



PUBLIC PROTECTOR
SOUTH AFRICA

Accountability · Integrity · Responsiveness · Justice · Good Governance

PUBLIC PROTECTOR VISION 2023
Strategic Plan 2017 - 2022
Annual Performance Plan 2017-2018

**PUBLIC PROTECTOR'S PRESENTATION TO THE PORTFOLIO
COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES ON
STRATEGIC PLAN, ANNUAL PERFORMANCE PLAN AND BUDGET**

Thursday, March 30, 2017

Presented by Adv. Busisiwe Mkhwebane, Public Protector

Scope of Presentation

1. Introduction
2. Second Quarter Performance
3. Third Quarter Performance
4. What has changed
5. What was retained
6. Targets
7. Budget overview
8. Challenges
9. Special Request to Parliament
10. Conclusion



Introduction (1)

The strategic vision underpinning the Strategic Plan is articulated in the Public Protector Vision 2023:

- 1) Broadening access by bringing the services of this institution to the doorstep of communities located at the grassroots, in the margins of society;
- 2) Emphasis on the use of vernacular languages;
- 3) Use of municipalities, traditional council offices and magistrates courts.
- 4) MOUs with key stakeholders;
- 5) Stronghold for the poor/marginalised;
- 6) Empowering citizens to exhaust internal remedies before approaching the Public Protector;
- 7) Encouraging organs of state to establish own effective complaints resolution units or sector specific ombudsman institutions such as Health, Tax, Military, etc.; and
- 8) By the end of my 7-year term, the people of South Africa should have been empowered so that they can become Public Protectors themselves (own liberators).



Introduction Cont...(2)

The overarching strategic risks impacting on our Constitutional mandate are:

1. Inability to fully implement the institution's legislative mandate due to under funding and lack of cooperation from Organs of State;
2. Misalignment between the organisational structure and the strategic imperatives of the institution;
3. The lack of knowledge and inability of understanding the primary functions of the Public Protector's role, including the public and media result in a misunderstanding of the PPSA's mandate and execution thereof;
4. Inability to continue to operate in a fast-changing environment due to scarcity of professional investigators in South Africa and limited means to retain and attract candidates of high calibre;
5. Slow responses by parties/agencies in implementing the Public Protector's remedial actions; and
6. Inability to meet the Chapter 14 target of the National Development Plan
7. Misalignment of the Public Protector Act 23 of 1994 and the Constitution.



Introduction Cont... (3)

Report back:

- ❑ 9 investigation reports were released on matters affecting ordinary people
- ❑ 16 Section 7 (9) notices and/or provisional reports were issued in matters involving among others, the following institutions:
 - SARS
 - Department of Home Affairs
 - AgriSETA
 - Transnet
 - Department of Mineral Resources
 - South African Nuclear Energy Corporation
- ❑ Responses to Section 7(9) notices were received regarding the CIEX matter and the report is in a process of being finalised
- ❑ 19 draft reports are undergoing quality assurance



Introduction Cont... (4)

Report back:

- Follow-up on implementation of remedial action was conducted on 55 reports :
 - Implemented: 7
 - Partially implemented: 28
 - In progress: 5
 - Resolved: 1
 - Not implemented: 14
 - Performance on investigations has slightly improved from 11% to 22%
- A number of cases are taken on judicial review since April 2016
- Strategic positions were filled, and more appointments expected
- Stakeholder engagement roadshow is currently running



Second Quarter Performance (1)

Administration

1. A functioning Risk Management unit was established with the appointment of a Senior Manager: Risk Management;
2. HRM and SCM units were redesigned for efficiency;
3. A skills audit was conducted;
4. High speed connectivity was installed at 80% of our offices;
5. A feasibility report on insourcing of bulk printing and bulk photocopiers, vehicles, buildings and in-house travel was drafted; and
6. A team building activity was conducted together with 20th anniversary celebration of Public Protector South Africa.



Second Quarter Performance Cont... (2)

Investigations

1. Public Protector Rules were drafted in line with the Constitutional Court judgement;
2. 15% (108/720) of cases 2 years and older were finalised;
3. 46% (204/445) of cases older than a year were finalised;
4. Systemic investigations were under investigation; and
5. 43% (50/115) of remedial action matters were followed-up



Second Quarter Performance Cont... (3)

Stakeholder Management

1. 200 outreach clinics were conducted;
2. Newspaper readership for the quarter under review: 1 463 851;
3. TV Viewership for the quarter under review: 12,300,000;
4. Radio Listenership for the quarter under review: 20,479,000;
5. 1 media briefing was held;
6. Social media platforms (Twitter and Facebook) and the website were updated on a weekly basis; and
7. Promotional material was procured.



