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PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:03.

The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.

The Chairperson announced that the virtual sitting constituted a sitting of the National Council of Provinces.

**REVIEW OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF
MEMBERS' INTEREST**

(Draft Resolution)

The CHIEF WHIP OF THE COUNCIL moved:

That the Council -

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- (1) notes that in terms of Joint Rule 161, one of the functions of the Joint Committee on Ethics and Members' Interests is to regularly review the Code of Ethical Conduct and Disclosure of Members' Interest for the National Assembly and National Council of Provinces members and make recommendations for its amendment;
- (2) further notes that the Council adopted a new Code on 24 April 2024;
- (3) acknowledges that some minor typographical errors remain in the Code as adopted; and
- (4) resolves, with the concurrence of the National Assembly to approve for retrospective application from 28 May 2024, the following amendments to correct the identified typographical errors in the Code –
 - (a) in clause 4(3)(a) after "section 91(3)" to insert "(c)";
 - (b) in clause 14(2) after "item 13(1)(a)" to delete "(1)" and to insert "(m)"; and
 - (c) to delete current clause 16(3), and to renumber the old 16(4) as 16(3).

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Question put: That the Motion be agreed to.

[TAKE IN FROM MINUTES]

Motion accordingly agreed to in accordance with section 65 of the Constitution.

QUESTIONS:

Cluster 3A: GOVERNANCE

Question 217:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chairperson, and greetings to the Deputy Chairperson and all Members of the NCOP, the response to the first question is as follows, there are several ways through which traditional leaders, individually and through their formal structures promote good governance. As provided in the Municipal Structures Act, traditional leaders participate in municipal governance and advise municipal councils on matters affecting traditional communities. Through the local, provincial and national houses of traditional and Khoisan leaders, which are statutory bodies in terms of the Traditional and Khoisan Leadership Act, directly provide advice to government on governance matters in relation to

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traditional communities, for example, the National House considers a parliamentary Bill as referred to it by the secretary of Parliament and is empowered to advise the national government and make recommendations in respect of matters relating to policing and legislation regarding traditional and Khoisan leadership. The role of traditional and Khoisan leaders, customary law, and the customs of communities observing a system of customary law. Provincial houses play a similar role at a provincial level. Similarly, individually, and collectively through their structures. Traditional leaders contribute towards service delivery in areas where they coexist with local councils, for example, section 29 of the Municipal Structures Act enjoys municipal council to consult traditional councils in the development of the Integrated Development Plan, IDP. Our priority as a Ministry is to promote and support the implementation of these provisions. We have gone a step further by adopting the District Development Model, DDM, as an approach of deepening the participation of traditional leaders in the development of their communities. The Department of Traditional Affairs has developed a guide on the participation of the local House of Traditional and Khoisan Leaders in the District Development Model. The guide clarifies for them what the DDM is and the role to be played by traditional leaders. One of the practical

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demonstrations of the role of the institution of the Traditional and Khoisan leadership is the way they partnered with the government during the challenging time when the world was dealing with COVID-19. During this time, we saw the institution of Traditional and Khoisan Leaders working hand in hand with government and other role-players to promote the use of non-pharmaceutical measures in the in the fight against the pandemic and assisting with the provision and distribution of food vouchers to communities that were in need.

I must conclude therefore, hon Chair, by saying, for full and effective strategic role to be played by traditional leaders to promote good governance and service delivery in areas where they coexist with local council, section 81 of the Constitution needs to be visited so that the traditional leaders are not made spectators in councils, but they must have full rights to vote, to participate at executive committees, and also to be part of forming the quorum for a council to exist, because currently they are just spectators. Thank you.

Ms D W FIENIES: The hon Minister will agree that the challenges and dynamics of interface and co-operation between the institutions of traditional leadership and local

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government differ from province to province and district to district. Considering this, hon Minister, has any comparative study being conducted to explore the manifestations of the challenges associated with this interface? And if so, is there any peer review and learning mechanism across and between the provinces? And if so, what are the relevant details? I thank you, Chairperson.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you, hon Fienies, the response is as follows, no, there is no comparative study that has been conducted. Based on the response above, there is no peer review and learning mechanism across and between provinces. The interface between the institutions of local government and traditional leadership is regulated, amongst others, by section 81 of the Local Government: Municipal Structures Act. This this Act came into effect in April 2021. The Act introduced changes regarding the participation and interface between traditional leadership and local government. To this end, the Ministry conducted workshops regarding the implementation and application of the amended section 81 of the Municipal Structures Act. This exercise served to ensure that there is a common understanding which should give rise to the Act being applied uniformly across provinces. Firstly, task the Ministry

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to focus on building the capacity of traditional leaders to ensure that there is participation in municipal council, although limited by the fact that the traditional leaders do not have the full and equal rights to councillors, but in terms of participating in discussions, they do; secondly, that the traditional leaders contribute in the good governance of the municipal council; and lastly, that participating leaders play a role in informing the issues of development and service delivery, even if they don't have the final say when it comes to voting. Thank you, hon Chair.

Mr N GOTSELL: Good afternoon, Minister. Minister, millions of rands from the Department of Higher Education's National Skills Fund have disappeared after it was deposited into a bank account belonging to a traditional leader. Chief Edward Mabalane spent *inter alia* R56 000 at an exclusive club in Bryanston, R200 000 at the Louis Vuitton store in Santon, and R180 000 on a ring for his Real Housewives of Johannesburg fiancée, Brinnette Seopela. The money was meant to uplift over 1 000 unemployed youngsters in Mabaalstad, in North West and to train them in agriculture skills. So, Minister, considering the answer that you have just given, especially with a focus on using traditional leaders to promote good governance and to develop their communities through the District Development

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Model, what consequences are there other than pursuing criminal charges for traditional leaders who do not apply good governance?

The CHAIRPERSON OF THE NCOP: Hon Minister, this is a new question that has been posed before you, which has more relevance to the Department of Higher Education. However, it is upon you whether you are keen to respond to this question or not, but that is a new question. You are not obliged to respond to it. If you so do not wish.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: I kindly agree with you. This is a new question which I am not going to respond to.

Mr F J BADERNHORST: Point of order, Chair.

The CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. What are you raising on? On which point, hon Badernhorst?

Mr F J BADERNHORST: Chair, on your submission that this is a new question ...

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The CHAIRPERSON OF THE NCOP: Hon Badenhorst, on what Rule are you rising on?

Mr F J BADERNHORST: On the same Rule that you rose on.

The CHAIRPERSON OF THE NCOP: No. Can you be seated, please? I am presiding over this sitting, so, you cannot rise over something I must give directions to. So, if you can kindly take your seat, hon Badenhorst. If you do not have the Rule that you are raising on so that we proceed with the sitting. However, hon Gotsell, if you still want to pursue the question you have asked, you are more than welcome to submit it in writing to the Minister and all other relevant institutions for a response to that question. Thank you very much.

Ms A M SIWISA: Minister, it often seems as though there is not enough, or there is no good working relationship between traditional leaders and ward councillors, or public representatives as the municipality and traditional leaders do not always see eye to eye on certain issues, even though service delivery is needed by the people that they serve. That is mainly because there is often miscommunication in terms of responsibilities of both parties. Some traditional leaders find themselves at cross paths with councillors or public

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representatives. And the lack of respect can be noticed in some instances. This power dynamic between the two is a serious is a serious source of concern as it may lead to delays, or lack of service delivery, or slow reaction to service delivery. Considering these concerns, what recent interventions have you made to strengthen the relationship between traditional leaders and municipal councillors or public representatives? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much hon Siwisa for the question. Indeed, there is a challenge in many areas between ward councillors and traditional leaders. This is caused by the fact that in some of the areas, there is poor working relationship between a councillor and the local traditional leader. What can make things easier before even the intervention of the mayor at a local level because a smooth working relationship at a council level, within the boundaries of the municipality must be a responsibility of the Speaker. MEC at a provincial level should only intervene when things are not getting under control, and the Minister at a national level can only come on board when things are not working at a at a local government level. That is why it is important, therefore that ward councillors should treat the traditional

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leaders with full respect in terms of consultation, because every development in a traditional or rural community area happens in an area under a traditional leader, where there is mutual respect, consultation challenges do not exist. But the Ministry of Cogta has a role to play to facilitate good working relationship between the traditional leaders and the local council, especially the ward councillors, and facilitate the good working relationship between the ward committee and the local traditional leader, and promote the councillors to attend the traditional councils so that whatever development comes into the area, it is reported correctly in the traditional council because not all traditional leaders are part of the council because only 10% sit in local council at a municipal level. But over and above that, what will make things go well, is to change section 81 to give equal and full rights between councillors and traditional leaders. The traditional leaders not to become spectators when they come to council but become full participants in terms of voting, sitting at executive committee level, and make decisions as part of the council. Thank you, hon chair.

Ms T BREEDT: Chairperson, the latest Order Paper shows that it is deferred. My colleague, hon H J Van den Berg will take the question.

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The CHAIRPERSON OF THE NCOP: Thank you very much. That has not been brought to my attention. You may proceed, hon member.

Mr H J VAN DEN BERG: Minister, given the strategic role, traditional leaders aid to promote good governments and service delivery as per question. Which observable measures are being taken to encourage and empower traditional leaders to partake and assist in achieving the goals of the Medium-Term Development Plan? Will these observable measures be made publicly available? What mechanisms are in place to ensure traditional leaders are held accountable to Spatial Planning and Land-Use Management, Spluma, spatial regulations in the governance roles and how can traditional leaders enhance their accountability in promoting good governance and service delivery under the current legislative frameworks? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, the response to the question will revolve on what I have said before. If you want to see traditional leaders contributing meaningfully, especially on Spluma, they should be accorded full respect and full rights in participating in the decision-making. The Ministry of Cogta is working in consultation with the National House of Traditional Leaders, od late, we are working in good relations with the

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kings and queens as we have recently launched the forum over the weekend to ensure that our traditional leaders participate in shaping the development in their areas of jurisdiction and also contribute in advancing democracy as well as development and service delivery while they play a full participatory role than being spectators when it comes to voting and participating at an executive committee level. Thank you, hon Chair.

Question 203:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair. With regard to this question, section 43 of the Municipal Systems Act empowers the Minister to prescribe, regulate and review key performance indicators applicable to local government generally. Regarding the monitoring of the impact of the local government regulations, the rationalisation and standardisation of indicators through the reporting reforms, this will help to ensure a set of comparable indicators that will support cost-benefit analysis of local government in the future. As part of the development of regulations consideration is being given to the report that already exist on municipalities and the regulations will help to ensure that, firstly, more timeous information is shared through official reports, secondly, this

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information is made available, thirdly, the information is used to inform the necessary support, and fourthly, the information is available for elected representatives to fulfil their oversight duties.

The nine provincial Co-operative Governance and Traditional Affairs, Cogta, departments and municipalities will provide implementation support and training to constitutionalise the local government indicators when regulated. The guidance, support and feedback provided to nonmetropolitan municipalities during the current piloting process of the local government indicators will be enhanced towards the finalisation of the regulations. Thank you, hon Chair.

Dr I S SCHEURKOGEL: Thank you, hon Chairperson. To the Minister, do you think that the current legislation on section 139, section 154 and section 155 is sufficient to ensure proper intervention to fix municipalities? If not, why not? Will the Minister commit today to create better legislation to implement when we intervene in municipalities?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair. The two sections referred to are sufficient to turn things around. But the

first one that must be activated is section 154. Jumping to section 139 is not an ideal way to go. Support must be given when challenges are being realised. Monitoring must be given, financial support when things do not turnaround it is only then that you can jump to section 139 because the preliminary interventions have been done. In areas where there is co-operation and capacity in municipality where intervention is done by section 154 things do get turn around and the municipality become, but in areas where probably there is a lot of incompetence and there is a lot of interventions either from political side to administrations and there is poor co-operation when support is given, there is no response, eventually there should be consequence management.

The challenge with section 139 as many municipalities are under section 139 with no tangible result, first, when you deploy an incompetent person, you won't get good results. When the administrator gives the report as to what are challenges in this municipality, if there is no consequence management there would be no change. The two pieces of sections of legislations you referring to, hon member, are sufficient if they are applied correctly and suitably qualified competent people are deployed to give support to municipalities and in

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return municipalities co-operate and perform in the interest of the people they represent. Thank you, hon Chair.

Mr B S MABEBO: Thank you, Chairperson. Minister, has the hon Minister checked with the organised local government, the SA Local Government Association whether it has conducted any research with clear and credible policy recommendation on this matter? If not, why not; and if so, what are the relevant details?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you, hon Chair. A direct response on heads, the Ministry consulted the SA Local Government Association, Salga, the answer is, no. Why? It is not necessary to check with Salga specifically now as Salga is a member of the joint planning, budgeting and reporting reforms, steering committee overseeing the reporting reform process which include the amendment of the Municipal Planning and Performance Management Regulations of 2001 in terms of section 43 of Municipal Systems Act with its challenges as outlined in the response. There are also regular meetings between Salga and Cogta to coordinate the work in order to rationalise and standardise the local government performance indicator. We belong in the same WhatsApp group with Salga. These meetings support the work of

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the political joint executive committee the joint executive committee, Jexco, between the leadership of Salga and Cogta. One of the standing agenda items on this structure is the progress made with the development of the regulations on the local government indicators in terms of section 43 of the Municipal Systems Act. Again, important here, as one of the key partners has been part of and supporting the joint government reporting reform process of rationalising and co-ordinating the development and institutionalisation of a set of standardised key performance indicators for local government for which regulations are being consulted and developed. Thank you, hon Chair.

