



PUBLIC PROTECTOR
SOUTH AFRICA

Accountability • Integrity • Responsiveness

ANNUAL REPORT

2023/2024

PUBLIC PROTECTOR SOUTH AFRICA

**Empowered people and accountable
public administration**

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Part A

General Information

Abbreviations/Acronyms

AC	Audit Committee
AGSA	Auditor-General of South Africa
AO	Accounting Officer
AOMA	African Ombudsman and Mediators Association
AORC	African Ombudsman Research Centre
APP	Annual Performance Plan
BAC	Bid Adjudication Committee
BBBEE	Broad Based Black Economic Empowerment
BCP	Business Continuity Plan
CARA	Criminal Asset Recovery Account
CBO	Community Based Organisation
CEO	Chief Executive Officer
CFO	Chief Financial Officer
COO	Chief Operations Officer
COS	Chief of Staff
CMS	Case Management System
CPSI	Centre for Public Service Innovation
CSO	Civil Society Organisation
DOJCD	Department of Justice and Constitutional Development
ER	Early Resolution
ERP	Enterprise Resource Planning
FASSET	Financial, Accounting, Management, Consulting, and Other Financial Services Sector Education and Training Authority
FY	Financial Year
GGI	Good Governance and Integrity

GGW	Good Governance Week
IEC	Independent Electoral Commission
IOD	Injury on Duty
IOI	International Ombudsman Institute
MEC	Member of Executive Council
MOU	Memorandum of Understanding
MRA	Mobile Referral Application
PAIA	Promotion of Access to Information Act 2000
PC	Portfolio Committee
PFMA	Public Finance Management Act, Act 1 of 1999
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act 2000
PP	Public Protector
PPSA	Public Protector South Africa
TR	Treasury Regulations
MTEF	Medium Term Expenditure Framework
SACC	South African Council of Churches
SANGOCO	South African Non-Governmental Coalition
SASSA	South African Social Security Agency
SAPS	South African Police Service
SARS	South African Revenue Service
SMME	Small Medium and Micro Enterprises
SCM	Supply Chain Management
SD	Service Delivery
SITA	State Information Technology Agency
SIU	Special Investigating Unit
SDIP	Service Delivery Improvement Plan

I. General Information

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3. Foreword by the Executive Authority

The Institutional transformation journey that I envisioned when I took over as Acting Public Protector a year earlier and later as Public Protector encompassed clear but ambitious objectives. We set out to harness our limited human, financial and technological resources through projects such as the digitalisation of the Institution, the empowerment of management and staff, as well as reviewing aspects of our fiscal environment that still reflected unresolved legacy issues through, amongst others, the audit outcomes for the Institution. Strategically, our short and medium term vision aimed at the rebuilding of the Institution, was equally clear, namely to restore public trust, enhance our impartiality and independence, strengthen internal governance, promote our professionalism and competence, increase transparency in our decision-making processes, build constructive relationships with our stakeholders, and focus on legal and procedural reforms to enhance the Institution's ability to function more effectively.

When I was appointed as Public Protector with effect from November 2023, the Institution and I collectively had to endure a leadership transition much earlier than expected, during the most challenging and turbulent time in the history of the Institution. The legacy issues referred to above, still impacted the Institution on various levels, in particular the aftermath of decisions affecting the wellbeing of staff and the governance of the Institution, compounded by limited resources at our disposal. We had to navigate the psycho-emotional stress on PPSA staff which came as a result of the events leading up to and during the Section 194 Parliamentary Committee proceedings. As a direct consequence of this, we had placed a definite focus on employee wellness and work-life balance in general. I have also placed a focus on young leadership talent and 'leadership without title'.

As the leadership of the Institution, we encourage a culture of adaptability and learning from the setbacks on the road transversed and to embrace the challenges that we faced as an Institution as opportunities for growth and improvement. During the review period, the leadership, supported by the significant collective efforts of PPSA staff, focused on guiding the Institution onto a path that sought to enhance its reputation and operational effectiveness. Our journey underscores the importance of leading with a strong ethical compass, fostering a resilient and empowered team, and maintaining an unwavering commitment to organisational values and public trust.

In pursuit of this vision, the strategic transformation of the Institution, with the focus on digitalisation to enhance our systems and rebuild the integrity of our Institution, is key. By implementing a new Case Management System (CMS), we significantly improved operational efficiency and accountability. Concurrently, we invested in ongoing learning and quality assurance measures to build capacity and ensure the integrity of our reports. These efforts are crucial in restoring public trust and reinforcing our commitment to protecting individuals against administrative injustices and promoting good governance. Demonstrable evidence is already shown by a 78% achievement of the PPSA's Annual Performance Plan targets for the year under review. This feat is indicative of the dedication, resilience and hard work by our staff members in ensuring accessibility, responsiveness and accountability to the People of South Africa.

The implementation of the Public Protector's remedial action is the cornerstone of our constitutional mandate, as it is through our remedial action that redress can be effected for those who are prejudiced by misconduct in state affairs. Furthermore, the implementation of our remedial action by the organs of the state is an expression of a willingness by the state to ensure that justice is not only done but is seen to be done. It also enforces accountability.

We are therefore encouraged by the fact that our endeavours to implement more robust quality assurance processes during the investigation as well as report writing phases, have started to yield results as reflected by the fact that the implementation of remedial action has increased from a low base of 2% in the previous financial year to 29% in the year under review. We shall build on this momentum to reach at least 50% in the next two to three years. On the other hand which is equally encouraging, this signifies an enhanced level of state Institutions accepting responsibility and being motivated to make amends, for the benefit of individuals and communities impacted by our services. This approach contrasts with the costly alternative of pursuing litigious actions at a significant cost to the fiscus.

Our digitalisation project is further gaining momentum with the enhancement and improvement of our electronic Case Management System, a award-winning digital system designed and developed in-house with the aim of improving the way in which we account for the matters reported to the Institution and provide feedback to complainants. During the year under review, we finalised six thousand two hundred and five (6 205) cases, which is a 14% increase from the previous financial year.

Furthermore, we developed and implemented an online self-service application that enables complainants to lodge and track the progress of their complaints using a mobile device or a computer. This system has been designed to improve the PPSA's accessibility footprint using technology. In our endeavour to further increase accessibility of our services, particularly those who are vulnerable and marginalised, we have developed a call-back service which will enable members of the public to send a call-back message to the PPSA and relevant PPSA officials will return their calls. This will not only provide access to our services, but it will also expedite the response time.

Additionally, we have renewed Memoranda of Understanding with multiple municipalities and various stakeholders. These agreements establish a framework for cooperation and collaboration, aiming to share information and improve effectiveness and efficiency in addressing governance and ethical issues.

A significant achievement for the PPSA was obtaining access to the Criminal Assets Recovery Account (CARA) funds for the first time. The Cabinet has approved an allocation of R48 million to the PPSA, acknowledging its role in combating corruption. This funding will substantially enhance the Institution's investigative capacity and resources, enabling it to effectively fulfil its mandate as a key component of the country's "anti-corruption arsenal" as outlined in the National Development Plan 2030.

The CARA Funding is intended for, amongst others, the prioritisation of impactful special investigation projects and historically unfunded priorities resulting from expansion of anti-corruption mandate of Public Protector. However, this windfall does not resolve all of the funding challenges that the PPSA faces. Since the funding is accounted for, maintained and controlled separately from the PPSA baseline expenditure and budget, it does not alleviate the funding and fiscal pressures on the PPSA to perform its constitutional mandate, and function effectively and serve and provide access to marginalised and vulnerable communities.

We continue to make progress in shaping our Institution to improve our efficiency and effectiveness to deliver on our constitutional mandate. Implementation of the recommendations of the work study investigation and skills audit conducted in the previous financial year has started. Several interventions are planned or have been embarked on in the following areas:

- a) Work-process navigation and management, with the view to standardising the work with clear, accessible and consistent processes and allocated responsibilities;
- b) Establishment of caseload and work standards as a means to understanding and quantifying work content and setting reasonable work content or time standards;
- c) Investigation Capacity Profiles and resource utilisation, including investigation caseload and capacity estimation;
- d) Training and Development to improve skills and competencies in areas identified as below proficiency levels through the skills audit and skills gap analysis; and

- e) Establishment of a resources centre of subject matter and other experts for the provision of specialist investigation services and training and development related services to the Institution.

All the above are indicators of our unwavering commitment to ensuring that the public accesses our services, and by extension services of government at all spheres and public institutions swiftly and without unnecessary burden.

Going forward, the PPSA will use the gains we have made in the current financial year as a catalyst to enhance and strengthen our levels of resilience and dedication as we work towards elevating the PPSA brand as a centre of excellence.

Our baseline budget remains a serious concern as it is threatening the Institution as a going concern. We acknowledge the pressure on the fiscus but that should be balanced with ensuring that PPSA fulfils its constitutional mandate.

On the international front, I continue to Chair the African Ombudsman Research Centre (AORC), which is the first of its kind in the world and provides research, information, capacity building and advocacy to support the work of the Ombudsman across the African continent and to serve as the Secretariat for the African Ombudsman and Mediators Association (AOMA). I have the privilege to serve as a board member of AOMA, which has a membership of forty (40) National Ombudsman and five sector Ombudsman Institutions.

I am honoured to have been elected as the President of the International Ombudsman Institute (IOI) for the African Region. The IOI is the only global organisation for the cooperation of more than 200 independent Ombudsman Institutions from more than 100 countries worldwide and have been working to establish a relationship with the United Nations, culminating in the adoption of UN resolution 72/186 on the role of Ombudsman and mediator institutions, which was adopted by the UN General Assembly on 16 December 2020, and subsequently the conclusion of a Memorandum of Understanding with the United Nations Institute for Training and Research (UNITAR).

In addition, South Africa is an alliance member of BRICS, an intergovernmental organisation comprising of Brazil, Russia, India, China, Iran, Egypt, Ethiopia and the United Arab Emirates. We have initiated a process of engaging the Department of International Relations & Cooperation (DIRCO) to explore options within the BRICS mechanisms for cooperation and professional exchange of ideas between Ombudsman-like institutions of the BRICS countries, as well as the enhancement of oversight and governance capacities for the promotion of sustainable governance and Executive accountability.

A Public Protector can hardly work alone or in isolation. It is therefore imperative that the people who assist and support the leadership of the Institution feel empowered by creating an environment where they feel valued and heard. I am therefore eternally grateful for the dedicated Management and staff of the PPSA who serve the Institution and the country with resilience, integrity and tenacity, whose unwavering commitment enables us to continue in pursuance of our mandate of upholding constitutional values and protecting citizens' rights, with a clear and ethical direction.

I am eternally grateful for the dedication of the Chief Executive Officer (CEO) of the PPSA, Ms Thandi Sibanyoni, the Chief Operations Officer (COO), Ms Nelisiwe Nkabinde, management and staff. I would like to express my appreciation to the people of South Africa, and our stakeholders, including the Portfolio Committee on Justice and Constitutional Development, for their support in working together to strengthen our constitutional democracy.



Advocate Kholeka Gcaleka
Public Protector of the Republic of South Africa
Public Protector South Africa
30 September 2024



4. Report of the Accounting Officer

The annual report provides an account of PPSA's journey towards the implementation of the Annual Performance Plan (APP) 2023/2024. Like any journey, a number of opportunities as well as perils were encountered, which were managed through the effective teamwork amongst all PPSA staff, who demonstrated commitment to the institutional values of Passion, Ubuntu, Leadership and Efficiency (PULE).

The year under review brought unique challenges as the PPSA faced a period of uncertainty and diminished trust from the public, given the polarised views relating to the impeachment of the former Head of the Institution. The extensive media coverage and public discourse surrounding the impeachment undoubtedly harmed the office's standing. Substantial efforts had to be made to address previous shortcomings and enhance operational efficiency in order to demonstrate commitment to accountability and uphold the constitutional mandate with integrity, to regain public confidence.

The strategies deployed encompassed improving oversight, accountability and internal controls to resolve legacy issues stemming from previous decisions and actions that adversely affected the Institution's performance in the previous year, particularly the operational controls, systems and financial management. These legacy problems were the primary reason for negative audit findings, prompting a comprehensive review and overhaul of existing policies and procedures. Enhanced monitoring and reporting mechanisms were implemented to ensure fair appointment and utilisation of legal service providers and to verify that procured services are delivered in accordance with agreed terms and conditions.

The commitment to position the PPSA as the "go to" Institution when all fails in organs of state, required the PPSA to take significant strides to overcome challenges and ensure effective service delivery through a collective leadership focused on resilience, dedication and adaptability accentuated by collective and transparent decision-making processes. The establishment of new governance structures and review of existing ones bears testimony to the desire to improve the quality of work across all functional areas within the PPSA and strengthen accountability. This resulted in notable performance enhancements, especially through Quality Assurance teams for the Investigation programme, which significantly improved the quality of investigation reports, evidenced by a marked decrease in applications for judicial reviews. Overall, the organisation was well-positioned for significant changes in 2023/2024.

Financial constraints continued to hamper efforts to ensure safety and security of PPSA assets, employees and stakeholders during the reporting period. The identified safety and security risks necessitated significant resource allocation and strategic adjustments to upgrade and deploy physical security measures at various offices of PPSA, including the installation of perimeter fencing, security lighting and surveillance cameras, to deter unauthorised access and monitor activities. This was critical to ensure that employees, in particular those involved in investigations, continue to perform their duties independently and without fear or favour.

The financial constraints as mentioned above, coupled with the National Treasury's proposed further budget cuts, required the Institution to revisit its human resource plan to re-prioritise the vacant posts and continue to do so as employees leave. This resulted in the non-filling of some posts, which necessitated the re-skilling and reassignment of some employees to critical posts that could not be filled through recruitment of new employees. The intention was to curb spending that may exceed the allocated budget, considering that compensation of employees is recurring and will continue in the outer years for as long as that post is filled.

Assets and Liabilities

	2021/22	2022/23	2023/24	Movement 2022/23 to 2023/24	
	R Millions	R Millions	R Millions	R Millions	R Millions
Non-current	14	16	32	16	100%
Non-current liabilities	(21)	(13)	(14)	(1)	8%
Current assets	117	129	108	(21)	-16%
Current liabilities	(56)	(73)	(42)	31	-42%
Total	53	59	84	25	42%

As a service Institution, the non-current assets mainly comprise of assets used for administration purposes. The 100% increase in assets as indicated above mainly arises from replacement of computer equipment that had aged and threatening the integrity of the Institution's information and technology environment.

The table further indicates a slight increase of non-current liabilities due to an adjustment to the salary of the Public Protector, which was effected by the President in September 2023, and inevitably slightly increased the provision for the gratuity of the Public Protector.

Ninety-six (96%) percent of the total current assets are made up of cash and cash equivalents. The Net cash outflows of R21 million mainly arose from addition of assets.

The current liabilities are primarily made up of accounts payable and short-term provisions for salary notch increases, suppliers as well as leave pay for all employees.

The current liabilities decreased by R31 million as a result of a decrease in accruals and provisions for legal expenses of the Section 194 Enquiry.

Total Revenue and Expenditure

	2021/22	2022/23	2023/24	Movement 2022/23 to 2023/24	
	R Millions	R Millions	R Millions	R Millions	R Millions
Total Revenue	376	400	384	(16)	-4%
Total Expenditure	(343)	(394)	(359)	35	-9%
Surplus	33	6	25	19	257%

During the previous year, the Institution received an additional R20 million from DOJCD to cover the costs of the Section 194 Parliamentary Enquiry. However, no additional funds were received during the reporting period, which resulted in the four percent (4%) decrease in total revenue as compared to the previous year.

The R35 million decrease in total expenditure includes a R32 million decrease in legal expenditure resulting from a decision taken in March 2023 to curtail the funding of the legal expenditure towards the Section 194 Enquiry, as well as the reversal of the provision for the gratuity of the former Public Protector, which was moved to contingent liabilities pending the finalisation of the matter.

Discontinued Key Activities

During the year under review, the viability of the existing regional offices was assessed to determine their continued need considering their geographic location and efficacy.

Having developed Business Continuity Plans and Monitoring Reports, the PPSA will continue to implement recommendations from monitoring reports. This operational reporting has resulted in the removal of the performance indicator of Business Continuity Monitoring Reports in the next financial year.

New or proposed key activities

Deepening our efficiency in operations requires PPSA to review some of its strategic outputs. This review was informed by the need to elevate services to efficiency standards that surpass previous performance. A few limitations were identified in the existing intake method, including the complaints, which was found to be cumbersome and not user friendly for some members of the public who wish to lodge complaints with the PPSA. This resulted in the review of the complaints form to align it to the needs of the public as well as assist the PPSA to gather data critical for planning purposes.

The PPSA is one of the Institutions identified in the National Development Plan 2030 (NDP) as part of the multi-agency approach to fighting corruption in South Africa. The allocation of R49 million from the CARA Funds will be instrumental for the PPSA in creating a solid foundation to enhance its investigative capacity and resources to combat and prevent corruption in the public sector. This will address the impact of repeated years of under-investment in the expanded mandate areas of the Public Protector; failure to prioritise the capacitating of the Institution with sufficient staff and resources with specific knowledge and skills, as recommended and envisaged in chapters 12 and 14 of the NDP.

The Institution has developed an implementation plan that identified the key deliverables to be achieved through the CARA Funds, which include, building digital research capacity, providing specialised training and augmenting investigative capacity to focus on specialised and complex investigations. The intention is to procure the services of specialists, who will work and guide the existing investigators to ensure the transfer of skills and their continuous professional development.

Gifts and Donations received in kind from non-related parties

For the period under review, the PPSA received and declared gifts to the value of three thousand eight hundred and fifty rand (R3 850). These gifts were for the Executive Authority, Accounting Officer and Senior and junior officials. The gifts ranged from diaries, journals, books and scarves. Gifts were received as part of learning exchange with other Ombudsman Institutions and with national Institutions such as the Electoral Commission of South Africa (IEC).

Acknowledgement and appreciation

I take this opportunity to express my gratitude to the Public Protector, Advocate Kholeka Gcaleka, who set the tone at the top by leading the Institution with integrity, fostering an enabling environment for growth, resilience and tenacity. A word of appreciation is extended to all the stakeholders who contributed to our success as an Institution. A special appreciation to Team PPSA, who continue to strive to be the best they can be and do their utmost to resolve complaints that impact the lives of individuals and communities in our country. The PPSA Staff has not only helped navigate the Institution through crisis, but also strengthened its reputation and operational effectiveness. Our journey underscores the importance of leading and serving with a strong ethical compass, fostering a resilient and empowered team, and maintaining an unwavering commitment to organisational values and public trust.



Ms. Thandi Sibanyoni
Chief Executive Officer
Public Protector South Africa
Date: 30 September 2024

5. Statement of Responsibility and Accuracy

To the best of my knowledge and belief, I confirm the following:

All information and amounts disclosed throughout the annual report are consistent.

The annual report is complete, accurate and is free from any omissions.

The annual report has been prepared in accordance with the guidelines on the annual report as issued by National Treasury.

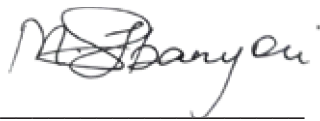
The Annual Financial Statements (Part F) have been prepared in accordance with the Generally Recognised Accounting Practice (GRAP) standard and the relevant frameworks and guidelines issued by the National Treasury.

The Accounting Officer is responsible for the preparation of the annual financial statements and for the judgements made in this information.

The Accounting Officer is responsible for establishing and implementing a system of internal control that has been designed to provide reasonable assurance as to the integrity and reliability of the performance information, the human resources information and the annual financial statements.

The external auditors are engaged to express an independent opinion on the annual financial statements.

In my opinion, the annual report fairly reflects the operations, the performance information, the human resources information and the financial affairs of the Institution for the financial year ended 31 March 2024.



Chief Executive Officer

Ms Thandi Sibanyoni

Date: 30 September 2024

6. Strategic Overview



6.1 Vision

Empowered people and accountable public administration.



6.2 Mission

To protect all persons against administrative injustices, improve service delivery and promote good governance in state affairs.



6.3 Institutional Purpose Statement

A catalyst for change in pursuit of good governance.



6.4. Principles and Values

Anchored in the pursuit of proper conduct in state affairs and the Batho Pele principles, we seek to uphold and promote the principles of:

Accountability;
Integrity;
Responsiveness.



6.5. Institutional Value System is articulated by (PULE):

Passion: we will conduct our investigations with passion to ensure that no one suffers prejudice.

Ubuntu: we respect the constitutionally protected dignity of all those we interact with as we deliver services and manage our affairs and serve professionally with humanity, empathy, compassion, understanding and respect for every person's human rights.

Leadership: we intend to lead by example in how we conduct ourselves in the Institution; from the lowest to the highest position.

Efficiency: we will deal with our customers and stakeholders with a high level of professionalism, skill, good judgement while ensuring speed and responsiveness in the delivery of our services.

7. Legislative and Other Mandates

7.1 Constitutional Mandate

The Public Protector is an independent institution established by section 181 of the Constitution of the Republic of South Africa, 1996 (the Constitution) with a mandate to support and strengthen constitutional democracy and operating in a manner that is subject only to the Constitution and the law. The Public Protector operates as a supreme administrative oversight body by investigating and rooting out improper conduct in all state affairs while providing services that are universally accessible to all.

Section 182 of the Constitution provides that:

“(1) The Public Protector has the power, as regulated by national legislation

- a. To investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice;
- b. To report on that conduct; and
- c. To take appropriate remedial action.

(2) The Public Protector has the additional powers and functions prescribed by national legislation.

(3) The Public Protector may not investigate court decisions.

(4) The Public Protector must be accessible to all persons and communities.

(5) Any report issued by the Public Protector must be open to the public unless exceptional circumstances, to be determined in terms of national legislation, require that a report be kept confidential.”

7.2 Legislative Mandates

The PPSA executes its mandate through the Public Protector Act 23 of 1994, by investigating and remedying maladministration, improper or prejudicial conduct in state affairs, including the abuse of power and state resources, resolving administrative disputes or rectifying any administrative act or omission through mediation, conciliation, negotiation or referral of matters to appropriate bodies; as well as providing advice on appropriate remedies or employing any other expedient measures. The following are key statutory mandate areas and additional laws which supplement and inform the Public Protector’s investigative powers.

Key Legislation and Additional Laws

Short Title	Purpose
Constitution of the Republic of SA, 1996	The Constitution is the supreme law of the land. No other law or government action can supersede the provisions of the Constitution. The Public Protector is subject only to the Constitution and the law.
Public Protector Act 23 of 1994	Regulates the manner in which the powers conferred by Section 182 of the Constitution may be exercised in relation to any conduct in state affairs or in the public administration in any sphere of government.
Executive Ethics Code as mandated by the Executive Members' Ethics Act 82 of 1998	To enforce the Executive Ethics Code in governing the conduct of Members of the Executive, Deputy Ministers and Members of Provincial Executive Council.
Prevention and Combating of Corrupt Activities Act 12 of 2004	To investigate allegations of improper or dishonest acts or omissions or offences in terms the Prevention and Combating of Corrupt Activities Act, as mandated by Section 6(4) (a) (iii) of the Public Protector Act.
Protected Disclosures Act 26 of 2000	To receive and address protected disclosures from whistle-blowers as provided for in Section 8(1) of the Protected Disclosures.
Housing Protection Measures Act 95 of 1998	To review decisions of the National Home Builders Registration Council (NHBRC).
National Archives and Record Service Act 43 of 1996	The Public Protector must be consulted on investigations into the unauthorised destruction of protected records.
National Nuclear Regulator Act 47 of 1999	The protection (from civil or criminal liability, dismissal, disciplinary action, prejudice or harassment) of people who make disclosures of health and safety risks or failure to comply with a duty imposed by this Act to the Public Protector.
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000	Support the duty of the state to promote equality to request any component falling within a definition of the state or any other person to supply information relating to the achievement of equality. To assist and support the state and the Executive in the preparation of an equality plan contemplated in Section 25 (4)(b) of the Act.
Promotion of Access to Information Act 2 of 2000	Access to information disputes under the Promotion of Access to Information Act.
Public Finance Management Act 1 of 1999 and its regulations	The Public Protector must issue a certificate to an Accounting Officer of an organ of state that has received donations or sponsorship from donors or sponsors who wish to remain anonymous, stating that the identity of the donor or sponsor has been revealed to them, that they have noted it and have no objection.
Lotteries Act 57 of 1997	The Public Protector receives bona fide confidential disclosures in respect of publishing any information in connection with any grant application or the grant itself.

Special Investigating Unit and Special Tribunals Act 74 of 1996	The Head of SIU must provide the Public Protector with a copy of the proclamation referred to in Section 2 (1) of the Act. The Head of SIU may refer any matter which, in his or her opinion, could best be dealt with by the Public Protector, to the Public Protector and the latter may, if he or she deems it appropriate, refer any matter which comes to his or her attention and which falls within the terms of reference of SIU.
National Environmental Management Act 107 of 1998	The protection (from civil or criminal liability, dismissal, disciplinary action, prejudice or harassment) of persons who make good faith disclosures of evidence of an environmental risk.
Public Audit Amendment Act 05 of 2018	The expanded mandate of the Auditor-General provides for the power to refer material irregularities to relevant public bodies, including the Public Protector.

