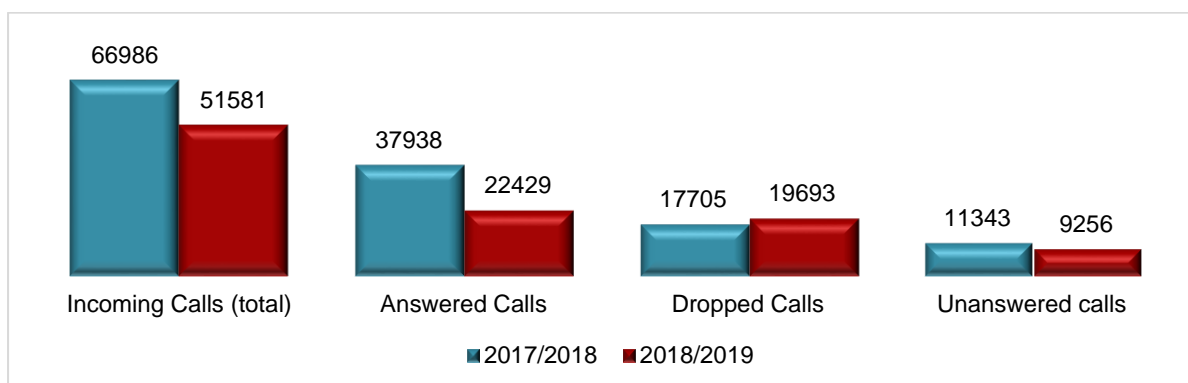


Figure 4: Total calls registered for the period 2017 to 2019

Of the answered calls, around 97% relate to enquiries made by members of the public, wrong numbers, children playing, abusive calls, requests for feedback and additional information on

a previous case reports. Only around 3% are converted into case reports that are referred to departments for further handling.

A dropped-call is the telephone call which, due to technical reasons, was cut off before the caller had finished the conversation and before the caller had hung up. This is a problem that is common to a toll-free hotline, such as in the case of the NACH.

The Public Administration Management Act, 2014, establishes the Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit, which will, amongst others, provide technical assistance and support to institutions in all spheres of government regarding the management of ethics, integrity and disciplinary matters relating to misconduct in the public administration and to build capacity within institutions to initiate and institute disciplinary proceedings into misconduct.

The Minister for Public Service and Administration is in the process of setting up the Unit and interactions will be undertaken as to how the Unit will impact on the management of the NACH.

The PSC will continue to manage the NACH as a mechanism to report fraud and corruption in the Public Service. To maximize its utilization in the combating and prevention of corruption, the NACH needs to be operationalized 24 hours a day throughout the year. The access to the NACH by the public and public officials would ensure the realization of the capable, ethical and developmental state through the reporting of fraud and corruption.

Management of the Financial Disclosure Framework

In terms of Regulation 18(1) of the Public Service Regulations, 2016, all members of the SMS in the Public Service are required to disclose all their registrable interests annually to their respective Heads of Department (HoDs), by no later than 30 April each year. The MTSF envisages 100% compliance with the disclosure of interests.

In terms of Regulation 21(1)(a) of the Public Service Regulations, 2016, the PSC is required to scrutinise the financial disclosure forms of Members of the SMS. The purpose of the scrutiny is to assess compliance with the requirement to disclose all financial interests and also establish whether the involvement of officials in any activities of the companies could lead to conflicts of interest.

The scrutiny of the financial disclosure forms involves the verification of information provided in the financial disclosure forms against the information contained in the Companies and Intellectual Property Commission Deeds Registry and the National Traffic Information System databases. The PSC also assesses the extent to which SMS members are engaged in work outside their normal employment in the relevant Departments.

The PSC will continue to conduct scrutiny of the financial disclosure forms of SMS members, but will adopt a risk-based approach to do this. Particular focus will be on topical and critical issues prevailing at a particular point in time.

The PSC will also explore the possibility of automating the scrutiny process in line with the 4th IR.

Promotion of professional ethics in the Public Service

In terms of Section 195 of the Constitution of the Republic of South Africa, the PSC is required to promote professional ethics in the Public Service. Given this Constitutional mandate, the PSC would raise ethics awareness through the promotion of the Code of Conduct in the Public Service, ethical leadership dialogues and commemoration of international events such as the International Anti-Corruption day.

Disciplinary Proceedings on Financial Misconduct

In terms of the Public Finance Management Act, 1999 (PFMA) read in conjunction with the Treasury Regulations, 2002, accounting officers of departments are required to report on the outcome of completed disciplinary proceedings on financial misconduct, to amongst others, the PSC. Given the Constitutional mandate of the PSC, it monitors and evaluates amongst others how departments are managing financial misconduct, which is part of ensuring that the Public Service maintain a high standard of professional ethics.

The PSC will continue to produce on an annual basis an overview of completed disciplinary proceedings in respect of financial misconduct. The overview is aimed at reflecting on actions taken by departments institutionalizing consequence management on cases of financial misconduct.

6.4 Medium and Long Term Policy Environment of the PSC

The NDP indicates that there is potential for the status of the OPSC as a Public Service department to compromise the PSC's independence⁷. The PSC has conducted an Institutional Practice Review in respect of the efficacy, desirability and legal compatibility of an independent constitutional institution being supported by a Public Service department. Emanating from this process, the PSC Bill will be tabled during the 6th Administration.

Senior Counsel has also analysed the mandate of the PSC, including the PSC Act. The PSC intends proposing the repeal of the PSC Act, 1997, to regulate the PSC in accordance with the provisions of section 196 of the Constitution, and to provide for matters incidental thereto, such as:

- a) Addressing the question of the definition of the Public Service in the Public Service Act and the Constitution and the possible extension of the PSC's mandate to local government and public entities.
- b) The PSC's independence being compromised by the OPSC being a national department.

⁷ Ibid

- c) The compromised independence due to the determination of the remuneration and benefits of Commissioners by the President.
- d) The issuing of PSC directions and the status of implementation thereof.

6.5 External Environment Analysis

The South African economy is struggling to return to its pre global financial crisis growth levels. The economy has been affected by weaker global demand compounded by domestic challenges - declining infrastructure investment, rising unemployment and skills that are inadequate for the modern economy. The end of the 'commodity super-cycle' is one of the major factors that has negatively affected the domestic economy. Despite the domestic and global economic challenges outlined in this section, government is committed to stimulate and grow the SA economy. The NDP and MTSF provide the strategic frameworks within which the government intends to build the economy and build a strong state that is responsive to its citizens it is in this regard that the PSC will take into consideration issues emanating from its SWOT analysis as well as policy imperatives that have been announced by the government in the process of mapping interventions that will create an impact in the Public Service.

6.5.1. Elements of external environment

The new administration puts ethics at the core of achieving a developmental capable state. The promotion of ethics and Constitutional Values and Principles solely rests with the PSC and this will require a more intense drive to institutionalize the CVPs in the entire Public Service. The newly appointed EAs may require PSC intervention particularly in departments that experienced instability which affected service delivery.

South Africa is known for the development of good policies and plans. However, the challenge has often been diagnosed at the implementation level. This is largely attributed to government's lack of capacity to implement the plans, which is linked to weakness in translating strategies and policies into plans and the misalignment of governmental plans. It should also be noted that often the planning instruments are weak and often not informed by reliable data which results in weaker plans. In addition, the tendency to frequently change plans and policies, particularly in the economic sector, has rendered the country unpredictable, which is unfavorable for investment.

It is the role of government to create a favorable environment for business so we can boost the economy through creating jobs. However, government remains disintegrated on how these services are offered. Certain key sectors are overly regulated. Whilst others such as water user licenses are performing so poorly such that they discourage investment.

The 2019 change of leadership at Cabinet level was accompanied by a renewed focus and emphasis on the need to improve governance, service delivery, ethical conduct, job creation (with emphasis being put on youth employment), land reform and investment promotion. Focus in these areas is expected to take place in a context characterised by slow economic growth and reduced revenue collection, rising inflation, increase in (destructive and violent) service delivery protests, serious and embarrassing public administration failures especially

in the health and education sectors, an increase in violent crime and protracted wage negotiations due to demands for higher salary increases by organised labour in both the public and private sector as well as efforts to reduce the number of Public Service employees in order to contain the wage bill.