Ms S M MOKOENA: Thank you, Minister. Section 62(1) and section 95(a) of the Municipal Finance Management Act stipulates that the accounting officer of a municipality is responsible for the managing the financial administration as well as must for this purpose take all reasonable steps to ensure that resources of a municipality are effectively and efficiently used. The question to you, Minister today is, what tangible measures does the Minister have to ensure real transparency this time in your time, Minister? We have got such municipalities. We recently visited a municipality in the Free State, Maluti-a-Phofung where we found that for many years it

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has worked or operated without real consequence management. We would like to know what accountable and real transparent effective strategies have you got planned? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair. This time around we have adopted, through the Cabinet process, the turnaround plan where we have categorised municipalities into three categories, namely, municipalities that are functional, second category is the municipalities that are at risk, and the third category is municipalities that are distressed or dysfunctional. The municipality you are referring to belongs to the third category of the municipalities that are distressed or dysfunctional. They are 35 in number. Out of these 35 municipalities, we have further identified 10 worse performing municipalities. The municipality you are referring to belongs to the category of the 10 worse performing municipalities. The first thing we are doing currently is that we are doing the auditing of who is the municipal manager, what are his or her qualifications, the chief financial officer, CFO. did he or she met the requirements when he or she was employed, the director corporate services and the director technical services because for a municipality to be fully functional the municipal manager is competent, the CFO, the director

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corporate services and the director of technical services. By the end of December, which is a short-term goal, we will have data in terms of the 35 municipalities that are dysfunctional in terms of who is there. But we will go a step further to look as to who is the mayor in the municipality. If you have an incompetent municipal manager, MM, and a mayor who is not competent, you can't have any good outcome. We do not have a role over mayors, but once we have concluded in term of ... because we are collecting dat. What are the competencies of the mayor, what are the competencies of the speaker in terms of academic level. We are not prescribing any academic standard, but there should be basics. You cannot read the financial statements if you don't have certain standard in terms of education. We will relate to a relevant political party that in this municipality we are addressing the issue of the CFO. If you find that the CFO is not competent and doesn't have the requirements, we will request the records of the interviews of how he or she got in. If she or he did not meet the requirements from the beginning, there should consequence management. Throughout also, a political party responsible for the governance of the municipality we will convey the information that can better help this municipality. If you can attend to the competence of the face of the municipality, the mayor and the speaker who runs the council Why? Some

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municipalities deliberately go for a person who is number five in terms of in terms of interview results and deliberately ignore all people from number one. But if you have a competent speaker he or she would say, not in the council he or she chairs and you can't take a person who did not meet the requirements. Thank you.

Ms M MAKESINI: Thank you, Chairperson. Minister, how will the Minister ensure that the inside game from this evaluation is effectively integrated into the future policy development? What measures have you taken to address any unidentified gaps in the current monitoring and the support mechanisms at all local governments?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair. By the end of this year, as we must be honest to the House as we have just got in just after 29 May elections and the first short-terms goals that end in December, we are doing a thorough stock taking to identify gaps and we decided to use a targeted approach. The municipalities that are flowing and doing well to complete projects that they have undertaken, auditor-general 1 gives a clean bill, we will be overseeing them to carry on doing well. But as you rightly indicates to what steps are we taking in

order to close the gaps is that by the end of this year, December, which is the first four months from September to December, our concertation is targeted at the 35 poor performing municipalities while we are not neglecting the rest in order to bail them out because if they fail to perform service will without any doubt becomes almost zero. That is why we said let us use a targeted approach. Where we identify gaps we will provide support, we will monitor after giving support where we need to deploy people in the finance department we will do so. Where we need to provide support in terms of dealing with the infrastructure projects, we will do so, where we need to provide capacity building through workshopping we will do so. But at the end of the day once support have been given there must be performance. It can't be support and support with no performance. If people do not want to co-operate consequence management should be the thing to follow. Thank you, Chairperson.

Question 222:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, I have touched a little bit on this question because it deals about unfinished infrastructure projects. Municipalities have many unfinished projects because of the delay of project preparation and sound project

management practices. Some municipalities lack capacity to procure infrastructure projects, which results in under or over design projects and cost overruns. Unexpected project costs result in unfinished projects.

Poor infrastructure procurement methods, including appointment of contractors with the lowest price with the minimum consideration of functionality evaluation, also affect the completion of infrastructure projects.

Poor oversight by municipal councils also contributes to poor execution of projects.

The Department of Co-operative Governance and Traditional Affairs, CoGTA, through Municipal Infrastructure Support Agent, MISA, is working with the National Treasury to rollout the standards of infrastructure procurement and delivery management practices in all municipalities.

Municipalities are also offered skills development training programmes on the Municipal Finance Management Act, MFMA, guidelines for the bid committees. These workshops are intended to empower municipalities to draft proper project

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specifications, terms of reference and conclude sound contracts with service providers.

The department will continue to work with stakeholders such as SA Local Government Association, SALGA, National Treasury and sector departments to capacitate municipalities on, amongst other areas, infrastructure management.

But above that, if you hired an incompetent director of technical services, definitely you will have a problem. If the technical section is not having competent people who must monitor projects from the beginning up to an end, you will experience a problem. That is why, therefore, the municipalities that experience a challenge of incomplete projects, the municipalities who fail to consume or use in total, the Municipal Infrastructure Grant, MIG, funds, we come closer through MISA. MISA becomes an implementing agent on behalf of municipalities and MISA have sufficient expertise in terms of engineers, people who have sound knowledge on financial management. And through MISA we are running a project at uThukela and another project at Emfuleni. These projects are going very well and they will be completed and there will be no money that has to be lost by the municipality simply because it is implemented by competent people.

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CoGTA, therefore, can assist municipalities, but at most, municipalities must have competent people. If we discover they are not competent, we persuade them to come on board and get assistance from MISA so that the municipality doesn't lose money, yet the project gets finished and people get the maximum benefit. Thank you, hon Deputy Chairperson.

Mr B S MABEBO: Hon Minister, you will certainly agree that the project planning, implementation and monitoring capacity across the municipality is uneven and requires differentiated and targeted support by the provincial and local government in terms of section 154 of the Constitution.

In this regard, has the department made any determination on the efficacy and effectiveness of this support to municipalities by the provinces and national government across the provinces, if not, why not? If so, what are the relevant details? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Deputy Chair, yes, the department made use of the analysis conducted towards developing the latest state of local government report to ascertain the efficacy and effectiveness of the support provided in terms of Section 154

of the Constitution to municipalities by national and provincial governments.

Resultantly, the department has arrived at a determination that intervention provided through the introduction of the municipal support and intervention plan is effective.

The department conducted a comprehensive assessment on the performance of municipalities across several performance areas, including service delivery. In doing so, the 2022 State of Local Government Report was used to provide baseline for the analysis.

In the 2022 review 66 municipalities were classified as dysfunctional. But the 2023 review classified only 35 municipalities as dysfunctional, which then led to the introduction of the municipal support and intervention plans to address observed challenges in the 35 municipalities that were classified as dysfunctional or distressed.

All dysfunctional municipalities are receiving support from the national and provincial government to develop and implement the Municipal Support and Improvement Plans, MSIPs,

to address governance issues, administration, financial management and infrastructure management deficiency.

According to the 2023 State of Local Government Report, the number of dysfunctional or distressed municipalities has decreased; which I have said from 66 to 35. This decrease is attributed to the intervention, which include the introduction of the MSIPs undertaken by the government, both at a national and provincial level to support our municipalities.

The MSIPs are customized to the unique challenges of each municipality as a way of appreciating the uniqueness of their operating environment.

Through the MSIPs, the government is able to provide each municipality with targeted and differentiated support.

It is our intention that by the end of 2025 the 35 municipalities must have moved from the intensive care unit, ICU, to being fully functional. Thank you, Deputy Chair.

Mr K CEZA: Minister, the reality is that chief amongst most of the municipalities that you are alluding to that are dysfunctional, is the question of skills audit. But over and

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above skills audit is the question of corruption that is embedded into the tendering system which result into the improper and incomplete projects that we are seeing, making municipalities quite at ICU as you are putting it.

What is it that the Minister or the Ministry is going to do to eliminate corruption, but the corruptibility of a legislated process of procurement within the MFMA chapter 11? What is it that the Minister is going to do to overhaul that system and its corruptibility and put a new system in which it is open and free, without corruption? Thank you, Deputy Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Minister, I don't know whether you were able to capture the essence of the question. But I think it dealt, basically, with the skills audit, elimination of corruption and the procurement process. Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Deputy Chair, in responding to the question, the challenges of corruption in our country need a vigilant society. If our communities are vocal, they use the channels, writing to the MEC for CoGTA, and if the MEC for CoGTA does not respond, write to the Minister at a national level,

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because the Minister at a national level does not intervene without the attention being drawn. Because at an immediate, it is the responsibility of the MEC for CoGTA.

The problem of corruption is something that we must all fight together.

Once our attention has been drawn to an element of corruption we immediately, and I have written so many letters as a first step to MECs at a provincial level to investigate and give me a report and giving a particular timeframe. If there is no response, it is only then that the Minister intervenes.

We are intervening in terms of skills audit because we have a role to play through MISA, especially the concern is when the MIG money is returned to National Treasury, it is not the municipality that suffers but it is the people on the ground who suffer if money was not spent.

That is why we said as a support mechanism to municipalities that are struggling, we are doing the skills audit, not with the intention of firing people but to know who is there, where shortages are, what supports are needed, so that once we have identified the needs you can provide support accordingly so

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that the challenges, which the hon member is referring to, are addressed accordingly. Thank you, hon Deputy Chair.

Mr J H P BRITZ: Minister, the annual consolidated general reports on local government audit outcomes in the Fifth and Sixth Administrations, long before the formation of the Government of National Unity, GNU, the Auditor-General made several recommendations regarding good practices in municipalities, including what should be done in the local government sphere to ensure clean government.

The Auditor-General emphasized ethical conduct as a start to good outcomes. If these recommendations were adhered to by previous administrations, unfinished infrastructure projects could have been minimised drastically.

Hon Minister, how and when will your department implement these recommendations of the Auditor-General to ensure that infrastructure projects are finished in time and within budget? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Deputy Chair, we have had a meeting with the Auditor-General to reflect on the audit outcomes of the

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2022-23 financial year. We have noted the key issues raised by the Auditor-General.

We have had two meetings, the Minister and Members of Executive Council, MINMEC, where we meet with the MECs from the nine provinces and the issue of clean audit is a standing item in all our meetings. That is why I said the focus, at most, is on the 35 municipalities. Because what we must appreciate, though, the number of municipalities that got disclaimer or adverse decreased last year; that is a good note. When people are making progress, we should acknowledge progress.

We are going to be focusing on the remaining municipalities under a category of disclaimer and adverse, while we support to municipalities that received clean audits and those who received unqualified audits.

What will help our municipalities is a spirit which we find, because the turnaround plan is zooming in on issues raised by the Auditor-General so that the municipalities are encouraged that immediately when the audit outcomes come out they must respond to issues raised by the Auditor-General as early as January, not to respond only in August when they are about to

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submit the Annual Financial Statements, AFS, of the foregone year.

We will be monitoring this process when it comes to the outcomes of this 2023-24 financial year because there is nothing we can do with the two years you referred to, because they are already gone. But what is going to be in front of us in preparation for 2024-25 audit outcome is to work on the audit plan from January, supporting our municipalities, especially those who are in rural areas or previously disadvantaged communities.

And we will encourage our municipalities to twin-up with the municipalities in their proximity with good audit outcomes to share good practices: how do you do it to produce good audit outcome, to account well in terms of how you use money, and once the support has been given we are hopeful. People of South Africa have just one good character, when given support they perform. Thank you, Deputy Chair.

Mr B J FARMER: Minister, I had a question prepared but then you covered me in another question and onto another question. So, I have a new question now and I'm pretty sure you'll cover this one also. But ...

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The DEPUTY CHAIRPERSON OF THE NCOP: Hon Farmer, we can't allow a new question ...

Mr B J FARMER: ... [Inaudible.] ... still ask it?

The DEPUTY CHAIRPERSON OF THE NCOP: No, I can't allow that ...

Mr B J FARMER: No, Chairperson, it's not a new question, it's just another question ...

The DEPUTY CHAIRPERSON OF THE NCOP: Well ... [Inaudible.] ... it's a new question ... [Laughter.]

Mr B J FARMER: I'm sorry, I did say a new question but it's not new as in off the point ...

The DEPUTY CHAIRPERSON OF THE NCOP: Alright, I'll indulge you.

Mr B J FARMER: Mr Minister, political interference at municipal level is in most cases the reason for unfinished projects, even though it's not supposed to happen.

How will the Minister intervene to root out this evil? Thank you, Deputy Chair.

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The DEPUTY CHAIRPERSON OF THE NCOP: Hon Farmer, as you mentioned, it wasn't a follow up question but a new question. And I will allow the Minister to use his discretion whether he wants to answer it or not.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Deputy Chair, I will be brief to the question in this way: It is not always the case of interference that causes projects to be unfinished, sometimes the incompetence of the administration becomes a factor, with no interference from political leaders. Because I think we should not always put the blame where it doesn't belong. If you have competent employees with interference from the political leadership, when they know their job, they champion their job and get projects finished timeously.

Now, that is why you need to attend the issue of capacity, in terms of administration. And once we have checked that one, also look at what role is played by the political leadership in interfering in the administration of the municipality.

There is very little we can do as a Ministry to the political leadership because they are deployed by their political parties, including mine, where I come from. All we'll do when

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we see that the major problem is political interference, we draw the attention of the relevant political party that 'can you please intervene here'.

I'm sure hon members are aware of a municipality in Mpumalanga which had problems and eventually it is going for a re-run on the first week of December. It's a simple good action from a political party involved, that you shouldn't let people stay for five years in a municipality that doesn't function.

I'm hopeful, therefore, hon member, where challenges are being seen in terms of interference, proper actions will be taken.