7.3 Policy considerations

7.3.1 The National Development Plan (NDP), 2030 and anti-corruption strategies

a) South Africa adopted a multi-agency approach to fighting corruption which includes, among others the South African Police Service (SAPS), the National Prosecuting Authority (NPA), the Auditor General South Africa, the South African Revenue Services (SARS), the Special Investigating Unit (SIU), the Public Protector South Africa (PPSA) and the Public Service Commission (PSC). All these agencies' core functions are aimed at strengthening employee integrity, financial management and the quality of administration within the public service;

b) The National Development Plan Vision 2030 (NDP) envisions a South Africa which has zero-tolerance for corruption, in which empowered citizens have the confidence and knowledge to hold private and public officials to account, and in which leaders hold themselves to high ethical standards and act with integrity;

c) Chapter 12 of the NDP deals with "*Building Safer communities*", while Chapter 14 is focused on "*Promoting Accountability and Fighting Corruption*". The former seeks to make crime-fighting institutions more effective and reduce high crime levels in the country. The latter seeks implementation of a national anti-corruption strategy with delegated responsibility to structures in government and society;

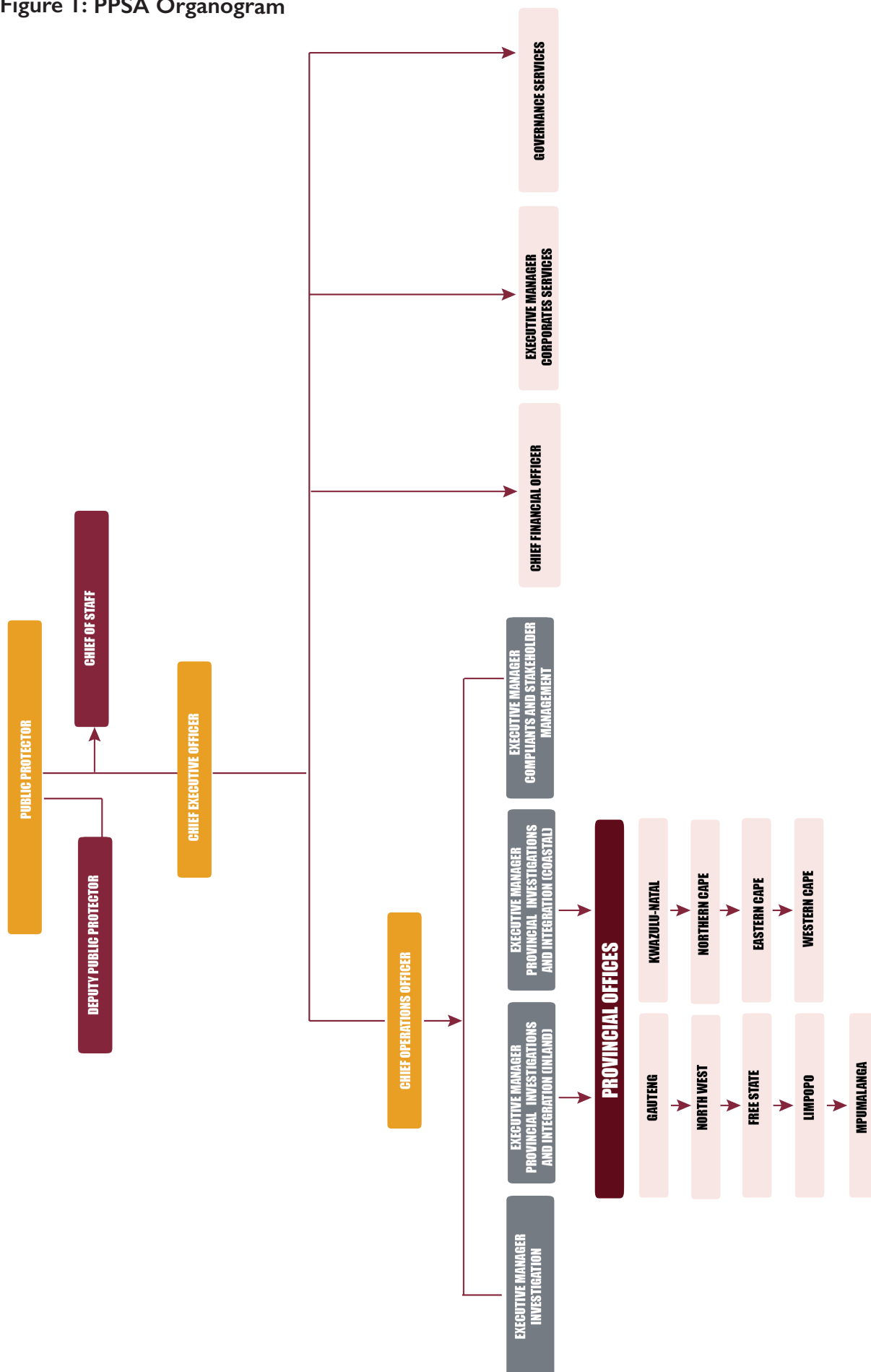
d) Chapter 14 of the NDP calls for South Africa's "*anti-corruption arsenal*" to have the resources needed and that a functioning anti-corruption system requires "sufficient staff and resources with specific knowledge and skills; special legislative powers; high level information sharing and co-ordination and operational independence". The Plan specifically states that:

"...competent, skilled institutions like the Public Protector and Special Investigating Unit need to be adequately funded and staffed and free from external interference."

e) The NDP prioritised among other things the creation of a resilient anti-corruption system. The strengthening of South Africa's institutional capacity to fight corruption is a key component of the National Anti-Corruption Strategy (NACS), and its effective functioning, without political interference, is imperative.

8. Organizational Structure

Figure 1: PPSA Organogram



PPSA Management 2023/2024



Adv Nelisiwe Nkabinde
Chief Operations Officer



Mr Mfundo Mdingi
Chief Financial Officer



Mr Gumbi Tyelela
Chief of Staff



Mr Khulu Phasiwe
Spokesperson



Ms Ponatshego Mogaladi
Executive Manager:
Investigations



Ms Nthoriseng Motsitsi
Executive Manager:
Provincial Investigations &
Integration – Inland



Adv Deon Barnard
Executive Manager:
Provincial Investigations &
Integration – Coastal



Ms Pumeza Mafani
Executive Manager:
Complaints and Stakeholder
Management

Chief Investigators



Ms Lesedi Sekele
Chief Investigator



Adv Johan Raubenheimer
Chief Investigator



Mr Sello Mothupi
Chief Investigator



Mr Baldwin Neshunzhi
Chief Investigator



Ms Maselaelo Manyathela
Chief Investigator



Adv Elsabe de Waal
Chief Investigator

Provincial Representatives



Ms Sibongile Lwana
Eastern Cape



Ms Vanessa Mundree
Free State



Mr Vusumuzi Dlamini
Gauteng



Ms Molly Ngcobo
Acting KwaZulu Natal



Adv Mashaba Matimolane
Limpopo



Mr Botromia Sithole
Mpumalanga



Mr Sechele Keebine
North West



Mr Mlungisi Khanya
Northern Cape



Mr Mulao Lamula
Western Cape

Senior Management



Adv Neels van der Merwe
Legal Services & Knowledge
Management



Mr Khulong Seema
Internal Audit



Mr Futana Tebele
Risk and Compliance
Management



Mr Solomon Maredi
Acting Senior Manager Human
Resources



Ms Nomusa Malatji
Acting
Supply Chain Management



Ms Zoleka Mntuntum
Facilities Management



Mr Hombisa Caleni
Information Communication
Technology



Mr Amos Skosana
Security Management



Mr Collen Mabuza
Acting Senior Manager:
Finance



Ms Naomi Webster
Strategic Support

PART B

Performance Information

I. 2023/2024 in summary



R357 261

Operational
Budget allocation



372

Total funded posts



R358 799

Expenditure



1 766

Cases carried over
from 2022/2023



8 266

Cases received



3 378

Cases finalised
through advice/
assistance



2 827

Cases finalised
through
investigations



94

Radio slots



353

Outreach Clinics



15

MOUs signed



447

Public awareness
sessions



440 000

Social media
followers



30

Good Governance
Activities

2. Auditor-General's Report: Predetermined Objectives

2.1 The AGSA audit of predetermined objectives for selected programme 2: Investigations as presented in the Annual Performance Report, was performed to determine whether the performance information was useful and reliable.

2.2 Refer to page 129-134 of the Report of the Auditors Report, published as Part F: Financial Information.

Overview of PPSA's performance

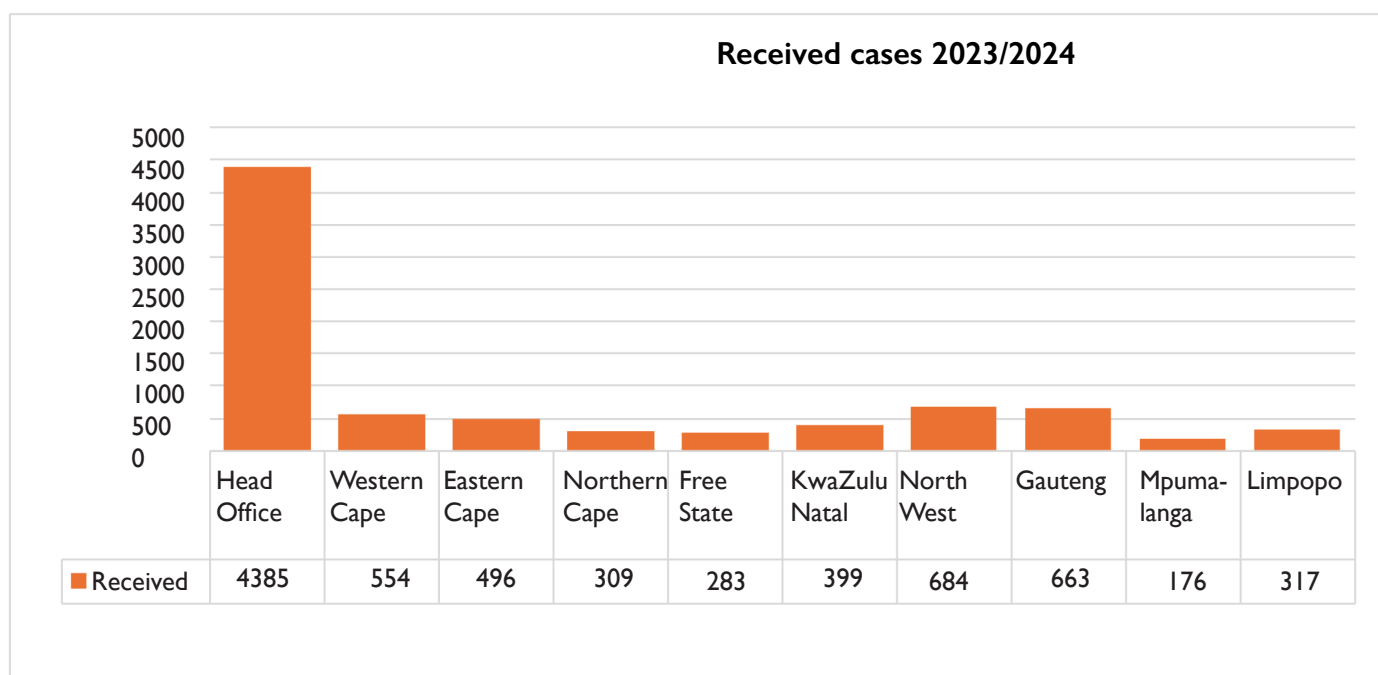
3.1 Service Delivery Environment

The Public Protector South Africa's (PPSA) core services are derived from its constitutional mandate, which encompasses dispute resolution and accessibility of services by all persons.

The measurement used to determine service standards under the Investigation programme is founded on the PPSA Investigations Service Standards. These Service Standards are derived from principles and values espoused in the Constitution and the PPSA founding legislation. Operationalising service standards for Investigation was defined through the measure of cases finalised within the turnaround times. Service standards of turnaround times in the finalisation of cases has steadily increased from the previous year, from eighty two percent (82%) in 2022/2023 to eighty nine (89%) in the year under review. This improvement was attributed to continuous training to build the capacity of investigative staff, enhanced quality assurance, digitalisation, improved Standard Operating procedures, effective management and monitoring of performance and compliance. Focus on employee wellness and effective staff engagement both at individual and team level has created an enabling work environment that is conducive to effective service delivery.

PPSA service delivery links its programmes of Investigation and Stakeholder Management in a symbiotic association. Through public engagements, awareness and education is embarked upon on the PPSA mandate and these engagements serve to enhance accessibility, particularly in the marginalised areas where service delivery is most lacking. This approach facilitates access to complaint resolution in all geographical areas of South Africa. Figure. 2 depicts the breakdown of cases received per office.

Figure 2: breakdown of cases received per office.



A major contributing factor to enhance service delivery within the PPSA environment was the improved and effective utilisation of the Case Management System (CMS), a move that sought to establish the PPSA as a digital enterprise. The CMS usage allowed for performance enhancements at two levels, namely, reporting as well as enabling Institutional and individual employee and performance monitoring. The CMS was able to highlight individual investigators' adherence to service standards whilst identifying areas for improvement, thereby increasing customer satisfaction.

Demonstrating service standard improvements using one service standard measure; turnaround time; the PPSA performance for 2023/2024 showed a significant improvement from 82% in the previous year to 89% in the year under review.

Figure 3: Turnaround time for finalising investigations

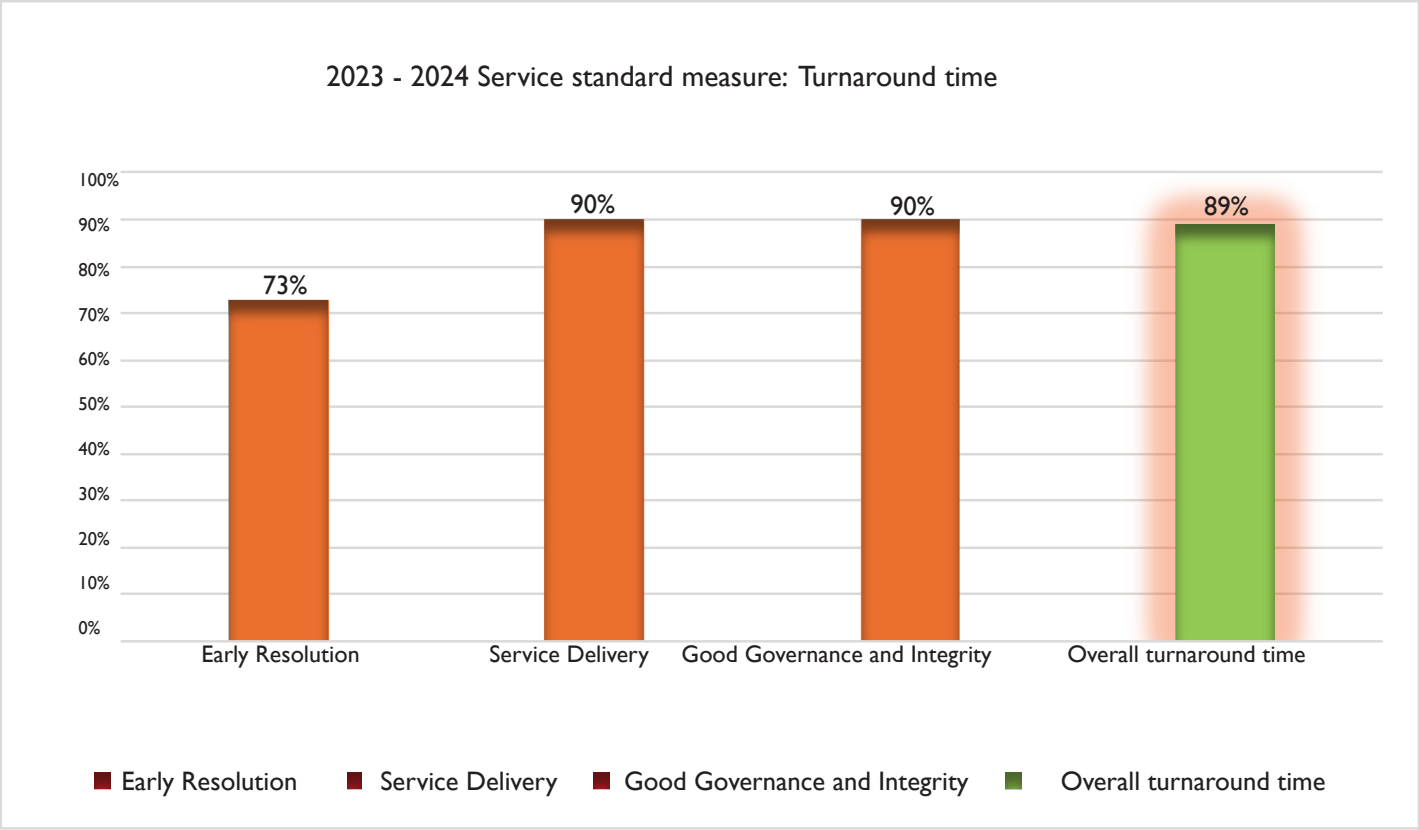
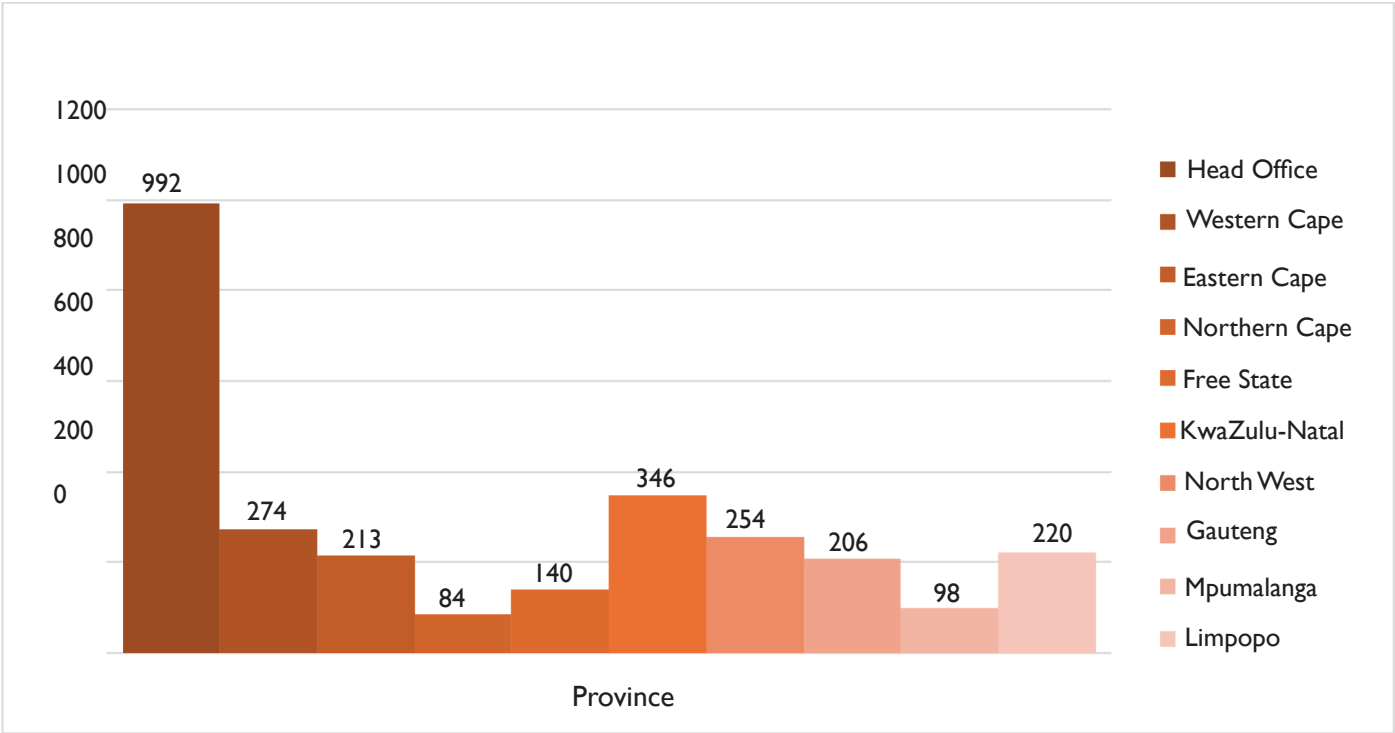


Figure 4 depicts cases finalised for the financial year under review. Finalised cases demonstrate the commitment of PPSA to ensure that redress is provided to complainants within quality standards. Through quality assurance methods, PPSA ensured that finalised cases were conducted in line with legal prescripts and standards, thus mitigating against the risk of both internal and judicial reviews of investigation reports.

Figure 4: Breakdown of finalised cases



The graph above indicates a significant gap between cases finalised at Head Office and those finalised by various provincial offices of PPSA. The reason for the disparity is that Head Office is responsible for investigating complaints against all national departments, their entities and any other matter which, upon assessment is referred to Head Office. It is in this context that the number of cases received and finalised is always higher than provincial offices. In this regard, Head Office is also proportionally resourced because of the high number of cases.

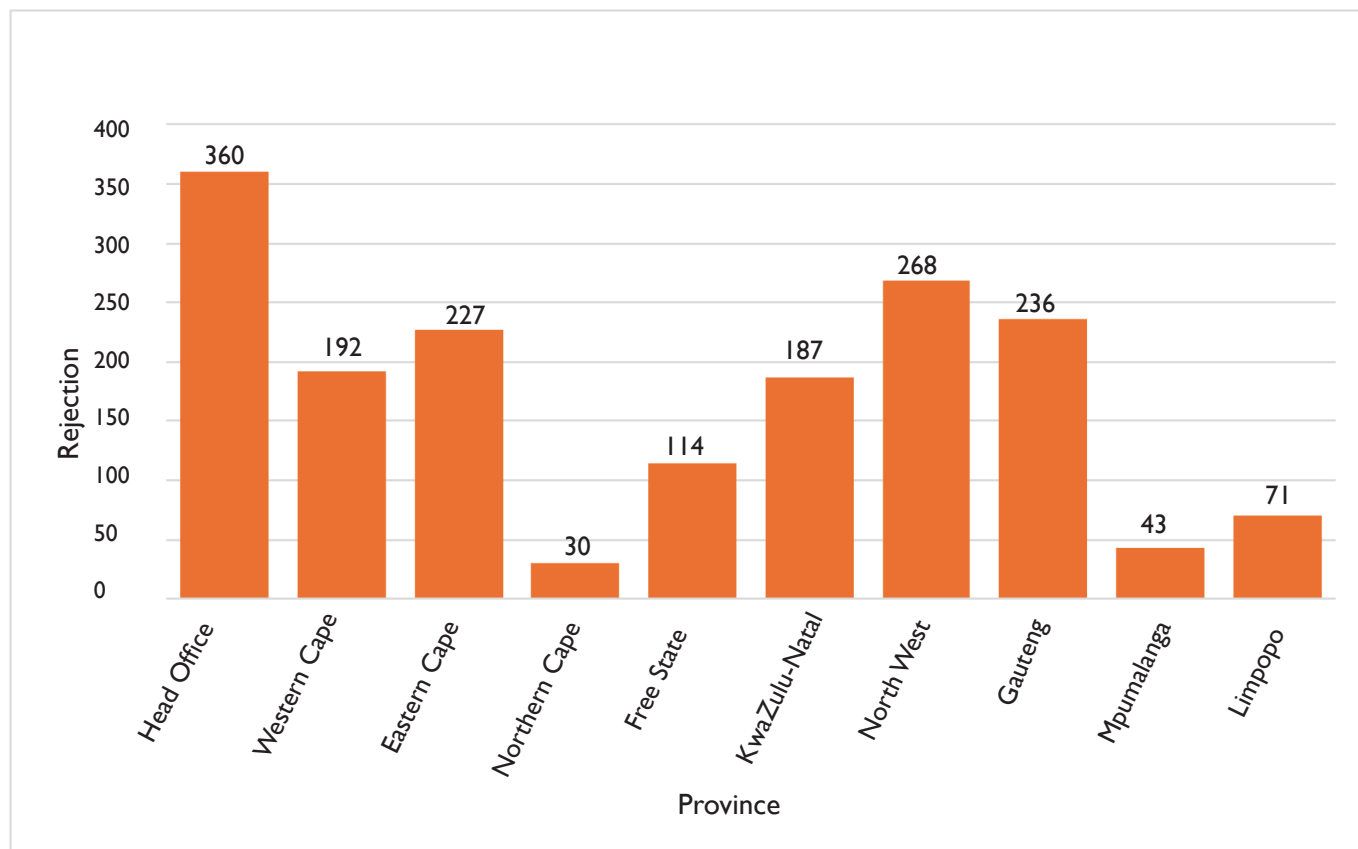
Matters not accepted for investigation

a. Rejected cases

In some instances the PPSA does not accept a matter for Investigation due to a complainant not exhausting internal legal remedies available to them. The analysis of the cases received during the reporting period indicates that 1 728 cases were rejected for the following reasons:

- Not exhausting internal remedies of the respondent;
- Time considerations (Matters reported after two (2) years of its occurrence); and
- Labour related matters.

Figure 5: Breakdown of rejected cases

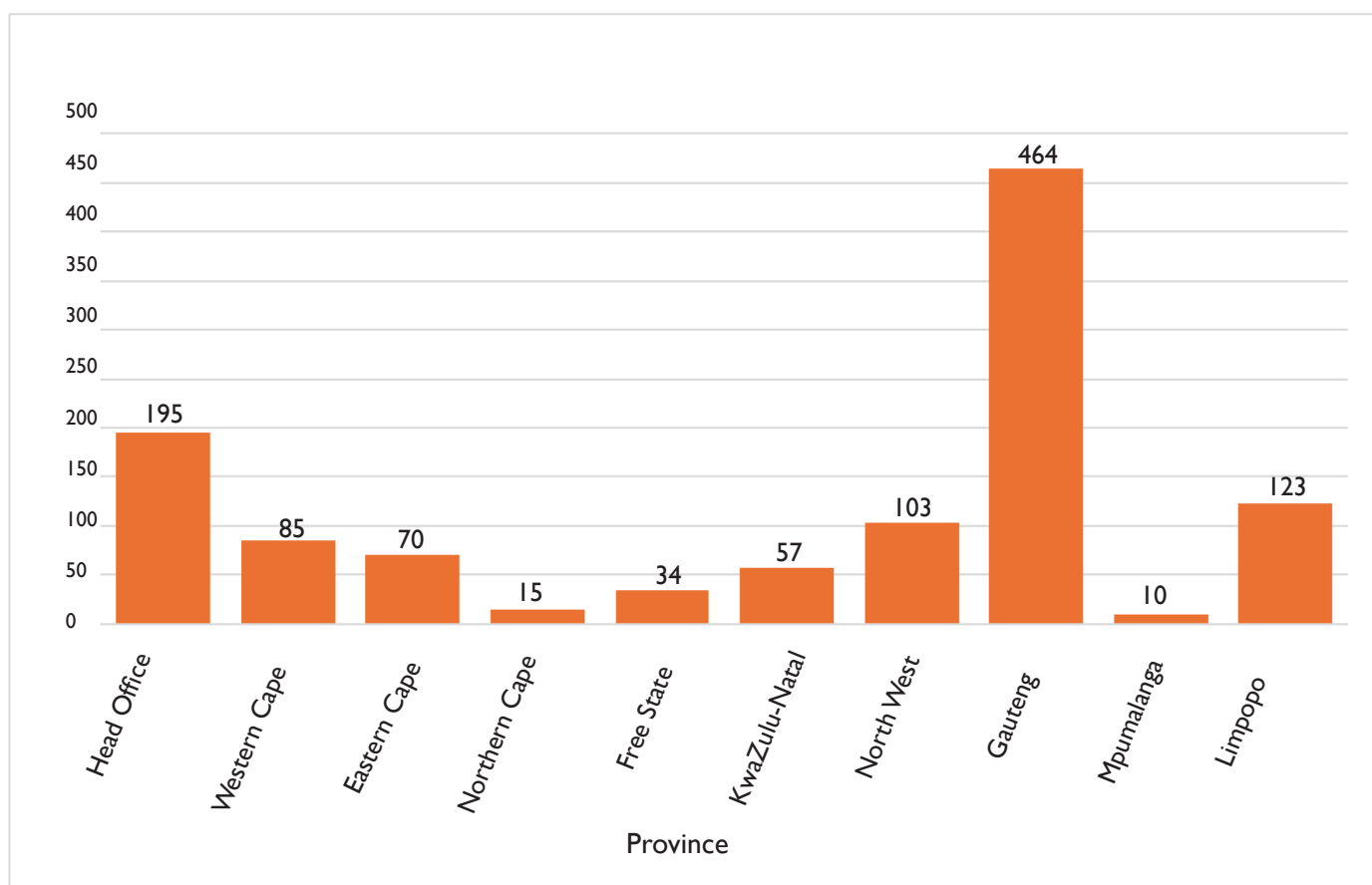


b. Referrals

The Public Protector Act empowers the Public Protector at any time prior to, during or after the Investigation to refer any matter which has a bearing on an Investigation, to the appropriate body or authority to deal with. During the period under review, one thousand one hundred and fifty six (1 156) cases were referred to other bodies and authorities such as other relevant Ombudsman; the Public Service Commission (PSC), and the Special Investigating Unit (SIU). These comprise of cases that either fall within the investigation mandates of these institutions or cases that should first be resolved by other competent bodies to enable the PPSA to be the office of last resort.

The Gauteng Provincial office of the PPSA recorded the highest number of referrals compared to Head Office and all other provinces. The high number of referrals for the Gauteng province is attributed to the Memoranda of Understanding (MOU) entered into with the City of Joburg Ombudsman and Ekurhuleni Municipality, which have the capacity to resolve complaints as offices of first instance before same could be dealt with by the PPSA.