Second Quarter Performance Cont...(4)

Stakeholder Management Cont...

1. Good Governance Week and conference were staged successfully;
2. 2 provincial stakeholder forums took place in Mpumalanga and North West;
3. Office hosted a Mandela Day CSI initiative at Afrika Tikkun, an NGO that supports childhood development;
4. A proposal for the amendment of the Public Protector Act was drafted;
5. 2 outgoing international benchmarking visits were conducted in UK (CMS) and Botswana (investigations and outreach);
6. Prepared and participated in AOMA EXCO meeting in Namibia; and
7. The Public Protector chaired an AORC meeting held in July 2016.



Third Quarter Performance (1)

Administration

1. Benchmarking was conducted with Chapter 9 institutions on the implementation of an Integrated Security System;
2. Skills audit was implemented;
3. Implementation of Wi-Fi commenced;
4. Feasibility report on insourcing of bulk printing and bulk photocopiers, vehicles, buildings and in-house travel was finalised;
5. Procurement processes to appoint a service provider to conduct a perception index were concluded; and
6. 8 awareness activities on institutional values and Customer Service Charter were conducted.



Third Quarter Performance Cont...(2)

Investigations

1. The Public Protector Rules were finalised and were ready for submission to state law advisors;
2. 32% (230/720) of 2 years and older cases were finalised;
3. 54% (241/445) of cases older than a year were finalised;
4. 7 reports on systemic investigations were drafted; and
5. 61% (70/115) of remedial action matters were followed-up.



Third Quarter Performance Cont...(3)

Stakeholder Management

1. 225 outreach clinics were conducted
2. Two media briefings were held
3. 1 media house visit was held
4. Social media platforms (Twitter and Facebook) and the website were updated on a weekly basis
5. Promotional material was distributed
6. 1 consultation meeting was held with the Minister of Justice and Correctional Services to discuss systemic challenges
7. Rules were submitted to Department of Justice and Correctional Services for comments
8. A request was made to the Department of Justice and Correctional Services to place amendment of the Public Protector Act on its legislative programme for 2017/18 financial year.
9. Participated and arranged AOMA General Assembly and EXCO from 1-5 November



Vision

- ❑ **Previous:** A trusted independent constitutional institution that ~~rights~~ administrative ~~wrongs~~ and promotes good governance in state affairs.
- ❑ **Revised:** An **effective** and trusted constitutional institution that **remedies** administrative **injustices** and promotes good governance in state affairs.



Mission

- **Previous:** We strengthen constitutional democracy by investigating, ~~rectifying~~ and ~~redressing any improper or prejudicial~~ conduct in state affairs.
- **Revised:** We strengthen and **support** constitutional democracy by investigating, **reporting on** and **remedying alleged or suspected improper** conduct in state affairs.



Purpose Statement

❑ **Previous:** We protect the public from and by rooting out improper conduct and promoting good governance in state affairs

❑ **REVISED:** A catalyst for change in pursuit of good governance



Principles

- 1. Accountability;**
- 2. Integrity;**
- 3. Responsiveness;**
- 4. Justice (Added); and**
- 5. Good Governance (Added).**



Values

Previous

1. Fairness
2. Redress
3. Ubuntu
4. Impartiality
5. Transparency
6. Efficiency and professionalism

Revised

1. Redress
2. Ubuntu
3. Impartiality
4. Transparency
5. Efficiency and professionalism



Strategic Goals

Previous:

- Prompt service
- Access
- Efficiency
- Impact
- Influence

Revised

- To deliver prompt services to all persons and institutions we serve
- To achieve access to available Public Protector services
- An effective and efficient people driven organisation
- Promote and maintain good governance
- To play a leading role in strengthening fellow administrative oversight institutions



Chief Executive Officer

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Mapping and Alignment To The National Development Plan.

2017 Strategic Goals

Ease of Access to Public Protector Services

The capacity of corruption fighting agencies should be enhanced and public education should be part of the mandate of the anti-corruption agencies

Adherence to defined investigations turnaround times

Strengthen measures to ensure the security of whistle-blowers.