I'm happy when I look at the political landscape because there is a feeling that things must be done differently for the benefit of our people. And even the problem of corruption is just a matter of time to make it a matter of the past. Thank you, Deputy Chair.

Mr J H P BRITZ: Hon Deputy Chair, I rise in terms of Rule 33, which says this Council must conduct its business in accordance with the Constitution and these rules of this hon House.

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May I just enquire, in terms of which rule is a new follow up question not allowable, because it is not in the rules?

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Britz, I think if you understand the rules clearly, it is very, very clear in terms of a follow up question must be linked to the original question. So ...

Mr J H P BRITZ: In terms of which rule is that? Because I'm seeking clarity from the hon Deputy Chair ...

The DEPUTY CHAIRPERSON OF THE NCOP: The rules were read out by the Chairperson at the beginning of the session, and we do that in every session, where we say that a follow up question must arise from the original question.

Alright. So, let us move on ...

Mr F J BADENHORST: Chair, on a point of order. I rise on Rule 227. I've gone through the rules and I cannot find that specific rule that says you cannot introduce a new topic on a follow up question. Could you just give this guidance by giving us the actual rules. Thank you very much, Deputy Chair.

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The CHIEF WHIP OF THE NCOP: Hon Deputy Chair, I rise on a point of order, in terms of Rule 50, which talks to the precedence of the Presiding Officer. The Deputy Chairperson has ruled on this matter. Can we proceed! Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Badenhorst, Rule 227 has got no relevance to what you are standing on ...

Mr F J BADENHORST: Rules ... [Inaudible.] ... 13 dictates I can write to the Rules Committee, which I shall ...
[Inaudible.] ...

The DEPUTY CHAIRPERSON OF THE NCOP: No, sir. You're clutching at straws here now. Let us move on please. I've ruled on that one.

Mr B J FARMER: Deputy Chair, may I ask for an explanation of why my question was not linked to the original question?

The DEPUTY CHAIRPERSON OF THE NCOP: Sorry, on what rule are you standing?

Can we move on to Question 216 that was posed by hon Breedt.

Question 216:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you, hon Deputy House Chair. The question was in relation to alleged unlawful appointments. The Ministry has not been informed of the alleged unlawful appointments in the municipalities of Phokwane, Siyancuma and Thembelihle that have been reported to the Northern Cape MEC. Or any investigations launched in consequent thereof.

Section 54 (8) and 56 (5) of the Municipal Systems Act as amended, provides that, and I quote:

If a person is appointed as a municipal manager or manager directly accountable to the municipal manager in contravention of the System's Act, the MEC may upon receipt of the relevant appointment report take appropriate steps to enforce compliance by the Municipal Council with the Systems Act or any other legal action against the municipal council which may include an application to court for a declaratory order on the validity of the appointment.

In addition, section 106 of the Systems Act empowers the MEC if he or she becomes aware that maladministration or any other serious malpractice, occurred in the municipality within the

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province that a written notice to the municipality is done requesting the municipal council or the municipal manager to provide the MEC with information required in the notice. If the MEC considers it necessary, designate a person or persons to investigate the matter.

The department has been made aware the allegations and has requested the MEC to act and make necessary remedial actions in relation to the alleged misnomer in terms of the appointments. However, Chair, I must indicate that many people have written to the Ministry at a national level since we assumed office, indicating maladministration in terms of appointments. We have taken up those matters. But the first thing that we do, we requested the MEC at a local level to give us a report.

As I said before, if the MEC does not respond in a given period, it is only then that we can jump in to investigate the alleged corruption. And if we discover that indeed a person was employed through an irregular process, we will request the correction to be done, and if there is no response then you follow the law process in order to declare the appointment invalid. Thank you, hon Chair.

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Ms T BREEDT: Thank you, hon Deputy Chairperson. Hon Minister, thank you for that answer, it is to a large extent a textbook answer. And I think you will agree as we will be hearing from the Minister of Public Service and Administration later, it is prudent that we professionalise our public service and that we have correct people in positions. As my initial question states, the MEC does not want to make to take steps against these municipalities and in discussions with specifically, the Mayor and Speaker of Phokwane Local Municipality, who appointed the acting director that whose highest qualification is only metric and has no further qualifications in that field of reference, and it is a problem and they do not see it. They have even been informed that the System Act speaks of acting possessions, and they do not agree with that.

Can I get your input and can I please get your onderneming [undertaking.] Sorry for that Afrikaans word, my English is finished to investigate this as this has been brought to a higher level. This is on your table. This is irregular and the MEC is not answering. I would really appreciate that. Thank you, hon Minister.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL

AFFAIRS: Hon Breedt, indeed, the first thing we must do is to

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do the right thing, to write to the MEC, which we have done. That you can give us information in relation to this complaint and we give the time frame. And if the MEC does not respond, only then can we act. I want to assure all Members of Parliament, MPs, that we must do the right thing for the good of our people after 30 years in a democratic order.

The message we communicated to MECs that look, put politics aside. Let us just do what is right. When there is a genuine complaint, just address the complaint irrespective where it comes from. If a person was employed against the requirements rectify that mistake. And good enough, most of them are new MECs, they should not fear anything because they did not condone the wrongness that was done by prior. And hon Breedt, I am confident that the MEC will respond appropriately to the matter you have raised and rectify it in the interest of satisfactory performance. Because if you hire someone who only has a matric certificate - I do not want to look down on matric certificate, because I have one too - a matric certificate alone is not enough for certain positions. If you want performance, every MEC and every premier in the province, if he or she wants performance, if you hire people who are under-qualified, you are going to get under-performers. Thank you.

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The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, Hon Minister. I just like to remind members of Rule 46 with regard to passing in between a speaker on the podium and a member on the floor. Hon members, please keep that in mind when you move around the Chamber, Rule 46 is quite clear on that.

Dr I S SCHEURKOGEL: Thank you, Deputy Chairperson. Minister, yet in another resounding endorsement of the DA's record of excellent service delivery, the Auditor-General 2022/23 Report once again confirmed that DA-led municipalities are the best managed in the country. Ethical governance and merit-based appointments of municipal staff are key to the DA's ability to deliver clean accounts even in a challenging environment. By rejecting corruption and cadre policies, it is possible to achieve results that have had a positive impact on people's lives. This is the plan outlined by the Minister to tackle allegedly unlawful appointments that consider these principles of good governance in order to maximise the benefits of the government of national unity for all South Africans. Thank you very much.

Mr F J BADERNHORST: Chair, I rise on a point of order. Rule 68 specifically states that the delegate has the right to speak in the House, and it is untoward for members of this House to

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drown out a speaker when they do not like the question asked. Will you please rule on that Deputy Chair.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Deputy Chair. I do want to start from this background. Firstly, it is not only the municipalities run by one political party that got clean audit in the previous audit outcomes. Secondly, we must appreciate the fact that we come from a history which will take some considerable time to overcome. Even the dispensation of our municipalities, some municipalities moved from a background of being previously advantaged, some moved from zero. That does not condone in any way poor performance, but it is a fact.

The Ministry is committed. That is why the municipalities that got clean audit it, we congratulated them. We said wait it down, keep it up. We are focusing on the municipalities that did not do well to understand their challenges, to give support, and consequence management. We will ensure that where people were deployed as cadres the correction is done. Good enough, the government of national unity, GNU, is committed in professionalising the civil servants. It is good that the Minister is going to be in this podium after me. And this is what we need to drive throughout all spheres of government.

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While we congratulate municipalities that performed well, I think collectively, we need to share expertise with those municipalities that are struggling because it is millions of people who suffer if municipalities are not performing very well. So, accountability, consequence management, deploying people in terms of their competencies is going to be the order of the day. And I am confident that we will have a different kind of local government in South Africa in the next term after the local government elections, because all political parties have realised that you cannot get it right if you do not have competent people at the local government level as mayors, as speakers, as the key people who give direction to a municipality. I am sure that we have all recognised that and that this is a matter in the political arena that we will address in the best interests of our citizens. Thank you very much, hon Deputy Chair.

Ms M MAKESINI: Thanks Deputy Chairperson. I will wait for the response from the MEC. I hope that the Minister will submit a written report to the House, because I am interested in the MEC's response. Thank you.

Ms K R MOLOKOMME: Thank you, Deputy Chairperson, and good afternoon to the hon Minister. Hon Minister will agree that

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some of the small rural municipalities are faced with challenges to attract appropriately qualified and experienced personnel due to amongst others low level of salaries and a lack of basic social amenities.

Hon Minister, did this alleged illegal appointment require the consent of the MEC responsible for local government as required by the relevant legislation? Can the Minister enlighten Parliament on the circumstances surrounding this alleged appointment and what the policy is when local government advertises posts and is unable to recruit suitably qualified persons?

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you, hon Deputy Chairperson. We are still waiting for an answer to the first part of the question on the circumstances of the appointment. It is true that municipality in deep rural areas or previously disadvantaged communities have difficulty in finding certain professionals, at best chief financial officers, CFOs, and technical directors. Those are the two areas. What does the municipality do if it is unable to find a person with the necessary qualifications? There is a procedure that the municipality must follow. For example, I was mayor in a municipality where we could not hire

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a suitably qualified chief financial officer because it required a university degree. But if you go through the regulations, there is a provision that says, and I quote:

If you have tried to attract and you could not, you go down to a level of a person with a diploma as long as he or she demonstrates competence.

Because yes, a degree is good, but sometimes a person with a diploma performs better than a person with a degree. I am not downplaying a degree, - I also have it so I cannot downplay it. I am just stating the facts. Then we hired a person with a diploma, and that person is still doing a respectable job in that municipality to this day. That is what all municipalities have to do. If they had a challenge, they should take their problem to the MECs and National Treasury. We have a lot of people through Municipal Infrastructure Support Agent, MISA, who can support us both technically and financially.

The National Treasury has a number of graduate interns who are willing to go to rural areas as well, but sometimes they do not see the adverts. Sometimes they fear that the job is already earmarked for a particular person. If a municipality escalates its challenge, we as the Ministry of Co-operative

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Governance and Traditional Affairs, Cogta, and Treasury are there to assist in deploying the necessary personnel skilled personnel. I am sure I have answered all parts of the question. Thank you very much, Deputy Chair.

Question 196:

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, the question is about the financial mismanagement and what interventions have been done by the Ministry to prevent the financial mismanagement as witnessed in Nketoana Local Municipality.

The response is as follows: To prevent the financial mismanagement municipalities are being assessed by Department of Cooperative Governance and Traditional Affairs, DCoG and supported on key pillars which cover areas flagged by the Auditor-General of South Africa.

The key pillars are governance, financial health, institutional matters and service delivery. The audit action plans in selected municipalities are being assessed for adequacy and evaluated to the extent that proposed actions will address the root causes of issues raised by the Auditor-General.

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Further, to address the shortcomings and poor municipal performance, as mentioned earlier, the department has developed a municipal performance turnaround plan, which was adopted by Cabinet a month ago. This turnaround plan as I indicated. Is a result of the Inter-Ministerial Committee, which was established to oversee various activities related to implementing a change in our municipalities.

With regard to a specific municipality that has been indicated, Nketoana Local Municipality. Once we receive the information. The first thing that we do, we communicate with the municipality that we be given a response on the allegation. On the basis of that report, we will be able to make a follow-up if we are satisfied, because not every complaint is true.

Yes, it is true, many of the complaints when you follow them, you find that they are truthful. That is why we do not simply jump in, but firstly get the information. If we are satisfied, we will respond that we are satisfied. If we are not satisfied, we indicate that we elevate the matter because the information given is not sufficient.

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It is a call that we have made to all municipalities that the financial management is key. There shall be no clean audit outcome if the municipal funds are not managed accordingly and used for unintended purposes. Thank you, hon Chair.

Ms M MAKESINI: Minister. I'll wait again for your written report, because whatever that you are reporting is a true reflection of what is happening in Nketoana Local Municipality and in Thabo Mofutsanyana District Municipality in the Free State. Thank you very much.

Ms D W FIENIES: Hon Deputy Chair, I was also covered with my question. Thank you, hon Deputy Chair.

Ms S M MOKOENA: Minister, thank you again. We recognise the efforts to improve financial governance in local governance, but again implementation varies widely across municipalities. The District Development Model aims to enhance co-ordination, planning, budgeting and service delivery, but has had very limited success.

What stronger enforcement mechanism does your department plan to implement to ensure that the District Development Model, DDM effectively addresses the governance issues contributing

to financial management or mismanagement in local government?

Thank you.

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, the turnaround plan is detailed in ensuring how we make our municipalities functional. The DDM is a way to go because all the resources are put together into one plan. There is no development that does not occur at a municipal space. Whether the projects come from a national department, it happens at a local government space. Whether it is initiated by the province, it happens at a local government space.

Therefore, that is why the concept of one plan is the way to go because all resources are pulled together and shape the local space together to take it forward. The turnaround plan is for all 257 municipalities. The municipalities that are doing well, receiving good audit outcome, we will focus on them in ensuring that they do not regress in their performance.

We will also twin those municipalities with municipalities that are not doing well, especially when they are neighbours,

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so that the benefit of a municipality that is doing well is extended to the neighbour that is not doing well.

This is what we are sharing with our mayors that, it is not good that all the time you are on bad books when your neighbour is on good books. A wise person will learn from the best. So now, the DDM is a tool that we are supporting through the turnaround plan in order to effect good performance in our municipalities. Thank you Chair.

Mr P J SWART: Thank you, hon Deputy Chair. Hon Minister I'm glad to hear all the efforts you've been doing and the list of the 10 dysfunctional municipalities that you already have. But this thing is coming on for so long a mayor also myself.