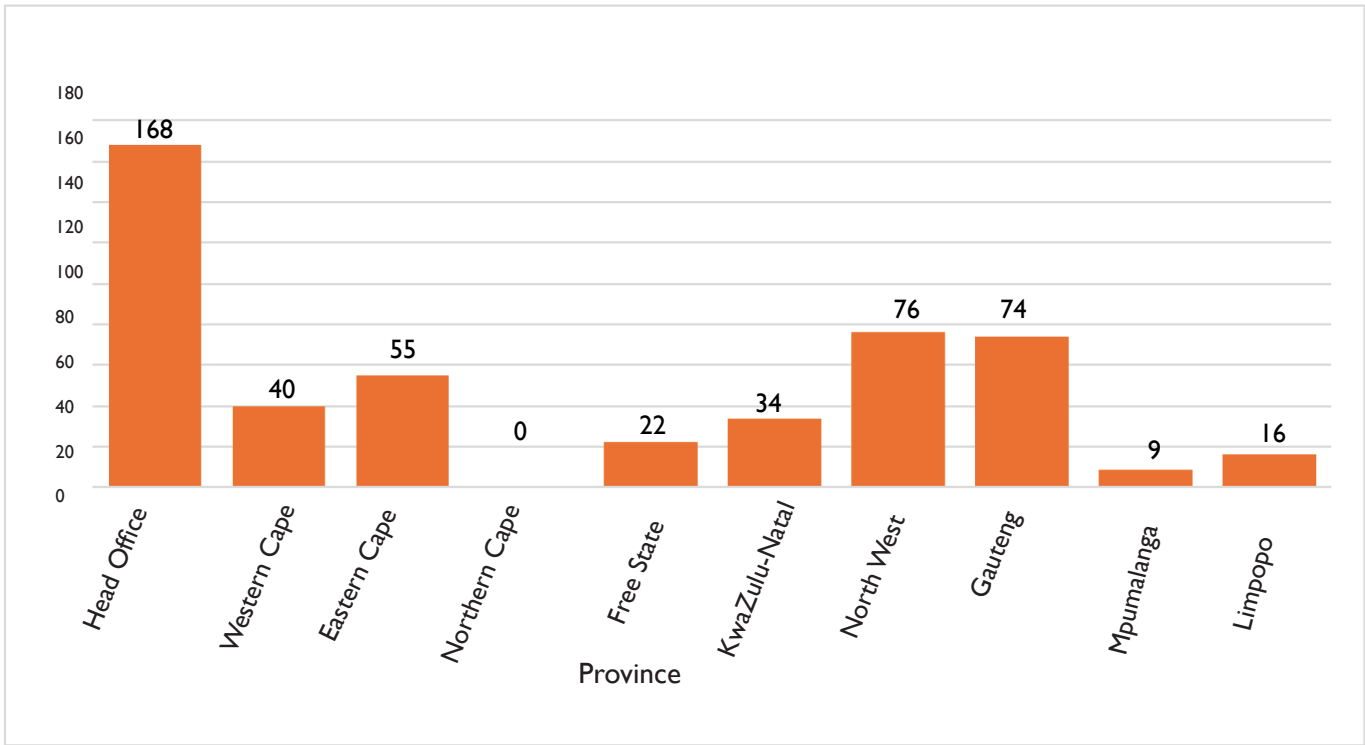
Figure 6: Breakdown of referred cases



c. Non jurisdiction

The Constitution empowers the Public Protector to investigate any conduct in state affairs or in the public administration in any sphere of government, that is alleged or suspected to be improper or result in any impropriety or prejudice. The PPSA is not authorised to investigate court decisions. Non jurisdiction includes those matters that relate to private companies.

Figure 7: Breakdown of non jurisdiction cases



Recognising diversity among service users, the decision to formalise working relationships with civil society organisations through Memoranda of Understanding (MOU) provided the necessary impetus of an improved service delivery model. Through increased reach and awareness of PPSA services, partnerships with civil society organisations enabled the Institution to exceed its annual targets under the Complaints and Stakeholder Management (CSM) programme. This enabled PPSA to reach out to other sectors of society, including the disability sector and the youth.

PPSA was also affected by service delivery challenges faced by the country, such as electricity water and network connectivity. During the reporting period, the intermittent access to electricity hindered PPSA staff from accessing the Case Management System (CMS) and telephone system, which were critical to how PPSA records, updates and provides accurate information to complainants about the status of their complaint. The reliance on SITA for connectivity, which is critical for effective operations with the PPSA, brought its challenges, which impacted on the delivery of services.

The prevalence of water outages made it difficult for PPSA staff to effectively discharge their responsibilities, considering that the PPSA serves the members of public, in the main, those who do not have access to technology. Most importantly, this situation resulted in the office closure which denied members of the public to access our services as required by our constitutional mandate. PPSA had to procure water to enable the staff to continue to work especially where they had to meet with stakeholders in the office. The prevailing circumstances prove that twenty eight percent (28%) of complainants are walk- in and seventy two percent (72%) have been filed through electronic means. Thus, it is imperative that there is physical presence in the offices.

PPSA has experienced an increase in incidents of violent complainants attacking staff and damage to its property. Some of these incidents resulted in overt aggression, violence and unlawful conduct such as threats to life and unlawful surveillance. This conduct has posed an unacceptable risk to the health and safety of staff. PPSA has not been able to deploy sufficient security measures to the provincial offices to implement the recommendations of the risk and threat analysis conducted at these offices due to insufficient budget.

3.2 Organisational environment

Overall, the PPSA's Annual Report for the 2023/2024 financial year offers a comprehensive overview of the organisational challenges and successes that the Institution experienced during the reporting period. The dedication and resilience of the PPSA staff have been crucial in overcoming obstacles and achieving a substantial portion of the set targets despite the significant reputational risk emanating from the impeachment and removal of the former Public Protector.

The Section 194 process was triggered in 2019, and the proceedings resumed in June 2022, resulting in the leadership transition before the end of the term of the previous incumbent. The Deputy Public Protector was appointed as Acting Public Protector on 10 June 2022 after the suspension of the former Public Protector. This was after serving slightly over two (2) years as Deputy Public Protector. These circumstances were unprecedented.

The Institutional transformation journey envisioned by the Public Protector when she took over as Acting Public Protector was to restore the reputation of the Institution through learning, digitization and strategic human resource. A clear transformation agenda was set to turn around the Institution which included capacity building, reviewing systems and processes as supported by the digitalisation strategy. There was a special focus on creating a conducive work environment wherein the contributions of individuals and teams were recognised. A substantial part of this work has been achieved, however, considering the state at which the Institution was in, the resource constraints have hampered the turnaround period.

The implementation of a Digitalisation Strategy to streamline work processes was a major undertaking. This strategic move not only streamlined work processes but also improved the overall efficiency and effectiveness of the Institution. The digitalisation efforts helped in reducing paperwork, speeding up case handling times, and improving record-keeping practices. Nevertheless, the initial phase required substantial adjustments. Staff had to adapt to new technologies and work methodologies, which temporarily impacted on productivity as they navigated the learning curve associated with these changes. The changing environment required change management techniques which the PPSA does not have. The services of a change management practitioner were sourced on an ad hoc basis due to resource constraints, this has been a major challenge for progress which is not ideal considering that change management is a process and not an event.

As part of its mandate, PPSA initiates systemic investigations to address root causes of identified maladministration and service delivery failures. Having conducted systemic investigations, particularly the one finalised in the Eastern Cape proved to be resource-intensive and complex. These investigations required extensive and specialised investigative techniques, coordination and collaboration with various stakeholders, adding layers of complexity to the usual workload.

PPSA successfully achieved 78% of the targets set for the year. This accomplishment is a testament to the resilience and dedication of the staff in maintaining high-performance levels under constrained circumstances. During the period under review, the Institution consolidated some of the targets that were in the previous Annual Performance Plan (APP) as they were deemed operational. These included targets under the Investigation Programme such as Advisory Reports, which were reported separately from the other reports issued by the Public Protector and bilateral dialogues which were consolidated as part of stakeholder management. Furthermore, an additional target which was removed from the 2023/2024 APP was the submission of quarterly reports to Parliament on the implementation of remedial action. This was not aligned with section 181(5) of the Constitution, which requires reports on overall performance, instead of an activity, to the National Assembly at least once a year.

Significant improvements have been made in the Investigation Programme. For the past three (3) financial years, between 2019/2020 and 2021/2022, 39 reports were taken on judicial review. In the 2022/2023 financial year, only three (3) reports were taken on judicial review, and for the reporting period 2023/2024 only one (1) report was taken on judicial review. One of the three (03) reports under the 2022/2023FY was already heard before the Pretoria North Gauteng High Court and the application to review the Public Protector's decision was dismissed. The applicant further filed an application for leave to appeal which was dismissed and he has since petitioned the SCA and the matter is pending before the SCA.

Since June 2022, and in particular during the last financial year, the PPSA Leadership and Management have invested time and effort in the review and improvement of several business processes, which had an impact on the work content as

well as time standards (working time spent on the various stages in the complaint handling value chain), and consequently, the turn-around time of investigations.

These processes were aimed at -

- a) Standardising the work with clear and consistent processes and allocated responsibilities through the development, review and implementation of new templates for the reports, notices and settlement agreements;
- b) Continuous training and workshops to address trends and deficiencies identified in investigations, including operating procedures aimed at enhanced engagement with state institutions during the initial stage of the Investigation process, on the outcome of investigations, especially in the face of potential adverse findings, as well as the development of appropriate and implementable remedial action; and
- c) Improved case management with the full implementation of an electronic case management system. While the system's efficiency, accuracy, and accessibility improvements can significantly enhance the overall case management process it also brought new responsibilities that investigators must manage effectively.

These robust quality management processes give effect to the constitutional imperative for the Public Protector to execute its responsibilities independently and impartially. This builds trust and credibility with stakeholders, making them more likely to accept and act on the findings and remedial action. This approach further reduces disputes and litigation, which consume significant time and resources post the investigation process. It has assisted the PPSA to be more impactful in its investigations to the benefit of the users of its services.

During the reporting period, National Treasury informed all institutions about a possible further 10% budget cut for the next financial year. In anticipation of this and considering that the CoE expenditure is recurring in nature, the Institution took a financial prudent decision and minimised the filling of vacant posts to manage the risk of over-spending. The knock-on effect was a high case load which required, stringent Quality Assurance on investigation to minimise internal and judicial reviews. This impacted on the supervisors' and management's ability to finalise critical Human Resources processes such as performance assessments. The concentration on investigation work by management also impacted in their availability to serve on critical structures to finalise procurement processes and contributed to the accumulated retained surplus as these funds could not be expensed.

Key Policy Developments

The PPSA submitted its proposed amendments to the Public Protector Act (PP Act) to the Department of Justice and Constitutional Development (DOJCD) in June 2023, the Institution is yet to receive a roadmap in this regard. The reforms which PPSA seek are to align the PP Act to the final Constitution; to strengthen whistle-blower protection; address the deficiency between the PP Act and the PFMA on the role and responsibilities of the CEO as accounting Officer in relation to the functions and powers of the Public Protector, and further to align other subsequent national legislation which impacts the PP Act.

The amendments seek to provide, amongst others, for additional powers to deal with protected disclosures by enhancing the Public Protector's legal capacity to effectively deal with protected disclosures reported to him or her in terms of section 8(a) of the Protected Disclosures Act No 26 of 2000 (PDA), including measures to protect whistle-blowers from retaliation or occupational detriment by public institutions.

The proposed amendments further aim to enhance the role of Parliament in the establishment of oversight mechanisms to deal with the Public Protector's reports to the National Assembly or a Provincial Legislature on the findings of a particular investigation in terms of section 8(2) (b) of the Act.

To enhance the enforcement of the binding nature of the Public Protector's remedial action, amendments are furthermore proposed to expand the categories of conduct that would constitute contempt of the Public Protector, to include the intentional failure or refusal, absent a judicial review application, as well as an appropriate interdict, to comply with or implement the Public Protector's remedial action issued in terms of section 182(1)(c) of the Constitution.

4. Progress towards Achievement of PPSA's Impacts and Outcomes

4.1. Outcome: Clean Audit achieved and maintained

The Institution received an unqualified audit opinion from the Auditor-General South Africa (AGSA) maintaining the same audit outcome as the previous financial year. The reason cited by the AGSA is mainly in relation to there being no clear evidence that disciplinary steps were taken by the PPSA against officials who caused the irregular expenditure incurred in appointing legal service providers from panels of service providers appointed in the 2017/2018 and the 2019/2020 financial years. During the 2022/2023 audit, the AGSA identified irregular expenditure and the PPSA disclosed it in the financial statements.

The challenge that PPSA has been faced with is that firstly, these are legacy issues which both the Accounting Officer and the Accounting Authority had no background to and continued to provide legal services to the former Public Protector during the Section 194 process. As a result, the invoices were continuous and PPSA had an obligation to pay for services rendered.

In the matter of *Greater Tzaneen Municipality v Bravospan 252 CC (Case no. 428/2021) [2022] ZASCA 155 (7 November 2022)* the SCA confirmed the principle that where a service provider provided a service to an organ of state based on a purported contractual agreement, even if the agreement is in dispute or formalities have not been complied with, "it would be manifestly unjust for (the service provider) to be afforded no compensation for the services that it had rendered. The court held that such a service provider is entitled to be afforded compensation for the services rendered.....as a just and equitable remedy under s172(1)(b) of the Constitution".

Officials who were in the employ of the PPSA during this period responsible for governance controls in this procurement process, subsequently resigned before the end of the 2023/2024 financial year, as a result, PPSA could not effect any corrective measures in this regard.

The Institution subsequently developed a procedure that aligned to the PPPFA in the appointment of service providers from panels and reviewed the governance in the legal and finance units.

Subsequent to the publishing of the Section 194 Enquiry Report, on 23 October 2023, the Institution requested advice in writing from the National Treasury on how the fruitless and wasteful expenditure incurred as a result of the actions of the previous Executive Authority should be dealt with. The advice sought was to inform the procedure for dealing with the irregular expenditure that occurred under the same circumstances. The National Treasury only responded on 13 March 2024, providing advice on the recovery process in accordance with the applicable legal prescripts. A letter raising the debt with the former Public Protector was electronically sent on 28 March 2024.

The audit of predetermined objectives was conducted on the Investigation programme and no material findings were raised.

4.2 Outcome: Implementation of ICT Systems to Optimally support Business Objectives

The implementation of the digitalisation strategy highlights significant advances made during the financial year under review. These include efforts to enhance system performance and capabilities through digitisation, enabling the PPSA to be more effective and efficient and improving its ability to deliver on its mandate.

The Case Management System (CMS) designed to manage the Institution's end to end complaints lifecycle was fully rolled-out. The system is fully functional and in November 2023, it was recognised as a system that will improve governance within the public sector as it won two (2) awards at the Centre of Public Service innovation (CPSI) awards. PPSA has furthermore developed a web self-service application that will enable complainants to lodge and track the progress of their complaints using a mobile device or a computer. This system has been designed to improve the Institution's footprint and accessibility using technology.

The precise availability of high quality data is essential for the optimal operation of the Institution. In the past year, enhancements were made to server hardware, storage solutions, and backup systems to improve operational efficiency and bolster data security. These improvements are expected to result in increased processing speeds, reduced downtime, and enhanced responsiveness in service delivery. Additionally, the introduction of new laptops, featuring the latest software and security enhancements, has streamlined workflows, decreased downtime, and mitigated technical difficulties, thereby boosting staff productivity. The adoption of Office 365 and OneDrive for Business has further enhanced these advantages by offering sophisticated tools for communication, collaboration, data management, and security.

The Enterprise Resource Planning (ERP) system serves as a comprehensive solution within the digitisation initiative. This ERP is designed to unify Human Resources, Finance, and Supply Chain processes. The development of the ERP I-Recruitment module, which includes functionalities such as job advertising, Tender management, recruitment management, and employee benefits administration, has been noteworthy. The suitability of the ERP solution will open new opportunities for the efficient operation of our support services by providing access to a platform that offers real time centralised data for informed decision-making.

4.3 Outcome: Maintenance of the Business Continuity Plan

Natural disasters and pandemics, including the Coronavirus; required the PPSA, like most organisations, to develop a Business Continuity Plan (BCP). The strategic outcome of BCP required the Institution to consider how it would fulfil its mandate during a crisis. In the year under review, the Institution monitored the implementation of the BCP to ensure continuity of services in the event of a disaster.

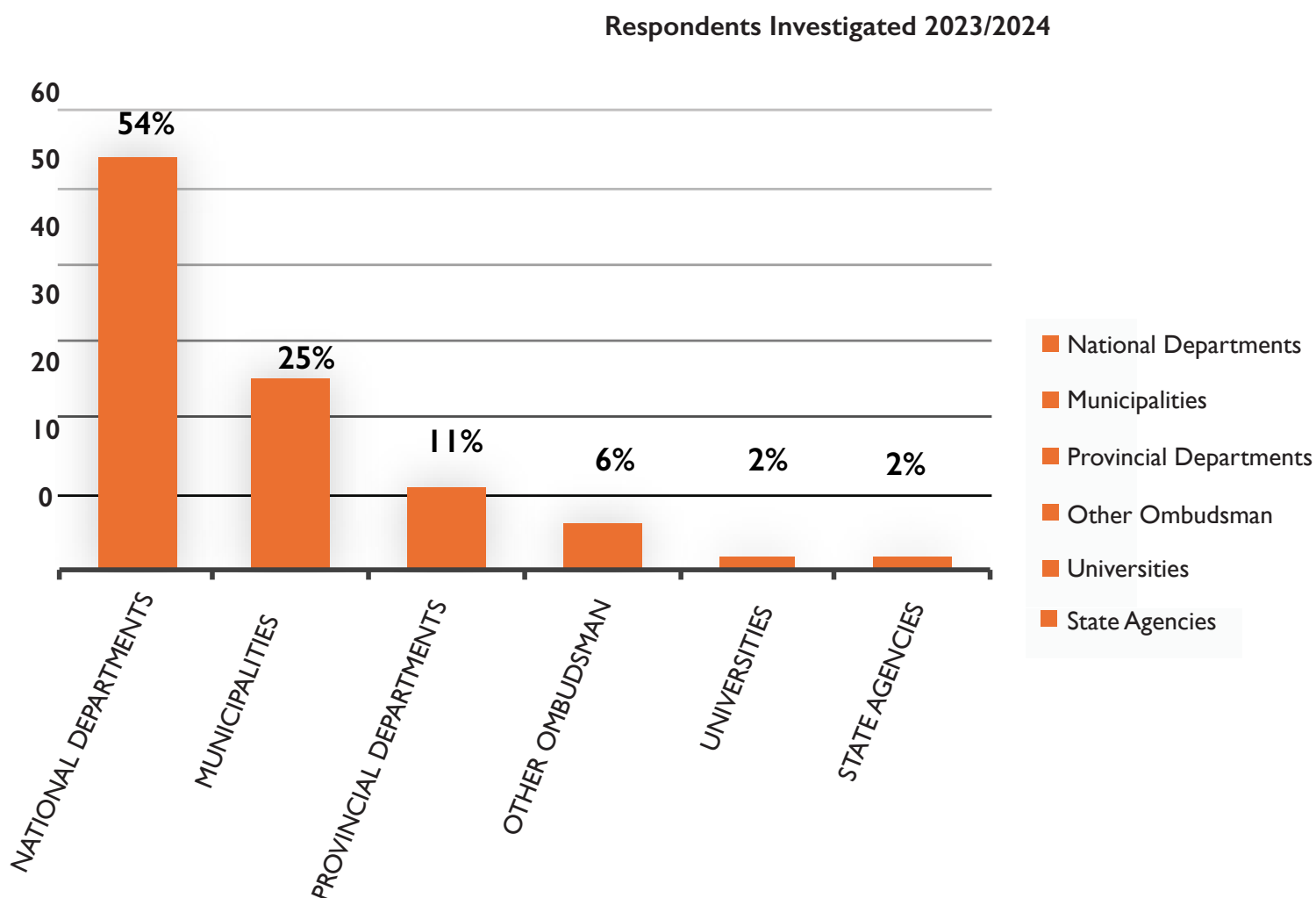
4.4 Outcome: Resolution of complaints

The sustainable development report released in 2023 indicates that unemployment, poverty and inequality has deepened in South Africa, thus, the PPSA's constitutional mandate to buffer the chasm between those in positions of power (organs of state) and those who are dependent on the services of organs of state is more relevant now more than ever. 8 266 complaints were received in the year under review. This amounted to 63% more complaints from the previous financial year.

Members of the public resorted to reporting other institutions entrusted with the resolution of their complaints to the PPSA. From the number of complaints investigated for the period under review, over six (6) percent were against other institutions entrusted with the resolution of complaints namely, Health Ombudsman, National Consumer Commission, Community Scheme Ombud Services.

An overwhelming 54% of complaints investigated were against national departments.

Figure 8: Breakdown of respondents who formed part of investigations for 2023/2024



The Public Protector exists to ensure that injustices suffered by communities and individuals are redressed. In so doing, it is pivotal for the Public Protector to ensure impactful finalisation of reported matters. Below are illustrations of some key success stories for 2023/2024 which have changed the lives of ordinary people. These cases involve municipal service delivery challenges (irregular billing and lack of infrastructure maintenance), compensation for workplace injuries on duty and access to education (matric certificates and entry to university).

Table 2: 2023/2024 Key success stories

INSTITUTION	SUMMARY OF COMPLAINT	IMPACT OF THE INVESTIGATION
Department of Labour	The complainant approached the PPSA to lodge a complaint relating to an undue delay by the Compensation Commissioner to process a claim for Injury on Duty since October 2022.	Through the Public Protector intervention, the Compensation Commissioner (CC) paid the complainant. The delay in settling the claim by the CC resulted in the complainant being unable to undergo the required spinal operation. The complainant informed the PPSA that he was able to undergo the operation and stated that “I have been fighting for 7 months trying to get my TTD and it took you 2 weeks to accomplish what I could not”.
Department of Labour	A complaint was received on 23 November 2023, from a complainant alleging that she went to the Department of Labour to apply for maternity leave benefits in July 2023 but was not success in her bid to get assistance from the DOL despite following the DOL internal channels.	Through the Public Protector’s intervention, the claim was successfully paid on 27 February 2024 within three (3) months of lodging the complaint. This is after undue delay of seven (7) months by the Department instead of resolving the complaint within three (3) to six (6) weeks in line with their service standards.
Department of Labour	A complaint was received on 03 May 2023 alleging undue delay by the Department of Employment and Labour to process his application for Unemployment Insurance Fund (UIF) at the Vereeniging Labour Office since December 2022.	The Public Protector resolved the matter through Rapid Response intervention handled by an Outreach Officer, within one (1) month. The Complainant, an elderly man received the long outstanding payment of approximately R93 000 which enabled him financial support necessary for survival, a prejudice he suffered for seven (7) months.
Department of Labour	On 23 November 2023, the office received a complaint alleging that she went to the Department of Labour to apply for maternity leave benefits in July 2023 but without success.	Through the Public Protector’s intervention, the claim was successfully paid on 27 February 2024 within three (3) months of lodging the complaint. This is after the undue delay of seven (7) months by the Department instead of resolving the complaint within three (3) to six (6) weeks in line with their service standards.
Department of Labour	A complaint was received on 26 October 2022 alleging undue delay to set a hearing date for notice of objection on the outcome of a compensation and injury on duty claim. Her notice of objection was filed on 15 March 2021.	Through the intervention of the Public Protector and after several postponements of the objection hearing, the matter sat down on 6 July 2023 and the outcome of the hearing was in favour of the complainant. The complainant was paid compensation of 8% of the hearing loss.
Department of Labour	Complainant alleged undue delay by the Department of Labour to pay IOD claim since April 2021.	Through the Public Protector’s intervention, the Complainant was ultimately paid the long outstanding IOD claim in December 2023.

City of Cape Town	Complaints were received from residents of Silvertown and Langa, respectively, complaining about burst sewer lines in the areas where they reside. d a roof, on 22 January 2022.	Through the Public Protector's intervention, the residents of Silvertown were relocated to another area whilst the sewer line was being repaired. The sewer line in the Langa area is also in the process of being repaired.
Department Justice and Constitutional Development	A complaint was received on 17 November 2022 alleging undue delay by the court officials to implement a garnishee order issued on 17 January 2022 by the Mbibane Magistrate Court.	The intervention of the Public Protector ensured that the garnishee order was served on the defendant and implemented on 12 October 2023. An amount of R40,000 was paid from the defendant's pension inclusive of arrears on the child maintenance. The child maintenance was secured.
North West Department of Health	The complaint was received on 04 September 2023 during an outreach event at Tsweleng Township alleging that the DHS handed over to her an incomplete RDP house, which was without windows, doors and a roof, on 22 January 2022.	Through the intervention of the Public Protector, within three (3) months, the DHS completed and handed over the house on 22 December 2023. The complainant and her family received a complete house thereby restoring their dignity.
North West Department of Human Settlements (DHS)	The complaint was lodged on 10 August 2022 alleging failure by COGHSTA to issue him with a title deed of his property since 2017.	Through the intervention of the Public Protector, the property was registered on 01 March 2024. The Complainant received the title deed and he is guaranteed ownership of the property.
Cooperative Governance, Human Settlements and Traditional Affairs COGHSTA	The complaint was lodged on 10 August 2022 alleging failure by COGHSTA to issue him with a title deed of his property since 2017.	Through the intervention of the Public Protector, the property was registered on 01 March 2024. The Complainant received the title deed and he is guaranteed ownership of the property.
South African Police Service	The complaint was lodged on 8 February 2022 alleging that he was interviewed for the post but was not considered for appointment due to incomplete educational records.	Through the intervention of the Public Protector SAPS confirmed that the Complainant's qualifications were misplaced due to an administrative error. On 13 February 2024, SAPS advised that the Complainant had accepted placement at Park Road SAPS Detective Service.
Theewaterskloof Municipality	The complaint was lodged with the Public Protector on 25 November 2021 alleging refusal by Theewaterskloof Municipality to backdate incorrect electricity charges to Greyton Mews from March 2016 to October 2018.	Through mediation by the Public Protector, the Municipality conceded that the Greyton Mews Assisted Living and Frailcare Centre's municipal accounts were not handled in terms of the Municipality's Policy on the Writing off of Irrecoverable debt of 2021. The Municipality replaced the high-voltage transformer with a low voltage and wrote off the debts. The Centre is now being billed correctly for the services..