Implementation of remedial actions and settlement agreements

Strategic Outcome Oriented Goals(SOOGs) & Strategic Objectives (SOs)

SOOG1 **Deliver prompt services to all persons and institutions we serve**
1. Adherence to defined investigations turnaround times; 2. Implementation of remedial action and settlement agreements; and 3. Promote a culture of good governance

SOOG2 **Achieve access to available Public Protector Services**
1. Ease of access to Public Protector services

SOOG3 **An effective and efficient people driven organisation**
1. Capacity building; 2. Transform Information Communications Technology to optimally support business needs; 3. Purchase of key facilities/infrastructure; 4. Operational Efficiencies and 5. Improve security in all offices

SOOG4 **Promote and maintain good governance**
1. Obtain Clean Audit

SOOG5 **Play a leading role in strengthening fellow administrative oversight institutions**
- Strengthening of the role of ombudsman institutions



2017/18 Targets Per Strategic Goal(1)

- **To deliver prompt services to all persons and institutions we serve:**
 - 1) 100% of new cases received from 1 April 2017 investigated and finalised in accordance to approved service standards
 - 2) 10% decline in turnaround times for investigations received and finalised in 2017/18 FY
 - 3) Conduct and finalise all existing systemic investigations/interventions as at 1 April 2017 by 31 March 2018



2017/18 Targets Per Strategic GOAL(2)

- **To deliver prompt services to all persons and institutions we serve:**
 - 4) 10 dialogues held with organs of State on systemic challenges by 31 March 2018
 - 5) 100% follow up of remedial action matters by 31 March 2018 (both reports and ADR)
 - 6) 100% development and implementation of a policy to deal with non-implementation of remedial action



2017/18 Targets Per Strategic Goal

- **To achieve access to available Public Protector services:**
 - 84 clinics per province by 31 March 2018



2017/18 Targets Per Strategic Goal(1)

- **An effective and efficient people driven organisation:**
 - 1) 10 awareness activities on Institutional values and Customer Service Charter by 31 March 2018
 - 2) 100% completion and approval of the institution's Conditions of Service including remuneration framework
 - 3) 100% implementation of video conferencing and integrated telephone management system.



2017/18 Targets Per Strategic Goal(2)

An effective and efficient people driven organisation:

- 4) Sustain an unqualified audit opinion with less than 25% of emphasis of matter
- 5) Conduct Threat and Risk Analysis (TRA) in all offices by 31 December 2017. Implementation of the TRA recommendations by 31 March 2018 (Integrated Security System)
- 6) Develop a Project Plan to implement the recommendations of the feasibility study (for in-sourcing of infrastructure)



2017/18 Targets Per Strategic Goal

- **Promote and maintain good governance**
 - 10 dialogues held with organs of State on systemic challenges by 31 March 2018



2017/18 Targets Per Strategic Goal

- **To play a leading role in strengthening fellow administrative oversight institutions**
 - Enter into 1 bilateral agreement with an ombudsman institution by 31 March 2018