The question to you hon Minister is: What specific steps will you as Minister take to ensure that the funds lost due to unauthorised allowances in municipalities like Nketoana Local Municipality are recovered? Can the Minister provide a timeline on when and how will accountability at local government level be ensured? I thank you.

The MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, I noted that the issue of Free State

municipalities is a matter of concern. This House will know that when we appeared before this House, we indicated that we have identified areas of challenge. So now, in relation to the direct answer, in the month of February, because we are taking into account that it's only one month to go before the festive season.

In the month of February, we will give a comprehensive response in these municipalities that we identified with maladministration clearly spelled out. We will indicate the responses that we got from the MECs and whether those responses were satisfactory. If not satisfactory, how we escalated the matter. Thank you, hon Chair.

Question 224:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair. The question is around the appointment of consultants in our municipalities. The reference was made to Mogalakwena Local Municipality in Limpopo where consultants are used but with no significant improvement. The answer is as follows. The matter around the appointment of consultants is being dealt with by National Treasury through the Municipal Cost Containment Regulations of 2019. The regulations clearly state that a municipality or a

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municipal entity may only appoint consultants if an assessment of the needs and the requirements confirms that the affected municipality or municipal entity does not have skills or resources in its full-time employment to perform the function.

Further, the regulation states that an accounting officer must adopt a fair and reasonable remuneration framework for consultants taking into account the rates as determined in the guideline on fees for audits undertaken on behalf of the Auditor-General of South Africa issued by the SA Institute of Chartered Accountants or as set out in the guide on hourly fee rates for consultant issued by the Department of Public Service and Administration or as prescribed by the board regulating the profession of the consultant.

The regulations further state that when consultants are appointed, the accounting officer must develop consultancy reduction plans to reduce the reliance on consultants. In this regard, officials from the department will engage the Mogalakwena Local Municipality with the view to, firstly, review the audit action plan, including the review of the reasonableness of the consultancy reduction plan developed by the municipality. Secondly, advise the municipality to fill the critical vacant post, which includes prioritising senior

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management post, especially in the field of finance. Thirdly, monitor the implementation of the municipal staff regulation, which seeks to assist in the appointment of municipal officials at the recommended levels with officials who meet the required minimum competency levels.

The Mogalakwena Municipality has recently been assisted with the data management project, which amongst others covered the training of municipal officials in finance on the revenue management processes and related areas in order to reduce the cost incurred on the work done by consultants. I must add that it is not only this municipality which uses consultants. If you read the consolidated audit outcome, it is billions of rands where municipalities are using consultants.

Unfortunately, some of those municipalities got a disclaimer. There is one condition we are going to put, and we want it to be in black and white in our municipalities. If you enter into an agreement with a consultant to do your books, the product must be clearly spelled out with a clause that if you don't produce this, we don't pay you. Why do you pay for a consultant that gives you a disclaimer? What are you paying for? We know that other municipalities don't do their job timeously but hire consultants at the last minute. A

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consultant must not agree if there is a clause which says that if you don't deliver the good audit outcomes, we are not going to pay you. Thanks, hon Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, hon Minister. We will go to the follow-up question. Hon Molokomme?

Ms K R MOLOKOMME: Thank you, Deputy Chair and hon Minister. The Minister has responded on the questions that I have asked. But more often, municipalities always argue about the high vacancy rates in the financial management division to justify the appointment of consultants. Minister, is there any standard guidelines that regulates the appointment of consultants? In this specific case of Mogalakwena, you have already alluded to that and said that it's not only the Mogalakwena Municipality, but that other municipalities also do the same. Has any of these regulations or norms been breached in the appointment of consultants, Minister? And what is the policy positions with respect of transfer of skills by consultations from to municipality where they are doing the job? Thank you, Chair.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you again, hon Chair. It is re-emphasising what

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I have said. Working together with the National Treasury, there should be a specific clause. What exists now is a need for skills transfer, because consultants will not have any interest in transferring skills, as that will mean that they will be replaced soon. So, they will want to continue without transferring skills, because it assures them of an availability to service the municipalities for many years to come. The Treasury is covering that aspect. Over and above, we will need now to move a step further to introduce a clause which I have said before, that payment must be on the basis of good products on the table. That is how we can make consultants to be effectively used.

I must share that in terms of a report - I will be afraid to say a figure, because I did not verify it, but the information was shared by National Treasury - the municipalities are the sphere of government with the highest qualified chief financial officers, CFOs, in South Africa. It is not enough to employ the CFO when the supply chain staff are not qualified, and all other support structures within the finance department. To say that we have a highly qualified CFO, if he or she is the only one working, is almost as good as not having one at all. In order to deal with the issue of consultants, the focus should be about what we are sharing

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with our municipalities so that they should not concentrate on the senior positions.

Yes, they should be your starting point but ensure that the staff members in lower positions are suitably qualified. The good thing in South Africa is that we have many graduates who are sitting at home with good qualification in every aspect, finance, technical, etc. We need to encourage everyone at municipal level that they should stop creating job opportunities for friends and family members, while qualified people are sitting at home unemployed. Because you employ your friends and your family members, everyone feels the pain of sitting at home with an unemployed child. You are not assisting government by putting an unemployed child in a position where he or she is not competent. That is where we need to concentrate now, deploy people accordingly so that we phase out the consultants. Thank you, hon Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. The next follow-up question is from the hon Peter.

Mr M M PETER: Thank you, Deputy Chair. Good evening, hon Minister. Hon Minister, in light of the fact that 257 municipalities in South Africa collectively spend

R1,35 billion on an exorbitant fee for consultants to prepare for their financial statement in the 2022-23 financial year meanwhile there are employed staff members in finance division who are paid to execute financial-related duties, so ...

IsiXhosa:

... sifuna ukuqonda Mphathiswa ukuba aba bantu basebenza kula masebe besebenza ngezezimali, yintoni indima yabo xa bengenakho ukwenza le nto yenziwa zezi ...

English:

... consultants? Because the taxpayers' money is moving every day and every hour ...

IsiXhosa:

... kwabanye abantu ekubeni bekhona abantu abakwaziyo ukuwenza lo msebenzi. Siyijonga njani loo nto? Enkosi Mphathiswa.

English:

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, in a way, I have responded to the question. The first thing that is a problem, when people get employed, they need to be capacitated. You can fill all positions in the finance department, but if you do not

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capacitate them, you will need the consultants in order to compile the financial statements. This is a clarion call that we are making to all our municipalities, that firstly, they should go for suitably qualified people. Where you need support, National Treasury provide capacity building. The Department of Co-operative Governance and Traditional Affairs provides support through the Municipal Infrastructure Support Agent, Misa.

We have experienced CFOs who know how to assist in the guidance of producing the financial statements. Once we have provided capacity to our municipalities, if the Municipal Manager is not suitably qualified because he has a supervisory role over the CFO, when the year begins in January, the municipal manager should be first person to take action in terms of attending to the audit action plan - responding to issues raised by the Auditor-General. When the municipal manager jumps, the CFO would jump.

The CFO will cause all people under his or her administration to respond. In most cases - not in all cases, municipalities often turn to consultants as a last measure, because annual financial statements, AFS, must be done. Things were not done on time, and as a last resort, they get someone who can fix

things for them who knows exactly what needs to be done. If this was done timeously, and where you need support, you indicate the need of the billions that are spent can be cut down. What we will do as the seventh administration - because we've seen all municipalities who are using consultants - we want to see a plan immediately after the outcomes of the audit for 2023-24 on how you are responding to the audit action plan from January. How are you ensuring that the consultant is effectively transferring skills? What is the written agreement between the consultants and the municipality in ensuring that skills are transferred? Why do you go to the consultants if National Treasury can help in transferring skills? We will be giving a close attention on these matters.

I am hopeful that in a few years - two years down the line, this amount of money will have been saved from being used with consultants. Rather employ people who will be an investment in a municipality. If you have many vacancies and you don't employ people, you will end up spending money on consultants without helping the institution. Instead, hire more, capacitate them and where you need support, National Treasury and Co-operative Governance and Traditional Affairs is there. And as we go forward, we need to eliminate the overreliance and eventually the use of consultants.

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The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. We now move on to the next follow-up question and that is from the Hon P J Swart.

Mr P J SWART: Thank you, hon Chair and Minister. You have answered my question also round about 40% or 50%. What I am missing, Minister, is that we are in the seventh administration and as you rightfully said, we need to have a plan. We need to become proactive because there are billions of rands going down the drain on municipalities using consultants. My question now is what I want to hear from you as a national Minister. Is there a national criterion that you as national Minister will use to evaluate when consultants are truly necessary for proactiveness in a municipality? What consequence management measures are in place or will be put in place for CFOs and municipal managers who outsource basic financial functions that fall under their responsibility? Thank you, Minister.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you, hon Chair. As I said in the beginning that the appointment of consultants and consultants are being regulated by the National Treasury through the Municipal Cost Containment Regulations of 2019. Now, we need to avoid the

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duplication because departments form one government. Where I want to come clear on the question is now there is nothing you can say about the consultants because it is in the process of finalising the audits for 2023-24. But come January next year, if need be, we can appear before the House again.

Firstly, to account how many municipalities that still want to continue using consultant and what are the reasons for that? Secondly, what support are we directly giving to specific municipalities who were using consultants in the 2023-24 audit, which now will get a direct support from Treasury and Co-operative Governance and Traditional Affairs without relying on consultants. Where there is an acute problem, what is the plan to transfer skills between the consultants and the municipalities concerned? Lastly, were we successful in inserting a clause which says that the municipality will only pay on the basis of good audit outcome? I think that is the only commitment I can make, hon Chair and the House, in relation to tangible things, because there are things we can't do now because it's audit period already. Thank you very much, hon Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. The last follow-up question is from the hon Kennedy.

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Ms M KENNEDY: Thank you, hon Deputy Chair. Good afternoon, hon Minister. Hon Minister, the CFO usually leads your financial team, help solve their challenges with expertise and know your business department very well. Whilst on the other side, the consultant usually comes from the outside and you don't know your department well and they are more expensive. In between, there is a clear recognition of redundancy in their duties. So, in employing the two of them doing the same job in a municipality will lead to wasteful expenditure.

The question is: What measures are there to prevent this wasteful expenditure from happening in municipalities? Is there any control of the amount the consultant demands, or you just take what they put on the table? How are the payments measured? Thank you.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon Chair, through you to the hon Kennedy, will agree that I had already answered the question, but I can reiterate what I said. Let me start with this - in terms of regulating the rates, I said that there are guidelines on fees for audits undertaken on behalf of the Auditor-General. You can use that guide on hourly rates for consultants or you use the

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prescribed regulation for the professional consultants. I am saying I have answered the question in this sense.

Hon Kennedy, we must accept the fact that the consultants we are talking about, there could have been very little that we could have done in the seventh administration. But the commitment is, come January, this House, through Chair, can give us a reasonable time to invite us to come back on this matter, including the matters relating to Free State municipalities, to give feedback. Firstly, we want to engage municipalities that are using consultants to give us reasons. Why do you want to continue with consultants from January going forward? Give us reasons. How can you not be satisfied with the support from National Treasury or from Co-operative Governance and Traditional Affairs? If the support is limited, you can get into an agreement with the consultant. What is the plan for skills transfer? It must be in black and white with timeframes.

Secondly, with regard to the rates, are they using the regulated rates in terms of what they charge? Thirdly, is there a clause which states that if one doesn't deliver the good audit outcome, he is not paid because it's a waste of money. For example, if you pay and get a disclaimer because

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you did not get what you wanted. If there is no such a clause, that is what we will have to champion following all proper channels in government to enforce that clause so that the concerns of duplication and waste - because it's a wasteful expenditure, as you are paying for what does not benefit you - are addressed. That is all what we can do and commit going forward.

As a former mayor, I know the story of the consultants very well. I know that sometimes you have run to consultants if you feel you are stuck with the services which they can provide and the deadline is coming, for example, 31 August, and you must submit. As your last resort, you run to the consultant and ask them to bail you out because you want to submit. Sometimes you come up with a disclaimer. But if there is a clause that a disclaimer will not be paid for, a consultant will refuse, and every mayor will take the municipal manager to task and all other responsible people to do their work on time. Thank you, hon Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Minister. I want to thank you and your officials who are here for gracing us with your presence and for your comprehensive responses to the questions that were raised to you. Once

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again, thank you very much, hon Minister. You may remain with us if you want to, or you may take your leave. Thank you, hon Minister.

The MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Thank you very much, hon Chair and the House.

The DEPUTY CHAIRPERSON OF THE NCOP: Before we move on to the next set of questions, hon members, I would just like to bring to the attention of the House with regard to follow-up questions. At the beginning of each question session, as presiding officers, we read out certain Rules. You will find that in the documents that are sent to us with regard to each question that was raised by a member, there is a heading. For example, the heading for the question that was raised by the hon Makesini is "financial mismanagement" and the question that was raised by the hon Molokomme is "appointment of consultants". The convention is that the follow-up questions must conform to the question that was asked - the original question. It is not in the Rule Book, but it is a convention that we follow.

If hon members feel that we need to include every little detail in the Rule Book, this Rule Book is going to be a

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massive document that even you wouldn't want to read. So, let us follow the convention that the follow-up question must be linked to the original question.

Mr F J BADENHORST: Hon Chair, on a point of clarity.

The DEPUTY CHAIRPERSON OF THE NCOP: Yes, go ahead, hon Badenhorst.

Mr F J BADENHORST: Hon Chair, when this convention stops, we can make anything conventional from now on, and it will become a Rule. Surely, if something is in a Rule Book, it is in a Rule Book. Convention is very dangerous because it can become anybody's habit in this house to do something, then it becomes a convention.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Badenhorst, I am surprised that that is coming from you. You have been a member of this House for a while, and you should have asked those questions a long time ago. Even at the beginning of each of our sessions, when we read those so-called Rules, you must question it. If you feel now that there is a need for us to include all of this in the Rules, you are welcome to write to

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the Rules Committee and that will be considered. There is a Rules Committee in this House. So, make your submission there.