In the current climate of disarray in Government the public has been asking, where is the PSC to intervene in matters of good public administration and in particular holding public institutions accountable. The PSC has a Constitutional obligation to respond to this call for interventions.

The SCOA has been requesting comments from the PSC for the last 8 years on the annual Appropriations Bill and the Medium Term Budget Policy Statement taking into consideration the PSC mandate, the Constitutional Principles and the mandate of the Committee.

Government has lost the trust of its citizens. The intension of the Constitution of improving the lives of people and treating them with dignity has to be restored. The common purpose derived from the Constitutional Values and Principles has to be embebbbed in the entire Public Service. There is a need for the PSC to use existing information and knowledge as well as lessons from other sectors and countries to proactively identify human resource management and leadership issues that have the potential to ensure effectiveness and maximize the Public Service's capacity to respond to the continuously changing needs and expectations of the public and employees of the Public Service, within the constraints of reduced financial resources and human resources.

The PSC has established a Data Warehouse (Data Centre) that provides the foundation for various products within the Commission, such as providing a snapshot of departmental performance at national and provincial level of evidence based information to inform improvement in performance and service delivery (against the CVPs) . The PSC is responsible for oversight over the entire Public Service.

Over the years, the PSC has done a lot of work especially in the areas of PMDS, recruitment and selection, employment equity, labour relations management and improvement, service termination, the management of discipline in the Public Service as well as professionalization of the Public Service. The challenge has always been lack of dedicated advocacy and engagements on the findings and recommendations emanating from various research and advocacy reports at the executive, senior management and practitioner levels.

Service delivery within the health sector continues to receive negative media attention. It is a clear indication that our health care system is grappling with serious weaknesses of professional ethics such that they manifest in the ill-treatment of the citizens and thus infringing on their basic human right to quality health care. A well-functioning and coordinated health system with competent staff members is necessary for the provision of efficient health care to patients.

The findings from many studies as well as the perception of many stakeholders engaged through various platforms such as roundtable sessions and workshops is that challenges in the areas of human resource management relate to non-compliance with prescripts, inconsistency in the implementation of prescripts as well as poor planning. The first two

challenges are thus the major contributors towards employee grievances whilst the latter contributes towards lack of productivity. A combination of these challenges result in poor service delivery, poor quality and inefficiency and poor public perception of the integrity and capacity of Public Service machinery, including the executive and public servants and comprised.

An institution like the PSC whose functions are aimed at the transformation of the Public Service needs a valid diagnosis of the state of the Public Service for it to devise a proper strategy to bring about such transformation.

Such diagnoses is available in reports such as the 25 Year Review and the PSC's own State of the Public Service and other reports, as well as in the NDP.

Key points from a synthesis of the various diagnoses are the following:

- a) An ambivalence about skills in the Public Service. There is very poor data on skills in the Public Service and no clear strategy for building skills and for the professionalisation of the Public Service.
- b) The career system has been decentralised resulting in poor recruitment and selection. Selection has been decentralised to thousands of selection committees who apply disparate selection criteria not linked to a structured occupational classification system and planned career paths during which candidates have been prepared for specific roles.
- c) Poor coordination, relying too much on formal structures and centralised control.
- d) Erosion of accountability. Accountability has been reduced to a mechanistic compliance with the Annual Performance Plan.
- e) Poor planning. There is a lack of capabilities to model different planning options and evaluate the cost and benefits of such options based on evidence.
- f) Poor responsiveness. Although there are programmes responding to needs most are designed at the centre and delivered to ("pushed to") communities, instead of responding to specific communal contexts.
- g) Managing the Public Service payroll to attain fiscal stability.

The 2019 elections have necessitated the macro-organization of government which will take effect on April 2020. This has huge implication for the work of the PSC. Although not within its mandate, the country will also be going for its next local government elections which might have an implication for service delivery especially in light of the district development model which bring all spheres of government to act on one plan. The PSC is unlikely to see any change in the departments that are ailing and that requires a political intervention.

In the next coming years the PSC will witness the departure of some of its Commissioners, which means new cohorts will be joining the PSC. The new Commissioners will obviously bring new influence and perspective to the strategic direction of the PSC.

The Public Service employed **1 233 653** employees as at 31 March 2018, in comparison to the **1 240 284** employed as at 31 March 2017, which translates into a **6631** (0.6%) decline in the number of public servants employed.

The number of filled SMS posts in the Public Service as at 31 March 2018, was **10 065**. Of these, 4167 (41.40%) were filled by women and 5898 (58.60%) were filled by men. This clearly shows that women are underrepresented at SMS level in the Public Service, and this can be attributed to various of factors such as the historic domination of some professional groups by male, low response rate of females to advertisement and lack of dedicated training for females at the middle management level.

With respect to persons with disability, there were 11 068 persons with disabilities as at March 2018 in the Public Service of which 8967 (81.02%) were Africans, 283 (2.55%) Asians, 962 (8.69%) Coloured, and 856 (7.73%) were Whites. This translates to 0.9% of persons with disabilities in the Public Service. The Public Service will have to employ an additional 13 606 persons with disabilities to reach the required 2% which will add up to 24 673.

Government decision to priorities the employment of the youth and attempts to reduce the number of employees who have reached early retirement clearly, within the contexts of high youth unemployment in the country, is indicative not just of the economic plight of the youth but also reflects on the severity of the state of the economy. The impact of the current drive to increase the number of employed youth especially in the Public Service will only become clearer during the 2021/2022 financial year.

6.6 Internal Environment Analysis

The PSC and its Governance Structures

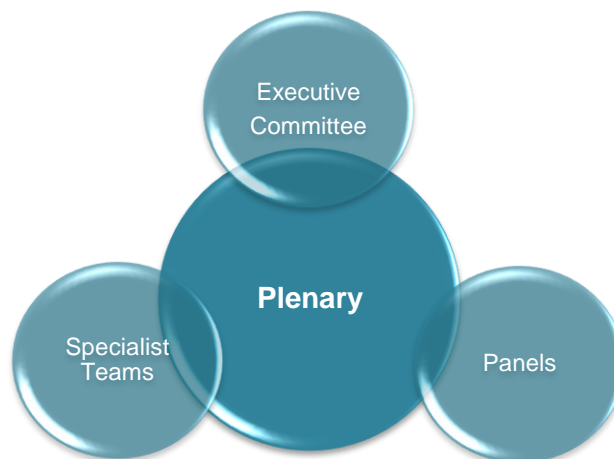
The PSC is an independent entity that was established in 1999 in terms of section 196 of the Constitution of the Republic of South Africa, 1996. The Constitution stipulates that there is a single PSC for the Republic of South Africa, consisting of 14 members, five of which are appointed by the President on the recommendation of the National Assembly. One member is appointed from each of the nine provinces, after nomination by the Premier of the province on the recommendation of the Provincial Legislature.

The PSC is accountable to the National Assembly and must report to it annually. It must also report to the Legislature of a province on its activities in each province. The PSC is a separate and independent institution which functions independently of government departments, Ministers or institutions.

The diagram below illustrates the single PSC for the Republic:



The PSC Act provides for the President to designate one Commissioner as Chairperson and another as Deputy Chairperson of the PSC. The PSC has, in terms of Section 11 of the PSC Act, 1997, issued Governance Rules of the PSC. These Governance Rules are comprehensive and define the role and functions of Commissioners and provide for the following governance structures within the PSC.



The Plenary is the highest decision making body of the PSC and is constituted by the 14 Commissioners. All policy decisions of the PSC are taken at Plenary. Plenary meetings are held at least once every quarter.

The Executive Committee is responsible for the day-to-day implementation of decisions of Plenary and meets at least once a month. It makes operational decisions within the parameters of the policy framework of the PSC and makes decisions regarding ad hoc outputs based on the available resources.