Nelson Mandela Bay Municipality (NMBM)	The complainant (service provider) alleged non-payment for services rendered to NMBM.	Within five (5) months of Public Protector's intervention, the complainant was paid an amount of R190 000.00 he was owed by the municipality after he had been waiting for ten (10) months. This continues to highlight the prejudice being suffered by SMMEs as a result of non-payment within the prescribed thirty (30) day period.
Nelson Mandela Bay Municipality	The Complainant alleged irregular billing by the Municipality which was caused by a meter box that was erroneously installed at a neighbour's house	After the Public Protector's mediation in the matter, the Complaint's debt of R16 573 was written off and the meter box was relocated, which brought relief from the irregular billing.
Road Accident Fund	A complaint was received on 29 November 2023 from the Complainant in connection with allegations of undue delay by RAF to pay for funeral expenses. The Complainant alleged that he lodged a claim for funeral expenses with RAF on 12 June 2023 but has not received any payment	Within three (3) months of receipt of the complaint, the Public Protector resolved the case, and the complainant was paid on 19 February 2024. Having lost a loved one through a motor vehicle accident the family received compensation and was able to receive financial relief.
Department of Education	On 28 November 2023, the Complainant alleged that he matriculated at Welkom High School in 2022 but had not been provided with his original certificate despite several inquiries from the Department of Education.	In less than three (3) months, the Public Protector was able to resolve the matter and the complainant received his matric certificate after struggling since 2022 when he matriculated. He informed the Public Protector that he has, as a result finalised his employment application with SAPS, a future endeavour which he was prejudiced of. She now has an opportunity to seek employment or register for further education, a future which was deprived by the government department.
Telkom	The complaint was received on the 28 August 2023 alleging that around July 2023, Telkom rooted a pole in his yard without his consent as the owner of the property. He requested Telkom to remove the pole, but they failed to do so.	In an effort to continuously collaborate with other institutions that have powers to resolve these complaints at first instance, the matter was referred to the Independent Communications Authority of South Africa (ICASA) as an oversight regulatory body responsible for telecommunications to intervene. The response was received from ICASA on 27 September 2023 stating that the matter has been resolved. This collaboration enabled the matter to be resolved within one (1) month.
Gauteng Department of Health	A complaint lodged with the Public Protector for services rendered in March 2022 and not paid for by the Gauteng Department of Health-Tshwane District.	Through the Public Protector's intervention ... (within) the DOH subsequently paid all invoices due to the total of R531 000. With due consideration that small businesses are struggling and having been severely affected by the Covid- 19 pandemic, government departments continue to prejudice by not paying service providers within prescribed thirty (30) day period.

eThekwini Municipality	A complaint was referred on 5 July 2023 to the Public Protector by the Gauteng Provincial Office of the Department of Labour on behalf of the complainant alleging undue delay by eThekwini Municipality to process pension benefits since April 2022.	Through the intervention of the Public Protector the pension benefits were paid on the 28 July 2023 which was within one (1) month of receipt of the complaint.
Department of Labour (DOL)	A complaint of undue delay by the Department of Labour (DOL) to process and finalise an Injury on Duty (IOD) compensation claim since November 2019 was received by the Public Protector on 22 May 2023.	The Public Protector resolved the matter within three (3) months after the DOL had delayed to finalise the claim since 2019. The Complainant's IOD claim of R80 000 was processed and finalised by the Department on 10 August 2023.
South African Police Service (SAPS)	A complaint was lodged with the Public Protector on 02 May 2023 alleging failure by the SAPS to provide the complainant with a Road Accident Fund (RAF) report since 06 September 2020 to enable the complainant to lodge a claim with the RAF.	<p>The Public Protector resolved the matter within two (2) months and the complainant was assisted to submit a RAF claim.</p> <p>On 27 July 2023 the SAPS informed the investigation team that the complainant was furnished with a copy of the Road accident Report which enabled her to lodge a claim RAF claim.</p>
Pixley ka Seme Municipality	A complaint was received on 28 November 2022 alleging undue delay in repairing a sewer main pipeline that was leaking and spilling over into the Complainant's yard for more than two years.	Through the intervention of the Public Protector the matter was resolved within six (6) months in June 2023. The prejudice suffered by the complainant was 16 months before he got relief. The complainant, her family, and neighbours are no longer subjected to hazardous environmental health risks.

Systemic Investigation/ Intervention

The Institution planned to finalise two systemic investigations, however, only one was completed. Systemic investigations/interventions focus on structural administrative deficiencies whose impact transcends the experience of individual complainants. Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the province of Eastern Cape. These are usually the most intricate and time-consuming matters which involve a number of stakeholders at different levels and geographic locations.

Table 3: Remedial action emanating from the Eastern Cape systemic investigation

Public administration challenge	Number of Remedial action/s	Responsible organ of state
Adequate housing	4	Minister of Human Settlement, MEC Human Settlement and EC Department of Human Settlement
Policing services	3	National Commissioner: South African Police Services
Social services	1	EC Social Development
Access to basic education	2	EC Department of Education
Basic health care services	2	EC Department of Health
Roads	1	EC Department of Transport
Maintenance of government immovable property	1	EC Department of Public Works
Financial support	3	EC Provincial Treasury
Municipal services	36	Alfred Nzo District Municipality, Chris Hani Municipality, Joe Gqabi District Municipality, Sarah Baartman District Municipality, Buffalo City Metro Municipality, Amathole District Municipality, Winnie Madikizela-Mandela Local Municipality, Umzimvubu, Matatiele

The report concluded by enjoining the Premier of the Eastern Cape to support accountability and monitoring of remedial actions.

The second systemic investigation that was identified for the financial year 2023/2024 was not achieved, but substantial work was undertaken during the year. The systemic investigation into administrative deficiencies relating to the processing of gender-based violence cases in Magistrate courts within the South African justice system' was complex in nature and involved several government departments within the Criminal Justice Sector (CJS). The investigation considered root causes of the administrative challenges of inadequate service delivery by key role-players within the CJS such as the Department of Justice and Constitutional Development (DOJCD), the South African Police Service (SAPS) and the Department of Social Development. Several of the role-players requested extensions on the deadline for submission of their responses to the allegations. These delays impacted on the finalisation of the investigation and the report. It is anticipated that the investigation will be concluded in the next financial year.

4.5 Outcome: Accessible PPSA Services

PPSA's constitutional imperative of being accessible to all people and communities finds expression in the operations undertaken by the Complaints and Stakeholder Management programme. The outcome indicator set in the Strategic Plan 2020/2025 is 'Number of outreach methods employed to reach people and communities'. Through the Integrated Access and Stakeholder Management Strategy for 2023/2024, a key method was the conclusion of memorandum of understanding or collaboration between PPSA and community-based organisations. The target set

was three (3) formal collaborations, and this was overachieved. What was evident to PPSA in the identification phase of the collaboration was the willingness of civil society organisations to partner with PPSA. This boost in confidence in PPSA was a manifestation of the symbiotic working relationship between PPSA provincial offices and community-based organisations. Table 4 below presents organisations that PPSA signed memorandum of understanding. In the new financial year, PPSA will continue to collaborate with these organisations and will sign memorandum with other institutions.

Table 4: Stakeholder Collaborations signed in 2023/2024

Province	Name of Organization	Type of beneficiaries
Limpopo	Thusa Lushaka Paralegal & Advice Centre	Vulnerable community members
WC	Western Cape Office of the Premier	Government beneficiaries
KZN	Sthabile Community Development Centre	Community members
EC	Flagstaff Paralegal Centre	Indigent
EC	Interchurch Local Development Agency	Women, Youth and Unemployed
EC	SANGOCO EC	Coalition of Non-Governmental organisations
EC	South African Council of Churches	Faith based communities
EC	Black Sash	Indigent
FS	Free State Office of the Premier	Government beneficiaries
NW	Angels of Tomorrow Community Support Centre	Survivors of gender-based violence
GP	Hope for Life	Youth
MP	Londisizwe Youth Foundation	Youth
MP	Oneness Youth Foundation	Youth
MP	Ermelo Activity for the Disabled	People with disabilities
HO	FASSET	Youth

Stakeholder Engagement

Stakeholder engagement is a critical component to the successful delivery of any project, programme or activity. Through stakeholder engagement, PPSA is able to adopt an inclusive approach that balances the needs, interests and expectations of stakeholders in the best interest of the Institution.

PPSA's stakeholder engagements are conducted at national, regional and international level, which enable the Public Protector to engage with various stakeholders, including members of the community. To this end, engagements were conducted by PPSA provincial and head office at different levels.

In the year under review, the Institution engaged extensively with communities through public engagements and radio interviews. To this end, four hundred and forty seven (447) stakeholder engagements were held against a target of three hundred and twenty eight (328) stakeholder engagements. This overachievement was a result of collaborations with community-based organizations and other Chapter 9 constitutional bodies. The provincial engagements were critical to build trust and mutual understanding, particularly for community members to understand the mandate and services provided by PPSA. The understanding of community dynamics and challenges enabled the development of innovative programme outputs such as stakeholder roundtable and dialogues. The Institution also used national commemorative days to raise awareness about constitutional rights.

Figure 9: below shows the geographical reach (with solid fill) of PPSA during 2023/2024 through engagements



Regional and International engagements

During the period under review, the PPSA embarked on various collaborative initiatives that sought to facilitate benchmarking and capacity building to position PPSA as a Centre of Excellence. Regional and international collaborations were driven by a desire to find the best partners and practices for growth and development. The Public Protector engaged in strategic international partnerships to harness opportunities through benchmarking, learning opportunities, information exchange, best practice sharing and participating in international fora.

As a member of the International Ombudsman Institute (IOI) and the African Ombudsman and Mediators' Association (AOMA), the PPSA anchored its transformation agenda of good governance, democracy, respect for human rights, justice and the rule of law in line with Aspiration 3 of Agenda 2063 of the African Union. To this end, the PPSA has hosted benchmarking visits and bilateral meetings with Burundi, Lesotho, Kenya and Angola. These efforts are also linked to the Sustainable Development Goals (SDGs) of the United Nations (UN), particularly SDG 16, which urges the global community to promote peaceful and inclusive societies for sustainable development.

Investing in initiatives that strengthen ethical governance capacities, not only contributes to achieving the SDGs but also enhances stability, peace, and prosperity across the continent. Achieving SDGs in Africa, ensures transparency, accountability, and effective public service delivery.

The Public Protector is also a member UN Working Group at the IOI. The working group is working towards accreditation of the IOI at the UN and two (2) meetings of this international group took place in the period under review. The UN has endorsed the Venice Principles as the global standard for Ombudsman and recognises the important role they play in strengthening democracy, the rule of law, good administration, the protection and promotion of human rights and fundamental freedoms. The accreditation will therefore go a long way in expanding the reach of the PPSA and its influence on the global scale.

For the period under review, the Public Protector facilitated and attended seventeen (17) regional and international engagements.

Table 5: International and Regional engagements

Date	Name of organisation/institution	Place where engagement held
8 June 2023	Bilateral exploratory meeting with the Commissioner for Human Rights in Russia	Virtual
13 June 2023	Benchmarking visit by the Ombudsman of Burundi	PPSA offices, Pretoria, South Africa
15 August 2023	Bilateral meeting with the Ombudsman of Lesotho	Virtual
22 August 2023	Benchmarking visit from the Human Rights Commission of Kenya	PPSA offices, Pretoria, South Africa
21 and 22 September 2023	International Ombudsman Conference, hosted by the Ombudsman of Lazio	Rome, Italy
27 to 29 September 2023	International Human Rights Conference, invited by the Ombudsman of Austria	Vienna, Austria
18 October 2023	International Conference, hosted by the Human Rights Commissioner of Russia	Moscow, Russia (virtual attendance)
15 November 2023	International Ombudsman Webinar, hosted by the Ombudsman of Morocco	Virtual
28 and 29 November 2023	AOMA EXCO, Regional meeting and General Assembly, hosted by the Ombudsman of Burundi	Kigali, Rwanda
16 and 17 January 2024	Launch of IOI Europe Academy, hosted by the UK Parliamentary and Health Ombudsman and IOI Europe	London, United Kingdom (virtual attendance)
26 January 2024	Benchmarking visit from the Human Rights Commission of Russia	PPSA offices, Pretoria, South Africa
6 February 2024	Bilateral exploratory meeting with the Ambassador of the European Union	Cape Town, South Africa
19 February 2024	Bilateral meeting with UK High Commission	PPSA offices, Pretoria, South Africa
22 February 2024	Exploratory discussions with Germany's Petitions Committee	Virtual
28 to 28 February 2024	AOMA handover, training and EXCO meeting	Durban, South Africa
29 February 2024	Partner Roundtable, hosted by PPSA	Pretoria, South Africa
29 February 2024	Hosting Ombudsman of Angola and signing of MoU	Pretoria, South Africa

To strengthen international collaboration, the PPSA hosted an international partnership roundtable, attended by Ambassadors of various countries, the Country Representative of the United Nations and international dignitaries from different institutions on 29 February 2024. The event was supported by the DOJ&CD, National Treasury and DIRCO. Strategic partnerships and possible areas of collaboration with the PPSA were discussed, especially on anti-corruption strategies, technical assistance, capacity building and digitalisation. Emanating from these engagements, various stakeholders made commitments to support PPSA with technical expertise, capacity building opportunities and joint outreach initiatives. These commitments will be undertaken in the next financial year.

During the period under review, PPSA embarked on 30 good governance initiatives to promote good governance, ethics, transparency, responsiveness and accountability. The initiatives included stakeholder engagements with various government institutions across all provinces on service delivery blockages, ensuring equitable access to justice for vulnerable communities, unannounced visits to various organs of state responsible for delivering public services, outreach events and inspection of service delivery sites under investigation.

Summary of investigations carried out in the 2023/2024 Financial Year

The following table outlines a summary of investigation reports that were issued by the Public Protector during the reporting period, which form part of two thousand eight hundred and twenty seven (2 827) cases that were investigated and finalised during the year under review. These reports are categorized into formal, closing, intervention and advisory reports as defined below:

- A formal report is issued where the allegations were substantiated, has adverse findings and binding remedial action is taken by the Public Protector;
- Closing report is issued where the allegations were not substantiated and no adverse findings or remedial action is taken by the Public Protector;
- Intervention report is issued where the allegations are substantiated and the issues are resolved during the investigation but before it is finalised and no remedial action is taken by the Public Protector;
- Mediation report is issued where the Public Protector mediated on the complaint, allegations are substantiated. The parties enter into a settlement agreement to resolve the issues; and
- Advisory report is issued to communicate the recommendations/advise on control deficiencies are identified during the course of the investigation but no adverse findings or binding remedial action is taken by the Public Protector.

Table 6: Summary of reports issued out during 2023/2024

NO	ISBN	TITLE	Type of Report	DATE SIGNED
01	978-1-991244-33-8	Report on an investigation into allegations of improper conduct, maladministration, and subsequent victimisation by the functionaries of the Department of Military Veterans for reporting the irregular appointment of the Deputy Director: Risk Management	Formal	30/06/2023
02	978-1-991244-34-5	Intervention report into an Investigation into allegations of failure by the City of Ekurhuleni Metropolitan Municipality to ensure that sewage infrastructure located adjacent to the pan in Birch Acres, Kempton Park is properly maintained.	Intervention	30/06/2023
03	978-1-991244-35-2	Closing report on an investigation into allegations of improper conduct and maladministration relating to the decision taken by the University of Cape Town to not confer a Doctor of Philosophy degree.	Closing	30/06/2023
04	978-1-991244-36-9	Closing Report on an Investigation into allegations of failure by Transnet to address complaints raised by NOOA Petroleum (Pty) Ltd relating to the implementation of a lease agreement.	Closing	30/06/2023
05	978-1-991244-37-6	Advisory Report on an investigation into allegations of maladministration, improper conduct, and procurement irregularities by the performing arts centre of the Free State, regarding the awarding and cancellation of a tender for the provision of company secretariat services.	Advisory	30/06/2023

06	978-1-991244-38-3	Closing report on an Investigation into allegations of failure by the Department of Trade, Industry, and commerce to address complaint against the National Lotteries Commission.	Closing	30/06/2023
07	978-1-991244-39-0	Closing Report on an Investigation into allegations of violation of Section 175(1) of the Constitution of the Republic of South Africa, 1996 and the executive ethics code by the President of the Republic of South Africa and by the Minister of Justice and Correctional Services when appointing the Judge President of the Gauteng Division of the High Court as Acting Judge of the Constitutional Court of South Africa.	Closing	30/06/2023
08	978-1-991244-40-6	Report on an investigation into allegations of maladministration by the Limpopo Department of Education and improper conduct by an Educator, relating to the performance of remunerative work outside of his official duties without the permission of his employer.	Formal	30/06/2023
09	978-1-991244-41-3	Report on an investigation into allegations of improper conduct and maladministration relating to a failure by the functionaries of the Sol Plaatje Local Municipality to provide property owners with title deeds and to rectify the wrongful allocation of the Erven	Formal	30/06/2023

10	978-1-991244-42-0	Report on an investigation into allegations of maladministration by the functionaries of the State Security Agency relating to the termination of service of Mrs R Human and the subsequent undue delay to properly re-instate her after her appeal was upheld by the former Minister of State Security.	Closing	30/06/2023
11	978-1-991244-43-7	Investigation into allegations of undue delay by the Mpumalanga Department of Education to amend the pension contribution start date of Mr Johannes Kgoro Maloka.	Formal	30/06/2023
12	978-1-991244-44-4	Investigation into allegations of violation of the Executive ethics code against the President of the Republic of South Africa, Mr MC Ramaphosa, as well as allegations of improper conduct against members of the of SAPS in terms of the Public Protector Act, in connection with the housebreaking with the intent to steal and theft of cash in foreign currency that took place on or about 09 February 2020 at Phala Phala Farm, Waterberg in the Limpopo Province.	Closing	30/06/2023
13	978-1-991244-46-8	Advisory Report on an Investigation into allegations of improper conduct, maladministration, and undue delay by the functionaries of the National Arts Council in connection with the disbursement of funds of the Presidential employment stimulus programme, violation of constitutional right to privacy of artists, as well as contravention of section 4(10) of the National Arts Council act, 1997.	Advisory	29/09/2023

14	978-1-991244-47-5	Intervention Report on an Investigation into allegations of failure by the functionaries of the Department of Correctional Services to adhere to the provisions of section 74(2)(e) and 74(3) of the Correctional Service Act, 1998 as amended in nominating for appointment by the Minister and subsequent designation of the DCS ' official(s) to act as Secretary of the Parole Board.	Intervention	29/09/2023
15	978-1-991244-48-2	Report on an Investigation into the alleged irregular appointment of Ms Nonceba Mbilini by the Merafong City Local Municipality to the position of a manager: Human Capital without her meeting the minimum requirements for the post.	Formal	29/09/2023
16	978-1-991244-49-9	Settlement Report on an Investigation into allegations of failure by Nelson Mandela Bay Municipality to complete the construction and handing over of a Reconstruction and Development Programme (RDP) house	Settlement	29/09/2023
17	978-1-7764603-0-4	Closing report on an Investigation into allegations of improper conduct by the functionaries of Eskom who terminated the employment and the pilot project of the complainant.	Closing	29/09/2023
18	978-1-7764603-1-1	Report on an Investigation into allegations of maladministration and irregularities associated with the procurement of services for the construction of the Beitbridge border post fence in the province of Limpopo, as well as the appointment of a service provider by the Department of Public works and infrastructure.	Formal	29/09/2023

19	978-1-7764603-2-8	Closing Report on an Investigation into allegations of improper conduct by the South African Police Service relating to the loss of a police investigation docket and the withdrawal of funding to appeal against his conviction and sentence.	Closing	29/09/2023
20	978-1-7764603-3-5	Report on an Investigation into allegations of improper conduct and maladministration relating to the failure by functionaries of the Mbhashe Local Municipality to provide a complainant Reconstruction and Development Programme House, as well as the title deed.	Formal	29/09/2023
21	978-1-7764603-5-9	Intervention report on an Investigation into allegations of unlawful re- allocation of Erf in Refengkgotse, Denysville by the functionaries of Metsimaholo Local Municipality.	Intervention	29/09/2023
23	978-1-7764603-6-6	Settlement Agreement on an Investigation into allegations of failure by the functionaries of the Nketoana Local Municipality to resolve the flooding that occurs during the rainy seasons at Petsana, Reitz.	Settlement	29/09/2023
22	978-1-7764603-4-2	Report on an investigation into allegations of maladministration by the functionaries of Lekwa-Teemane Local Municipality in irregularly appointing Cigicell (PTY) LTD as a service provider for the installation of smart electricity meters at the Bloemhof and Christiana townships.	Formal	27/12/2023

24	978-1-7764603-7-3	Report on an investigation into allegations of failure and/or undue delay by the City of Tshwane Metropolitan Municipality to supply the residents of Hammanskraal area with clean water that is suitable for human consumption.	Formal	31/10/2023
25	978-1-7764603-8-0	Report on a systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various Organs of State in certain villages within the Province of Eastern Cape.	Formal	19/10/2023
26	978-1-7764603-9-7	Report on an Investigation into allegations of undue delay and/or failure by the vice-chancellor and principal of Tshwane University of Technology to escalate the complainant's appeal against the decision of the defence panel to the senate and to implement the recommendations of the Tshwane University of Technology student ombudsman.	Settlement	14/12/2023
27	978-1-7764604-0-3	Intervention Report on an investigation into allegations of failure by the Mahikeng Local Municipality to ensure that sewage infrastructure properly maintained. in Danville, Mahikeng, is	Intervention	28/12/2023
28	978-1-7764604-1-0	Closing report on an investigation into allegations of undue delay by the Speaker of the National Assembly to attend to a protected disclosure regarding the sale of South African airways to Takatso Consortium.	Closing	14/12/2023

29	978-1-7764604-2-7	Report on an investigation into allegations of improper conduct and maladministration relating to the unlawful subdivision of Rietvale in Ritchie by the functionaries of the Sol Plaatje Local Municipality.	Formal	28/12/2023
30	978-1-7764604-3-4	Investigation into allegations of irregular appointment of to the position of Manager Public safety and to the position of unit manager Clarens by the functionaries of Dihlabeng local municipality.	Formal	23/12/2023
31	978-1-7764604-4-1	Report on an investigation into allegations of maladministration and improper conduct relating to the appointment of Child and Youth Care Workers and Child and Youth Care team leaders at the Polokwane Welfare complex and Mavambe Secure Care Centre.	Formal	27/12/2023
32	978-1-7764604-5-8	Intervention Report on an investigation into allegations of undue delay and/or failure by the functionaries of the Guardian's fund to process and finalise an application for payment of an inheritance claim.	Intervention	23/12/2023
33	978-1-7764604-6-5	Report on an investigation into allegations of improper conduct and maladministration by functionaries of the Gauteng Department of Human Settlements in connection with an irregularly constructed Reconstruction and Development Programme (RDP) house in Sebokeng.	Formal	27/12/2023

34	978-1-7764604-7-2	Investigation into allegations of failure by the functionaries of the Kwazulu-Natal Department of Cooperative Governance and Traditional Affairs to make outstanding salary payments.	Formal	28/03/2024
35	978-1-7764604-8-9	Closing report on an investigation into the allegations of undue delay by the Commission for Conciliation, Mediation and Arbitration to finalise the adjudication of an unfair dismissal case of SABC employees	Closing	28/03/2024
36	978-1-7764604-9-6	Investigation into allegations of undue delay by Mangaung Metro Municipality to pay outstanding invoices for services rendered	Formal	28/03/2024
37	978-1-7764955-0-4	Intervention Report on an investigation into allegations of undue delay and/or failure by the functionaries of the Eastern Cape Department of Education to pay the complainant her stipend as an examination assistant for the period 2015 and 2017.	Intervention	28/03/2024
38	978-1-7764955-1-1	Investigation into allegations of failure by the functionaries of the Department of Mineral Resources and Energy to attend to and resolve a complaint by the Swartkopfontein community relating to mining activities	Formal	28/03/2024
39	978-1-7764955-2-8	Advisory report on an investigation into allegations of improper conduct and maladministration relating to failure by functionaries of the Dr JS Moroka Local Municipality to provide adequate and clean water to the communities of ward 1 to ward 31.	Advisory	28/03/2024

41	978-1-7764955-4-2	Closing report into an investigation of allegations of improper conduct and maladministration concerning the president of the republic of South Africa, Mr Matamela Cyril Ramaphosa's personal invitation of Balwin properties (Pty) Ltd to become part of the Mooikloof Mega residential city: Gauteng in contravention of the public finance management act, 1999 and the supply chain management processes.	Closing	28/03/2024
42	978-1-7764955-5-9	Closing Report on an investigation into allegations of maladministration and improper conduct relating to corruption, irregular award of contracts and abuse of power by the functionaries of the Property Practitioners Regulatory Authority	Closing	28/03/2024
43	978-1-7764955-6-6	Closing report on an investigation into allegations of irregular appointment and failure by the functionaries of the Gauteng Gambling Board (GGB) to resolve an objection lodged in connection with the granting of a gambling license to 4racing (PTY) Ltd	Closing	28/03/2024



6. Institutional Programme Performance Information

6. Institutional Programme Performance Information

6.1 Summary of Overall Performance in the 2023/2024 financial year

The budget programme structure of the Institution is divided into three (3) programmes, namely;

Programme 1: Administration

Programme 2: Investigations

Programme 3: Complaints and Stakeholder Management

Table 7: below provides a summary of year-on-year performance.

Targets	2020/21	2021/22	2022/23	2023/24
Number of planned targets during the financial year	12	7	7	9
Number of targets achieved	10	6	6	7
Number of targets not achieved	2	1	1	2
Performance percentage level	83%	86%	86%	78%

6.2 Programme 1: Administration

The success of institutional performance is largely dependent on the backbone of support from the Administration programme. Purposefully located under the control of the Accounting Officer, the Administration programme seeks to develop effective and efficient enabling conditions in the Information and Communication Technology (ICT), Human Resource, Financial Management, Legal Services, Risk Management, Facilities Management, Internal Audit and Performance Management. For the year under review, critical components of support included achieving a clean audit outcome from the Auditor-General South Africa, advancing the digitalisation strategy, proving office accommodation suitable for effective performance and solidifying business continuity.

Outcomes, outputs, output indicators, targets and actual achievement

Outcome Indicator: Clean audit achieved and maintained

PPSA has between 2019/2020 and 2021/2022 financial years attained clean audit outcomes from the AGSA. However, a number of non-compliance issues relating to the procurement of legal service providers during the previous years were identified, which affected the clean audit status. The effect of the non-compliance continued in the year under review, which impacted on the Institution's ability to finalise the consequence management process as required by the National Treasury Framework on irregular expenditure. This affected the audit outcome as, although the Institution received an unqualified audit opinion from the AGSA, material non-compliance was recorded in this regard, which affected the clean audit status.

Outcome Indicator: Implementation of ICT systems to optimally support business objectives

The second outcome that PPSA set for the financial year was the implementation of ICT systems to optimally support business objectives. Two (2) key projects were implemented in 2023/2024: the implementation of the Case Management Self-Service (CMS) portal and the development of the Enterprise Resource Planning (ERP) system.

The ERP system is a multi-year project system whose implementation is undertaken in phases due to the number of modules that must be developed towards the development of the complete system. To this end, one (1) module achieved towards the development of the complete system.

Outcome Indicator: Maintenance of the Business Continuity Plan

Lessons in disaster management, such as the Coronavirus pandemic, in the previous financial year gave impetus for the inclusion of an outcome on maintenance of Business Continuity plan. A key benefit of PPSA Business Continuity Plan (BCP), which was developed in 2021/2022, is minimum operations disruptions during a crisis. The implementation of the BCP was monitored through quarterly reports from different branches. This was instrumental in ensuring that PPSA continued to provide most services to its stakeholders despite the challenges with load shedding in the areas where its offices are located.

In order to ensure effective Business Continuity, the Institution procured new ICT back-up and recovery infrastructure to modernise and streamline its disaster recovery processes to ensure effective and efficient restoration of ICT services in the event of any disaster.

Table 8: Programme Administration

Outcome	Output	Output Indicator	Audited Actual Performance 2021/22	Audited Actual Performance 2022/23	Planned Annual Target 2023/24	Actual Achievement 2023/2024	Deviation from planned target to Actual Achievement 2023/2024	Reasons for deviation
Clean audit achieved and maintained	Clean audit obtained	Obtain clean audit annually	Achieved. Maintained a clean audit opinion for 2020/2021	Achieved. Maintained a clean audit opinion for 2021/2022	Obtain clean audit annually	Not Achieved. Unqualified audit opinion.	Remained	Refer to page 38 Paragraph 4.1 lack of evidence regarding consequence management
Implementation of ICT system to optimally support business objectives	ICT infrastructure implemented	Implementation of ICT system	Achieved. 100% implementation of a Mobile Referral Application	Achieved. 100% implementation of the Case Management System rolled out at all PPSA offices, and all end-users trained. Post implementation review report completed	Implementation of the CMS Self-Service Portal by 31 March 2024	Achieved. CMS Self Service portal implemented by 31 March 2024	NA	NA
Implementation of ICT system to optimally support business objectives	ICT infrastructure implemented	Development of ICT system	NA	NA	Development of the ERP system by 31 March 2024	Achieved. ERP system developed (ERP Business Unit modules piloted and tested) by 31 March 2024	NA	NA
Maintenance of the Business Continuity Plan	Maintain the Business Continuity Plan	Number of Business Continuity Plan Monitoring Reports finalised	NA	NA	Two Business Continuity Plan Monitoring Reports finalized by 31 March 2024	Achieved. Business Continuity Plan Monitoring Reports finalised by 31 March 2024	NA	NA

Linking performance with budgets

The budget of the Administration Programme mainly consists of contractual obligations, including information technology, rental, cleaning services, security, and other operational expenditure related to support.