Mr F J BADENHORST: Thank you, it's already been done.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much. Why are you raising it here and wasting our time? It has been done. Okay, shall we move on? Hon Farmer?

Mr B J FARMER: Thank you, Chairperson. You have made a ruling that my question is not linked to the original question, which was wrong. My question was linked. I just wanted to know a reason why you made this. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: No, no, no. Please take a seat because you yourself said that your question was not linked to the original question.

Mr B J FARMER: I didn't say that!

The DEPUTY CHAIRPERSON OF THE NCOP: Let's not waste our time, please.

Mr B J FARMER: I didn't say that!

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The DEPUTY CHAIRPERSON OF THE NCOP: We will now move on to the next set of questions. And that is, we will invite the Hon Minister for Public Service and Administration to take the podium and answer questions. [Interjections.] Welcome hon Minister and officials from your department who are here. Hon Minister, we welcome you to the NCOP. I know this is not your first visit to this House. And we also welcome the Deputy Ministers who are here and thank them for their presence. I know they have been very patient and listening attentively. I welcome Ministers as well as the Deputy Ministers and officials. Thank you for your presence. Hon Minister, your first question was from the hon Fienies from the ANC. Could we have your response to Question 220?

Question 220:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, thanks for the opportunity to appear before the NCOP, which is my first time to stand in this room. The question that was asked to the department, before I come to the detail of it, I do wish to invite members of the NCOP at some point that we try to look as to what is the mischief that we're trying to address. So that all our endeavours speak to that because most of the time as government we come up with so many pieces of legislation trying to solve the problem and all

that amount to nothing because we seem not to be addressing the actual problem that is confronting us.

Initial framework towards professionalisation of public sector is implemented through five core pillars aimed at creating a skilled, committed and technical public service. The major progress is recorded so far as follows: Pillar one, standards and norms for skilled and technical staffing. The issuing of Directive on Human Resources Management and Development for Public Service Professionalisation Volume 1 implemented in April 2024 is alone a key achievement as it strengthens the professionalisation of public service by setting clear standards for ethical integrity and qualification. It also ensures merit-based hiring, particularly for senior management roles, and has initiated a graduate recruitment programme for entry level positions to integrate talented youth into the public service.

Additionally, Public Service Amendment Act currently before the NCOP aims to strengthen administrative powers and establish a head of public service, advancing a cohesive public administration. The Department of Public Service and Administration is also enhancing transparency, accountability

by partnering with Auditor-General of South Africa to ensure compliance with directive Volume 1 across departments.

Pillar two deals with induction and onboarding. The National School of Government has expanded induction programme to include public servants and board of state-owned entities, ensuring all new and ... [Inaudible.] ... employees understand public service values, ethical standards and government structures. This programme really conditioned public servants and provides them with the foundation for an ethical and value driven public service.

Pillar three deals with planning and performance management. Through this directive, performance management has been refined to align employee outcome with the departmental goals fostering result orientated culture. These strategic link between individual performance and public service goals is essentially building workforce that is committed, ethical and capable.

Pillar four deals with continued learning and professional development which has significant strides in this regard. Also, the National School of Government, NSG, in partnership

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with department, has rolled out mandatory training in ethics, supply chain management and project management, among others.

In the year 2023-24 financial year alone, over 14 000 learners enrolled in the ethics course with more than 8000 completing them. Directive Volume 1 further strengthen capacity development introducing assessment tied to personal development plans to promote the culture of long learning and growth among public servants.

The last pillar, which is career, progression and succession plan. The establishment of recognition of prior learning, ... [Inaudible.] ... committee marks a significant step in recognising and leveraging existing skills within public service workforce. Additionally, advocate sessions are being conducted across all government spheres ensuring understanding and support for the framework's goal.

The department and the National School of Government and the Public Service Commission are collaborating through memorandum of understanding with professional bodies, universities and Auditor-General to strengthen skills and ethical values. Also of importance is the involvement of local government through partnership with Salga, Cogta, and offices of premiers is

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strictly ensuring that professionalisation framework impacts every layer of the public sector, signalling a clear and progressive path towards public service workforce that exemplifies skills, dedication, and ethical commitment. Thank you, Chair.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Thank you, Shenge. The first follow-up question is coming from hon Fienies who is on the visual platform. Hon Fienies? Alright, lets pass her in the meantime. Let's take hon Badenhorst to make a follow up question.

Mr F J BADENHORST: Hon Minister, considering that lifestyle audits are very important ... [Inaudible.] ... and tax fraud and corruption, and considering that in September 2023, President Cyril Ramaphosa shared with the National Assembly that over 11 000 public servants in national government have undergone lifestyle audits as of March 2023 that year, a substantial cost, obviously to the taxpayer. Minister, how many public servants have been fired as a result of these audits? Thank you.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon Chairperson, in reaching to the exact number of public

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servants who have been fired because they failed to comply, I don't have the relevant detail now, but I can write back to the member and give the exact number of them.

Ms A M SIWISA: Minister, your department has alluded to establishing an examination system, taking into consideration the evolving technology and the continuous changes internationally, requirements for more knowledge is needed and employees need to upgrade their education, how far is the process of establishing the examination system? Thank you.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, as the department, there are a number of initiatives that we're trying to put in place because you will all understand that at the hour where we are, we cannot develop and achieve our goals as department because the main function of this department is to develop ethical, and the main function of this department is to build state capacity and make sure that our state is developmental in nature. So in order for us to achieve those goals, we need to make sure that technology is part of our integrated approach.

As the department, we have realised that there are a number of issues which are a challenge in nature because the departments

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are working in silos. We have an appointment with the Minister of Communication to try and see if we can consolidate all the technical aspect of technology, meaning we bring back Sita to the department and make sure that we work very close with the Department of Science and Technology to harness technology because going forward we will actually need technology to achieve our objectives.

Also, in terms of our service delivery as the best government, we will only achieve what we want to achieve if technology is part and parcel of our endeavours. So the department is working hard on that one and also there are different stakeholders involved, including private sector to make sure that we harness our efforts together to achieve our objectives. Thank you.

Ms T BREEDT: Hon Minister, President Ramaphosa recently announced that Phase One of the National School of Government skills audits into infrastructure and frontline service departments has been completed. How will the findings from this audit contribute to enhancing the administration and quality of public services and what are the findings of these skills audit? Thank you.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: The NSG's role is very critical in achieving our objectives because you will understand that most of public servants are not lacking in terms of qualifications and expertise, but we find that most of them do not have the necessary ethics, which therefore makes this kind of public service that has ... [Inaudible.] ... interest in service delivery. So the NSG therefore has a number of courses which seeks to reintroduce the government officials back into the sense of duty and making sure that all that they do is relevant.

We find that as the Minister of Cooperative Governance and Traditional Affairs has mentioned here, we have a number of experienced public servants, but the output does not speak to that. People will have degrees, will have diplomas and all that, but practically speaking, they can't apply that. That's where the NSG comes in to bring about that practical experience, making sure that even when they develop state workers, they are aligned with the needs of that particular department.

Also, you will realise that government is paying so much money in developing employees, but you find out that they did not study the skills and expertise that are needed by that

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particular department, which therefore create a problem while so much money is being put into place trying to close the gaps. Thank you, Chair.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Hon Minister, I'm just going to give hon Fienies last chance. Are you on the platform hon Fienies before we pass to another question?

Ms D W FIENIES: Yes, I am hon Chairperson.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): The slot is yours.

Ms D W FIENIES: Hon Minister, you will agree that there is history behind poor, professional, capable and ethical standards in the public service which ranges from nepotism, corruption and a breach of relevant public service and administration norms and standards. In this regard, what mandatory policy interventions are there to reskill, upskill and ensure ethical ethos across the public service, especially to align the local government, professional and ethical standards with national standard? Thank you, Chairperson.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Chair, I appreciate the question from the member. While isolated incidents of poor professional practises may occur in the public service, but I do want to say that it will be inaccurate to characterise the issue as a widespread across department. Many areas within the public service actively uphold high standard of professionalism, capabilities and ethical conduct, reflecting a commitment to transparency, accountability and compliance with the Public Service Act and relevant legislation.

The isolated pockets of misconduct do not define the entire public service framework which comprises dedicated professionals and demonstrating integrity, ethics, accountability and respect for the established norms and standard. The Minister of Public Safety and Administration and relevant oversight bodies have established mechanisms to prevent, investigate and address such misconduct, reinforcing the ethical standards across all department.

We must also remember that the Ministry does not have the jurisdiction over local government as employees in this sector fall outside the ambit of the department. Nonetheless, the Department of Public Service and Administration works closely

with the Department of Cooperate Governance - the Minister is here - to align professional and ethical standard between these two spheres to make sure that there is compliance. Thank you.

Question 205:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Precautionary suspensions within the Public Service continues to be an era of serious concern both in terms of cost and operational impact. As of the latest data reported by the Public Administration ethics integrity and disparity technical assistance team which is ... [Inaudible.] ... there are currently 288 active suspension cases within the national department and 183 in the provincial departments.

These suspensions carries significant financial burden not only on departments budget but also on the public funds that could be allocated for other essential services. For the second quarter of this financial year alone, the total cost of precautional suspension amounted to approximately R49 381 261 million for national departments and R93,363 for provincial government. Members will note that this does not include the local sphere of government because at the moment we are not covering that. This then, brings the accumulative

cost of suspensions to date for the current financial year with these respective amounts.

In the previous financial years, by the end of the fourth quarter the total suspension cost stood at R50 million for national departments and 107 for provincial departments. The cumulative expenses associated with the prolonged suspension highlight the need of disciplined and efficient resolution process. The Department of Public Service and Administration, therefore, does not engage or incur costs for external service providers to handle due suspension cases. However, individual department may acquire specialised services through their own supply chain management to address that.

These precautionary suspensions carries a cost that not only impact on the immediate department but also tap from the resources better used for serving the public. The department also remained resolute in its commitment to enforce accountability while also streamlining disciplinary processes and safeguarding public resources from unnecessary expenditure due to such prolonged suspension. I thank you.

Mr F J BADENHORST: Hon Minister, thank you very much. The sad reality is that about 400 suspended officials are sitting at

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home earning salaries for doing nothing. Would you not agree that the money wasted on Public Service to sit at home year after year and do nothing and get paid for it could have been better used by your counterparts in, for example, Basic Education, social services or maybe public safety? Thanks, Minister.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I think that is a statement that the member is saying which we appreciate, hence, in all our endeavours as department we try and fast-track the process of discipline. I will allude to this in the further questions as to what are we doing as the department to try ... There are number of reasons as to why there is this prolonged suspension and why we have opted to come up with such interventions to make sure that this does not happen.

The feeling is equal that we cannot have people ... because this also speaks to the morale of those that are at work. A staff member cannot wake up, pay the taxi fare, prepare lunchbox and go to work only to be paid and then somebody sits at home doing nothing and enjoy the same benefits. It can't be allowed. Thank you, Chair.

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Mr B J FARMER: Chairperson, for the record the question I am about to ask is perfectly linked to the ... [Interjections.] ... What is the Minister's view on the noncompliance with the prescribed 60 days for the conclusion of cases? Thank you.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: My view on that is that that is not acceptable. It speaks to a number of reasons because it is important that we unpack that. First and foremost, you will find that there is no capacity within departments to deal with issues of discipline. Secondly, we find that those who are charged themselves have all sorts of crooks to make sure that these suspensions do not come to their logical conclusion. For example, they will do this that we call forum shopping, where you are being charged at work then you go to the Department of Labour and then you'll go to the Commission for Conciliation, Mediation and Arbitration, CCMA, and to all these forums.

Once a person has done that that means therefore that internally you cannot conclude that transaction without waiting for the outcome of the other. So, it is a number of things that we are trying to get into as the department to make sure that compliance is done and when people are charged they are actually finalised within the stipulated time.

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Sometimes we find that there is not a case. We must also admit that some of these people that are sitting at home have not committed any offence per se, but management use this as a tool to muzzle officials and employees who seem to be asking them difficult questions. Thank you.

Mr B S MABEBO: Greetings to the hon Minister. Hon Minister, one; is there any acceptable reason that has been provided by the relevant department on why cases of misconduct have taken so long to be resolved? Two, is there a plan of quarterly reporting on the completion of the outstanding cases by the department? Lastly, what other extraordinary support is the Department of Public Service and Administration providing to sector departments to finalise the outstanding cases? Thank you.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Hadebe): Thank you, hon Mabebo. However, as you know, a supplementary question should be one. Nevertheless, the Minister is at liberty to expatiate on the policies of his department and answer all of them.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Firstly, I would have rephrased the question differently. While I

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understand that the hon member to say that, are there any acceptable reasons ... Ordinarily, there shouldn't be acceptable reasons that cases should be prolonged this far and expect that some people sit at home for over 1 000 days. They can't be acceptable. However, as a department we have reasons that I can call are reasonable for us to consider that, okay, in this case there has been an issue, for example, the lack of experience as I mentioned to manage corruption cases.

Corruption cases are very detailed and very broad, the department lacks the expertise which has to do with financial issues. You will understand that some of these cases will be identified and reported and you find that departments themselves can't deal with them, they must be referred to other law enforcement agencies. Therefore, on its own it takes so much time. For some, you need to get access to some information that you must apply for to get permission to go to people's bank account and all that. Some are referred for forensic and which takes as long as we know.

Also, there is this issue of saying that those whose cases have been referred to law enforcement agencies, you can't therefore decide on the ... [Inaudible.] ... because we have a law in this country that says a person is innocent until

proven guilty. Also, the lack of willingness from those that are alleged to have committed those wrong doing, which speaks to what I just said to you, the forum shopping issue.