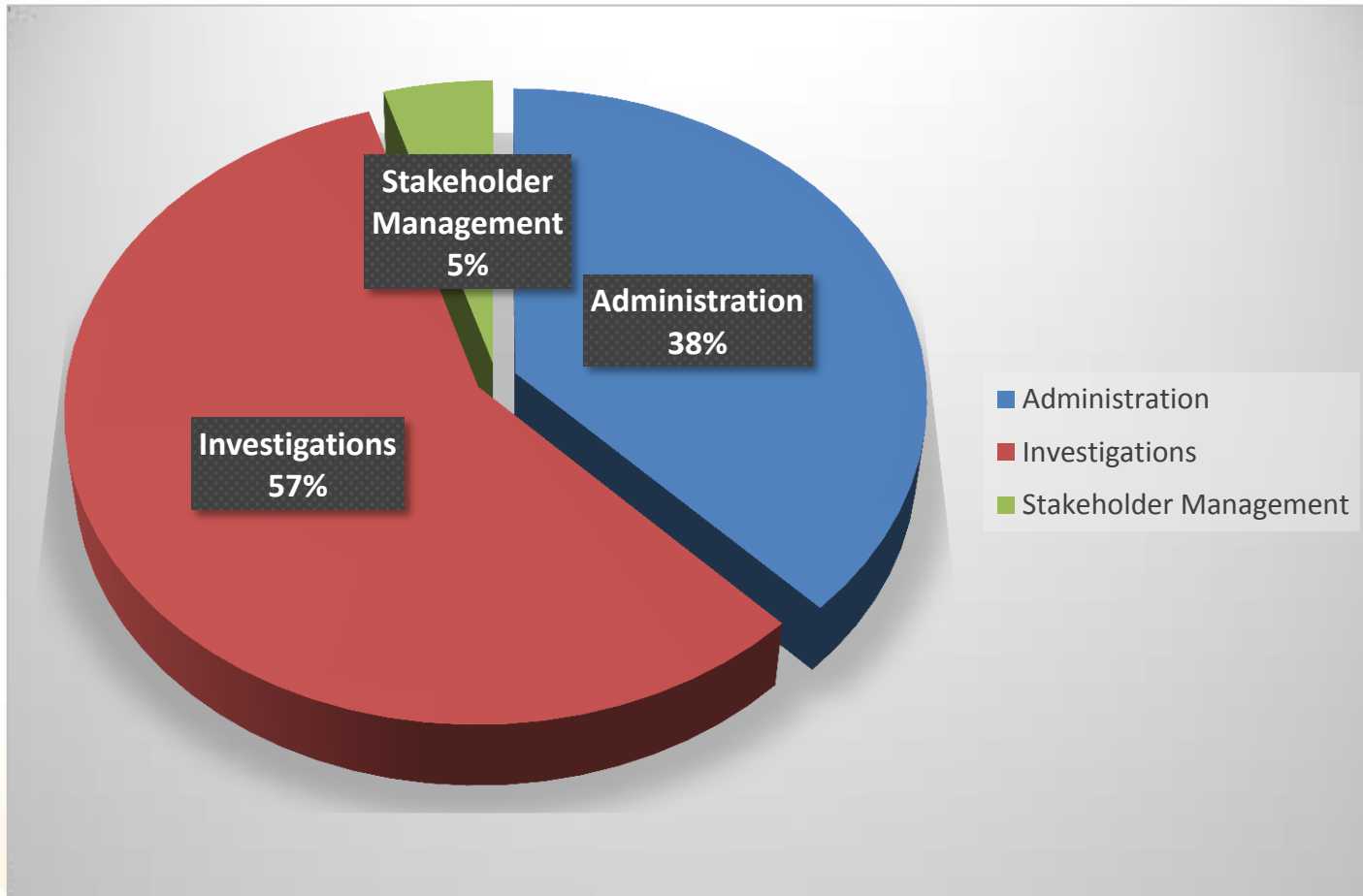
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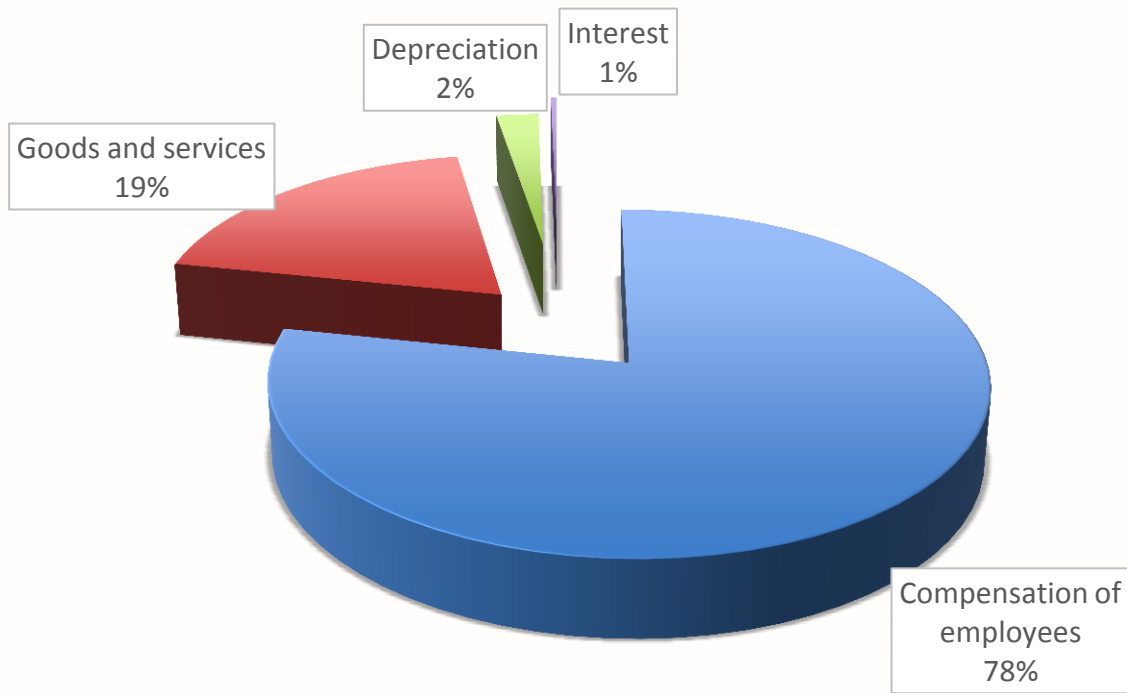
Budget Allocation Cont...(1)