Specialist Teams provide strategic oversight of the six key performance areas of the PSC and as such assess the effectiveness of work produced by the PSC. Reports on the activities of the PSC in the area covered by the Specialist Teams are presented to Plenary where decisions are taken on strategic issues as identified by the Specialist Teams.

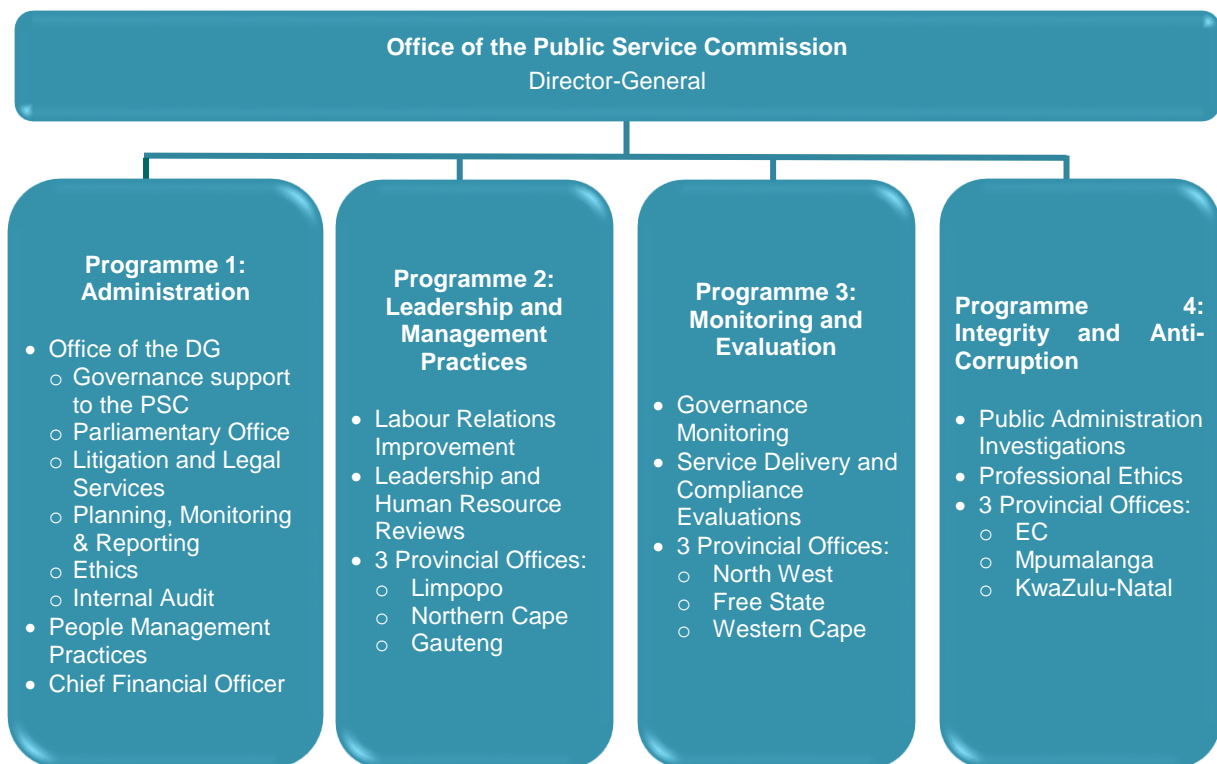
Panels, consisting of at least three Commissioners preside over grievances and complaints.

The Secretariat of the PSC

The PSC is supported by the OPSC, a national government department in terms of Schedule 1 of the Public Service Act, 1994, as amended, and is an organ of state. The OPSC is headed by a Director-General, who is also the Accounting Officer. In terms of Section 14 of the PSC Act, the Director-General shall, subject to the control and directions of the PSC, be responsible for the administration of the relevant Office.

The Chairperson of the PSC is the Executive Authority of the OPSC and as such has all the powers vested with executive authorities in terms of Section 3 of the Public Service Act, 1994 and the Public Service Regulations, 2001.

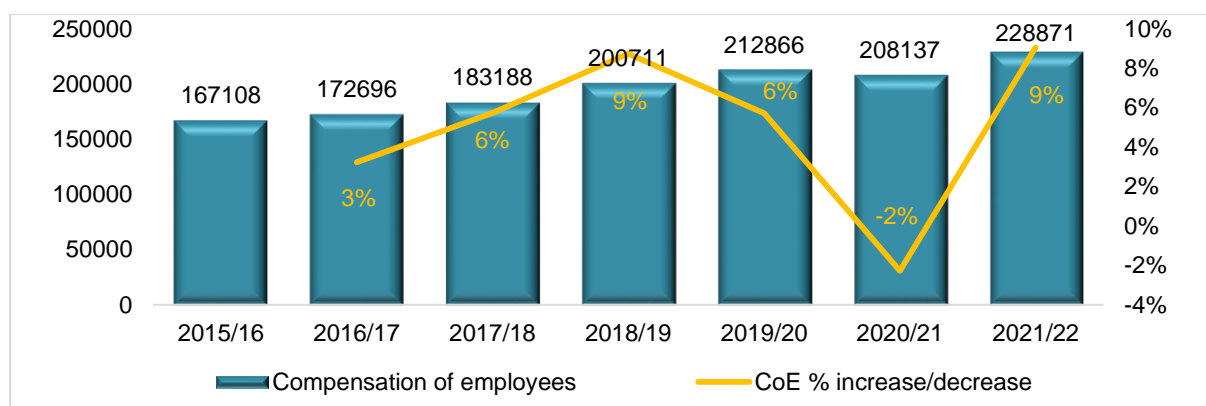
A high level overview of the budget programme structure of the OPSC:



The PSC's national office is in Pretoria and has 9 provincial offices located in each province and a parliamentary office.

The compensation per employee has increased at about 7.3% a year, while the CoE budget increased at about 5.2% over the medium term.

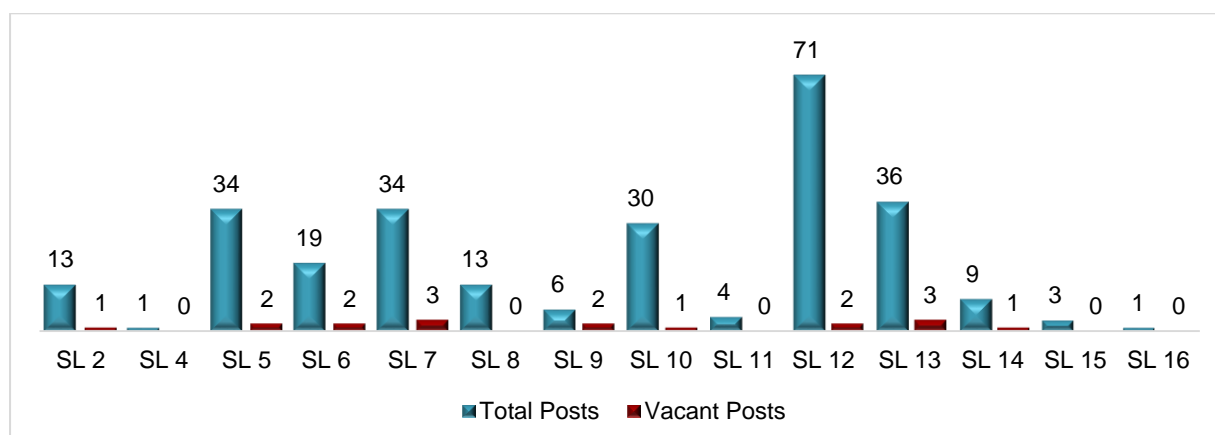
Compensation of Employees (CoE) trends analysis



The compensation per employee budget has increased at about 7.3% a year, while the CoE budget increased at about 5.2% over the medium term. The low increases in the CoE budget from the 2015/16 financial year had the result that posts had to be abolished as and when they became vacant. E.g. 9 posts of Deputy Director have been abolished. In 2018, National Treasury informed the PSC that it should offer voluntary severance packages (VSPs) to employees aged 60 and above.