Nevertheless, the department requires that from time to time we get quarterly reports as to how many cases are outstanding and then we assist department to help those departments if it means that we can lend them the capacity to finalise them.

That is what we do.

Also, we have adopted a Case Backlog Programme in April, where the department with long overdue cases are identified and they are supported on monthly basis to assess the challenges and also come up with solutions on those cases. That is what we are doing. Thank you.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Hadebe): Thank you, hon Minister. I also like to thank hon Gotsell for observing the Rules of the House. He didn't get in between the speaker on the floor and the Minister. So, our training was not in vain ... [Laughter.] ... [Interjections.] ...

Mr N GOTSELL: ... [Inaudible.] ... convention ... [Laughter.]

...

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The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): ... alright, the next question is coming from the hon Siwisa. She is taking it on behalf of hon Gericke because he is not well.

Ms M SIWISA: Minister, you know, the issue of cases that are not being finished and people are going on suspension and then their cases are not going forward to such an extent that there are financial implications does not only end there. It also means that there will be lack of service delivery and that the department will not perform. So, how will you ensure that your department perform to its utmost ability while at this moment you are being faced with several members or several officials that have been suspended and they are still waiting to come and be held accountable for?

It cannot be acceptable, Minister, for you to say that some of these officials were suspended for no reason and some of them there is no means of misconduct and then other people needs to be blamed. My first and foremost issue is how will you ensure that your department actually functions when there is clear indication that they are short staffed and there is no indication that the suspensions will be addressed anytime in the future? Thank you.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I would reiterate what I said that some of the staff members are put on suspension for wrong reasons. I am saying that with authority. From the day that the department has issued specific directives we have intervened because when the department fails to finalise the case within 60 days, there can't be any extension of that unless by the chairperson. From our intervention across departments we found that the cases reported have dropped significantly because we are able to follow through to say if a person has been suspended ... because you can't suspend a person today and fail to prove that there is prima facie evidence for three months, you can't.

So, instead of proving that, they will opt to withdraw the case and allow those people back with the evidence that is there. So, I agree with the member very much that this does not necessarily have a challenge in the performance of departments but also it impacts on service delivery in many ways. I have also mentioned here that it also speak to the staff morale because you have people there who are willing to work and who are actually waking up every day with their best only to be compensated so much and the same colleague of hers or him is sitting at home doing nothing. That affects even the

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staff morale. Hence, there is so much intervention as the department to make sure that this is addressed once and for all.

The cases that are reported here are not cases in the Department of Public Service and Administration but it is across the board. We are also working hand in glove with the executive authorities from those departments. Where there is no compliance there is close working relationship between the director-generals, DGs, of the apartment and also if matters are not addressed there, we escalate to Ministers. So, there are interventions that are in place because all of us collectively appreciate that this is a problem that needs to be actually addressed. It speaks to the heart of professionalisation. Thank you.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Hadebe): Thank you, hon Minister. Well, I think we are done and dusted with Question 205. Now, we will go straight to Question 221 asked by the hon Molokomme from Limpopo.

Question 221:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Chair, I am pleased to report to this House on the progress made by the

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National School of Government in delivering its key training programmes over the 2023-24 financial year, particularly the Nyukela Programme Board Induction and Traditional Leaders Training Programmes. These programmes have been instrumental in promoting professional skilled and commitment public servants.

Starting with the Nyukela Programme which is a fully online course aimed at strengthening recruitment at senior management level, we saw strong uptake. A total of 5 042 participants registered and 3 276 successfully completed the programme, which equipped them with knowledge on public service values, frameworks essential for ethical leadership. Since Nyukela inception in 2019 over 37 000 participants have enrolled so far and more than 23 000 have successfully completed the training.

This programme has become a valuable component to ensure our Public Service managers are well prepared and capable of delivering quality services.

Moving on to the Induction Programme for Boards of Public Entities designed for new and serving boards members. This programme ensures that leaders of public entities understand

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governance ethical standard which are crucial in their role. In 2023-24 financial year, 116 board members from various public entities, including the International Development Cooperation, SABC, the ports regulatory of South Africa completed programmes. There is a least of them which I can forward to the committee so that they know state-owned entities have enrolled.

Finally, the Socio-Economic Development for Traditional Leaders Programme has proven to be significance access in the last financial year. This course is designed to empower traditional leaders with practical knowledge on facilitating socioeconomic development within their communities. This also will address the problem of interface which was addressed here by the Minister of Co-operative Governance and Traditional Affairs. This is also one intervention that the National School of Government, NSG, has come with. In 2023-24 alone, 213 traditional leaders completed this training which include leaders from across provinces and departments. There is also a list as to how many from departments in question and how many from premiers because also premiers are taking initiatives to assist traditional leaders in making sure that they get and started training. This initiative, Chair, support traditional leaders in playing a more active role in economic development

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partnering effectively with communities and stakeholders to unlock opportunities for growth and self-sufficiency.

In summary, the NSG continues to make substantial strides to our professional Public Service through such initiatives mentioned above. Thank you, Chair.

Ms K R MOLOKOMME: Good afternoon to the Minister. Minister how is the admission and curriculum content offered by the School of Government aligned with performance plan and target of each individual employee and the departments? How is the efficiency and effectiveness of base alignment evaluated on an ongoing basis? Does the School of Government has offerings that are tailored to empower the MPs to fulfil their constitutional functions effectively? Thanks, Chair.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon Chairperson, the admission requirement for NSG courses are designed to match the needs of each learning intervention. There is a prerequisite which is based on foundational knowledge, skills and expertise that indicate the individual readiness to engage with the course itself.

Certain courses also require specific competences to address a specialised skill. Each official enrol is based on both the individual development and also the needs of the particular department. So, we do not do like as many people will go to the universities to get so many degrees but when they come to work, they don't know on how to do their work. So, this is aligned. Even access to open distance learning, Chairperson, courses are flexible and designed around strategic objectives and key competences that offer valuable learning and development opportunities for all government officials.

The NSG curriculum is designed using department's competency frameworks as well as other relevant frameworks like the competency for financial management to structure the course content. This ensures, Chair, alignment across functional sectoral and leadership and management levels within the public sector. This curriculum is inclusive because it also caters for different groups which includes women, youth and people with disabilities. So, the NSG training programme on the other part of the question are monitored and are evaluated according to the National Evaluation Policy Framework of 2019 and the NSG's own monitoring and evaluation policy.

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The relevant outcomes therefore are that the NSG curriculum is purposeful designed to improve the competencies of public servants emphasising constitutional values and citizen centred approach. Thank you so much.

Mr S A ZULU: Chair, I am standing in for hon Nzimande. Am I audible?

IsiZulu:

Mnu S A ZULU: Sawubona Ngqongqoshe.

UNGQONGQOSHE WEZEMISEBENZI YOMPHAKATHI NOKUPHATHWA:

Ndabezitha!

Mr S A ZULU: Is the government having any intention or plans to enable traditional leaders to review the training programme and the legislative framework to achieve a desired outcome where traditional leaders are empowered not only as enablers but the final arbiter that will empower their communities' of socioeconomic opportunities on their land? If yes, what are those plans? If not, please ...

IsiZulu:

... yenza kanjalo Ngqongqoshe.

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UNGQONGQOSHE WEZEMISEBENZI YOMPHAKATHI NOKUPHATHWA: Angenze kanjalo ke. Udaba lobukhosi njengoba bengikade ngishilo la uma ngiphendula umbuzo wokuqala ukuthi NSG inezifundo ezenzayo ukuze iqeqeshe abaholi bomdabu ukuze bakwazi ukudlala iqhaza elifaneleyo. Ngicabanga ukuthi indlela esenza ngayo uMnyango lo uwodwa nokwenziwa yi-NSG ngeke kusifikise la sonke sifuna khona. Sidinga ukubambisana phakathi kweMinyango ehlukeneyo ikakhulukazi u-Cogta. UNGqongqoshe ushilo la nabanezinhlalelo ekugcineni kosuku amakhosi ngokudalwa kwawo angabanikazi babantu nomhlaba, ngakho ukuze sibe nokuhlala kahle nokubambisana kudinga ukuthi babe yingxenye.

Ezinye izinto eziyofeza lelo phupho lakho Mhlonishwa ngokuthi kubenezichibiyelo ezenziwayo emthethweni ukuze bakubekwa emkhandlwini babeneqhaza elilawula umthetho kungathi nje ongathi bayaziphoqa ezindabeni zomkhandlu. Ngiyabonga.

Ms M KENNEDY: Hon Chair of the session, good afternoon.

Minister, what positive outcomes does the department envisage in the participation by members of boards of public entities in Nyukela and how will traditional leaders' involvement in this process yield positive results in promotion of economic growth in such activity? Thank you.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I think the fact that we are trying to come out of the challenges of state capture, we have seen how much state-owned entities have been used to embezzle funds. You see, for the longest of time, we have heard people who are professors, who are doctors, have got all that accolades. But their actual conduct does not speak to that. Our interventions as government, where we tried to enforce slow and otherwise, that one on its own is limited. I always say, it doesn't make sense that you can open that door and allows all the thieves inside only to hope that when they are inside here then you will convert them to be ethical people. So, this courses that NSG does in relation to state-owned entities go beyond technical skills and all that but it speaks to actually instilling them inculcating this culture of servant leadership, bringing back ethics and for them to understand that what it means to be a civil servant because all of us in this room, Chairperson, we will remember that when we grow up young as we were, we all aspired to work for the state because this was a noble thing. We considered that as a calling. That's a sense of duty that we are trying to bring back into this whole exercise, also in relation to issues of Amakhosi as I have alluded to that fact.

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Democracy just comes in 1994. We have heard traditional leaders who were mastering the matters of their own clans. People were able to live. People were able to self-sustain themselves because they were led by people who understood how to manage their informal economies. So, bringing Amakhosi on board for them to understand that they still have a role and also that when they are in charge of the people, they must not necessarily see communities as their subject per se. But they must also have the sense of duty to them and embody this ethical conduct which is expected from any leader. Thank you.

Mr N GOTSELL: Minister, the National School of Government in 2022 introduced the training programme on the Art of Facilitating Socio-Economic Development for Traditional Leaders. The programme seeks to support and empower traditional leaders to act as economic change agents in their communities and to be able to create sustainable jobs and create wealth. Chief Edward Mabalane misspent millions of rands that was meant to train over 1 000 to be used in agriculture skills. On amongst other things, R56 000 in an exclusive club in Brynton, R200 000 at Louis Vuitton store at Sandton and R180 000 on a ring for his Real Housewives of Joburg fiancé Brinette Seophela. One can only wondering these

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practices are becoming conventional whether at state exception of the Rule which used to be the ... [Inaudible.] Minister ...

Inkosi M NONKONYANA: Point of order, sir.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Minister, there is a point of order. Over to you.

Inkosi M NONKONYANA: I rise on a point of order in terms Rule 161 of the Rules of this hon House. Hon member is abusing this House, Chair. He has raised this matter earlier on today and it is totally irrelevant and does not arise to the question post to, hon Minister. It is my respectful submission that he is indeed with due respect out of order, Chair.

The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Thank you hon Nonkonyana. When you look at the original question, it implicates the issue of the Socio-Economic Development of Traditional Leaders. So, I think that the issue of corruption, the issue of misspending of financial resources of the state also go to that part of the question. So, your point of order is not sustained, please.

Mr N GOTSELL: Chairperson, can I ask the question now.

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The HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Yes.

Mr N GOTSELL: Minister, I wasn't done. Minister, the question that you were asked was about the uptake and the success of inter alia, training in Socio-Economic Development for Traditional Leaders. The picture you are bantering your answer is very factual in this programme. So, my question to you is related to the success of the training programme. Minister, if this is the type of wealth the government is creating would you agree that the programme on the art Facilitating Socio-Economic Development of Traditional Leaders is not achieving the desire outcome?

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I am totally disagreeing with the fact that this does not achieve the desired outcome. I disagree with that. I want to say this, Chairperson, that the matters hon member is raising here I don't think they should clown the good work that NSG is doing because if one traditional leader has committed such allegations, I don't think therefore that we should take a blanket approach and suggest that all traditional leaders are like that because I will be very much irresponsible if myself, I bring the issue of Steenhof, that scandal and then suggest

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that all those that are in that sector are corrupt as that was the case.

So, I think this is just a unique case which need to be dealt with accordingly. Traditional leaders themselves, they are civil servants first, they are members of this country, so, they are bound by the legislations and the Constitution of this country. So, if they transgress, they must be held to account accordingly as I am one myself when I was sworn in, I took an oath of office. I saw the Constitution and all other laws of this country. So, if such Amakhosi are involved in these shenanigans, they must be held to account. Thank you.

Question 198:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: House Chairperson, the answer is that corruption and ethical misconduct are serious threats not only to public trust and service delivery but also to our economy. The Department of Public Service and Administration is actively combating corruption among public service employees through comprehensive ethics, oversight and training initiatives. This is achieved through an integrated approach that involves clear ethical standards, effective disciplinary management, cross-departmental co-operation, structured audit and disclosure,

and extensive training that fosters a culture of integrity and accountability within the public space. The public service regulation also provides for a code of conduct which outlines the behaviour expected from a public service employee to fulfil their constitutional obligations which is to be professional, and ethical, as it is also envisaged in the Constitution of our country.

As part of the interventions, the department has prioritised the following measures to combat corruption and evaluate ethical standards across the department. We got the code of conduct and ethics standard. The department has established a Code of Conduct detailed in the 2023 Public Service Regulations that guide the ethical and professional behaviour expected from public employees. This aligns with the South African constitutional mandate to maintain a high standard of ethics in the public sector. The Public Administration Ethics, Integrity and Disciplinary Technical Assistant Unit, PA-EID-TAU, oversees these standards as part of the key tools for anti-corruption as outlined in the 2024-29 Mid-Term Development Plan to support a capable, ethical and developmental state.