Table 9: Programme 1: Expenditure

Sub- Programme appropriation	2022/2023			2023/2024		
	Final appropriation	Actual expenditure	(Over)/Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R0'000	R0'000	R0'000	R0'000	R0'000	R0'000
Administration	162 273	173 204	-10 931	127 497	132 990	-5 493
Total	162 273	173 204	-10 931	127 497	132 990	-5 493

6.3 Programme 2: Investigations

The purpose of the Investigation programme is to ensure effective resolution of complaints. The Investigation programme frames its outputs through the lens of the constitutional mandate of investigations into alleged maladministration, improper or prejudicial conduct in state affairs and to take remedial action. The outcome for the Programme was 'Resolution of complaints'.

The deliverables in this programme included complaints that were resolved through Alternative Dispute Resolution (ADR), which do not necessarily require a detailed investigation.

Outcomes, outputs, output indicators, targets and actual achievement

Outcome Indicator: Number of cases finalised through investigation

The annual target of two thousand (2, 000) cases was exceeded during the financial year under review and a total of two thousand eight hundred and twenty seven (2,827) cases were finalised. Due to close monitoring of compliance and age analysis of cases under investigation, during the quality assurance process initiated by the Investigation branches, the Institution was able to achieve the target.

Based on PPSA classification of complaints, the majority of complaints for 2023/2024 related to service delivery issues which constituted over seventy percent (70%), of received complaints. Furthermore, the relationships that the Institution has established with organs of state enabled quicker response to the allegations and request for information and documents, which in turn enabled speedy resolution of investigations.

Outcome Indicator: Number of cases finalised by means of advice given and/ or assistance rendered

During the reporting period a concerted effort was made to find ways of resolving matters that do not require extensive investigation. This resulted in the overachievement of the target. 3, 378 cases were finalised by means of advice given and/ assistance rendered against a target of 500 cases. One of the measures that was put in place was identifying these matters at assessment stage and allocating them to a team to engage with complaints and in some instances with organs of state to resolve them. Only matters that could not be resolved through this process were referred for full scale investigation.

Outcome Indicator: Percentage adherence to turnaround times in finalisation of cases

The PPSA commitment to efficient service delivery in complaints resolutions is articulated in its Service Standards. A key measure of effectiveness of the service is the time taken to finalise cases. Maintaining the service standard of finalisation within six (6) months for early resolution cases; twelve (12) months for service delivery cases and twenty-four (24) months for good governance and integrity, the target for 2023/2024 was eighty percent (80) finalisation of cases within turnaround times. This target was exceeded by nine percent (9) in 2023/2024 which is an improvement

Outcome Indicator: Number of systemic investigations and/ or interventions finalised

Systemic investigations aim to achieve a higher impact for communities who have collectively experienced problems with organs of state. or in some instances where there are various complainants regarding the same issues. Resolving similar complaints through a systemic investigation or intervention enables PPSA to fulfil its legislative mandate. For the year under review, two (2) systemic investigations were planned, only one (1) was achieved.

The Eastern Cape province systemic investigation was carried over from the previous financial year and was finalised in October 2023. The stakeholder engagement through a radio interview with a local radio station and the Public Protector triggered a high number of complaints received related to alleged service delivery challenges of access to socio-economic rights in the province. The investigation was titled 'Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the Province of Eastern Cape'. Allegations made by complainants were substantiated and the Public Protector issued forty-one (41) remedial action for different respondents such as national departments (South African Police Services and Minister of Human Settlement), provincial departments (Eastern Cape Departments of Basic Education, Social Development, Transport, Health and Public Works); and local government (Buffalo City Metro Municipality and various other district and local municipalities). The Premier of the Eastern Cape and his Executive accepted the report and committed to the implementation of the remedial action.

Table 10: Programme Investigations

Out-come	Output	Output Indicator	Audited Actual Performance 2021/2022	Audited Actual Performance 2022/2023	Planned Annual Target 2023/2024	Actual Achievement 2023/2024	Deviation from planned target to Actual Achievement 2023/2024	Reasons for deviations
Resolution of complaints	Investigations finalised	Number of cases finalised through investigations	N/A	N/A	Finalise 2000 cases through investigation by 31 March 2024	EXCEEDED 2 827 caes finalised through investigation by 31 March 2024	827 more cases were finalised through investigations	Target exceeded due to monthly age analysis of cases and close monitoring of compliance
	Cases finalised by means of advice given / assistance rendered	Number of cases finalised by means of advice given / assistance rendered	N/A	N/A	Finalise 500 cases by means of advice given /assistance rendered by 31 March 2024	EXCEEDED 3 378 cases finalised by means of advice given /assistance rendered by 31 March 2024	2 878 more cases were finalised by means of advice given /assistance rendered	Target exceeded due to templates that were developed which were utilised to give advice and assistance to complainants quickly and easily. MOUs were signed which ensured that advice could be given to complainants speedily.
	Cases finalised within approved turnaround times	Percentage of adherence to turnaround times in finalisation of cases	EXCEEDED 85% (3189/3732) of cases were finalised within the turnaround times: ER:9 months SD:18 months GGI: 30 months GGI (Very complex) 36 months by 31 March 2022	EXCEEDED 82% (2766/3385) of cases were finalised within turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2023	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 Months GGI: 24 months GGI (Very complex): 36 months by 31 March 2024	EXCEEDED 89% (2 666/ 3 010) of cases were finalised within turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2024	9% more of cases were finalised within turnaround times	Target exceeded due to close monitoring of compliance to the prescribed turnaround times for finalisation of investigations
	Systemic Investigations finalised	Number of systemic investigations / interventions finalised	EXCEEDED 2 systemic investigations/ Interventions were identified. 2 systemic Investigation were finalised by 31 March 2022	NOT ACHIEVED No systemic investigations / interventions were finalised by 31 March 2023	Finalise 2 systemic investigations/ interventions by 31 March 2024	NOT ACHIEVED 1 Systemic investigation finalised	1 systemic investigation not finalised	Target not achieved due to Institutions that requested postponement to respond due to complexity of the issues. The target will be achieved in Quarter I of 2024/2025 as institutions provided responses in Quarter I of 2024/2025.

Linking performance with budgets

The budget of the Investigation Programme mainly consists of payment for Compensation of Employees and other operational costs.

Table 11: Programme 2: Expenditure

Sub- Programme appropriation	2022/2023			2023/2024		
	Final appropriation	Actual expenditure	(Over)/ Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R0'000	R0'000	R0'000	R0'000	R0'000	R0'000
Investigation	200 159	193 336	4 823	204 542	191 599	12 943
Total	200 159	193 336	4 823	204 542	191 599	12 943

6.4 Programme 3: Complaints and Stakeholder Management

The purpose of the programme is to enhance accessibility of PPSA services to all people living within South Africa and to promote the establishment of complaints handling mechanisms in organs of state. PPSA defined an outcome which would ensure 'Accessible PPSA services'. Accessibility was measured against the number of stakeholder engagements or clinics, radio interviews and signing of collaboration agreements with civil society organisations.

Outcome, outputs, output indicators, targets and actual achievement

All targets under the Stakeholder Management Programme were exceeded as a direct result of collaborations with civil society organisations including those focusing on those located in rural villages and informal settlements. For the year under review, the PPSA achieved a staggering three hundred and fifty three (353) engagements nationally and over 20 international and regional engagements. This was a clear demonstration of the deliberate measures taken to position the PPSA as the vanguard of South Africa's constitutional democracy.

Media engagements included a formal engagement with the Cape Town Press Club in November 2023, titled *“Fit for Purpose: The Public Protector 28 years into the Democratic South Africa”*. The engagement was about the proposed amendments to the Public Protector Act, and the participation of PPSA in the fight against corruption in the country.

A further ninety four (94) radio engagements were held during the financial year under review. These engagements took the form of interviews and information slots. Significantly, radio interviews and information slots were primarily with community-based radio stations thus increasing the reach of PPSA services. Collectively, the above interactions with the media had the effect of highlighting and emphasising the role and work of the PPSA as a constitutional Institution.

PPSA planned to sign (3) three memoranda/ letters of collaboration with civil society organisations, and six (6) were concluded during the financial year. The community-based organisations that signed letters of collaboration represented different sectors of community such as; youth, persons with disabilities, survivors of gender-based violence and the elderly. These collaborations enabled vulnerable groups to access PPSA services through their respective interest groups.

Table 12: Programme: Complaints and Stakeholder Management

Programme 3: Complaints and Stakeholder Management								
Outcome	Output	Output Indicator	Audited Actual Performance 2021/22	Audited Actual Performance 2022/23	Planned Annual Target 2023/24	Actual Achievement 2023/2024	Deviation from planned target to Actual Achievement 2023/2024	Reasons for deviation
Accessible PPSA services	Execution of activities in the implementation plan of the Integrated Access and Stakeholder Management Strategy	Number of activities in the implementation plan of the Integrated Access and Stakeholder Management Strategy	Exceeded. 103 activities were executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy (97 radio interviews conducted + 5 National events conducted + 1 Good Governance Week	Exceeded. Executed 159 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2023. (141 public awareness sessions conducted, + 5 National events, + 1 Good Governance week + 12 collaborations with CBOs on advocacy cases at grassroots level)	Execute 328 activities in the implementation plan of the Integrated Access and Stakeholder Management Strategy by 31 March 2024 (328 = 324 public awareness sessions + 1 Good Governance Week + 4 collaborations with Community-Based organizations on advocacy matters at the grass-roots level)	Exceeded. Executed 454 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2024. (453 public awareness sessions conducted, = 1 Good Governance)	119 more public awareness sessions conducted 3 more collaborations with CBOs on advocacy cases at the grassroots level.	Public awareness sessions exceeded due to collaborations with stakeholders, increase of identification of target groups and good relations with local radio stations. The overachievement was due to identifying a bigger pool of CBOs to enable negotiations in Quarter 2.

Linking performance with budgets

The budget of the Complaints and Stakeholder Management Programme covered outreach clinics and radio interviews, which link to the objectives of taking services of the Public Protector to communities. Radio slots, advertising and media campaigns formed the basis of programme budget.

Table 13: Programme 3 Expenditure

Sub-Programme appropriation	2022/2023			2023/2024		
	Final appropriation	Actual expenditure	(Over)/ Under expenditure	Final appropriation	Actual expenditure	(Over)/ Under expenditure
	R0 '000	R0 '000	R0 '000	R0 '000	R0 '000	R0 '000
Complaints and Stakeholder Management	15 001	16 355	1 354	28 347	34 210	-5 863
Total	15 001	16 355	1 354	28 347	34 210	-5 863

Strategies to overcome areas of under-performance

The Institution received an unqualified audit opinion outcome from the Auditor-General South Africa (AGSA) which fell short of a clean audit target for the year. With regards to the irregular expenditure that arose out of the appointment of legal service providers from the previous panels, the processes of requesting condonation from National Treasury as required by National Treasury Instruction No. 4 of 2022/2023 has been completed and the Institution is awaiting feedback from National Treasury in this regard.

The second indicator which was not achieved was the systemic investigation into administrative challenges experienced by survivors of gender-based violence and femicide in accessing services at Magistrate courts within the South African justice system but was in the final stages of completion. Subsequent to the reporting period, the Public Protector finalised and issued this report in the first quarter of the 2024/2025 financial year. The delay in finalising this matter was attributed to the complex nature of the investigation, which required the coordination of investigation teams across the country to conduct inspections in loco and interviews at various courts with respondents and user of the service. The Department of Justice and Constitutional Development (DOJCD) and the South African Police Service (SAPS) as well as other stakeholders, have given their full commitment to implementing the remedial action by the Public Protector. The report gave hope to the family of a victim of gender-based violence whose murder triggered this Investigation, who were present when the report was published.

7. Donor Funds Received

No donor funds were received.

8. Revenue collection

The Institution mainly derives its funds from allocations from the Revenue Fund and transfer payments from the Department of Justice and Constitutional Development (DOJCD). All transfers payments were received in terms of the allocation as follows:

	2022/2023			2023/2024		
Sources of revenue	Estimate	Actual Amount Collected	(Over)/Under Collection	Estimate	Actual Amount Collected	(Over)/Under Collection
	R'000	R'000	R'000	R'000	R'000	R'000
Government Transfers	377 928	377 928	0	357 261	357 261	0

9. Transfer payments

The PPSA did not make any transfer payments to any entity and does not exercise oversight to any public entity.

10. Capital Investments

The Institution's infrastructure mainly comprises of leasehold improvements on buildings, furniture and fixtures, motor vehicles, office equipment, computer equipment and cell phones as well as software.

Due to the budgetary constraints and as evident from the Statement of Comparison of Budget and Actual Amounts, seventy seven (77%) of the budget allocation is set aside for staff costs while twenty two (22%) is allocated to administrative expenses, leaving only 1% available for capital investments.

Capital acquisitions are mainly funded from surplus funds upon approval of the retention of same by the National Treasury. The reconciliation of property, plant and equipment and intangible assets to note 3 and 4 to the annual

financial statements reflects additions of R23 million (2022/2023: R6, 2 million). The reconciliation to note 3 also indicates disposals of R577 thousand (2022/2023: R259 thousand). The additions were necessary to overhaul aged computer equipment, including servers and laptops as well as motor vehicles that were on average between eight (8) and twelve (12) years old and costly to maintain. The disposals were mostly necessitated by the replacements and in some instances losses that are disclosed in note twenty nine (29) of the annual financial statements.

The Institution maintains an asset register using a module in its accounting system and conducts bi-annual physical asset verifications and reconciliation to the register. This also entails assessment of the condition of all assets and the general condition varied between good and fair as all assets that are in bad condition are disposed of mostly through auction and donations. A loss of R437 thousand (2022/2023: R255 thousand) was incurred from the disposals as disclosed in the Statement of Financial Performance.

There were no major maintenance projects undertaken during the period under review and no major maintenance is planned for the near future.

Part C

Governance

I. Risk Management

The Institution's approach to risk management is based on established governance processes that rely on both individual responsibility and collective oversight, supported by comprehensive reporting. PPSA has a Risk Management function which is established in accordance with the requirements of the National Treasury's Public Sector Risk Management Framework, the King IV Report on Corporate Governance.

The Institution has an approved risk management framework, policy and strategy that guides the risk management process. It also has an effective Risk Committee that provides oversight on risk management and the overall control environment.

2. Risk Management Committee

During the year under review, the Institution maintained a Risk Management Committee that is chaired by an independent external Chairperson, Mr Viren Magan, a Chartered Accountant, with extensive experience in the area of risk and audit. The Risk Committee chair also participates in the Audit Committee meetings. The Risk Management Committee meets quarterly to review risk management activities, including risk mitigation plans. The Risk Management reports were presented to Management Committee (MANCO), Executive Committee (EXCO) and the Audit Committee on a quarterly basis for members' inputs, guidance and monitoring.

Risk Assessment

In acknowledgement of the complex and changing risk environment, continuous risk assessments are conducted to identify emerging risks that could have a negative impact on the realisation of organisational objectives.

During the year under review, the PPSA conducted risk assessments at both Head Office and Provinces in order to appraise and update the existing risk mitigation plans and to identify emerging risks. This has led to the Institution developing strategic, operational and provincial risk registers.

Significant risks relevant to Institutional strategic outcomes were assessed in terms of their likelihood and impact. Appropriate risk mitigation measures were implemented throughout the year to manage and retain risks within tolerable and acceptable levels. The regular updating of the risk mitigation plans, and identification of the emerging risks contributed to the achievement of the PPSA strategic outcomes and outputs.

In order to embed risk management and improve the risk management culture across the organisation, various awareness activities were conducted during the year. The continuous monitoring and reporting of the planned mitigation activities yielded significant positive results such as the achievement of both the APP and Operational Plan targets.







Risk Management Maturity Levels

The consistent achievement of performance objectives over the years bears testimony to risk management efficiency. In 2023/24, the Institution achieved a lower risk maturity level when assessed against the National Treasury Risk Management Maturity Model. This level affirms that the organisation's risk tolerance parameters have been established for all major categories of risk.

Management of risk is closely monitored to ensure prudent risk taking and risk management has a significant influence on the control environment in the organisation. PPSA strategic risks progressed well towards maturity, as demonstrated by the improved quarterly residual ratings.

Below is the risk rating matrix that is used to rate and prioritise risks as per the Risk Management Framework:

TABLE 14: 2023/2024 STRATEGIC RISK MATURITY LEVELS

Risk Description	Residual Risk Rating as of 1 st April 2023	Risk Mitigation Movement	Residual Risk Rating as of 31 March 2024	Comments
Lack of Business Continuity Plan resulting from the inability to timely recover to normal business operations in the event of a disaster / disruptions	High		Medium	The residual risk rating moved from high to medium, due to the development and approval of the Business Continuity Policy and the monitoring of the implementation of Business Continuity Plans
Ineffective Records Management System	High		High	Despite implementation of the risk mitigation plans the residual risk rating remains high due to non-approval of the file plan by National Archives. PPSA is engaging the National Archives to get approval of the file plan.
Institutional reputational damage	High		Medium	The residual risk rating moved from high to medium due to the minimal negative media reporting, decreased negative court Judgements and strengthening of quality assurance processes.
Inadequate accessibility to far flung remote and rural areas	Medium		Medium	The residual risk rating remains medium due to the implementation of outreach programs, the use of community radio stations to reach out remote areas.
Exposure of critical data and systems to irregular acts	Medium		Medium	Risk exposure remains medium due to constant upgrading of ICT systems, and minimal cyber attacks reported.
Misstatement in the Annual Financial Statements	Medium		Medium	Risk exposure remains medium due to AFS being reviewed by Internal Audit

3. Fraud and Corruption

The likelihood and occurrence of fraud and corruption incidents poses high potential risk to the Institution assets, resources and integrity. It could further negatively impact on service delivery efficiency resulting in reputation harm to the PPSA. As part of its commitment to managing fraud and corruption risks, the PPSA continued to implement and maintain the Fraud Prevention and Anti-Corruption Policy, Strategy and Plan, which are reviewed on an annual basis.

In line with the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) and the PPSA risk management framework, a four-dimensional strategy to prevent, detect, investigate, and resolve fraud incidents as well as to deter future recurrence, was implemented. Management submitted progress reports on the implementation of the Fraud Prevention and Anti-Corruption Plan to the EXCO, Risk Management and Audit Committee for monitoring.

The PPSA developed and implemented the Fraud Prevention Policy, Strategy and Plan. The implementation of the Fraud Prevention Plan was monitored through the quarterly reports presented at the EXCO and Audit Committee meetings. No incidents of fraud or corruption were identified during the reporting period.

FRAUD PREVENTION

In the quest to prevent the employment of personnel with questionable fraud and corruption backgrounds the PPSA continued to implement a two-step process which includes pre-screening of qualifications and security vetting of its prospective employees. The process has yielded positive results in identifying officials who could potentially pose a fraud risk to the Institution.

During the reporting period, the PPSA continued to implement the ethics and integrity management programme by conducting both physical and virtual awareness workshops as part of the fraud deterrence strategy. Under the auspices of the Risk Management Unit, the following anti-fraud and corruption campaigns were implemented:

Awareness sessions focusing on:

- Fraud prevention and Anti-Corruption,
- Whistle blowing,
- Code of Ethical and Professional Conduct.
- Conflict of Interest,
- Gifts, Donations and Sponsorships, and
- Financial Disclosures,

FRAUD DETECTION

In relation to fraud detection, the PPSA implemented the Whistleblowing Policy that outlines detailed fraud reporting procedures, creating a mechanism for reporting anonymously within the Institution and through the National Anti-Corruption Hotline. The identity of the whistle-blowers choosing to remain anonymous upon reporting the allegations of fraud and corruption is kept confidential. The PPSA encourage whistle blowers to report any fraud and corruption activities, and in return they will receive protection from any occupational detriment, victimisation and discrimination. However, it must be noted that frivolous, malicious and false allegations are strictly prohibited. No fraud was detected during the period under review.

FRAUD RISK ASSESSMENT

PPSA conducted an annual fraud risk assessments to identify potential fraud risks exposures to the Institution. This process ensures that actions to address the identified fraud risk exposures were identified and mitigated.

4. Minimising Conflict of Interest

The Institution requires all employees to sign and submit 'Declaration of Interest' forms for the financial year. Employees who are non-compliant are required to provide reasons to the Accounting Officer. For the financial year 2023/2024, no incidence of non-compliance with declarations of interest was detected.

In its commitment to upholding ethical standards and minimise conflicts of interest, the Institution established an Ethics Committee, chaired by the Chief Financial Officer and includes representatives from all PPSA Branches, provinces and units. The Ethics Committee received training by a South African Qualifications Authority (SAQA) accredited training provider. The Ethics Committee held four (4) meetings during the financial year and also concluded the development of a PPSA Ethics Policy.

5. Code of Conduct

The Institution continued to enforce its Code of Conduct which communicates expected conduct from all employees that all PPSA employees must adhere to. Regulating conduct of PPSA employees with the public, with members of the Legislature and the Executive; and amongst PPSA staff, is critical to ensuring the integrity of PPSA. In its endeavour to maintain the highest level of ethics amongst its staff members, one employee was dismissed for theft as this was a breach of the code of conduct which requires honesty and integrity by all employees.

6. Health and Safety and Environmental Issues

The PPSA has an operational Health and Safety Committee, which is tasked with the responsibility to monitor health and safety measures as required by the Occupational Health and Safety Act. The Committee which consists of 35 members held three (3) meetings during the financial year 2023/2024. A number of maintenance issues that may have impacted on the safety of employees were identified and resolved in collaboration with the respective landlords in various offices.

7. Portfolio Committee

The PPSA is a constitutional institution that accounts to Parliament through the Portfolio Committee on Justice and Constitutional Development. The Portfolio Committee is a platform for PPSA to communicate the achievements of the objectives in line with the Strategic and Annual performance plans. The PPSA also engaged with other Portfolio Committees to share the outcomes of the investigations conducted relating to their portfolios. For the financial year under review, four (4) engagements were held and the details thereof are provided in the table below.

Table 15: Portfolio Committee engagements 2023/2024

Date and topic for engagement	Issues raised by the Portfolio Committee	How the Institution addressed issues raised
<p>Briefing to the Portfolio Committee on Justice on:</p> <p>PPSA Annual Performance Plan and Budget</p> <p>3 May 2023</p>	<p>The Committee enquired about litigation and PPSA briefing patterns. The rate of implementation of remedial action was also raised. Furthermore, accessibility of the office was discussed, including to members of the disabled community.</p>	<p>Issues were responded to directly in the meeting and further information was shared with the PC as agreed to in the session</p>
<p>Briefing to the Portfolio Committee on Sport, Arts and Culture on:</p> <p>Implementation of Remedial Action, particularly report no 95 of 2021/22</p> <p>29 August 2023</p>	<p>Discussions were held about the progress by the relevant state Institution on the implementation of remedial action by the PP</p>	<p>PPSA noted the intervention by the PC to hold the relevant state institutions accountable for the implementation of remedial action</p>
<p>Briefing to the Portfolio Committee on Justice on:</p> <p>PPSA Annual Report</p> <p>13 October 2023</p>	<p>Amongst others, budget shortfalls were discussed and the concern over further budget cuts.</p>	<p>Issues were responded to directly in the meeting and further information was shared with the PC as agreed to in the session</p>
<p>Briefing to the Portfolio on Human Settlements on:</p> <p>Matters brought to the PC for resolution, particularly the implementation of PPSA Report No 14 of 2018/19 (Mawiga matter) and others.</p> <p>08 November 2023</p>	<p>Discussions were held about the progress by the relevant state Institutions on the implementation of remedial action by the PP</p>	<p>PPSA noted the intervention by the PC to hold the relevant state Institutions accountable for implementation of remedial action</p>

8. Prior modifications to audit reports

None

9. Internal Control Unit

The Institution has not established an internal control unit due to financial constraints, however, the implementation of a sound system of internal control is imbedded in the daily activities of management and other officials. The Institution maintained the use of the Audit Steering Committee to assist the accounting officer and management to develop and monitor the implementation of audit action plans and auditor's recommendations. The audit action plan for the year under review was monitored to redress internal control deficiencies on a quarterly basis and reported progress thereon was subjected to review by the internal audit function that reported to both the Risk Management and the Audit Committees.

In addition, various internal structures and committees including the Compliance Unit, monitored compliance with the relevant prescripts and made recommendations to the accounting officer. The committees included, amongst others, performance monitoring, training and development, security, occupational health and safety, records management as well as the ethics committees. These committees operated in accordance with terms of reference that were approved by the accounting officer and were accountable to the (MANCO) and the (EXCO) under the chairpersonship of the accounting officer. The committees were comprised of multidisciplinary employees that were drawn from different branches within the Institution to foster a culture of accountability.

The Institution has re-enforced its financial misconduct committee to monitor and conduct assessments, determination and where required, oversee investigation of fruitless, wasteful and irregular expenditure and recommend appropriate action to the accounting officer.

The Institution also maintained functional bid committees, including bid specification, bid evaluation and bid adjudication committees, which are structures provided for in the government procurement prescripts. The committees discharged their responsibilities in line with the approved terms of references and presided over all relevant procurement cases.

10. Internal Audit and Audit Committee

Internal audit is an independent activity of the Institution which evaluates the level of compliance with policies, the adequacy and effectiveness of internal controls and advise management on corrective action where weaknesses are identified.

• Key activities and objectives of the internal audit

Internal Audit provides independent objective assurance and consulting services designed to add value and improve PPSA's operations. It assisted the Institution to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, internal controls and governance process.

• Specify summary of audit work done

In accordance with the Internal Audit Standard issued by the Institute of Internal Auditors, the PPSA

Internal Audit carried out the following:

- Developed and implemented the Annual and Three-year Rolling Internal Audit Plan;
- Functionally reported its findings and recommendations to the Audit Committee on a quarterly basis;
- Interacted with management and the AGSA through its attendance of Audit Steering Committee;
- Reviewed the AGSA Findings Implementation Schedule; and
- Liaised with the AGSA to determine areas of collaboration to avoid duplication of efforts.

The following represents a summary of audit assignments undertaken by Internal Audit during the reporting period:

- Review of the Annual Financial Statements
- Review of the Annual Performance Report
- Quarterly Audit of the Performance Information
- Corporate Governance
- Legal Services Review
- Assets Management Review
- Information and Communication Technology Review (ICT)
- Investigations Management Review
- Security Management Review
- Human Resources Management Review (HRM)
- Review for the preparations of the AFS
- Supply Chain Management Review (SCM)
- Facilities Management Review
- Ad - Hoc Reviews

The Institution Audit Committee continued to operate independently in accordance with its terms of reference and discharged its responsibilities accordingly audit committee plays an important role in advising on the Institution on internal control, risk management and governance processes. It also monitors the adoption of appropriate risk management arrangements.

The terms of two (2) Audit Committee members ended during the reporting period and subsequently Dr Jonty Tshipa and Ms. Tebogo Tukisi were appointed with effective from 24 May 2023 and 1 October 2023 respectively.

11. Audit Committee Report

Key activities and objectives of the audit committee

The Audit Committee operated in terms of written terms of reference, which adequately dealt with its membership, authority and responsibilities. The terms of reference were reviewed and adopted to ensure its relevance.