- The PSC relied heavily on the savings generated through vacancies, as there was no prevailing framework to offer VSPs to employees.
- This had a knock-on effect, as the PSC now has to deliver on its mandate with less warm bodies.
- It has also led to uneven distribution of workload and has a negative impact on staff morale. The OPSC also had to scale down on the payment of merit awards to remain within the CoE budget.
- Between 2019/20 and 2020/21 the CoE budget will reduce from R213 mil to R208 mil, which will again impact on our organizational structure.
- It should also be kept in mind that funds can no longer be moved between CoE and G&S.

As at February 2020, the OPSC had 274 posts on its establishment, of which 258 (94.1%) were filled.



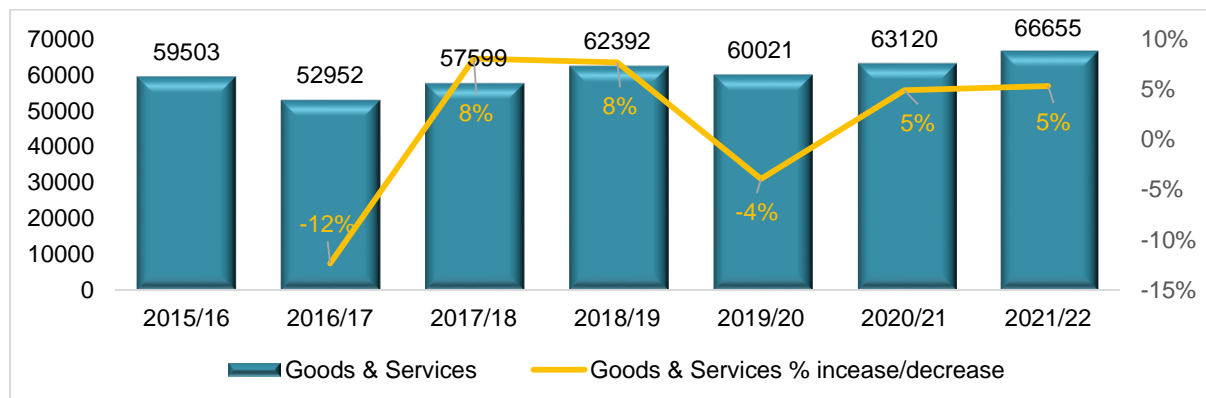
The provincial offices serve as a base for provincially based commissioners in the provinces and are supported by a small complement of about 10 employees per office.

Financial resources

The PSC's budget has, up to 31 March 2020, been funded through a transfer payment of the vote of the Department of Public Service and Administration (DPSA). With effect from 1 April 2020, the PSC will be allocated a Vote (Vote 12) in terms of section 27 of the PFMA. Although the PSC has, in terms of the Public Service Act, 1994, as amended, an Executive Authority in the form of the Chairperson of the PSC, the PFMA does not have a similar provision. The PSC is therefore unable to defend its budgetary requirements before Cabinet and or Parliament and is dependent on the Minister for Public Service and Administration to lobby for its needs.

The location of budgets of institutions supporting democracy and other constitutional bodies has been raised as a concern within the Forum for Institutions Supporting Democracy (FISD) as well as by the Portfolio Committee on Public Service and Administration. The Report of the ad hoc Committee on the Review of Chapter 9 and Associated Institutions recommends that budget allocations of institutions supporting democracy should be relocated from national departments to the Budget Vote of Parliament and that a revised funding model for all these institutions must be formulated. The PSC's budget is limited to cover its wide mandate and most of the resources are allocated to the OPSC. The current budget structure is according to a department and not a constitutional institution.

Goods and Services Trends Analysis



The PSC's Goods and Services (G&S) Budget has not increased significantly over the past 5 years (average of 1.7%), whilst spending on, for instance, accommodation increased by 25% over this period. The implementation of our cost containment measures in respect of travel, catering, purchasing of newspapers, communication, etc, have yielded some savings. However, between 2018/19 and 2019/20 our G&S budget was reduced by NT from R62.4 mil to R60 mil. To some extent the PSC's diligent saving counted against it. In the 2019/20 financial year, 97% (R58.2 mil) of our G&S budget is for mandatory and operational costs, whilst 3% (R1.8 mil) is for the implementation of the mandate of the PSC. This situation does not change over the Medium Term Expenditure Framework (MTEF) period. The G&S budget

for the current (2019/20) financial year is R60.0 mil (22% of overall budget), while it grows to only R63 mil in 2020/21 and R67mil in 2021/22.

Information Technology

The Directorate: Information Technology (D: IT) is in the process of conducting an IT assessment with the focus on IT infrastructure (Local Area Network, servers, storage, desktops, laptops), Information Systems, Skills audit of the IT team, review of the IT Strategic Plan, assess the capacity of the IT team to effectively support National and Provincial Offices, transfer skills and develop IT capacity.

The D: IT will also endeavour to modernize and digitize its manual critical business processes so that Information and Communication Technology is aligned to the business strategy. The will also take advantage of advances made on the 4th IR, Artificial Intelligence and Robotics. The D: IT will also consider moving some of its services to the SITA Government cloud. In mitigating weaknesses and threats in the IT environment, there is a need to put controls in place, develop and implement uniform standards and create a safe and secure environment for collaboration and information sharing.

PSC's compliance with the Broad-Based Black Economic Empowerment (B-BBEE) Act

The PSC has, since 2018/19, set performance standards in its Annual Performance Plan to measure the appointment of service providers who meet the B-BBEE requirements and have exceeded its target in this regard. Furthermore, the PSC's Annual Report for 2018/19 was submitted to the Commission for B-BBEE on 30 September 2019. An accredited B-BBEE verification agency has been appointed to conduct B-BBEE compliance assessment and issue the PSC with a B-BBEE certificate upon completion of the process.

PSC's compliance with institutionalisation of planning practices that are sensitive to women, youth and people with disabilities

The PSC has, for a long time, institutionalised a gender-sensitive approach to planning in terms of the performance targets it sets for itself. In line with the audited figures for 2018/19 financial year, the PSC's compliance statistics include 46.8% appointment of women in SMS positions, 1.95% appointment of people with disabilities and the in past enabled for the roll-out of internship programme in order to equip young graduates with working experience required for entering the job market.

PART C: MEASURING OUR PERFORMANCE

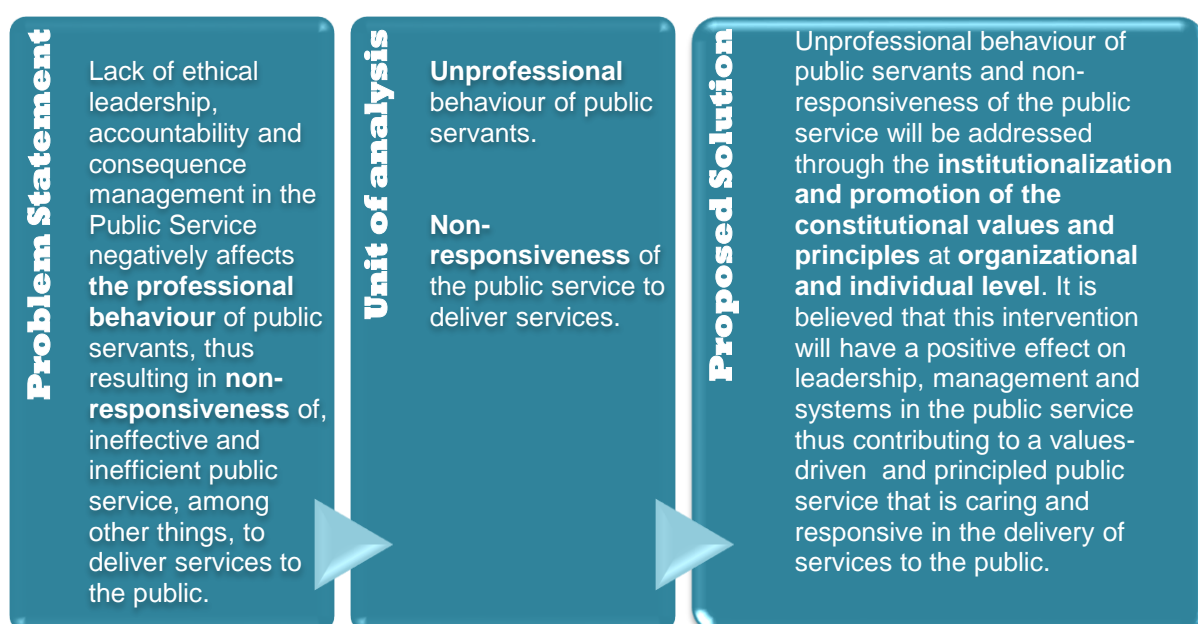
7. INSTITUTIONAL PERFORMANCE INFORMATION

In line with the new planning requirements outlined in DPME's Revised Framework for the Strategic and Annual Performance Plans (2019), the PSC adopted the Theory of Change as its planning methodology in order to map its strategic focus and interventions to the kind of change or desired state of the Public Service it wants to effect in line with its constitutional mandate.