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The financial disclosure through an e-disclosure system, senior managers and designated staff disclose financial interests to help identify conflicts of interest. As of the current year, 98% of senior management have submitted their disclosures. The lifestyle audit unit provides training and support for departments to conduct lifestyle audits, which include detecting unexplained wealth and conflicts of interest. These efforts are supported by international partners and compliance is closely monitored with noncompliance addressed directly. With discipline management, the department has also improved systems to manage disciplinary cases effectively which has reduced the costs associated with long-term suspension while assisting departments in clearing backlogs. There's also enhanced monitoring and the central register. The PA- EID-TAU is developing a central register to track disciplinary actions and ensure dismissed or implicated employees cannot be re-entered or moved from one department to another. The department collaborates with law enforcement agencies to ensure corrupt employees face appropriate discipline. Key partnerships involved in this process of monitoring conflict of interest and enforcing compliance with anti-corruption regulations included the Auditor-General of South Africa, the SA Police Service and the National Prosecuting Authority.

To also improve ethical standards, the department has revived the Public Service Regulation to strengthen the code of conduct, which requires that each department establish an ethics committee and appoint an ethics officer responsible for promoting ethics. The last point, Phaphathe [Radebe clan praise] is in relation to training and capacity-building. Through co-operation with the National School of Government, we have provided comprehensive ethics and anti-corruption courses. So far, over 87 000 officials have been trained in anti-corruption courses covering topics such as identifying corrupt activities, ethical decision-making and public service integrity thus enhancing their ability to recognise and respond to unethical behaviour. This mandatory training assist in raising awareness across departments while equipping employees to address ethical dilemma and to report misconduct. Through these actions, we are building a capable, ethical and developmental state that ensures public servants serve with integrity and accountability. Thank you.

Ms M MAKESINI: Chairperson. Minister, in the protection of the whistleblowers and senior officials in the department, what measures have you put in place to ensure that these interventions that you have mentioned are consistently monitored and enforced across all levels of the government,

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particularly in all the departments because the senior whistleblowers seem as if they are not protected at all? Thank you, Chair.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION:

Chairperson, I appreciate the question from the member, it is important whistleblowers are protected because if you look at most of the cases of corruption and all other issues relating to misconduct, the government on its own cannot detect that. It is through whistleblowers who bring those to our attention. We have seen many people dying at the hands of criminals because they've blown the whistle and don't enjoy sufficient protection. The department, as we all understand, some of these activities are happening in different departments. We are working closely with the Department of Justice because is the department responsible for providing whistleblowers protection. There should be maximum collaboration, and the issue of long suspensions also speaks to this because the longer it takes to finalise cases exposes whistleblowers to more risk. We are working closely with law enforcement agencies to make sure that our whistleblowers are protected, and we also give them information as to what their rights are when they finally whistle-blow on any matter that needs our attention. Thank you, Chair

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Ms D W FIENIES: Hon House Chairperson, hon Minister will agree the courageous act of the late Babita Deokaran, who paid the ultimate price at the hand of criminals for reporting corruption will forever be celebrated. The failure of the government to protect whistleblowers through integrated policies will forever be judged as a betrayal against whistleblowers and the lack of political will to fight corruption. In this regard, what is the progress with respect to the design of an integrated whistleblowing policy by the department and what are the interim measures that the government is taking to protect whistleblowers? I thank you, Chairperson.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I hope I understood the member well. As I said when answering the previous question, the Department of Public Service and Administration supports the Department of Justice as the primary responsible department for whistleblower policy to develop integrated policies around whistleblowing. As such, the department, in 2018, adopted a guide, on the reporting of unethical conduct, corruption and noncompliance to the Public Service Act of 1994. This guide also requires the departments to ensure the protection afforded in terms of the law to those who disclose is made known to the employees. The Public

Service Regulation was also amended to reflect the requirements under the amendment, under the amended Protected Disclosure Act.

These include the provision of public servants to report corruption. As such, the following regulations were also included. Regulation 13(e) guides the reporting of fraud, corruption, nepotism, maladministration and any other act which constitutes the contravention of the law. Regulation 14(q), an employee shall immediately report any noncompliance with the Act to the head of the department. As the Department of Justice is currently in the process of amending the Protected Disclosure Act, the department, which is the Department of Public Service and Administration, will once again contribute to those processes and after the adoption of the legislation, amend the guide as well as the public regulation to reflect the relevant changes. The department also contributes to the holistic work of the government to ensure an integrated whistleblower policy is followed, as it involves the co-ordinated efforts of the National Anti-Corruption Advisory Council to implement the National Anti-Corruption Strategy.

Chairperson, thank you.

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IsiZulu:

Nk Z N NGCOBO: Ngiyabonga, Sihlalo, Bayede Sokwalisa! Shenge!

English:

Hon Minister, for the 2023-24 financial year, the Public Service Commission, PSC, was allocated approximately R322 million to enhance its efforts in promoting ethical standards and combating corruption. However, the PSC faces significant challenges. It can only make recommendations and lacks the authority to enforce penalties or prosecute offenders. Whistleblower protection is inadequate, leading many individuals to refrain from reporting corruption due to fears of retaliation. This challenge is highlighted by the tragic murder of Babita Deokaran in August 2021, who raising concerns about COVID-19 procurement irregularities. Despite some legislative frameworks, Minister, strong protection for whistleblowers in South Africa is lacking, leaving them vulnerable.

My question is, what specific measures does your government have in place to safeguard whistleblowers or the reporting of corruption within departments? Thank you.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon Chair,
my response will be similar to what I've said previously.
We all agree, ...

IsiZulu:

... ukuthi labo abasuke behlabe umkhosi, dadewethu abavikelekile kahle, yingakho ngikhulume ngodaba oluthi sisebenza umkhono nesiphanga noMnyango Wezobulungiswa ngoba iwona ongumgcini wenqubomgomo ehlela ukuvikela abantu laba abasuke behlabe umkhosi. Iqiniso ngelithi ukuze sifikelele kulokhu esikuhlosile sidinga ukuba iminyango yonke isebenze ngokubambisana futhi siphuthumise indaba yokuthi uma kunamacala abikiwe asheshe aphothulwe ngoba uma kuba nesikhathi eside engaphothuliwe lokho kuveza obala labo ababikileyo okugcina belandelelwa yizigebengu lezi ezolokhu zingaphandle, ezinye zazo zithola ibheyili. Iqiniso ukuthi i-PSC, ikomishana le amandla ayo awafiki la sifuna khona. Ngicabanga futhi leNdlu izosilekelela ukuthi ...

English:

... the Bill that is with the NCOP should be fast-tracked because that is the only measure that will assist the Public Service Commission to be independent and have the necessary teeth that it needs because, at the moment, they will

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investigate cases and recommend but it ends there because it looks like they do not have binding recommendations. We plead with the committee to assist us in fast-tracking that Bill which will address some of the gaps that are in the execution of their mandate. Thank you.

Mr F J BADENHORST: Hon House Chair, Minister, the South African economy is still reeling from the explosion of corrupt activities between 2015 and 2019, duly enabled by the delaying tactics of former President Jacob Zuma in assenting the Public Administration Management Act 2014 and implementing the Act's directive to establish the Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit which finally saw the light on 1 April 2020. What has this unit, just in broad strokes, Minister, achieved over the past four years in terms of disciplinaries and dismissals? Thank you.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon Chairperson, the first part of the question or the preamble speaks to the tactics as alleged by former President Jacob Zuma, which I'm not going to speak on. But I agree the issue of corruption is a concern for all of us, and even what is an advantage as we speak today and what we should take advantage of is the fact that the Seventh Administration seem to have a

different approach as far as how we approach matters of corruption across the board, across all political parties, there is a serious commitment and a political will to address such matters. Other issues that were raised, I think in my previous comments, I have answered that. But it's expected of us to seize the opportunity that has presented itself now to deal with these issues of corruption and make sure that we bring our country back to a growth trajectory. Thank you.

Question 214:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon House Chairperson, the Ministry of Public Service and Administration has prioritised measures to deter the misuse of authority concerning suspension within the public sector. In alignment with the Public Service Regulation of 1994, section 38 of the Ministry has established norms and standards that regulate suspension process and guard against potential abuse.

In terms of the disciplinary management directive, which is to promote fair and efficient disciplinary practice, the department implemented a directive on disciplinary management in public service effective from 1 April 2024. Under this directive, suspensions must adhere to a specific criterion and if no hearing is conducted within 60 days of an employee

suspension, the suspension automatically lapse. At this point the employee is expected to return to work. This criterion reinforces prompt resolution of cases and minimise the prolonged suspension without due course.

Hon House Chairperson, secondly, is the consequence for nonadherence meaning that failure to comply with the directive constitute misconduct as outlined in section 16(a) of the Public Service Act of 1994.

Hon House Chairperson, the Minister however does not have direct authority to impose suctions on head of the departments, HODs, who do not adhere with this regulation. Instead, such cases are escalated and with relevant cases referred to appropriate authorities. Here I am referring to cases that are not within the Department of Public Service and Administration that are in other departments. In alignment with recent labour court precedence, any extension of precautionary suspension beyond 60 days must be formally justified in writing by the enquiry's chairperson. The Department of Public Service and Administration has then adopted this practice as part of its ongoing efforts to manage the overdue cases transparently.

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Hon House Chairperson, in addition, the Public Administration Ethics Integrity and Disciplinary Technical Assistant Unit, actively monitors and report on long and overdue suspensions. These cases are reported to the Auditor-General, AG, which emphasises the department's commitment to accountability and ensuring that disciplinary processes are fair, transparent and within the prescribed regulations. Thank you very much, hon House Chairperson.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): Hon members, I note that the hon Nzimande is not in the House. I believe there is a follow-up question from the hon Zulu.

Mr S A ZULU: Yes, hon House Chairperson. Thank you very much once again for the opportunity given. Indeed, I will ask a follow-up question on behalf of the hon Nzimande.

The combined amount of the remuneration paid to the public service employees placed on precautionary suspension amounts to millions of rand. In some instances, departments defy to implement recommendations of Public Service Commission, PSC, on compliance issue regarding the suspension issue. The suspension issue has both emotional and psychological effects on employees with ultimate adverse effects on performance.

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Employees are absolved from wrongdoings. If employees are ordered to report for duty through the arbitration award and the labour court judgements.

The follow-up question to the Minister is as follows: Is the Minister having any plans to subject the affected employees to the health and wellness programme to reduce or eliminate the impact of unfair precautionary suspension imposed on them? If no, hon Minister please explain as to why? Thank you very much, hon Minister.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon House Chairperson, I think we should depart from the point of view that says we really value our public servants. For they are like the heart of this country. They do exactly what the heart does to the body.

All our ambitions as the country it can be fighting corruption itself, economic growth or whatever hinges a lot on public servants. I always make an example that even those of us who decide to join planet earth the first point of contact is the midwife in the hospital. That is how important they are, which therefore links me to an answer to the hon member. That issues

of wellness in the workspace are what the department is championing.

IsiZulu:

Siyakuqonda ukuthi abaningi abasebenzi abasebenzi kahle, hhayi ngoba benganawo amakhono kodwa ngoba kunezinto eziningi ezibakhungathile. Abanye ngokwengqondo nokunye nezimo zakhona emsebenzini ezenza ukuthi uma bevuka bangakujabuleli ukuya emsebenzini. Ngakho uMnyango unazo izinhlelo ukuqinisekisa ukuthi ukwenza konke esifuna ukukwenza. Sidinga ukuba nabasebenzi abajabulileyo nabakukhuthalelayo ukuvuka baye emsebenzini.

Yiqiniso ukuthi ziningi izimali ezichithekayo kulabo abakhokhelwa besemakhaya. Yingakho uMnyango uqhamuke nokungenelela okuthi kunokuba abantu bamiswe emsebenzi kungcono badluliselwe komunye uMyango uma ngabe unecala. Isibonelo uma unecala lokukhwabanisa imali kwa-Supply Chain. Suka lapha uye emuva kwehhovisi uyeke ukusebenza ngemali ukuze uzoqhubeka usebenzele uhulumeni ngenkathi usahamba icala leli obekwe lona ukuze singalahlekelwa ukuthi uhole imali uhlezi ekhaya.

Iqiniso lithi uMnyango wenza konke ongahle ukwenze ngokubambisana futhi nezinkampani ezizimele Sino-Metropolitan abakwazi ukuthi bafake izandla zabo emsebenzi kahulumeni ukulekelela ukuthi abasebenzi bajabulile bayakwazi ukuthi basebenze kahle. Asilibali ukuthi sisuka kuphi ezinye izingxaki zabasebenzi zinomlando. Omunye uyasebenza kodwa wondla imindeni engamashumi amabili. Imali ayiholayo uma kuphela inyanga ayimsizi ngalutho. Agcine angasabi nawo umdlala wokuhamba ayosebenza. Yizinto zonke esizibukayo ukuthi kukho konke kufanele sibe nabasebenzi abajabulileyo ukuze bakwazi ukusebenza kahle. Ngiyabonga.

English:

Ms K R MOLOKOMME: Hon House Chairperson and hon Minister, has any ... [Inaudible.] ... determination been made about prevalence of officials who abuse their authority to keep employees on suspension beyond the prescribed period. If so, what are the relevant details and are there any plans to classify this as part of the punishable offences under the Prevention of Organised Corruptions Act in collaboration with the Criminal Justice Cluster and if not, why, hon Minister? Thank you, hon House Chairperson.