- The Audit Committee reviewed, amongst others, the following:
- The effectiveness of the internal control systems.
- The risk areas of the institution's operations to be covered in the scope of internal and external audits.
- The adequacy, reliability and accuracy of the financial information provided to management and other users of such information.
- Accounting and auditing concerns identified as a result of internal and external audits.
- The Institution's compliance with legal and regulatory provisions; and
- The activities of the internal audit function, including its annual internal audit plan, coordination with the external auditors, the reports of significant investigations and the responses of management to specific recommendations.

• **Attendance of audit committee meetings by audit committee members**

The table below discloses relevant information on the audit committee members:

Table 16: PPSA Audit Committee 2023/2024

Name	Qualifications	Internal or external	If internal, position in the department	Date appointed	Date Resigned	No. of Meetings attended
Ms Princess Mangoma (chairperson)	B Compt BCom Honours CIA CISA	External	N/A	01 March 2021	N/A	6
Mr Stanley Ngoben	BCom Accounting B Compt Honours (CTA) Master's commerce-Taxation MBA Higher Diploma in Computer Auditing Registered Government Auditor (RGA)	External	N/A	04 March 2021	N/A	8
Dr Jonty Tshipa	PhD Financial Management Science Masters Finance and Investment (Cum laude) Masters Business Administration Global Remuneration Professional (GRP), Project management in IT Electrical Engineering (National Diploma) Global Executive Development Programme (Certificate)	External	N/A	24 May 2023	N/A	8
Ms Tebogo Tukisi	Certified Internal Auditor (CIA) BCom	External	N/A	01 October 2023	N/A	3



Ms Princess Mangoma
Chairperson of the Audit Committee
Public Protector South Africa
Date: 30 May 2024

12. B-BBEE Compliance Performance Information

Table 17: B-BBEE Compliance

Criteria	Response	Discussion (include a discussion on your response and indicate what measures have been taken to comply)
	Yes/No	
Determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	No	The service listed is not in line with the PPSA mandate, thus there are no projects which fall under the category.
Developing and implementing a preferential procurement policy?	Yes	The policy is in place and was signed in March 2023 with the most recent preferential procurement regulations.
Determining qualification criteria for the sale of state-owned enterprises?	No	The Institution does not own any enterprise
Developing criteria for entering into partnerships with the private sector?	No	The Institution does not have any project falling under this category. National Treasury will be engaged should a need arise in the future.
Determining criteria for the awarding of incentives, grants and investment schemes in support of Broad Based Black Economic Empowerment?	No	Based on the type of the products or services which are sourced by the Institution, there are no requirements that fall under this category



Part D

HUMAN RESOURCES

I. Introduction

The organisational structure of the Institution provides for five hundred and sixty seven (567) posts, three hundred and seventy two (372) are funded and one hundred and ninety five (195) remain unfunded. The core business of the Institution, constitute three hundred and eighty eight (388) posts, which translates to sixty eight percent (68%) of the total posts. The planned budget cut of ten percent (10%) by the National Treasury resulted in the postponement of the filling of some posts, which left the Institution with a budget to fill only three hundred and thirty five (335) posts.

The Institution was established through secondment of staff from the then Department of Justice to provide Ombudsman related services. During the transition into the new government in 1994, officials who were employed under the Bophuthatswana Ombudsman were absorbed into the new government of the Republic of South Africa. No funds were allocated for the actual establishment of the Institution, which resulted in the funds allocated for personnel being utilised to procure critical enablers to operationalise it. The mandate of the Institution was also expanded to include investigations into maladministration, undue delays and conduct failure in public administration. The expansion of the mandate was, however, not aligned to the staff establishment, which resulted in a high case load with limited capacity to deal therewith.

Human Resources Priorities

The Human Resources division prioritised the implementation of work study investigations report and its recommendations. The recommendations included the revision of the service standards to improve the efficiency of the investigation process, training of investigators on various aspects of the process as well as appointing administrative staff to alleviate investigators from the burden of performing administrative functions. A total of two hundred and forty seven (247) employees were trained on various interventions identified in the work-study report.

Workforce planning and key strategies to attract and recruit a skilled and capable workforce

A Human Resources Plan and the Workplace Skills Plan (WSP) were developed and submitted to SASSETA. The two plans identified the need for the Institution to vary the skills to achieve a balance of expertise, especially for core business. To this end, the Institution revised the qualification requirements for the different jobs to also attract other candidates with varying qualifications. These included internal and forensic auditors as well as forensic accountants.

Employee performance management

The Institution standardised performance agreements to simplify the performance assessment and moderation to ensure transparency and fairness of the assessment process. All employees signed performance agreements during the year under review and their performance was duly assessed. The performance of a few employees was found to be below the expected standard and performance improvement plans were developed to manage the poor performance.

Employee Wellness Programmes

The investigative work of the Institution is highly demanding and has affected a number of employees over the years. The Institution has an outsourced Employee Assistance Programme that provides psycho-social support to employees in a confidential manner. ICAS/Lyra Wellbeing was appointed as a service provider to assist the Institution with Health and Wellness issues for the next three years. The appointed service provider continues to assist and provides quarterly analysis reports that are used to determine the most appropriate interventions. The service provider submits quarterly EW reports to management, which are instrumental in determining appropriate interventions both at individual and team levels.

Challenges and achievements

Filling of posts became challenging due to The National Treasury alerting the Institution regarding a possible budget cut of ten percent (10%) for the next three (3) financial years. This resulted in the Institution having to reprioritise and scale down on the filling of posts including critical posts. An assessment of the nature of the vacated post was always conducted to ensure that only critical posts are filled to address the areas with the greatest need. The vacancy rate as at the reporting period was below ten percent (10%), calculated against the number of funded posts.

At top management level, the Institution's employment equity target on Black female representation has been exceeded from fifty percent (50%) to sixty percent (62%). Although there is an improvement at senior management level on female representation, the target was not met and is currently at thirty one percent (31%) as compared to the previous thirty three percent (33%) in the 2022/2023. The decrease in the female representation is due to the vacancies as a result of resignations. The Institution will prioritise females in the filling of posts in the next financial year.

The number of employees with disabilities has improved from one (1) employee in the previous financial year to three (3) employees in 2023/2024. To increase the number of employees with disabilities, the Institution has partnered with disability rights groups and will continue to utilise their platforms to share PPSA employment opportunities.

2. Personnel related expenditure

The following tables summarises the final audited personnel related expenditure by programme and by salary bands. In particular, it provides an indication of the following:

- amount spent on personnel
- amount spent on salaries, overtime, homeowner's allowances and medical aid.

Table 18: Personnel expenditure by programme for the period 1 April 2023 and 31 March 2024

Programme	Total expenditure (R'000)	Personnel expenditure (R'000)	Training expenditure (R'000)	Professional and special services expenditure (R'000)	Personnel expenditure as a % of total expenditure	Average personnel cost per employee (R'000)
Administration	102,338	47,606	638	917	97%	506
Investigation	147,576	183,121			124%	710
Stakeholder Management	26,212	33,547		11	128%	1618
Total	276,125	264,274	638	928	100%	2834

Table 19: Personnel costs by salary band for the period 1 April 2023 and 31 March 2024

Salary band	Personnel expenditure (R'000)	% of total personnel cost	No. of employees	Average personnel cost per employee (R'000)
Lower skilled (Levels 1-2)		0	0	0
Skilled (level 3-5)	69,705	26%	16	4,357
Highly skilled production (levels 6-8)	34,317	13%	96	357
Highly skilled supervision (levels 9-12)	131,506	50%	193	681
Senior and Top management (levels 13- 16)	28,744	11%	30	958
Total	264,273	100	335	6,354

Table 20: Salaries, Overtime, Home Owners Allowance and Medical Aid by programme for the period 1 April 2023 and 31 March 2024

Programme	Salaries		Overtime		Home Owners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Administration	47,606	18%	93	0%	1,664	3%	1,574	3%
Investigation	183,120	69%		0%	4,785	3%	6,519	4%
Stakeholder Management	33,547	13%		0%	557	2%	1,051	3%
Total	264,273	100%	93	0%	7,006	8%	9,144	10%

Table 21: Salaries, Overtime, Home Owners Allowance and Medical Aid by salary band for the period 1 April 2023 and 31 March 2024

Salary band	Salaries		Overtime		Home Owners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Skilled (level 1-2)	0		0	0	0	-	0	0
Skilled (level 3-5)	2,559	1%		0%	235	9%	251	10%
Highly skilled production (levels 6-8)	35,136	13%	93	0%	1,840	5%	3,151	9%
Highly skilled supervision (levels 9-12)	159,623	60%		0%	3,595	2%	3,492	2%
Senior management (level 13-16)	66,954	25%	0	0%	1,337	2%	2,250	3%
Total	264,273	100%	93	0%	7,006	19%	9,144	24%

3. Employment and Vacancies

The tables in this section summarise the position with regard to employment and vacancies.

The following tables summarise the number of posts on the establishment, the number of employees, the vacancy rate, and whether there are any staff that are additional to the establishment.

This information is presented in terms of three key variables:

- programme
- salary band
- critical occupations

Table 22: Employment and vacancies by programme as on 31 March 2024

Programme	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Investigation	388	224	42%	0
Administration	155	94	39%	0
Stakeholder Management	24	17	29%	0
Total	567	335	41%	0

Table 23: Employment and vacancies by salary band as on 31 March 2024, based on funded posts.

Salary band	Number of posts on approve establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Lower skilled (1-2)	0	0	0	0
Skilled (3-5)	17	16	6%	0
Highly skilled production (6- 8)	101	94	7%	0
Highly skilled supervision (9- 12)	217	195	10%	0
Senior management (13- 16)	37	30	19%	0
Total	372	335	10%	0

Table 24: Employment and vacancies by salary band as on 31 March 2024

Critical occupation	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Chief Executive Officer	1	1	0%	0
Chief Operations Officer	1	1	0%	0
Executive Managers	7	6	14%	0
Senior Managers	28	22	21%	0
Total	37	30	19%	0

Filling of SMS Posts

The tables in the section below provide information on employment and vacancies as it relates to members of the Senior Management Service by salary level. It also provides information on advertising and filling of SMS posts, reasons for not complying with prescribed timeframes and disciplinary steps taken.

Table 25: SMS post information as on 31 March 2024

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Director-General/Head of Department	0	0	0	0	0
Salary Level 16	1	1	100%	0	0%
Salary Level 15	1	1	100%	0	0%
Salary Level 14	7	6	86%	1	14%
Salary Level 13	28	22	79%	6	21%
Total	37	30	83%	7	17%

Table 26: SMS post information as on 30 September 2023

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% of SMS posts filled	Total number of SMS posts vacant	% of SMS posts vacant
Director-General/Head of Department	0	0	0	0	0
Salary Level 16	1	1	100%	0	0%
Salary Level 15	1	1	100%	0	0%
Salary Level 14	7	6	86%	1	14%
Salary Level 13	28	24	86%	4	11%
Total	37	31	86%	5	14%

Table 27: Advertising and filling of SMS posts for the period 1 April 2023 and 31 March 2024

SMS Level	Advertising	Filling of Posts	
	Number of vacancies per level advertised in 6 months of becoming vacant	Number of vacancies per level filled in 6 months of becoming vacant	Number of vacancies per level not filled in 6 months but filled in 12 months
Director- General/Head of Department	0	0	0
Salary Level 16	0	0	0
Salary Level 15	0	0	0
Salary Level 14	2	2	0
Salary Level 13	2	0	2
Total	4	2	2

Table 28: Reasons for not having complied with the filling of funded vacant SMS - Advertised within 6 months and filled within 12 months after becoming vacant for the period 1 April 2023 and 31 March 2024

Reasons for vacancies not advertised within six months
The institution not finding suitable candidates and had to re-advertise to posts. The filling of the other post of the Chief of Staff post was dependent on the appointment of the new Public Protector.

Reasons for vacancies not filled within twelve months
N/A

Notes

- In terms of the Public Service Regulations Chapter 1, Part VII C.1A.3, departments must indicate good cause or reason for not having complied with the filling of SMS posts within the prescribed timeframes.

Table 29: Disciplinary steps taken for not complying with the prescribed timeframes for filling SMS posts within 12 months for the period 1 April 2023 and 31 March 2024

Reasons for vacancies not advertised within six months
N/A

Reasons for vacancies not filled within six months
The Institution did not find suitable candidates and had to re-advertise to posts.

3.1. Job Evaluation

The following table summarises the number of jobs that were evaluated during the year under review. The table also provides statistics on the number of posts that were upgraded or downgraded.

Table 30: Job Evaluation by Salary band for the period 1 April 2023 and 31 March 2024

Salary band	Number of posts on approved establishment	Number of Jobs Evaluated	% of posts evaluated by salary bands	Posts Upgraded		Posts downgraded	
				Number	% of posts evaluated	Number	% of posts evaluated
Lower Skilled (Levels 1-2)	0	0	0	0	0	0	0
Skilled (Levels 3- 5)	0	0	0	0	0	0	0
Highly skilled production (Levels 6-8)	0	0	0	0			0
Highly skilled production Levels 6-8)	0	0	0	0	0	0	0
Senior Management Service Band A	0	0	0	0	0	0	0
Senior Management Service Band B	0	0	0	0	0	0	0
Senior Management Service Band C	0	0	0	0	0	0	0
Senior Management Service Band D	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0

The position of three (3) employees were upgraded due to their post being upgraded as depicted in the table below.

Table 31: Profile of employees whose positions were upgraded due to their posts being upgraded for the period 1 April 2023 and 31 March 2024

Gender	African	Asian	Coloured	White	Total
Female	2	0	0	0	2
Male	1	0	0	0	1
Total	3	0	0	0	3

Employees with a disability	
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The Institution does not have any employee whose remuneration bands exceeded the grade determined by job evaluation as indicated in the table below.

Table 32: Employees with salary levels higher than those determined by job evaluation by occupation for the period of 1 April 2023 and 31 March 2024

Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
Total number of employees whose salaries exceeded the level determined by job evaluation				
Percentage of total employed				0%

The Institution does not have any employee whose salary levels were higher than those determined by the job evaluation as indicated in the table below

Table 33: Profile of employees who have salary levels higher than those determined by job evaluation for the period 1 April 2023 and 31 March 2024

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	0	0	0	0	0
Total	0	0	0	0	0

Employees with a disability	0	0	0	0	0
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Total number of Employees whose salaries exceeded the grades determine by job evaluation	None
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Employment Changes

This section provides information on changes in employment over the financial year. Turnover rates provide an indication of trends in the employment profile of the Institution. The following tables provide a summary of turnover rates by salary band and critical occupations.

Table 34: Annual turnover rates by salary band for the period 1 April 2023 and 31 March 2024

Salary band	Number of employees at beginning of period-1 April 2023	Appointment and transfers into the department	Termination and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2)	0	0	0	0
Skilled (Levels 3-5)	15	2	1	7%
Highly skilled production (Levels 6-8)	94	4	3	3%
Highly skilled supervision (Levels 9-12)	197	9	9	5%
Senior Management Service Bands A	31	3	4	14%
Senior Management Service Bands B	N/A	N/A	N/A	N/A
Senior Management Service Bands C	N/A	N/A	N/A	N/A
Senior Management Service Bands D	N/A	N/A	N/A	N/A
Contracts	5	3	3	67%
Total	342	20	20	6%

Table 35: Annual turnover rates by critical occupation for the period 1 April 2023 and 31 March 2024

Critical occupation	Number of employees at beginning of period- April 2023	Appointment and transfers into the department	Termination and transfers out of the department	Turnover rate
Chief Executive Officer	1	0	0	0%
Chief Operations Officer	0	1	0	0%
Executive Managers	6	2	2	33%
Senior Managers	27	1	6	24.49%
TOTAL	34	4	8	25%

The table below identifies the major reasons why staff left the Institution

Table 36: Reasons why staff left the department for the period 1 April 2023 and 31 March 2024

Termination Type	Number	% of Total Resignations
Death	1	0.30%
Resignation	15	4%
Expiry of contract	1	0.30%
Dismissal – operational changes	0	0%
Dismissal – misconduct	1	0.30%
Dismissal – inefficiency	0	0%
Discharged due to ill-health	0	0%
Retirement	2	0.59%
Transfer to other Public Service Departments	0	0%
Other	1	0.3%
Total	21	6.3%
Total number of employees who left as a % of total employment	21	6.3%

Table 37: Promotions by critical occupation for the period 1 April 2023 and 31 March 2024

Occupation	Employees 1 April 2023	Promotions to another salary level	Salary level promotions as a % of employees by occupation	Progressions to another notch within a salary level	Notch progression as a % of employees by occupation
Chief Executive Officer	1	0	0%	1	100%
Chief Operations Officer	0	0	0%	0	0%
Executive Managers	6	1	16.66%	0	0%
Senior Managers	27	1	3.7%	17	63%
TOTAL	34	2	5.88%	18	53%

Table 38: Promotions by salary band for the period 1 April 2023 and 31 March 2024

Salary band	Employees 1 April 2023	Promotion to another salary level	Salary bands promotions as a % of employees by salary level	Progressions to another notch within a salary level	Notch progression as a % of employees by salary band
Lower skilled (1-2)	0	0	0	0	0
Skilled (Levels 3-5)	16	1	6,25%	1	6%
Highly skilled production (Levels 6-8)	95	1	1,05%	83	87%
Highly skilled supervision (Levels 9-12)	197	3	1,52%	135	69%
Senior Management (Level 13-16)	34	2	5,88%	18	53%
Total	342	7	2.05%	237	59%

3.2. Employment Equity

Table 39: Total number of employees (including employees with disabilities) in each of the following occupational categories as on 31 March 2024

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Senior officials and managers	15	0	0	3	9	1	1	1	30
Professionals	94	5	2	0	79	5	4	4	193
Technicians and associate professionals	21	1	0	0	63	5	3	0	93
Clerks	5	0	0	0	11	0	0	0	16
Service and sales workers	0	0	0	0	0	0	0	0	0
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0
Total	135	6	2	3	162	11	8	5	332
Employees with disabilities	2	0	0	0	1	0	0	0	3

Table 40: Total number of employees (including employees with disabilities) in each of the following occupational bands as on 31 March 2024

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	2	0	0	1	5	0	0	0	8
Senior Management	13	0	0	2	4	1	1	1	22
Professionally qualified and experienced specialists and mid- management	96	5	2	0	79	5	4	4	195
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	21	1	0	0	64	5	3	0	94
Semi-skilled and discretionary decision making	5	0	0	0	11	0	0	0	16
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	137	6	2	3	163	11	8	5	335

Table 41: Recruitment for the period 1 April 2023 to 31 March 2024

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	1	0	0	0	2	0	0	0	3
Senior Management	0	0	0	2	5	2	0	0	1
Professionally qualified and experienced specialists and mid- management	4	0	0	0	6	0	0	1	11
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	2	0	0	0	3
Semi-skilled and discretionary decision making	0	0	0	0	2	0	0	0	2
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	6	0	0	0	12	1	0	1	20
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 42: Promotions for the period 1 April 2023 to 31 March 2024

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	1	0	0	0	1	0	0	0	2
Senior Management	0	0	0	0	0	1	0	0	1
Professionally qualified and experienced specialists and mid- management	2	0	0	0	2	0	0	0	4
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	2	0	0	0	3
Semi-skilled and discretionary decision making	0	0	0	0	7	0	0	0	2
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	4	0	0	0	7	1	0	0	12
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 43: Terminations for the period 1 April 2023 to 31 March 2024

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	1	0	0	0	0	0	0	0	1
Senior Management	2	0	0	0	3	0	0	0	5
Professionally qualified and experienced specialists and mid- management	5	0	0	0	4	1	0	0	10
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	2	0	0	0	3
Semi-skilled and discretionary decision making	1	0	0	0	0	0	0	0	1
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	10	0	0	0	9	1	0	0	20
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 44: Disciplinary action for the period 1 April 2023 to 31 March 2024

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Misconduct cases received	3	0	0	0	0	0	0	0	3

Table 45: Skills development for the period 1 April 2023 to 31 March 2024

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Senior officials and managers	15	0	0	3	9	1	1	1	30
Professionals	94	5	2	0	79	5	4	4	193
Technicians and associate professionals	21	1	0	0	63	5	3	0	93
Clerks	5	0	0	0	11	0	0	0	16
Service and sales workers	0	0	0	0	0	0	0	0	0
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	0	0	0	0	0	0	0	0	0
Total	135	6	2	3	162	11	8	5	332
Employees with disabilities	2	0	0	0	1	0	0	0	3

3.3. Signing of Performance Agreements by SMS Members

All members of the SMS must conclude and sign Performance Agreements within specific timeframes. Information regarding the signing of performance agreements by SMS members, the reasons for not complying within the prescribed timeframes and disciplinary steps taken is presented here.

Table 46: Signing of Performance Agreements by SMS members as on 31 May 2023

SMS Level	Total number of funded SMS posts	Total number of SMS members	Total number of signed performance agreements	Signed performance agreements as % of total number of SMS members
Director-General/ Head of Department	0	0	0	0%
Salary Level 16	1	1	1	100%
Salary Level 15	1	1	1	100%
Salary Level 14	6	6	6	100%
Salary Level 13	28	22	21	95%
Total	36	30	23	77%

Table 47: Signing of Performance Agreements by SMS members as on 31 March 2024

Reasons
Senior Manager Supply Chain Management resigned.

Table 48: Disciplinary steps taken against SMS members for not having concluded Performance agreements as on 31 March 2024

Reasons
Non submission did not warrant any disciplinary action.

3.4. Performance Rewards

To encourage good performance, the Institution has granted the following performance rewards during the year under review. The information is presented in terms of race, gender, disability, salary bands and critical occupations.

In the year under review, 230 employees on level 12 and lower were paid performance incentives, of which 188 (81%) were females. This was a decrease from the previous financial year where 262 employees, including 144 (55%) females received performance incentives. The decrease can be attributed to the stringent performance management processes introduced. The Institution continues to develop improvement plans to ensure all employees perform at acceptable levels.

Table 49: Performance Rewards by race, gender and disability for the period 1 April 2023 to 31 March 2024

Race and Gender	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within group	Cost (R'000)	Average cost per employee
African					
Male	86	138	63%	1144	13
Female	111	164	68%	907	8
Asian					
Male	2	2	100%	35	18
Female	4	8	50%	22	5
Coloured					
Male	4	4	100%	70	18
Female	9	11	82%	128	14
White					
Male	1	4	25%	51	51
Female	3	5	60%	62	21
Total	230	336	68%	2419	11

Table 50: Performance Rewards by salary band for personnel below Senior Management Service for the period 1 April 2023 to 31 March 2024

Salary band	Beneficiary Profile			Cost		Total cost as a % of the total personnel expenditure
	Number of beneficiaries	Number of employees	% of total within salary bands	Total Cost (R'000)	Average cost per employee	
Lower Skilled (Levels 1-2)	0	0	0%	NA	NA	NA
Skilled (level 3-5)	1	9	11%	12	12	1%
Highly skilled production (level 6-8)	83	101	82%	255	3	14%
Highly skilled supervision (level 9-12)	135	194	69%	1526	11	85%
Total	219	304	72%	1793	26	100%

Table 51: Performance Rewards by salary band for personnel below Senior Management Service for the period 1 April 2023 to 31 March 2024

Critical occupation	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% of total within occupation	Total Cost (R'000)	Average cost per employee
Chief Executive Officer	1	1	100%	138	138
Chief Operating Officers	0	1	0%	0	0
Executive Managers	0	6	0%	0	0
Senior Managers	17	23	74%	488	29
Total	18	31	58%	626	167

3.5. Foreign Workers

The tables below summarise the employment of foreign nationals by the Institution for the period under review

Table 52: Foreign workers by salary band for the period 1 April 2023 and 31 March 2024

Salary band	01 April 2023		31 March 2024		Change	
	Number	% of total	Number	% of total	Number	% of total
Lower skilled	0	0	0	0	0	0
Highly skilled production (Lev. 6-8)	0	0	0	0	0	0
Highly skilled supervision (Lev. 9-12)	0	0	0	0	0	0
Contract (level 9-12)	0	0	0	0	0	0
Contract (level 13-16)	0	0	0	0	0	0
Total	0	0	0	0	0	0

Table 53: Foreign workers by major occupation for the period 1 April 2023 and 31 March 2024

Major occupation	01 April 2023		31 March 2024		Change	
	Number	% of total	Number	% of total	Number	% Change
N/A	0	0	0	0	0	0
N/A	0	0	0	0	0	0

3.6. Leave utilisation

In the year under review, the Institution has seen an increase in the utilisation of annual leave by 11% as compared to the previous financial year which shows that, the Institution is now encouraging compliance with the leave policy. However, there has been an increase of 17% in the utilisation of sick leave compared to the previous financial year. This is particularly evident in core business where investigative staff have taken leave as a result of burnout, due to an increase in workload and complexity of cases. Investigative staff on average have 25 cases per investigator, which is an increase of 24% from the previous financial year. This is as a result of the vacancy rate remaining high and an increase in reported cases.

Another factor which largely contributed to the sick leave is the psycho-emotional impact of the Section 194 enquiry on the employees. The ICAS wellness report also confirmed a high number of employees with mental health challenges who accessed their professional services seeking their psychological interventions. This is as a result of a deliberate focus on employee education and accessibility to wellness services.

Table 54: Sick leave for the period 1 January 2023 to 31 December 2023

Salary band	Total days	% Days with Medical certification	Number of Employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Salary band Lower Skills (Level 1-2)	0	0	0	0	0	0
Skilled (levels 3-5)	0	0	0	0	0	0
Highly skilled production (levels 6-8)	757	75%	59	33%	3	1 259 181
Highly skilled supervision (levels 9 -12)	1335	69%	50	70%	4	4 126 485
Top and Senior management (levels 13-16)	180	89%	22	70%	2	1 146 240
Total	2272	78%	131	56%	3	6 531 906

Table 55: Disability leave (temporary and permanent) for the period 1 January 2023 to 31 December 2023

As a result of high utilisation of sick leave, five(5) employees exhausted their sick leave and applied for incapacity leave. The estimated cost does not represent actual expenditure incurred and illustrates the cost implication of lost productive days.

Salary band	Total days	% Days with Medical certification	Number of Employees using sick leave	% of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower Skills (Level 1-2)	NA	NA	NA	NA	NA	NA
Skilled (levels 3-5)	0	0	0	0	0	0
Highly skilled production (levels 6-8)	1362	100%	5	2%	30	2 259 558
Highly skilled supervision (levels 9 -12)	0	0	0	0	0	0
Top and Senior management (levels 13-16)	0	0	0	0	0	0
Total	1362	100%	5	2%	30	2 259 558

The table below summarises the utilisation of annual leave.

Table 56: Annual Leave for the period 1 January 2023 to 31 December 2023

Salary band	Total days	Number of Employees using annual leave	Average per employee
Lower Skills (Level 1-2)	0	0	0
Skilled (levels 3-5)	0	0	0
Highly skilled production (levels 6-8)	4367	212	24
Highly skilled supervision (levels 9 -12)	5072	103	27
Top and Senior management (levels 13-16)	657	17	24
Total	10096	332	75

Table 57: Capped leave for the period 1 January 2023 to 31 December 2023

During the period no employee utilised capped leave.

Salary band	Total days	Number of Employees using annual leave	Average per employee
Lower Skills (Level 1-2)	0	0	0
Skilled (levels 3-5)	0	0	0
Highly skilled production (levels 6-8)	0	0	0
Highly skilled supervision (levels 9 -12)	0	0	0
Top and Senior management (levels 13-16)	0	0	0
Total	0	0	0

The following table summarise payments of capped leave to employees who retired or on termination of service, as a result of leave that was not taken.

Table 58: Leave payouts for the period 1 April 2023 and 31 March 2024

Capped leave relates to employees who carried over their leave accumulated from DOJ&CD. One employee was paid capped leave on retirement. 18 employees were paid out their annual leave on termination of employment.