Description	Budget Financial Year ended 31 March		
	2017/18	2018/19	2019/20
To deliver prompt services to all persons and institutions we serve	38,120	40,528	42,798
To achieve access to available Public Protector services	131,907	139,577	147,393
An effective and efficient people driven organisation	113,921	120,298	127,035
Promote and maintain good governance	13,459	14,242	15,039
To play a leading role in strengthening fellow administrative oversight institutions	4,424	4,681	4,944
Total: Strategic Objectives	301,831	319,326	337,208
Compensation of employees	236,217	250,132	264,139
Goods and services	57,762	60,853	64,261
Depreciation	6,902	7,303	7,712
Finance costs	950	1,038	1,096
Total Annual Budget	301,831	319,326	337,208

Budget Allocation Cont...(2)



Budget Allocation Cont...(3)



■ Compensation of employees ■ Goods and services ■ Depreciation ■ Interest



Budget Allocation-Programme 1

Administration

	2017/18
	Budget estimate
	R thousand
Programme budget	
Administration	113,921
CEO office	6,288
CEO support	2,925
Communications	4,363
Executive support	5,942
Facility management and logistics	24,328
Finance, payroll and SCM	23,055
Human resource management and development	15,388
Information and communication technology	15,345
Internal audit	841
Legal services and Quality assurance	7,436
Media Relations and Corporate Branding	1,658
Provincial Investigations and Integration	2,862
Research and knowledge management	2,503
Risk Management	987



Budget Allocation Cont...

	2017/18
	Budget estimate
Programme budget	R thousand
Investigations	173,815
Administrative justice and Service Delivery	20,423
Deputy Public Protector	3,602
Good governance and integrity	13,459
Public Protector	4,424
Public Protector Provincial Representation	131,907
Stakeholder Management	14,095
Complaints and Stakeholder Management	14,095
Total	301,831



Challenges and Interventions

Strategic Challenges/Problems

1. **Insufficient funding.**
2. **Low staff morale (PMDS, OSD, job evaluation, conditions of service).**
3. **Capacity (diverse skills such as forensic, actuarial, engineering, quantity surveying, etc. lacking).**
4. **Increased litigations (reviews).**
5. **Security.**
6. **Poor turnaround times from support state agencies/institutions (e.g. SITA, SSA, DPW)**

Strategic Intervention

1. **Value Proposition (Budget Bid) to be formulated and submitted to NT for consideration.**
2. **Interim Measures in place to address Salary Disparities.**
3. **Human Capital Development Strategy for the Institutions will be formulated in the first quarter of 2017/18 FY to look into Institution' statutory obligations and Human Capital Requirements.**
4. **Dependent on Capital Injection.**
5. **Reviews of Facilities across the institution are being addressed**
6. **Implementation of Service Level Agreements are being assessed**



Audit Findings-Dashboard

Audit Finding	Number of Findings	Percent (%) Addressed
Total Number of Findings	61	100%
Issues in Progress (Work In Progress)	21	34%
Findings To Be Resolved With Multiple Dependencies	1	2%
Findings Resolved and Completed	39	64%



Public Protector South Africa Advocate Busisiwe Mkhwebane



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Special Request To Parliament

The Committee to take note of the on the following.

- Overall Lack of Capital Injection to address the Risks associated with the Institution's mandate including the strategic outcome oriented goals.
- The PPSA requires at least R1bn to stay afloat and ensure it is effective.



Conclusion and Appreciation

That the committee notes the progress reports on:

1. Quarterly Performance for Q2 and Q3.
2. Audit Findings for 2015/2016 financial year.

That the Committee approves the:

1. Strategic Plan for the financial years 2017-2022.
2. Annual Performance Plan for the fiscal Year 2017-2018
3. Budget allocation for the fiscal year 2017-2018.





**THANK YOU, NGIYATHOKOZA, DANKIE,
ENKOSI, NGIYABONGA, KE A LEBOGA,
KE A LEBOHA, KE A LEBOGA, NDI A
LIVHUHA, NDZA KHENSA**



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