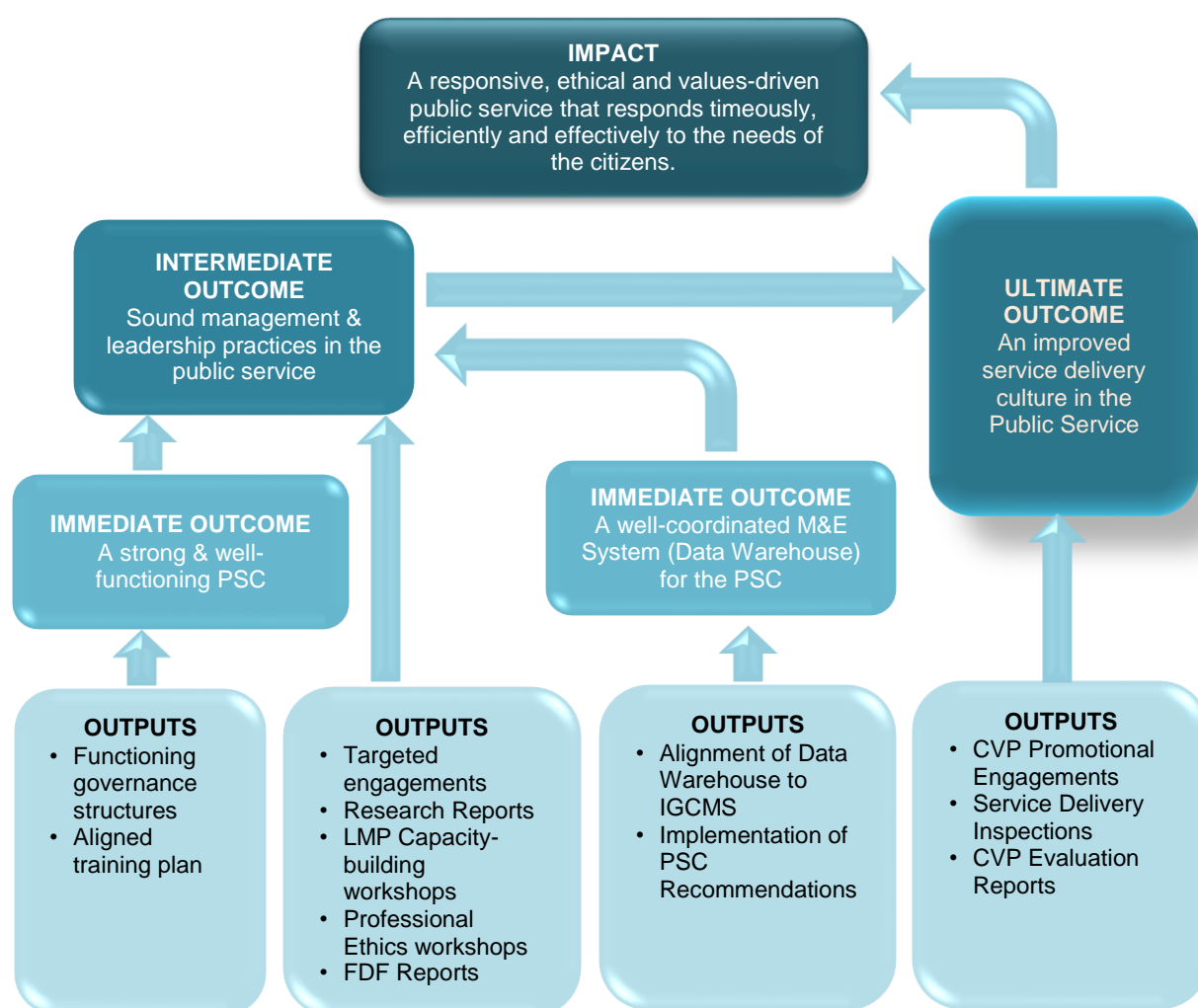
The outcome of the application of the Theory of Change took into consideration the issues that emanated from the PSC's SWOT Analysis and the challenges and threats identified served as a basis for making reflection on the desired state of the Public Service the PSC envisages. As such, the approach to the application of the Theory of Change was to first identify the main problem the PSC will address over the next five years (2020/21- 2024/25) and formulate the proposed solution to the main problem. The proposed solution then formed the basis for the desired state of the Public Service expressed as impact statement. Through the identified outcomes, the PSC was able to measure the kind of change that need to be effected over the next 3 to 5 years in order to achieve the desired state including identifying the key projects that would be used as a mechanisms for operationalizing the interventions identified.

7.1 PSC's Theory of Change

A high level summary of PSC's Theory of Change for the 2020/21- 2024/25 is presented as follows:

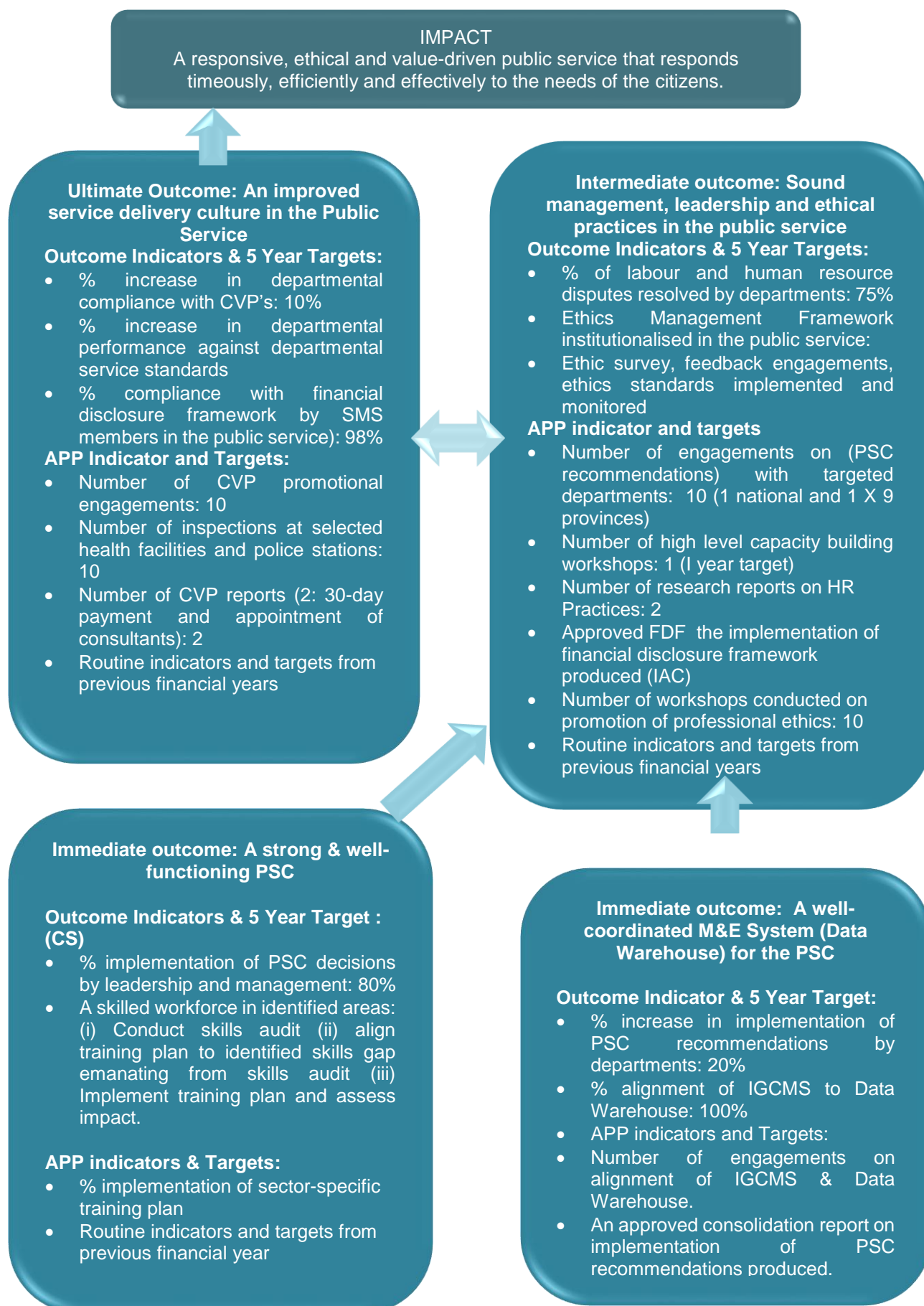


PSC'S LOGIC FRAMEWORK USING THE THEORY OF CHANGE AS A PLANNING METHODOLOGY



The basic interpretation of the above Logic Framework is that, If we have a strong and well-functioning PSC (brought about by functioning governance structures and training plan aligned to the PSC's HR Strategy) which is supported by a well-coordinated and functioning M&E system, then we will be able to promote sound leadership practices through various interventions (outputs) such as targeted engagements, capacity building workshops, producing various reports on Leadership and Management Practices and Professional Ethics. It is believed that with sound leadership practices will have a positive trickledown effect resulting in improvements in the service delivery culture thus resulting into, among other things, a responsive, ethical and values driven Public Service that responds timeously to the needs of the citizens.

Another way of looking into the above figure is through the following depiction of PSC's Theory of Change which enables the PSC to explicitly reflect on the alignment between the Strategic Plan and APP through relevant outcome and output (APP) indicators:



7.2 Measuring the Impact

Impact Statement	A responsive, ethical and value-driven Public Service that responds timeously, efficiently and effectively to the needs of the citizens
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7.3 Measuring Outcomes

Outcome 1	Outcome indicator	Baseline	Five year target (cumulative)
An improved service delivery culture in the Public Service	% increase in departmental compliance with CVP's	Qualitative evaluations of 100 departments conducted in 2018/19	10% increase against baseline
	% compliance with financial disclosure framework by SMS members in the Public Service	97% as per outcome of scrutiny of financial disclosures in 2018/19	98%

Outcome 2	Outcome indicator	Baseline	Five year target (cumulative)
Sound leadership practices in the Public Service	Number of strategic engagements with departments on PSC findings & recommendations	20	50 strategic engagements on findings and recommendations from the PSC's reports conducted 10% Reduction in the number of grievances lodged by employees
	Ethics Management Framework institutionalized in the Public Service	2019 Ethics survey on "Leadership commitment to promote ethics"	Year 1-2: Conduct ethics survey with remaining government clusters (social, economic and governance) Year 2-3: Conduct feedback sessions on departments already surveyed to promote ethics Year 3: Develop compliance standards on ethics Year 4-5: Monitor the implementation of the standards

Outcome 3	Outcome indicator	Baseline	Five year target (cumulative)
A well-coordinated and functioning M&E System (Data	% alignment of IGCMS to Data Warehouse	<ul style="list-style-type: none"> Automated Data warehouse Automated IGCMS 	100% <ul style="list-style-type: none"> Data warehouse fully aligned to IGCMS;

Outcome 3	Outcome indicator	Baseline	Five year target (cumulative)
Warehouse) for the PSC			<ul style="list-style-type: none"> statistics generated are accurate and reliable
	% implementation of PSC recommendations by departments	40% as per factsheet produced in 2018/19	60% (cumulative)

Outcome 4	Outcome indicator	Baseline	Five year target (cumulative)
A strong & well-functioning PSC	% implementation of decisions of Plenary, EXCO, MANCO	60%	80%
	A skilled workforce in identified areas	Training plan implemented and bursaries offered to officials	Year 1: Conduct skills audit and develop a training plan aligned to identified areas Year 2 to Year 5: 100% implementation of training plan

7.4 Explanation of Planned Performance over the Five Year Planning Period

As indicated above, the focused approach by the Presidency in the implementation of Priority 6 through the NDP 5-year Implementation Plan and the Medium Term Strategic has enabled the PSC to identify 4 Outcomes that would contribute towards building a “A capable, ethical and development state”. The expected results from these outcomes are behavioural change in the Public Service at institutional (Public Service) and individual level (Public Servant) for which the capable and ethical state is dependent on. In addition to this, the PSC will continue to implement its routine projects (such as in the areas of grievance management, public administration investigations, CVP evaluations, scrutiny of FDFs) in order to ensure that it executes its sustained agenda for continuity purposes.

Leadership and Management Practices

In line with government initiatives outlined in Priority 6 of the NDP, the PSC will focus on professionalization of the Public Service through promoting meritocracy and ethical conduct in the areas of HRM and Leadership practices. It is important to note that effective HRM and Leadership practices would contribute towards sound labour relations, employee productivity and organizational performance. The PSC’s contribution will be facilitated through research, monitoring and capacity development on key topical issues relating to, among others, ethical practice in the recruitment process, effective discipline management, the strategic repositioning of HR in departments as well as the effective management of continuous employee development. While research and monitoring are essential, the PSC’s focus in the next five years will be on capacitating departments, inclusive of the employees, through advocacy sessions, strategic engagements and workshops. In particular, the latter interventions will enhance employee skills and the overall capabilities of departments to actively address their operational and strategic challenges in order to facilitate service delivery.

Furthermore, the PSC will support the establishment of the administrative Head of the Public Service as this is an essential step in professionalizing the Public Service and managing the career incidents of HODs and other senior management service members.

Monitoring and Evaluation

The main contribution of the PSC through the discharge of its monitoring and evaluation function will be on “Improved leadership, governance and accountability”, “Functional, efficient and integrated government” and “Professional, meritocratic and ethical public administration”.

This contribution will be realized through monitoring of departmental compliance with CVPs in order to ensure that the Public Service is responsive to the needs of the citizens. One of the mechanisms the PSC intends to use to measure the responsiveness of the Public Services through monitoring departmental performance against their respective service standards.

The PSC’s work on building stronger institutions will be complemented by service delivery inspections, so that the institutions can also be evaluated from the perspective of the citizen and that solutions to real world service delivery problems can be developed. The service delivery inspections methodology has over the years proven to be a vital mechanism of steering departments into addressing emerging service delivery challenges in a swift manner and thus effectively responding to people’s needs. In the age of big data, any evaluation should be supported by quality quantitative evidence, thus the output of maintaining data sets and producing analysis and reports from the data warehouse established by the PSC.

Despite limited resources available, the PSC aims to continue with sector specific service delivery inspections for the next five financial years. The PSC certainly cannot discontinue these inspections and strong monitoring or oversight in sectors such as Education and Health is necessary. Therefore, the PSC will enhance its knowledge base through lessons in the rollout of District Service Delivery Model by the Presidency as articulated by the President in the 2019 State of the Nation Address.