Reason	Total amount (R'000)	Number of employees	Average per employee (R'000)
Leave payout for 2023/24 due to non-utilisation of leave for the previous cycle	0	0	0
Capped leave payouts on termination of service for 2023/24	260	1	260
Current leave payout on termination of service for 2023/24	944	18	52
Total	1204	19	312

3.7. HIV/AIDS & Health Promotion Programmes

Table 59: Steps taken to reduce the risk of occupational exposure

The institution held 4 employee wellness activities during the year under review to conscientise employee on various health issues and how to manage the risk of occupational exposure.

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
All Categories	Continued implementation of Employee Wellness Programme (EHWP)

Table 60: Details of Health Promotion and HIV/AIDS Programmes (tick the applicable boxes and provide the required information

Question	Yes	No	Details, if yes
1. Has the Institution designated a member of the SMS to implement the provisions contained in Part VI E of Chapter I of the Public Service Regulations, 2001? If so, provide her/his name and position	Yes		PPSA is not regulated by the Public Service Regulations, however, in terms of the PPSA Employee Health and Wellness Policy, 2022, the Senior Manager HRM&D has been designated.
2. Does the Institution have a dedicated unit or has it designated specific staff members to promote the health and well-being of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	Yes		Three members have been designated, including the Senior Manager HRM&D and two other officials. The wellness budget is part of the HRM&D budget
3. Has the Institution introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key	Yes		Employee Assistance Programme <ul style="list-style-type: none"> • Psychological Counselling Services. • HIV and AIDS Voluntary Counselling and Testing • Financial Services • Legal Services
4. Has the Institution established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter I of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) that they represent.	Yes		PPSA is not regulated by the Public Service Regulations, however, the Occupational Health and Safety Committee was established in terms of the Occupational Health and Safety Policy of PPSA.
5. Has the Institution reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	Yes		PPSA has an HIV/AIDS Policy that regulates the management of HIV/AIDS in the workplace.
6. Has the Institution introduced measures to protect HIV-positive employees or those perceived to be HIV- positive from discrimination? If so, list the key elements of these measures.	Yes		PPSA facilitated face to face counselling relating to HIV and AIDS through the Wellness Programme.
7. Does the Institution encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results that you have achieved.	Yes		Increased utilisation of the Wellness Programmes where Voluntary Counselling and Testing is done during Wellness Days.
8. Has the Institution developed measures/ indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	Yes		PPSA receives quarterly reports from ICAS which are evaluated by management to inform appropriate interventions.

3.8. Labour Relations

Table 61: Collective agreements for the period 1 April 2023 and 31 March 2024

Subject matter	Date
Collective Agreement on Conditions of Service	15 January 2020
Adopted the Remuneration Collective Agreement signed PSCBC	1 April 2023

Notes

- If there were no agreements, keep the heading and replace the table with the following:

Total number of Collective agreements	
---------------------------------------	--

The following table summarises the outcome of disciplinary hearings conducted within the Institution for the year under review.

Table 62: Misconduct and disciplinary hearings finalised for the period 1 April 2023 and 31 March 2024

Outcomes of disciplinary hearings	Number	% of total
Correctional counselling	0	0%
Verbal warning	0	0%
Written warning	0	0%
Final written warning	0	0%
Suspended without pay	0	0%
Fine	0	0%
Demotion	0	0%
Dismissal	1	0.3%
Not guilty	0	0%
Case withdrawn	1	0.3%
Pending	1	0.3%
Total	3	0.9%

Notes

- If there were no agreements, keep the heading and replace the table with the following:

Total number of Disciplinary hearings finalised	2
---	---

Table 63: Types of misconduct addressed at disciplinary hearings for the period 1 April 2023 and 31 March 2024

Type of misconduct	Number	% of total
Theft of assets	1	0.3%
Dereliction of duties	1	0.3%
Total	2	0.6%

Table 64: Grievances logged for the period 1 April 2023 and 31 March 2024

Grievances	Number	% of total
Number of grievances resolved	2	67%
Number of grievances not resolved	1	33%
Total number of grievances lodged	3	100%

Table 65: Disputes logged with Councils for the period 1 April 2023 and 31 March 2024

Disputes	Number	% of total
Number of disputes upheld	0	0%
Number of disputes dismissed	0	0%
Total number of disputes lodged	0	0%

Table 66: Strike actions for the period 1 April 2023 and 31 March 2024

Total number of persons working days lost	None
Total costs working days lost	None
Amount recovered as a result of no work no pay (R'000)	None

Table 67: Precautionary suspensions for the period 1 April 2023 and 31 March 2024

Number of people suspended	1
Number of people who's suspension exceeded 30 days	None
Average number of days suspended	18 days
Cost of suspension(R'000)	R 23 608.78

3.9. Skills development

This section highlights the efforts of the department with regard to skills development

Table 68: Training needs identified for the period 1 April 2023 and 31 March 2024

Occupational category	Gender	Number of employees as at 1 April 2023	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	11	0	11	0	11
	Male	19	0	19	0	19
Professionals	Female	92	0	0	92	92
	Male	102	0	0	102	102
Technicians and associate professionals	Female	77	0	0	77	77
	Male	24	0	0	24	24
Clerks	Female	6	0	0	6	6
	Male	3	0	0	3	3
Service and sales workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	0	0	0	0	0
	Male	0	0	0	0	0
Sub Total	Female	188	0	11	188	188
	Male	148	0	19	148	148
Total		336	0	30	306	306

Table 69: Training provided for the period 1 April 2023 and 31 March 2024

Occupational category	Gender	Number of employees as at 1 April 2023	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	11	0	0	4	4
	Male	19	0	0	7	7
Professionals	Female	92	0	14	54	68
	Male	102	0	17	62	79
Technicians and associate professionals	Female	77	0	40	17	57
	Male	24	0	9	11	20
Clerks	Female	6	0	2	4	6
	Male	3	0	3	3	6
Service and sales workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	0	0	0	0	0
	Male	0	0	0	0	0
Sub Total	Female	188	0	0	0	135
	Male	148	0	0	0	112
Total		336	0	0	0	247

3.10. Injury on duty

The following tables provide basic information on injury on duty.

Table 70: Injury on duty for the period 1 April 2023 and 31 March 2024

Nature of injury on duty	Number	% of total
Required basic medical attention only	1	0.30%
Temporary Total Disablement	0	0%
Permanent Disablement	0	0%
Fatal	0	0%
Total	1	0.30%

3.11. Utilisation of Consultants

The following tables relates information on the utilisation of consultants in the department.

In terms of the Public Service Regulations “consultant” means a natural or juristic person or a partnership who or which provides in terms of a specific contract on an ad hoc basis any of the following professional services to a department against remuneration received from any source:

- (a) The rendering of expert advice;
- (b) The drafting of proposals for the execution of specific tasks; and
- (c) The execution of a specific task which is of a technical or intellectual nature, but excludes an employee of a department.

Table 71: Report on consultant appointments using appropriated funds for the period 1 April 2023 and 31 March 2024

Project title	Total number of consultants that worked on project	Duration (work days)	Contract value in Rand
Employee Health Wellness Programme	Numerous	8 Months	R213 539.76 (April to November 2023)
Employee Health Wellness Programme	Numerous	4 Months	R244 173.12 (Dec 2023 to March 2024)

Total number of projects	Total individual consultants	Total duration Work days	Total contract value in Rand

Consultant above subcontracted individual consultants, the number and details not available to PPSA

Table 72: Report on consultant appointments using appropriated funds for the period 1 April 2023 and 31 March 2024

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that work on the project
Employee Health Wellness Programme	19%	36,9%	1

Table 73: Report on consultant appointments using Donor funds for the period 1 April 2023 and 31 March 2024

Project title	Total Number of consultants that worked on project	Duration (Work days)	Donor and contract value in Rand
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Total number of projects	Total individual consultants	Total duration Work days	Total contract value in Rand
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 74: Analysis of consultant appointments using appropriated funds, in terms of Historically Disadvantaged Individuals (HDIs) for the period 1 April 2023 and 31 March 2024

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that work on the project
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

3.12. Severance Packages

Table 75: Granting of employee initiated severance packages for the period 1 April 2023 and 31 March 2024

Salary band	Number of applications received	Number of applications referred to the MPSA	Number of applications supported by MPSA	Number of packages approved by department
Lower skilled (Levels 1-2)	0	0	0	0
Skilled Levels 3-5)	0	0	0	0
Highly skilled production (Levels 6-8)	0	0	0	0
Highly skilled supervision (Levels 9-12)	0	0	0	0
Senior management (Levels 13-16)	0	0	0	0
Total	0	0	0	0

Part E

PFMA Compliance

I. Information on Irregular, Fruitless and Wasteful, Unauthorized Expenditure and Material Losses

Table 76: Irregular expenditure

Irregular expenditure Reconciliation of irregular expenditure

Description	2023/2024	2022/2023
	R'000	R'000
Opening balance	49 984	30 996
Adjustment to opening balance	0,00	0,00
Opening balance as restated	49 984	30 996
Add: Irregular expenditure confirmed	5 838	18 988
Less: Irregular expenditure condoned	0,00	0,00
Less: Irregular expenditure not condoned and removed	0,00	0,00
Less: Irregular expenditure recoverable	0,00	0,00
Less: Irregular expenditure not recovered and written off	0,00	0,00
Closing balance	55 822	49 984

An extensive explanation of how the irregular expenditure arose is provided in paragraph 4.I of this report, titled Outcome: Clean Audit achieved and maintained. The 69% decrease from the previous year is because of the conclusion and withdrawal of some of the cases for which some legal service providers were appointed, as well as the conclusion of the Section 194 Enquiry.

Reconciling notes to the annual financial statement disclosure

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure that was under assessment	0,00	0,00
Irregular expenditure that relates to prior year and identified in the current year	0,00	0,00
Irregular expenditure for the current year	5 838	18 988
Total	5 838	18 988

b) Details of irregular expenditure (under assessment, determination, and investigation)

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure under assessment	0,00	0,00
Irregular expenditure under determination	0,00	0,00
Irregular expenditure under investigation	0,00	0,00
Total	0,00	0,00

c) Details of irregular expenditure condoned

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure condoned	0,00	0,00
Total	0,00	0,00

d) Details of irregular expenditure removed - (not condoned)

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure NOT condoned and removed	0,00	0,00
Total	0,00	0,00

e) Details of irregular expenditure recoverable

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure NOT condoned and removed	0,00	0,00
Total	0,00	0,00

f) Details of irregular expenditure written off (irrecoverable)

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure recoverable	0,00	0,00
Total	0,00	0,00

f) Details of irregular expenditure written off (irrecoverable)

Description	2023/2024	2022/2023
	R'000	R'000
Irregular expenditure written off	0,00	0,00
Total	0,00	0,00

Additional disclosure relating to Inter-Institutional Arrangements

g) Details of non-compliance cases where an institution is involved in an inter-institutional arrangement (where such institution is not responsible for the non-compliance)

During the reporting period, the institution was not involved in any inter-institutional arrangements, therefore, no non-compliance occurred in relation to inter-institutional arrangements.

h) Details of irregular expenditure cases where an institution is involved in an inter-institutional arrangement (where such institution is responsible for the non-compliance)

i) Details of disciplinary or criminal steps taken as a result of irregular expenditure

As stated in paragraph 4.1 of this report titled Outcome: Clean Audit achieved and maintained, the officials responsible for the procurement of the legal service providers from which the irregular expenditure arose resigned before the beginning of the reporting period, thus no disciplinary steps were taken.

The determination process subsequent to the discovery of the irregular expenditure did not uncover any criminal conduct in the procurement process and evidence was obtained that the Institution received all the services that were procured.

Fruitless and wasteful expenditure

Table 77: Fruitless and wasteful expenditure

a) Reconciliation of Fruitless and wasteful expenditure

Description	2023/2024	2022/2023
	R'000	R'000
Opening balance	2 816	2 662
Adjustment to opening balance	0,00	0,00
Opening balance as restated	2 816	2 662
Add: Fruitless and wasteful expenditure confirmed	208	154
Less: Fruitless and wasteful expenditure recoverable	0,00	0,00
Less: Fruitless and wasteful expenditure not recoverable and written off	0,00	0,00
Closing balance	3 024	2 816

The fruitless and wasteful expenditure arose from payments made to a service provider after some PPSA officials lost cell phones that were allocated to them by the Institution. The expenditure increased by R54 thousand as a result of perishable cleaning materials that were overstocked, reached their expiry dates and became unusable.

Reconciling notes

Description	2023/2024	2022/2023
	R'000	R'000
Fruitless and wasteful expenditure that was under assessment	0,00	0,00
Fruitless and wasteful expenditure that relates to prior year and identified in the current year	0,00	0,00
Fruitless and wasteful expenditure for the current year	208	154
Total	208	154

b) Details of Fruitless and wasteful expenditure (under assessment, determination, and investigation)

Description	2023/2024	2022/2023
	R'000	R'000
Fruitless and wasteful expenditure under assessment	0,00	0,00
Fruitless and wasteful expenditure under determination	0,00	0,00
Fruitless and wasteful expenditure under investigation	0,00	0,00
Total	0,00	0,00

c) Details of Fruitless and wasteful expenditure recoverable

Description	2023/2024	2022/2023
	R'000	R'000
Fruitless and wasteful expenditure recoverable	0,00	0,00
Total	0,00	0,00

d) Details of Fruitless and wasteful expenditure not recoverable written off

Description	2023/2024	2022/2023
	R'000	R'000
Fruitless and wasteful expenditure recoverable	0,00	0,00
Total	0,00	0,00

e) Details of disciplinary or criminal steps taken as a result of Fruitless and wasteful expenditure

No disciplinary steps were taken against any official as the fruitless and wasteful expenditure was under determination at the reporting period.

The determination process was concluded after the reporting period and did not uncover any criminal conduct by any employee, consequently no criminal steps were taken as a result of fruitless and wasteful expenditure.

MATERIAL LOSSES

a) Details of material losses through criminal conduct

Material losses through criminal conduct	2023/2024	2022/2023
	R'000	R'000
Theft	0,00	0,00
Other material losses	0,00	0,00
Less: Recoverable	0,00	0,00
Less: Not recoverable and written off	0,00	0,00
Closing balance	0,00	0,00

b) Details of other material losses

Nature of other material losses	2023/2024	2022/2023
	R'000	R'000
	0,00	0,00
	0,00	0,00
Total	0,00	0,00

c) Other material losses recoverable

Decription	2023/2024	2022/2023
	R'000	R'000
	0,00	0,00
	0,00	0,00
Total	0,00	0,00

d) Other material losses not recoverable and written off

Decription	2023/2024	2022/2023
	R'000	R'000
	0,00	0,00
Total	0,00	0,00

2. Information on Supply Chain Management

Procurement by other means

Table 78: Procurement by other means

In terms of the National Treasury PFMA SCM Instruction no.3 of 2021/2022, if in a specific case, it is impractical to invite competitive bids, the Institution may procure goods or services by other means provided that reasons for deviating from inviting competitive bids must be recorded and approved by the accounting officer.

Procurement by other means includes limited bidding and procurement that occurs in emergency situations and urgent cases.

Limited bidding means a bidding process reserved for a specific group or category of possible suppliers through procurement by:

- Sole source where there is no competition in the market and only one supplier is able to provide the goods or services.
- Single source where a thorough analysis of the market and transparent and equitable pre-selection process is used to decide on one supplier among a few prospective bidders to make a proposal
- Multiple sources where a thorough analysis of the market indicates that there is limited competition and only a few bidders are requested to make a proposal.

An emergency situation is a serious and unexpected situation that poses an immediate risk to health, life, property and environment which calls for urgent action and there is insufficient time to follow a competitive bidding process.

Urgent cases mean cases where early delivery of goods and services is critical and the invitation of competitive bids is either impossible or impractical, not due to improper planning.

No.	Project description	Name of supplier	Type of procurement by other means	Contract number	Value of contract R'000
1	Leasing of office accommodation	Eris Property Group Pty Ltd	Emergency procurement	10854	2 728 204,73
2	Transportation for relocation of Gauteng office	Nomi Projects Pty Ltd	Emergency procurement	10913	211 852,89
3	Re-installation and configuration of the Gauteng office IP telephone system telephones	Innovo Networks	Sole supplier (OEM)	10918	9 312,70
4	Payments of call charges	Innovo Networks	Sole supplier (OEM)	9252	347 873,92
5	Upgrading of Bloemfontein office network line from 6Mbps to 16Mbps	State Information Technology Agency (SITA)	Sole Supplier	n/a	154 526,49
6	Provision of training	State Security Services (SSA)	Sole Supplier	n/a	19 621,00
7	Static security service	Prime African Security	Emergency procurement	n/a	208 428,02
8	Procurement of airtime from community radio station in KwaZulu-Natal Province	Indonsakusa Community Radio t/a Icora FM	Limited bidding	n/a	4 950,00
9	Procurement of airtime from community radio station in KwaZulu-Natal Province	Radio Khwezi	Limited bidding	n/a	8 633,05
10	Procurement of airtime from community radio station in KwaZulu-Natal Province	Pongola FM	Limited bidding	n/a	6 800,00
11	Procurement of airtime from community radio station in KwaZulu-Natal Province	Good News Community Radio	Limited bidding	n/a	6 500,00
12	Procurement of airtime from community radio station in KwaZulu-Natal Province	Nongoma FM	Limited bidding	n/a	5 450,00
13	Procurement of airtime from community radio station in KwaZulu-Natal Province	Nqubeko Community Radio	Limited bidding	n/a	8 000,00
14	Annual License Fee 1 March 2024 to 28 February 2025	Sage South Africa (Pty) Ltd	Sole Supplier	n/a	169 866,50
15	Renewal of PPSA Entrust Secure Socket Layer (SSL) digital certificates	Altron Security	Sole Supplier	0670	7 404,03

16	Provision of training for Advanced IT Application Controls Identification & Auditing	Leadership Academy for Guardians of Governance	Sole Supplier	10674	40 641,00
17	Provision of training and certification for IA official	The Institute of Internal Auditors South Africa (IIA SA)	Sole Supplier	0760	7 392,70
18	AGA Full Membership - 2024 SAICA Membership Fee	The South African Institute of Chartered Accountants (SAICA)	Sole Supplier	n/a	4 778,22
19	IOI Membership Fee	International Ombudsman Institute	Sole Supplier	n/a	31 328,85
20	Annual Member Fee	South African Institute of Professional Accountants (SAIPA)	Sole Supplier	n/a	8 127,74
21	Renewal of the licences for CaseWare Working Papers	Adapt IT Holdings Ltd	Sole Supplier	n/a	107 650,70
22	Renewal of membership for Internal Audit officials	The Institute of internal Auditors	Limited bidding	n/a	11 833,50
23	Approval of membership for Risk Management official	The Institute of Risk Management South Africa	Limited bidding	n/a	1 972,00
24	Procurement of airtime from community radio station in Eastern Cape Province	Imbeko Media and Arts Agency t/a Mdantsane FM	Limited bidding	n/a	9 500,00
25	Procurement of airtime from community radio station in Eastern Cape Province	Nkqubela Community Radio	Limited bidding	n/a	9 000,00
26	Procurement of airtime from community radio station in Eastern Cape Province	Vukani Community Radio	Limited bidding	n/a	9 660,00
27	Procurement of airtime from community radio station in Eastern Cape Province	Unitra Community Radio (UCR)-FM	Limited bidding	n/a	6 000,00
28	Procurement of airtime from community radio station in KwaZulu-Natal Province	Indonsakusa Community Radio t/a Icora FM	Limited bidding	n/a	5 260,00
29	Procurement of airtime from community radio station in KwaZulu-Natal Province	Radio Khwezi	Limited bidding	n/a	8 633,05
30	Procurement of airtime from community radio station in KwaZulu-Natal Province	Ulundi Christian Community Radio Station t/a Nguna FM	Limited bidding	n/a	6 000,00
31	Procurement of airtime from community radio station in KwaZulu-Natal Province	Izwi Lomzansi	Limited bidding	n/a	15 600,00
32	Procurement of airtime from community radio station in KwaZulu-Natal Province	Nqubeko Community Radio	Limited bidding	n/a	6 600,00

33	Procurement of airtime from community radio station in Gauteng Province	Youth Empowerment Network t/a Eldos FM	Limited bidding	n/a	9 600,00
34	Procurement of airtime from community radio station in Gauteng Province	Mams Radio	Limited bidding	n/a	9 000,00
35	Procurement of airtime from community radio station in Gauteng Province	Rainbow Community Radio	Limited bidding	n/a	6 900,00
36	Procurement of airtime from community radio station in Gauteng Province	Pheli FM	Limited bidding	n/a	6 000,00
37	Procurement of airtime from community radio station in Limpopo Province	Giyani Community Radio (GCR FM)	Limited bidding	n/a	8 000,00
38	Procurement of airtime from community radio station in Limpopo Province	Mohodi Community Radio	Limited bidding	n/a	8 000,00
39	Procurement of airtime from community radio station in Limpopo Province	Moutse Community Radio	Limited bidding	n/a	6 000,00
40	Procurement of airtime from community radio station in Mpumalanga Province	Moutse Community Radio	Limited bidding	n/a	12 000,00
41	Procurement of airtime from community radio station in Mpumalanga Province	Ligwa Community FM	Limited bidding	n/a	10 000,00
42	Procurement of airtime from community radio station in Mpumalanga Province	Voice of Hope Izwi Lethemba	Limited bidding	n/a	5 000,00
43	Procurement of airtime from community radio station in Mpumalanga Province	Mkhondo Community Radio	Limited bidding	n/a	10 000,00
44	Procurement of airtime from community radio station in Northwest Province	Mmabatho FM	Limited bidding	n/a	6 000,00
45	Procurement of airtime from community radio station in Northwest Province	Modiri	Limited bidding	n/a	5 000,00
46	Procurement of airtime from community radio station in Northwest Province	Vaaltar FM Community Radio Station	Limited bidding	n/a	7 000,00
47	Procurement of airtime from community radio station in Northwest Province	Aganang Community Radio Station	Limited bidding	n/a	6 000,00
48	Procurement of airtime from community radio station in Northwest Province	Star FM	Limited bidding	n/a	6 000,00
49	Procurement of airtime for community radio stations in Free State Province	Qwa-Qwa Radio	Limited bidding	n/a	16 100,00
					4 324 001

The number of cases where procurement by other means decreased by 49% from 96 in the previous year to 49 in the year under review and in monetary terms, decreased by 66% from R12,8 million in the previous year to R4,3 million. The decrease is attributed to concerted efforts to minimise emergency procurement and as far as practicably possible use competitive bidding process in the acquisition of goods and services. Proper planning was key in this regard as it enabled the Institution sufficient time to follow a competitive procurement process.

Table 79: Contract variations and expansions

Project description	Name of supplier	Contract modification type (Expansion or Variation)	Contract No.	Original Contract Value	Value of previous contract (Expansion or Variation)	Value of current contract (Expansion or Variation)
Provision of legal services	Strauss Daly Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Phatsoane Henney Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Seanego Incorporated	Contract expansion	0	0	0	0
Provision of legal services	M B Mabunda incorporated	Contract expansion	0	0	0	0
Provision of legal services	Nompumelelo Hadebe	Contract expansion	0	0	0	0
Provision of legal services	H M Chaane Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Gildenhuis Malatji	Contract expansion	0	0	0	0
Provision of legal services	Motsoeneng Bill Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Mogaswa And Associates	Contract expansion	0	0	0	0
Provision of legal services	Hughes-Madondo Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Lucky Thekisho incorporated attorneys	Contract expansion	0	0	0	0
Provision of legal services	Govindasamy Ndzingi & Govender inc	Contract expansion	0	0	0	0
Provision of legal services	Pather and Pather attorneys inc	Contract expansion	0	0	0	0
Provision of legal services	Gray Moodliar inc attorneys	Contract expansion	0	0	0	0
Provision of legal services	Dwarika, Naidoo and company	Contract expansion	0	0	0	0
Provision of legal services	Mamatela Attorneys inc	Contract expansion	0	0	0	0
Provision of legal services	Sigama Attorneys inc	Contract expansion	0	0	0	0
Provision of legal services	Madiba Motsai Masitenyane and Githiri attorneys inc	Contract expansion	0	0	0	0
Provision of legal services	Gwabeni incorporated attorneys	Contract expansion	0	0	0	0

Provision of legal services	Maguga attorneys inc	Contract expansion	0	0	0	0
Provision of legal services	NN Mahumani INC	Contract expansion	0	0	0	0
Provision of legal services	Bafana Ncube Incorporated attorneys	Contract expansion	0	0	0	0
Provision of legal services	Nkosi Sabelo incorporated	Contract expansion	0	0	0	0
Provision of legal services	Moeti Kanyane	Contract expansion	0	0	0	0
Provision of legal services	Mncedisi Ndlovu and Sedumedi attorneys	Contract expansion	0	0	0	0
Provision of legal services	Borman Dumazitha Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Mkhabela Huntley attorneys	Contract expansion	0	0	0	0
Provision of legal services	Popela Maake incorporated	Contract expansion	0	0	0	0
Provision of legal services	Phoswa Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Livingston Leandy Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Mphaphuli Mudzunga Tshinetise Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Sithole Mokomane Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Taleni Godi Kupiso Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Saljee Govender Van der Merwe Incorporated	Contract expansion	0	0	0	0
Provision of legal services	Macrobert Incorporated Attorneys	Contract expansion	0	0	0	0
Provision of legal services	Mathopo Moshimane Mulangaphuma Incorporated Practising as DM5 Incorporated	Contract expansion	0	0	0	0
Leasing and monitoring of the video-fide alarm systems	Fidelity ADT & Technical (Pty) Ltd	Contract expansion	8234	R 1 787 994	0	R 264 765

The above table includes legal service providers who were appointed as part of the panel in 2018/2019 to provide legal services to the PPSA. The contract ended in 2022/2023 and was extended as the Institution was still engaged in the process of constituting a new panel. However, their services were not utilised during the reporting period, hence the zero values. This disclosure is in line with the Treasury Instruction Note on extension of contracts

PART F

Financial Information

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

General Information

Nature of business and principal activities	The Public Protector is an independent institution established in terms of section 181 of the Constitution, the Public Protector has the power, as regulated by national legislation, to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to have resulted in any impropriety or prejudice, to report on that conduct and to take appropriate remedial action, in order to strengthen and support constitutional democracy in the Republic. The Public Protector is accountable to the Parliament of South Africa.
Business address	175 Lunnon Street Hillcrest Office Park 0083
Postal address	Private Bag X677 Pretoria 0001
Bankers	Standard Bank of South Africa
Auditors	Auditor General of South Africa

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

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Abbreviations and Acronyms

Abbreviations used:

AGSA	Auditor General South Africa
AORC	African Ombudsman Research Centre
DoJ&CD	Department of Justice and Constitutional Development
GEPF	Government Employee Pension Fund
GRAP	Generally Recognised Accounting Practice
IAS	International Accounting Standards
MTEF	Medium Term Expenditure Framework
PP	Public Protector
PPSA	Public Protector South Africa
SASSETA	South African Security Sector Education Training Authority

Report of the Auditor-General

Report of the auditor-general to Parliament on Public Protector South Africa

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of the Public Protector South Africa set out on pages 136 to 188, which comprise the statement of financial position as at 31 March 2024, statement of financial performance, statement of changes in net assets, cash flow statement and of statement of comparison of budget and actual amounts for the year ended, as well as notes to the financial statements, including a summary of significant accounting policies.

2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Public Protector South Africa as at 31 March 2024 and its financial performance and cash flows for the year then ended in accordance with the Standards of Generally Recognised Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the responsibilities of the auditor-general for the audit of the financial statements section of my report.