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The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Hon House Chairperson, now such matters are not criminal in nature. So, you cannot criminalise that. However, what we do as the department is exactly what I have just said that we try to enforce compliance within the 60 days failing which we intervene. There must be reasons that are sound enough as to why there has been an extension. Only one person can grant that. It is the chairperson of the disciplinary process.

The department also intervene where there is shortage of skills. We second people to go and assist and make sure that those cases are fast-tracked. It is also one way of trying to make sure that everything is done within the stipulated time we also monitor from time to time we get the feed back from deferent departments so that we know who is lacking. If there are challenges that are identified as I mentioned before we escalate that to the relevant authorities. If in the case of a director-general, DG, we escalate it to the executive authority so that they can be able to intervene and make sure that such cases are fast-tracked. Thank you so much.

However, we do agree that there is an element that we need to deal with that is the usage of such processes to score personal scores to the department. Thank you.

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Mr F J BADENHORST: Hon Minister, it is me again. We are still stuck in the same question, regarding the effectiveness of the Public Administration Ethics Integrity and Disciplinary Technical Assistance Unit the entity and the legal assistance unit. That was my previous question. So, considering Minister that the purpose of the Public Administration Ethics Integrity and Disciplinary Technical Assistance Unit is according to your budget is to manage, develop and monitor implementation of policies, strategies and programmes related to ethics and integrity in the public service and to provide technical assistance and support when required. With a budget of R75, 1 million over the Medium-Term Expenditure Framework period and looking at the actual expenditure trends and estimates: How effective do you think can this unit be with an average expenditure of less than 30% a year since its inception from 1 April 2020? Could we then not assume that this unit could be construed as an April fools' joke? Thank you very much.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: I think we cannot conclude like that. Firstly, we must appreciate our fiscal constraints and how much we would want to achieve. I think every department if they were to decide as to how much money they must be allocated. We would save exorbitant amounts of money because of the amount of work that we are doing.

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The work of this unit is very effective. While I also understand the fact that its effectiveness may actually be easily seen because they work under stringent budget constraints. So, if therefore they were to be allocated extra money, then so much can happen because even in the office itself it is understaffed, they do not have personnel there, yet so much work has to be done. Worse if we had to extend to local government which is what we are not covering now. The issue of capacity I think cuts across. There is not enough capacity. When you look at the challenges at hand it suggests that we will not be able to be where we want to be with what we have, but we have learnt the art cutting our coat according to the cloth. That is the unfortunate part. Thank you.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): Thank you, hon Minister. The next opportunity for the supplementary question is allocated to the hon Chirwa-Mpungose. I see she is not here.

Do you have anything for us hon Makesini. No. Good. We then hon Minister proceed on to Question 223.

The question relates to the centre for public service innovation partnerships and it has been posed by the hon

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Kaunda. Question 223, if you can have your reply, please hon
Minister.

Question 223:

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: The Centre for Public Service Innovation, CPSI, is actively leveraging partnerships as outlined in the operational notice 700 of 2011, which is to foster and enhance innovation within the public sector. There's a list of key aspects of its collaboration efforts across various sectors. One of them is development and support of innovation. The CPSI collaborates with the private sector to host and support use of cases and proofs of concept such as utilisation of Amazon Web Service, AWS, for cloud solution and IBM for artificial intelligent cybersecurity.

The second one is the small and medium enterprises, SME, support where Consumer Price Index, CPI, supports local innovations by partnering with small, medium and micro enterprises, SMMEs, like the MOADE or a loan management system and SaaS ... [Inaudible.] ... Let's Talk application, app, an app that is designed on the basis of good governance to help local and provincial governments reach the Batho Pele

principles and that all projects are completed in time and handed over in rightful communities and citizens.

The third one is sponsorship, the CPI secures sponsorship for events including the Annual Public Sector Innovation Conference Awards with contributions from organisations such as Business Connexion, BCX, AWS and Microsoft and Momentum Metropolitan Health Group. The second part is the partnership with other stakeholders. To that effect, we've got partnership with government institutions. We work closely with the portfolio institutions like the Department of Public Service and Administration.

The CPI has introduced ... [Inaudible.] ... awards like the National Batho Pele Excellence and Innovation Awards and has helped review innovation related causes with the National School of Government with an aim of creating an ecosystem that aligns with government objectives. The public sector service delivery department and CPSI also collaborate with the service delivery department, sharing resources and co-developing solutions such as a digital fingerprint solution with the Gauteng Department of Health to improve public services.

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The national and provincial collaborations here, we partner with offices of premiers, and we allow the CPSI to replicate inhouse developed solutions across provinces, enhancing resource sharing. The other one is youth-led organisations, here the centre partners with youth-led organisations like the ... [Inaudible.] ... to foster digital skills through hackathons and skills programme, which in turn helps bridge the gap in digital literacy among future public servants, and the partnership with academia, research and knowledge integration in partnership with the Wits School of Governance and the University of Johannesburg, the CPSI integrates academic research into public sector innovation, including projects like co-hosting ... [Inaudible.] ... 2024, with the department mainly focusing on a governance.

The department also developed the relationship with internationals, with the support from United Nation Development programme, the CPSI has piloted projects like the Let's Talk app in the integrated districts supporting the CPSI's objective to bring innovation solution to local communities.

Then the last one is the global knowledge sharing where international CPI participate in global forums as a judging

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awards like Association of African Public Administration Innovation Awards. It also serves as a national contact point for organisations for economic community development and collaborates with United Nations Department of Economics and Social Affairs and Public Sector Innovation. This includes promoting South Africa projects that have won international recognition such as the Mpumalanga Smart Agricultural boxes and the Western Cape Centre for Innovation.

These partnerships bring to the front the CPI's commitment to enhance Public Service Innovation by fostering a collaborative environment that integrates contributions from private sector academia, youth and international peers. Thank you.

Mr B S MABEBO: Hon Minister, are there any incentive schemes by the department to rewards high level innovative initiatives by individuals, sector departments, private sector as part of showcasing and promoting best practice across the government, and to what extent is there a government-wide integration and co-ordination of innovation management?

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Yes, hon House Chairperson, each year the CPSI acknowledges individuals and teams through an award programme, which is aimed at

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discovering, recognising and rewarding service delivery innovation. These programmes also serve as a feeder to the CPI's replication initiative, which promotes a widespread adoption of this innovation. We've got innovative individuals who are honoured through the Public Sector Innovation Trailblazer Awards, which liberate leaders in digital transformation across all levels. For example, Mr Tando Luyaba, chief information officer of the Information Regulatory and creator of the CIPS BizPortal, received an award in 2021.

We've got also sector departments that are also recognised under this programme. For example, what I've just mentioned the Mpumalanga Department of Agriculture, which also is a one-way of recognising their work and also, incentivising them. The CPSI also acknowledges private sector contributions, particularly from social entrepreneur collaborating with the government. An example of this is Ms Sibongile Mngadi, the founder of Uku'hamba Prosthetics, who received a Special Ministerial Award for the Innovative Prosthetics which significantly benefit the amputees.

For government-wide integration of innovation management, the CPI also collaborate closely with offices of premiers, notably

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the North West and the Western Cape province have established the provincial unit dedicated to this purpose and the awards programme is launched annually in partnership with the offices of these premiers respectively so. The CPI also launched the public sector system developer network to share and replicate digital solutions across department. Through this network, departments are encouraged to insource information technology, IT, skills such as system developers and cybersecurity specialists. Thank you, House Chair.

Ms J H P BRITZ: Hon Minister, the Centre for Public Service Innovation was established in 2008, with a mandate of nurturing innovation in the public sector by creating new service delivery solutions resulting in significant improvements in outcomes, efficiency, effectiveness and quality. The centre boasts on its website that it responds to the specific needs and challenges in the public sector to drive innovation where it is most needed.

Now, hon Minister, very little, even it can't be found to justify the centre's existence, bearing in mind that the current state of sorrowful service delivery across various state departments, can you list besides the 22 sector innovation awards, any specific other projects initiated,

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implemented and concluded by the centre over the past 16 years that ensure that South African taxpayers is getting value for money and provide evidence to this House that state department service delivery challenges were actually addressed and resolved over the past 16 years in line with this centre's aforementioned mission statement? Thank you, hon House Chair.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: House Chair, I understand the concern by the member which suggests that very little is being seen as to what the Centre for Innovation is doing. However, we must appreciate the fact that so much is happening. I think one of the challenges which adds to what the member is saying is the fact that we've got so many innovations that they're coming within the system, but the silo approach of government departments is the cause for us not to see the results or the impact that we are all expecting. For an example, we found that there is an innovation in trying to address a particular service delivery problem, but departments will go out to the public, the private sector to source that kind of innovation. Yet, it is there inside department.

Therefore, I think the co-ordination of all our endeavours and department speaking to each other will be the only way that we

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begin to see the changes and the innovations that is out there. As I've alluded to, the issues of awards, these are innovations that are taking place here like in the Eastern Cape, they even received an international award. However, how much are we maximising on that? How much government departments are they using that kind of innovation? That is the problem, so up until that we collaborate and then we insource services that are already there we'll begin to see the difference that we all want to see. Thank you, House Chairperson.

Mr K CEZA: Minister, given that the public servants are a key source of innovation, what recent efforts have you taken to encourage and promote the generation of ideas in the public sector and which challenges are faced in the successful execution of this role? Thank you very much.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: May I humbly ask that he just repeat his question, I couldn't get him clearly.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): Hon Ceza, I'm sorry, the sound is quite poor in the House, if we can ask

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you to repeat and maybe a little bit closer to your microphone, if you wouldn't mind.

Mr K CEZA: Thank you very much. I think that the House would have to employ proper sound people internally. Minister, given that public servants ... [Interjections.] ... I don't understand what's going on. Can you protect me, House Chair?

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): Hon member, if you can sit closer to your microphone, it is important to note that members are given a technical equipment allowance in order to procure things like on the microphones and improve video equipment. However, if you can sit forward and speak clearly into your microphone, please.

Mr K CEZA: House Chair, I won't need to speak, I'm from a doctor. I don't understand what you are talking about. My question is, Minister, given that public servants are a key source of information, what recent efforts have you taken to encourage and promote the generation of ideas in the public sector and which challenges are faced in the successful execution of this role? Am I audible?

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The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): You're audible. Thank you very much. It's much better. Thank you, hon member. Minister, I trust you heard that.

The MINISTER OF PUBLIC SERVICE AND ADMINISTRATION: Yes, I heard that. Hon Ceza, it is true that the information is there, public has so much information and as I have said that this centre as it innovates, it tries to be inclusive in all its approach. I have mentioned the fact that they are partnering with private sector. They are also partnering with youth where such information comes to the fore. Therefore, the only challenge that we have, as I have alluded is the fact that we need to improve as government to collaborate in all our efforts so that we maximise and also make sure that we do not duplicate things, and we do not spend money unwisely, because the moment that we are able to collaborate and we are actually maximising on what we already have, it's only then that this information that you're talking about, which is already there, can see through government departments and we are able to use it to leverage on that. I think I'm answering you correctly. Thank you.

Afrikaans:

Mnr M M PETER: Agb Huisvoorsitter ...

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English:

... good evening, Minister. Given that rural areas are often left behind due to a lack of information and communications technology, ICT, infrastructure and basic digital literacy further restricting citizens access to digital services. What effectiveness measures will be taken to engage these vulnerable groups and guarantee that they have equitable access to a government services?

IsiXhosa:

Mhlekezisi wam, ezi nkqubo zokhanyiselo lwengqondo azikho phaya ezilalini nobu buxhakaxhaka bukhoyo ezidolophini abukho ezilalini. Zeziphi iinkqubo ezikhawulezileyo zokubaxhasa eniza kuthi nizenze ukuze abantu basezilalini baxhamle,? Enkosi.

USIHLALO WENDLU (Mnu. D R Ryder): Enkosi ngombuzo, lungu elihloniphekileyo.

Afrikaans:

Die MINISTER VAN STAATSDIENS EN ADMINISTRASIE: Baie dankie, agb ... Ek probeer om ook Afrikaans ...

English:

I think it is true that people in rural areas most of the time are excluded because of so many reasons, some are historically, even structurally so, it's difficult to reach out.

IsiZulu:

Kodwa kubalulekile ukuthi ngikusho ukuthi ingxenye yokuqanjwa kabushwa le ebengikhuluma ngayo yaseGauteng ...

English:

... the person who came up with that innovation ...

IsiZulu:

... esibhedlela ...

English:

... was somebody from deep rural. I was told that this twin was actually travelling so many kilometres to get to town where they were able ...

IsiZulu:

... bekwazi ukuthi basebenze kuphrojekthi yabo ngoba la bahlala khona kukude kakhulu, azikho zonke izinkonzo kodwa lokhu kuchaza ukuthi njengohulumeni sibambisene sonke nani

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malungu ale Ndlu sinomthwalo omkhulu kabi wokuzama ukuthi izinkonzo zifinyelele ebantwini bakithi emakhaya. Uma sikhuluma ngayo ...

English:

... innovation is technology and most of the time when we transit into technology that normally leaves behind the poor of the poor. It doesn't include them in itself. Therefore, I think that's a collective responsibility as government to make sure that when we innovate and when we move to the digital world and this technology world, no one is left behind. That is also in the centre of the Centre for Public Innovation that when we transit, we don't leave no one behind. Thank you so much.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R Ryder): Thank you very much, Minister. As you resume your seat, I'd like to thank you, Minister, for appearing today. I'd like to thank also all members of executive council, MECs, permanent and special delegates and the SA Local Government Association, Salga, representatives for availing themselves for today's sitting and making the success that it was. Honourable delegates, that concludes the business of the day. Honourable members, I therefore adjourn the House, and I'll ask you to

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all rise as the usher of the Black Rod performs his duties.

Thank you very much.

The Council adjourned at 17:47.

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