The PSC produces evaluations and renders advice to decision-makers with a view to changing public administration practices and behaviours. The implementation of the PSC’s recommendations is an important intermediate outcome. An important enabler is to convince decision-makers to act on the PSC’s advice. This depends on the reputation of the PSC as the foremost knowledge institution on public administration matters. The PSC will also develop solutions to public administration problems. Solutions would require that the PSC defines exactly the change in administrative practice that is required for the bureaucracy, with its multiple structures, systems, frameworks, processes and rules, to better conform to the public administration principles. A first output in this regard will be to develop an effective accountability framework for the Public Service.

The PSC embarked on an intensive drive to engage with government departments, key societal stakeholders and the citizenry at large. These engagements focused on ensuring that the values and principles are understood, adhered to and find expression in public administration and within society. The engagements have affirmed the PSC’s view that all

public servants and leaders need to be constantly reminded of the CVPs and be asked to develop a concern for impact and responsiveness to citizens' needs. In particular, it was clear that mechanisms to constantly work on the human factor of professionalism, integrity and accountability must be mainstreamed into the routine work of all public officials. In line with its Constitutional mandate, the PSC's contribution towards strengthening state capability has prioritized the ambition to build a value-driven Public Service through ethical, credible and accountable leadership, and embedding constitutional values and principles in across the public sector.

Integrity and Anti-Corruption

It is believed that a responsive, ethical and values driven Public Service depends on, among other things, the investigative function of the PSC on public administration malpractices particularly in the areas of irregular appointments and curbing of corruption in government departments. It is against this background that the PSC, through the discharge of its of promoting ethical conduct in the Public Service, will continue to conduct investigations on public administration malpractices, scrutiny of compliance with financial disclosure framework, management of the NACH and conducting investigative research on professional ethics, among other things.

It is envisaged that the conducting of PAI investigations will contribute to a decline in the number of complaints lodged with the PSC, promote adherence to the regulatory prescripts, including those relating to recruitment and procurement practices; strengthen the implementation of strict control mechanisms in departments as well as promote adherence to directions/recommendations issued by the PSC among other things.

Notwithstanding the budgetary constraints faced by the PSC, targeted training on matters that have a bearing on integrity and anti-corruption such as conducting of impact analysis, report writing will enable the PSC to carry out its mandate in a meaningful and impactful manner. Furthermore, a well-functioning IGCMS and full alignment to the Data Warehouse will enable the PSC to produce real-time information that enables the PSC to make evidence-based decisions that inform the strategic focus the PSC needs to take.

8. PROGRAMME RESOURCE CONSIDERATIONS

The available PSC capacity is only adequate to address the selected priorities, but it is limited in relation to the broader mandate of the PSC. As such, in addition to critical routine functions such as grievance investigation, the PSC will focus on few high impact initiatives, especially advocacy sessions, strategic engagements and workshops in order to achieve maximum impact whilst limiting the number of research studies to specific areas that have been investigated systematically by the PSC in the past five to 10 years.

8.1 Programme 1: Administration

8.1.1 Expenditure Estimates

Programme 1	Expenditure Outcomes			Adjusted Appropriation	Medium-Term Expenditure Estimates		
	2016/17 R' 000	2017/18 R' 000	2018/19 R' 000		2020/21 R' 000	2021/22 R' 000	2022/23 R' 000
Public Service Commission	19,106	21,808	25,981	23,830	25,980	28,210	31,137
Office of the DG	11,816	13,459	15,008	15,763	15,009	16,277	16,955
Corporate Services	20,378	19,469	20,776	67,649	23,130	24,649	25,743
Property Management	24,767	38,195	25,242	23,918	23,260	24,852	26,379
Chief Financial Officer	30,112	32,724	42,810	-	55,925	58,152	60,385
Total	106,179	125,655	129,817	131,160	143,304	152,140	160,599

8.1.2 Performance and Expenditure Trends

This programme carries the bulk of the budget due to the budget of the Chairperson, Deputy Chairperson and 12 nationally and provincially based Commissioners being part of Programme 1. The number of Commissioners is prescribed in section 196 of the Constitution. Furthermore, the PSC has centralised its support function and as a result the budget for Administration is high as it includes the budget for centralised support services e.g. State Information Technology Agency (SITA) services, training, internal audit, operation lease payments, Auditor General's fees, etc.

8.2 Programme 2: Leadership and Management Practices

8.2.1 Expenditure Estimates

Programme 2	Expenditure Outcomes			Adjusted Appropriation	Medium-Term Expenditure Estimates		
	2016/17 R' 000	2017/18 R' 000	2018/19 R' 000		2020/21 R' 000	2021/22 R' 000	2022/23 R' 000
Labour Relations Improvement	11,862	12,349	12,802	14,298	14,678	15,202	15,821
Leadership and Human Resource Reviews	6,086	6,887	7,505	9,062	9,895	10,080	10,722
Programme Management: LMP	19,480	19,748	21,901	22,659	22,591	24,904	24,630
Total	37,428	38,984	42,208	46,019	47,164	50,186	51,173

8.2.2 Performance and Expenditure Trends

The baseline allocations for programme 2 over the MTEF period totals R47.16 million, R50.19 million and R51.17 million respectively. Out of this budget, R45.78 million, R48.74 million and R49.66 million is allocated to Compensation of Employees and R1.32 million, R1.38 million and R1.44 million allocated to Goods & Services.

8.3 Programme 3: Monitoring and Evaluation

8.3.1 Expenditure Estimates

Programme 3	Expenditure Outcomes			Adjusted Appropriation	Medium-Term Expenditure Estimates		
Rand million	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Governance Monitoring	7,401	7,116	9,755	10,841	10,387	11,036	11,035
Service Delivery and Compliance Evaluations	7,466	6,696	7,889	9,207	11,092	11,784	11,841
Programme Management: M&E	19,454	19,973	21,865	23,650	24,575	26,164	27,133
Total	34,321	33,785	39,509	43,698	46,054	48,984	50,009

8.3.2 Performance and Expenditure Trends

The baseline allocations for programme 3 over the MTEF period totals R46.05 million, R48.98 million and R50.01 million respectively. Out of this budget, R44.37 million, R47.24 million and R48.17 million is allocated to Compensation of Employees and R1.62 million, R1.68 million and R1.77 million allocated to Goods & Services.

8.3 Programme 4: Integrity and Anti-Corruption

8.3.1 Expenditure Estimates

Programme 4	Expenditure Outcomes			Adjusted Appropriation	Medium-Term Expenditure Estimates		
Rand million	2016/17 R' 000	2017/18 R' 000	2018/19 R' 000	2019/20 R' 000	2020/21 R' 000	2021/22 R' 000	2022/23 R' 000
Public Administration Investigations	13,021	12,574	12,854	13,037	13,441	14,307	14,269
Professional Ethics	19,793	17,722	18,972	22,966	23,086	24,625	24,683
Programme Management: IAC	18,363	18,665	20,535	21,349	24,578	26,088	27,473
Total	51,177	48,961	52,361	57,352	61,105	65,020	66,425

8.3.2 Performance and Expenditure Trends

The baseline allocations for programme 4 over the MTEF period totals R61.11 million, R65.02 million and R66.43 million respectively. Out of this budget, R59.00 million, R62.81 million and R64.11 million is allocated to Compensation of Employees and R2.05 million, R2.14 million and R2.25 million allocated to Goods & Services.

9. KEY RISKS

Outcome	Key Risk	Risk Mitigation
An improved service delivery culture in the Public Service	Unprofessional and unethical behavior of public servants impacting negatively on the discharge of their duties	Promotion of ethical behavior in the Public Service through institutionalization of CVPs
	None cooperation of departments in the execution of the PSC mandate	Continuous engagement with departments at national and provincial level and portfolio committees
Sound leadership practices in the Public Service	Lack of political will to promote ethical leadership in the Public Service	PSC engagements with leadership at political and administrative level
A well-coordinated M&E System (Data Warehouse) for the PSC	Misaligned IGCMS & Data Warehouse resulting in the M&E producing unreliable, incomplete and inaccurate information	Alignment of the data warehouse to IGCMS
A strong & well-functioning PSC	Poorly managed governance structures and lack of monitoring of decisions taken	Monitoring the implementation of grid of decisions taken by governance structures

PART D: TECHNICAL INDICATOR DESCRIPTION (TID)

OUTCOME 1: AN IMPROVED SERVICE DELIVERY CULTURE IN THE PUBLIC SERVICE	
Indicator Title	% increase in departmental compliance with CVP's
Definition	This is an increase in the percentage of departments that comply with Constitutional Values and Principles as per OPSC's CVP Tool for measuring compliance.
Source of data	PSC CVP Tool/ Methodology
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A-B}{C} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> A is the number of departments that comply with CVPs in the period under review (end value) B is the number of departments that complied with CVPs & were assessed in the previous financial year (s) (start value) C is the number of departments that complied with CVPs & were assessed in the previous financial year (s) (start value)
Assumptions	Political buy-in to promote departmental compliance with CVPs
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	Improvements in departmental compliance with CVP and responsiveness of the public servants in rendering services and goods to the citizens.
Indicator Responsibility	DDG: M&E

OUTCOME 1: AN IMPROVED SERVICE DELIVERY CULTURE IN THE PUBLIC SERVICE	
Indicator Title	% compliance with Financial Disclosure Framework by SMS members in the Public Service
Definition	This is the percentage of financial disclosure forms submitted by SMS members via eDisclosure System by the due date as stipulated in the Financial Disclosure Framework. Additional information on financial disclosures or declaration is also sought through various institutions such as National Treasury and DTI's relevant entity
Source of data	Database generated by DPSA from the eDisclosure System and as well as additional information received from various sources such as National Treasury & DTI's relevant entity.
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A}{B} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> A is the number of financial declarations submitted by due date including those sourced through various means and sources such as NT & DTI's entity B is the total number of financial declarations due by due date
Assumptions	SMS member's awareness of compliance obligations towards the FDF
Disaggregation of Beneficiaries	The indicator focuses on all SMS members (both females and males) in the Public Service as per requirements of the FD.
Spatial Transformation	N/A
Desired performance	Increases in the percentage of SMS members that comply with FDF and minimisation of conflict of interests of SMS members in the discharge of their duties.
Indicator Responsibility	DDG:IAC

OUTCOME 2: SOUND MANAGEMENT AND LEADERSHIP PRACTICES IN THE PUBLIC SERVICE	
Indicator Title	Number of strategic engagements with departments on PSC findings & recommendations
Definition	The PSC's strategic engagements with departments on findings and recommendations from various HRM and labour relations reports would result in departments complying with rescripts and a reduction of grievances and complaints lodged by employees. Information will be sourced from the previous financial years for comparison purposes
Source of data	Attendance registers/ Agenda/ Presentation
Method of calculation/ Assessment	Simple count
Assumptions	Engagements with departments to address multiple HRM and labour relations issues.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	<ul style="list-style-type: none"> Compliance with prescripts by departments Decrease in the number of grievances lodged by employees
Indicator Responsibility	DDG:LMP

OUTCOME 2: SOUND MANAGEMENT AND LEADERSHIP PRACTICES IN THE PUBLIC SERVICE	
Indicator Title	Ethics Management Framework institutionalized in the Public Service
Definition	The is a reflection on the status of institutionalisation of ethics management framework by national and provincial departments
Source of data	Overview Report on FDF
Method of calculation/ Assessment	Simple count of number of departments that have institutionalised the Ethics Management Framework.
Assumptions	Awareness of departmental obligation to comply with the ethics management framework
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	Increase in the number of departments that comply with Ethics Management Framework
Indicator Responsibility	DDG: IAC

OUTCOME 3: A WELL COORDINATED AND FUNCTIONING MONITORING AND EVALUATION SYSTEM FOR THE PSC	
Indicator Title	% alignment of IGCMS to Data Warehouse
Definition	This is a reflection on the status of alignment of IGCMS to Data Warehouse demonstrated by generation of reliable and accurate statistics in line with the identified areas for alignment.
Source of data	System-generated IGCMS & Data Warehouse reports
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A}{B} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> A is the number of identified common areas in the IGCMS & Data Warehouse reports that are aligned or producing same statistics B is the total number of identified areas in IGCMS & Data Warehouse that need to be aligned
Assumptions	IGCMS is fully functional, branches and provinces upload PSC recommendations on the data warehouse
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	Fully functional Data Warehouse that provides leadership and management with real time data for evidence-based decisions making
Indicator Responsibility	<ul style="list-style-type: none"> DDGs: M&E (custodian of the Data Warehouse)

OUTCOME 3: A WELL COORDINATED AND FUNCTIONING MONITORING AND EVALUATION SYSTEM FOR THE PSC	
Indicator Title	% alignment of IGCMS to Data Warehouse
	<ul style="list-style-type: none"> • DDG: LMP (custodian of IGCMS on grievances and for making sure that IGCMS is operational within the 5 year period for capturing of grievances and investigation activities on the system) • DDG: IAC (custodian of IGCMS on PAI and for making sure that IGCMS is operational within the 5 year period for capturing of complaints and investigation activities on the system) • DDGs: LMP, M&E and IAC , PDs (uploading of recommendations on the system) • D: IT (maintaining the system)

OUTCOME 3: A WELL COORDINATED AND FUNCTIONING MONITORING AND EVALUATION SYSTEM FOR THE PSC	
Indicator Title	% implementation of PSC recommendations by national and provincial departments
Definition	This is a reflection on the status of implementation of PSC recommendations by national and provincial departments
Source of data	PSC correspondence reflecting recommendations that departments need to implement as well as Data Warehouse (as an additional source)
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A}{B} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> • A is the aggregate number of recommendations implemented by departments. • B is aggregate number of recommendations forwarded to departments for implementation.
Assumptions	All PSC recommendations are uploaded on Data Warehouse by all affected officials
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Desired performance	Improvements in the number of departments that implement PSC recommendations as well as the number of recommendations that are implemented by the departments.
Indicator Responsibility	DDGs: LMP, IAC, M&E PDs

OUTCOME 4: A STRONG AND WELL FUNCTIONING PSC	
Indicator Title	% implementation of decisions (Plenary, EXCO, MANCO)
Definition	This is a reflection on the status of OPSC's implementation of PSC decisions made at Plenary, EXCO and MANCO
Source of data	Grid of decisions emanating from the proceedings of the governance structures of the PSC (Plenary) & OPSC (EXCO & MANCO)
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A}{B} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> • A is the aggregate number of the above-mentioned decisions implemented in the period under review including those carried over from the previous financial years. • B is aggregate number of decisions taken at the above-mentioned structures in the period under review include those carried over to the new financial years.
Assumptions	All decisions taken are recorded and monitored through the Grid of Decisions
Disaggregation of Beneficiaries	N/A

OUTCOME 4: A STRONG AND WELL FUNCTIONING PSC	
Indicator Title	% implementation of decisions (Plenary, EXCO, MANCO)
Spatial Transformation	N/A
Desired performance	A strong PSC supporting by the OPSC that implements all decisions taken
Indicator Responsibility	COO

OUTCOME 4: A STRONG AND WELL FUNCTIONING PSC	
Indicator Title	A skilled workforce in identified skills areas
Definition	This is a reflection on the implementation of targeted training and development plan or Workforce Skills Plan, in support of the work done by the PSC
Source of data	Approved and costed Training and development Plan (Workplace Skills Plan)
Method of calculation/ Assessment	<p>The following formula should be used to compute performance results:</p> $\frac{A}{B} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> A is the number of the training areas implemented as per training plan B is the total number of training areas identified as per training plan
Assumptions	Training and development plan or the Workplace Skills Plan is costed and approved in line with the requirements of the Skills Development Act.
Disaggregation of Beneficiaries	Disaggregate data regarding the training and development beneficiaries is provided in terms of seniority, race, gender, age and disability
Spatial Transformation	N/A
Desired performance	Implementation of targeted areas to enable the OPSC to support the work of the PSC.
Indicator Responsibility	Chief Director: People Management Practices