4. I am independent of the constitutional institution in accordance with the International Ethics Standards Board for Accountants' International code of ethics for professional accountants (including International Independence Standards) (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.

5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of matter

6. I draw attention to the matter below. My opinion is not modified in respect of this matter.

Irregular expenditure

7. As disclosed in note 29 to the financial statements, Irregular expenditure of R5 838 198 was incurred, due to non-rotation of legal suppliers for consulting and professional fees.

Responsibilities of the accounting officer for the financial statements

8. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA; and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

9. In preparing the financial statements, the accounting officer is responsible for assessing the constitutional institution's ability to continue as a going concern; disclosing, as applicable, matters relating to going concern; and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the constitutional institution or to cease operations, or has no realistic alternative but to do so.

Report of the Auditor-General

Responsibilities of the auditor-general for the audit of the financial statements

10. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

11. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report. This description, which is located at page 133 and 134, forms part of our auditor's report.

Report on the annual performance report

12. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance information against predetermined objectives for the selected material performance indicators presented in the annual performance report. The accounting officer is responsible for the preparation of the annual performance report.

13. I selected the following material performance indicators related to programme 2 - Investigations presented in the annual performance report for the year ended 31 March 2024. I selected those indicators that measure the constitutional institution's performance on its primary mandated functions and that are of significant national, community or public interest.

- Number of cases finalised through investigations
- Number of case finalised by means of advice given/assistance rendered
- Percentage of adherence to turnaround times in finalisation of cases
- Number of systemic investigations/interventions finalised

14. I evaluated the reported performance information for the selected material performance indicators against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on the constitutional institution's planning and delivery on its mandate and objectives.

15. I performed procedures to test whether:

- the indicators used for planning and reporting on performance can be linked directly to the constitutional institution's mandate and the achievement of its planned objectives
- all the indicators relevant for measuring the constitutional institution's performance against its primary mandated and prioritised functions and planned objectives are included
- the indicators are well defined to ensure that they are easy to understand and can be applied consistently, as well as verifiable so that I can confirm the methods and processes to be used for measuring achievements
- the targets can be linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
- the indicators and targets reported on in the annual performance report are the same as those committed to in the approved initial or revised planning documents
- the reported performance information presented in the annual performance report in the prescribed manner.

Report of the Auditor-General

• there is adequate supporting evidence for the achievements reported and for the reasons provided for any over or underachievement of targets.

16. I performed the procedures to report material findings only; and not to express an assurance opinion or conclusion.

17. I did not identify any material findings on the reported performance information for the selected indicators.

Other matters

18. I draw attention to the matters below.

Achievement of planned targets

19. The annual performance report includes information on reported achievements against planned targets and provides explanations for over or underachievement.

20. The table that follows provides information on the achievement of planned targets and lists the key service delivery indicator that was not achieved as reported in the annual performance report. The reasons for any underachievement of targets are included in the annual performance report on page 64.

Programme 2 – Investigations

Targets achieved: 75% Budget spent: 97%		
Key service delivery indicator not achieved	Planned target	Reported achievement
Number of Systemic investigations/interventions finalised	Finalise 2 systemic investigations/interventions by 31 March 2024	1 Systemic investigation finalised

Report on compliance with legislation

21. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting officer is responsible for the constitutional institution's compliance with legislation.

22. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.

23. Through an established AGSA process, I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the constitutional institution, clear to allow consistent measurement and evaluation, while also sufficiently detailed and readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.

24. The material finding on compliance with the selected legislative requirements, presented per compliance theme, is as follows:

Public Protector South Africa

Report of the Auditor-General

Consequence management

25. I was unable to obtain sufficient appropriate audit evidence that disciplinary steps were taken against officials who had incurred irregular expenditure as required by section 38(1)(h)(iii) of the PFMA. This was due to proper and complete records that were not maintained as evidence to support the investigations into irregular expenditure.

Other information in the annual report

26. The accounting officer is responsible for the other information included in the annual report. The other information referred to does not include the financial statements, the auditor's report and those selected material indicators in the scoped-in programme presented in the annual performance report that have been specifically reported on in this auditor's report.

27. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.

28. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected material indicators in the scoped-in programme presented in the annual performance report or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

29. If, based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact.

30. I have nothing to report in this regard.

Internal control deficiencies

31. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with applicable legislation; however, my objective was not to express any form of assurance on it.

32. The matter reported below is limited to the significant internal control deficiencies that resulted in the material finding on compliance with legislation included in this report.

33. The management of PPSA did not ensure that internal controls were designed adequately as they did not implement the PMFA Compliance and Reporting Framework to demonstrate how the PPSA investigated instances of the prior year irregular expenditure to determine if disciplinary steps needed to be taken against responsible officials.

Auditor - General

Pretoria
31 July 2024



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Report of the Auditor-General

Annexure to the auditor's report

The annexure includes the following:

- The auditor-general's responsibility for the audit
- The selected legislative requirements for compliance testing

Auditor-general's responsibility for the audit

Professional judgement and professional skepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected material performance indicators and on the constitutional institution's compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the constitutional institution's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made
- conclude on the appropriateness of the use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the constitutional institution to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a constitutional institution to cease operating as a going concern
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Report of the Auditor-General

Communication with those charged with governance

I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence and communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

Compliance with legislation – selected legislative requirements

Legislation	Sections or regulations
Public Finance Management Act 1 of 1999	Section 38(1)(b); 38(1)(c)(ii); 38(1)(d); 38(1)(h)(iii); Section 38(1)(j); 40(1)(a); 40(1)(b); 40(1)(c)(i); Section 44(1); 44(2); 45(b)
Treasury Regulations, 2005	Regulation 4.1.1; 4.1.3; 5.1.1; 5.2.1; 5.2.3(a); Regulation 5.2.3(d); 5.3.1; 8.1.1; 8.2.1; 8.2.2; Regulation 8.2.3; 8.4.1; 9.1.1; 9.1.4; 10.1.1(a); Regulation 10.1.2; 12.5.1; 15.10.1.2(c); 16A3.2; Regulation 16A 3.2(a); 16A6.1; 16A6.2(a); Regu- lation 16A6.2(b); 16A6.3(a); Regulation 16A6.3(c); 16A6.3(e); 16A 6.4; 16A 6.5; Regulation 16A6.6; 16A7.1; 16A7.3; 16A7.6; Regulation 16A7.7; 16A8.3; 16A8.4; 16A9.1(b)(ii); Regulation 16A9.1(d); 16A9.1(e); 16A9.1(f); Regulation 16A9.2(a)(iii); Regulation 17.1.1; 18.2; 19.8.4
Construction Industry Development Board Act 38 of 2000	Section 18(1)
Construction Industry Development Board Regulations 2004	Regulation 17; 25(7A)
Second amendment National Treasury Instruction No. 5 of 2020/21	Paragraph 1
Erratum National Treasury Instruction No. 5 of 2020/21	Paragraph 2
National Treasury Instruction No. 5 of 2020/21	Paragraph 4.8; 4.9
National Treasury Instruction No. 1 of 2021/22	Paragraph 4.1
National Treasury SCM Instruction No. 4A of 2016/17	Paragraph 6
National Treasury SCM Instruction No. 03 of 2021/22	Paragraph 4.1; 4.2(b); 7.2
National Treasury SCM Instruction No. 2 of 2021/22	Paragraph 3.2.1; 3.2.4; 3.2.4(b) ; 3.3.1
Practice Note 5 of 2009/10	Paragraph 3.3
Preferential Procurement Policy Framework Act 5 of 2000	Section 1; 2.1(a); 2.1(f)
Preferential Procurement Regulations, 2022	Regulation 4.4; 5.4
Preferential Procurement Regulation, 2017	Regulation 4.1; 4.2; 5.1; 5.3; 5.6; 5.7 Regulation 6.8; 7.8: Regulation 8.2; 8.5; 9.1; 10.1; 10.2; 11.1
Prevention and Combating of Corrupt Activities Act 12 of 2004	Section 34(1)

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Responsibilities and Approval

The Chief Executive Officer (CEO) is required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and is responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is the responsibility of the CEO to ensure that the annual financial statements fairly present the state of affairs of the institution as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the annual financial statements and were given unrestricted access to all financial records and related data.

The annual financial statements have been prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) including any interpretations, guidelines and directives issued by the Accounting Standards Board.

The annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The CEO acknowledges that she is ultimately responsible for the system of internal financial control established by the institution and places considerable importance on maintaining a strong control environment. To enable the CEO to meet these responsibilities, the Executive Authority sets standards for internal control aimed at reducing the risk of error or deficit in a cost effective manner. The standards include proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the institution and all employees are required to maintain the highest ethical standards in ensuring the institution's business is conducted in a manner that is above reproach in all reasonable circumstances. The focus of risk management in the institution is on identifying, assessing, managing and monitoring all known forms of risk across the institution. While operating risk cannot be fully eliminated, the institution endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The CEO is of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or deficit.

The CEO has reviewed the institution's cash flow forecast for the year to 31 March 2025 and, in the light of this review and the current financial position she is satisfied that the institution has or has access to adequate resources to continue in operational existence for the foreseeable future.

The institution receives a grant from National Treasury through the Department of Justice and Constitutional Development (DoJ&CD) for continued funding of operations. The annual financial statements are prepared on the basis that the institution is a going concern and that it has neither the intention nor the need to liquidate or curtail materially the scale of its operations.

The annual financial statements set out from page 136-188, which have been prepared on the going concern basis, were approved on July 31, 2024 and were signed off by:



Chief Executive Officer

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Statement of Financial Position as at 31 March 2024

Figures in Rand

		2024	2023 Restated*
Assets			
Current Assets			
Prepayments	7	2 449 386	1 569 859
Receivables from exchange transactions	8	702 351	615 987
Receivables from non-exchange transactions	9	179 291	69 487
Cash and cash equivalents	10	104 858 652	126 214 081
		108 189 680	128 469 414
Non-Current Assets			
Property, plant and equipment	3	31 022 264	14 441 050
Intangible assets	4	1 026 751	1 153 173
		32 049 015	15 594 223
Total Assets		140 238 695	144 063 637
Liabilities			
Current Liabilities			
Payables from exchange transactions	5	15 751 268	36 332 638
Employee benefit obligations	6	133 000	95 000
Finance lease obligations	11	639 329	1 619 900
Provisions	12	25 452 852	34 414 049
Transfer payable (non-exchange)		171 725	98 128
		42 148 174	72 559 715
Non-Current Liabilities			
Employee benefit obligations	6	10 328 000	11 880 000
Finance lease obligations	11	93 568	726 158
Provisions	12	3 149 395	-
		13 570 963	12 606 158
Total Liabilities		55 719 137	85 165 873
Net Assets		84 519 558	58 897 764
Accumulated surplus		84 519 558	58 897 764
Total Net Assets		84 519 558	58 897 764

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Statement of Financial Performance

Figures in Rand		2024	2023 Restated*
Revenue			
Revenue from exchange transactions			
Reversal of impairment loss	8	88 778	-
Recoveries of legal fees		832 513	-
Internship stipends recoverable		-	210 000
Sundry income	13	419 472	1 411 230
Interest received		9 118 752	5 665 787
Actuarial gains	6	3 664 000	2 054 300
Total revenue from exchange transactions		14 123 515	9 341 317
Revenue from non-exchange transactions			
Transfer revenue			
Government grants & subsidies		357 261 000	377 928 000
Revenue - services in kind	14	13 035 886	12 305 034
Total revenue from non-exchange transactions		370 296 886	390 233 034
Total revenue		384 420 401	399 574 351
Expenditure			
Impairment loss	8	-	(155 593)
Staff costs	15	(264 273 920)	(266 877 985)
Depreciation and amortisation	16	(6 221 421)	(5 839 739)
Finance costs	17	(1 540 911)	(1 476 943)
Loss on disposal of assets and liabilities		(436 795)	(254 930)
Administrative expenses	18	(86 325 560)	(119 666 578)
Total expenditure		(358 798 607)	(394 271 768)
Surplus for the year ended 31 March 2024		25 621 794	5 302 583

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Statement of Changes in Net Assets

Figures in Rand	Accumulated surplus / deficit	Total net assets
Balance at 01 April 2022	53 595 180	53 595 180
Surplus as previously stated	9 722 247	9 722 247
Correction of error	(4 419 663)	(4 419 663)
Surplus for the year as restated	5 302 584	5 302 584
Restated Balance at 01 April 2023	58 897 764	58 897 764
Surplus for the year	25 621 794	25 621 794
Total changes	25 621 794	25 621 794
Balance at 31 March 2024	84 519 558	84 519 558

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Cash Flow Statement

Figures in Rand	2024	2023 Restated*
Cash flows from operating activities		
Receipts		
Grants	357 261 000	378 138 000
Interest income	9 065 647	5 351 215
Other receipts	1 524 789	4 843 672
	367 851 436	388 332 887
Payments		
Staff costs	(267 537 626)	(270 591 687)
Suppliers	(96 911 715)	(97 449 239)
	(364 449 341)	(368 040 926)
Net cash flows from operating activities	3 402 095	20 291 961
Cash flows from investing activities		
Purchase of property, plant and equipment	(23 160 452)	(4 771 536)
Proceeds from sale of property, plant and equipment	141 000	4 300
Purchase of other intangible assets	-	(1 042 974)
Net cash flows from investing activities	(23 019 452)	(5 810 210)
Cash flows from financing activities		
Finance lease obligation	(1 613 161)	(1 570 225)
Finance costs	(124 911)	(191 943)
Net cash flows from financing activities	(1 738 072)	(1 762 168)
Net increase/(decrease) in cash and cash equivalents	(21 355 429)	12 719 583
Cash and cash equivalents at the beginning of the year	126 214 081	113 494 498
Cash and cash equivalents at the end of the year	104 858 652	126 214 081

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Statement of Comparison of Budget and Actual Amounts

Budget on Accrual Basis

	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
Figures in Rand						
Statement of Financial Performance						
Revenue						
Revenue from exchange transactions						
Recoveries of legal fees	-	-	-	832 513	832 513	1 (Note 30)
Reversal of impairment loss	-	-	-	88 778	88 778	2 (Note 30)
Sundry income	177 000	-	177 000	419 472	242 472	3 (Note 30)
Interest received	2 948 000	-	2 948 000	9 118 752	6 170 752	4 (Note 30)
Total revenue from exchange transactions	3 125 000	-	3 125 000	10 459 515	7 334 515	
Revenue from non-exchange transactions						
Transfer revenue						
Government grants & subsidies	357 261 000	-	357 261 000	357 261 000	-	
Revenue - services in kind	-	-	-	13 035 886	13 035 886	5 (Note 30)
Total revenue from non-exchange transactions	357 261 000	-	357 261 000	370 296 886	13 035 886	
Total revenue	360 386 000	-	360 386 000	380 756 401	20 370 401	
Expenditure						
Staff cost	(276 125 126)	-	(276 125 126)	(264 273 920)	11 851 206	6 (Note 30)
Depreciation and amortisation	(4 326 945)	-	(4 326 945)	(6 221 421)	(1 894 476)	7 (Note 30)
Finance costs	-	-	-	(1 540 911)	(1 540 911)	8 (Note 30)
Administrative expenses	(79 933 929)	-	(79 933 929)	(86 325 560)	(6 391 631)	9 (Note 30)
Total expenditure	(360 386 000)	-	(360 386 000)	(358 361 812)	2 024 188	
Operating surplus	-	-	-	22 394 589	22 394 589	
Loss on disposal of assets and liabilities	-	-	-	(436 795)	(436 795)	10 (Note 30)
Actuarial gains/losses	-	-	-	3 664 000	3 664 000	11 (Note 30)
	-	-	-	3 227 205	3 227 205	
Surplus before taxation	-	-	-	25 621 794	25 621 794	
Actual Amount on Comparable Basis as Presented in the Budget and Actual Comparative Statement	-	-	-	25 621 794	25 621 794	

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

Figures in Rand	2024	2023
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I. Presentation of annual financial statements

The annual financial statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board in accordance with Section 89(1) of the Public Finance Management Act (Act 1 of 1999).

The financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention as the basis of measurement, unless specified otherwise.

Assets, liabilities, revenues and expenses were not offset, except where offsetting is either required or permitted by a Standard of GRAP.

A summary of the significant accounting policies, which have been consistently applied in the preparation of these annual financial statements, are disclosed below.

I.1 Presentation currency

These annual financial statements are presented in South African Rand, which is the functional currency of the institution. The figures have been rounded off to the nearest rand.

I.2 Going concern assumption

The annual financial statements have been prepared based on the expectation that the institution will continue to operate as a going concern for at least the next 12 months.

The going concern basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

I.3 Significant judgements and sources of estimation uncertainty

In preparing the annual financial statements, management is required to make estimates and assumptions that affect the amounts presented in the annual financial statements and related disclosures. Use of available information and the application of judgement is inherent in the formation of estimates. Actual results in the future could differ from these estimates which may be material to the annual financial statements. Information about significant areas of estimation, uncertainty and critical judgements in applying accounting policies that have the most significant effect on the amounts recognised in the financial statements is given in the following notes:

Leave and bonus provision

The liability for accumulated leave and bonus provision is recognised and measured at the estimated future cash flows to be made in respect of all employees at the reporting date.

Useful lives and depreciation methods and asset impairment

Depreciation and amortisation recognised on property and equipment and intangible assets are determined with reference to the useful lives and residual values of the underlying items. The useful lives and residual values of assets are based on management's estimation of the asset's condition, expected condition at the end of the period of use, its current use and expected future use and the institution's expectations about the availability of finance to replace the asset at the end of its useful life. In evaluating the condition and use of the asset that informs the useful life and residual value, management considers the impact of technology and minimum service requirements of the assets.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.3 Significant judgements and sources of estimation uncertainty (continued)

Post-retirement benefits obligations

The present value of the post-retirement obligation depends on a number of factors that are determined on an actuarial basis using a number of assumptions. The assumptions used in determining the net cost (income) include the discount rate. Any changes in these assumptions will impact on the carrying amount of post-retirement obligations.

The institution determines the appropriate discount rate at the end of each year. This is the interest rate that should be used to determine the present value of estimated future cash outflows expected to be required to settle post retirement medical obligations. In determining the appropriate discount rate, the institution considers the interest rates of high-quality corporate bonds that are denominated in the currency in which the benefits will be paid, and that have terms to maturity approximating the terms of the related post-retirement medical liability.

1.4 Property, plant and equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the supply of services or for administrative purposes and are expected to be used during more than one accounting period.

Recognition

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the institution; and
- its cost can be measured reliably.

The cost is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

Where an asset is acquired through a non-exchange transaction, its cost is its fair value as at date of acquisition.

When significant components of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components) of property, plant and equipment.

Measurement

Property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses.

Depreciation

Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life. The depreciable amount is the cost of an asset or other amount substituted for its costs less its residual value.

The depreciation method used reflects the pattern in which the asset's future economic benefits or service potential are expected to be consumed by the institution. The depreciation method applied to an asset is reviewed at least at each reporting date and, if there has been a significant change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the method is changed to reflect the changed pattern. Such a change is accounted for as a change in an accounting estimate.

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Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.4 Property, plant and equipment (continued)

The depreciation charge for each period is recognised in the surplus or deficit unless it is included in the carrying amount of another asset.

Property, plant and equipment are depreciated on the straight-line basis over their expected useful lives to their estimated residual value as follows:

Item	Depreciation method	Average useful life
Furniture and fixtures	Straight-line	9 - 27 years
Motor vehicles	Straight-line	5 - 9 years
Office equipment	Straight-line	5 - 27 years
Leasehold improvements - Buildings	Straight-line	3 - 25 years
Computer equipment	Straight-line	4 - 16 years
Other leased Assets	Straight-line	3 Years / Lease term

The depreciable amount of an asset is allocated on a systematic basis over its useful life, leasehold improvements also take into consideration the lease term.

The useful lives of other leased assets are determinable by the lease term.

Derecognition

Items of property, plant and equipment are derecognised when the asset is disposed of or when there are no further economic benefits or service potential expected to be derived from the use of the asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item and is included in the surplus or deficit for the year in which the item is derecognised.

1.5 Intangible assets

An intangible asset is an identifiable non-monetary asset without physical substance.

An asset is identifiable if it either:

- is separable, i.e. is capable of being separated or divided from an institution and sold, transferred, licensed, rented or exchanged, either individually or together with a related contract, identifiable assets or liability, regardless of whether the institution intends to do so; or
- arises from binding arrangements (including rights from contracts), regardless of whether those rights are transferable or separable from the institution or from other rights and obligations.

A binding arrangement describes an arrangement that confers similar rights and obligations on the parties to it as if it were in the form of a contract.

Recognition

An intangible asset is recognised when:

- it is probable that the expected future economic benefits or service potential that are attributable to the asset will flow to the institution; and
- the cost or fair value of the asset can be measured reliably.

The institution assesses the probability of expected future economic benefits or service potential using reasonable and supportable assumptions that represent management's best estimate of the set of economic conditions that will exist

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.5 Intangible assets (continued)

over the useful life of the asset.

Where an intangible asset is acquired through a non-exchange transaction, its initial cost at the date of acquisition is measured at its fair value as at that date.

Expenditure on research (or on the research phase of an internal project) is recognised as an expense when it is incurred. An intangible asset arising from development (or from the development phase of an internal project) is recognised when:

- it is technically feasible to complete the asset so that it will be available for use or sale.
- there is an intention to complete and use or sell it.
- it will generate probable future economic benefits or service potential.
- there is an ability to use or sell it.
- there are available technical, financial and other resources to complete the development and to use or sell the asset.
- the expenditure attributable to the asset during its development can be measured reliably.

Measurement

Intangible assets are carried at cost less any accumulated amortisation and any impairment losses except for intangible assets that have indefinite life that are not amortised but are carried at cost less any accumulated impairment losses.

Amortisation

Amortisation is the systematic allocation of the depreciable amount of an intangible asset over its useful life.

An intangible asset is regarded as having an indefinite useful life when, based on all relevant factors, there is no foreseeable limit to the period over which the asset is expected to generate net cash inflows or service potential. Amortisation is not provided for such intangible assets, but they are tested for impairment annually and whenever there is an indication that the asset may be impaired. For all other intangible assets amortisation is provided on a straight-line basis over their useful life.

The amortisation period and the amortisation method for intangible assets are reviewed at each reporting date.

Reassessing the useful life of an intangible asset with a finite useful life after it was classified as indefinite is an indicator that the asset may be impaired. As a result, the asset is tested for impairment and the remaining carrying amount is amortised over its useful life.

Amortisation is provided to write down the intangible assets, on a straight-line basis, to their residual values as follows:

Item	Depreciation method	Average useful life
Internally generated Case Management System	-	Infinite
Computer software, other	Straight-line	4 - 13 Years

Derecognition

Intangible assets are derecognised:

- on disposal; or
- when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of intangible assets is included in the surplus or deficit for the period in which the asset is derecognised (unless the Standard of GRAP on leases requires otherwise on a sale and leaseback).

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Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.6 Financial instruments

A financial instrument is any contract that gives rise to a financial asset of one institution and a financial liability or a residual interest of another institution.

A financial asset is:

- cash;
- a residual interest of another institution; or
- a contractual right to:
 - receive cash or another financial asset from another institution; or
 - exchange financial assets or financial liabilities with another institution under conditions that are potentially favourable to the institution.

A financial liability is any liability that is a contractual obligation to:

- deliver cash or another financial asset to another institution; or
- exchange financial assets or financial liabilities under conditions that are potentially unfavourable to the Institution.

The financial instruments held by the institution mainly comprise of cash and cash equivalents, receivables from exchange transactions, payables from exchange transactions, transfer payables(non-exchange) and lease contracts.

Initial recognition

At initial recognition, an institution may designate a non-derivative financial instrument with fixed or determinable payment at fair value under the following circumstances:

- (a) It may designate non-derivative financial assets with fixed or determinable payments at fair value. An Institution is required to disclose the criteria used to make such a designation in its accounting policies.
- (b) It may only designate non-derivative financial liabilities with fixed or determinable payment at fair value if such a designation eliminates or significantly reduces a measurement or recognition inconsistency (referred to as an “accounting mismatch”) that would otherwise arise from measuring assets or liabilities or recognising gains and losses on them on different bases.

Financial instruments at amortised cost are non-derivative financial assets or non-derivative financial liabilities that have fixed or determinable payments, excluding those instruments that:

- the institution designates at fair value at initial recognition; or
- are held for trading.

The Institution recognises a financial asset or a financial liability in its statement of financial position when it becomes a party to the contractual provisions of the instrument.

Initial measurement of financial assets and financial liabilities

The Institution measures a financial asset and financial liability initially at its fair value plus transaction costs that are directly attributable to their acquisition or issue.

Subsequent measurement of financial assets and financial liabilities

The institution measures all financial assets and financial liabilities after initial recognition using the amortised cost. All financial assets measured at amortised cost, or cost, are subject to an impairment review.

The amortised cost of a financial asset or financial liability is the amount at which the financial asset or financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortisation using the effective interest method of any difference between that initial amount and the maturity amount, and minus any

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.6 Financial instruments (continued)

reduction (directly or through the use of an allowance account) for impairment or non-collectability.

Receivables from exchange transactions

Trade and other receivables classified as loans and receivables are initially measured at fair value plus transaction costs and subsequently measured at amortised cost using the effective interest rate method. Appropriate allowances for estimated irrecoverable amounts are recognised in the profit or loss for the period when there is objective evidence that the asset is impaired.

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction.

Payables from exchange transactions

Trade and other payables are initially measured at fair value plus transaction costs and subsequently measured at amortised cost using the effective interest rate method.

Transfer payable (non-exchange)

Transfer payable (non-exchange) is initially measure at amortised cost. The amortised cost of a financial liability is the amount at which the financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortisation.

The institution is a member of the African Ombudsman & Mediators Association (AOMA) whose research centre, the African Ombudsman Research Centre (AORC) is based in South Africa. The institution holds a bank account on behalf of AORC to which its members deposits membership fees that the Institution pays over to University of Kwa-Zulu Natal.

Cash and cash equivalents

Cash and cash equivalents comprises of cash on hand, on deposit and other short-term readily realisable liquid instruments. Cash and cash equivalents that have been classified as loans and receivables are initially measured at fair value plus transaction costs and subsequently at amortised cost.

Impairment and non-collectability of financial assets

At the end of the reporting period, the Institution assesses all financial assets, other than those carried at fair value, to determine whether there is objective evidence that a financial asset or group of financial assets had been impaired. For amounts due to the institution, significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy and default on payments are all considered indicators of impairment.

Gains and losses

- A gain or loss arising from a change in the fair value of a financial asset or financial liability measured at fair value is recognised in surplus or deficit.
- Impairment losses are recognised as a reduction to the surplus. Impairment losses are reversed when an increase in the financial asset's recoverable amount can be related objectively to an event occurring after the impairment was recognised, subject to restriction that the carrying amount of the financial asset at the date that the impairment is reversed shall not exceed what the carrying amount would have been had the impairment not been recognised. Reversals of impairment losses are recognised in the surplus.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.6 Financial instruments (continued)

Derecognition

Derecognition is the removal of a previously recognised financial asset or financial liability from an institution's statement of financial position.

Financial asset; the institution derecognises a financial asset only when:

- the contractual rights to the cash flows from the financial asset expire, are settled or waived;
- the institution transfers to another party substantially all of the risks and rewards of ownership of the financial asset; or
- the institution, despite having retained some significant risks and rewards of ownership of the financial asset, has transferred control of the asset to another party and the other party has the practical ability to sell the asset in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer. In this case, the institution:
 - derecognise the asset; and
 - recognise separately any rights and obligations created or retained in the transfer.

The institution derecognises a financial liability (or a part of a financial liability) from its statement of financial position when it is extinguished — i.e. when the obligation specified in the contract is discharged, cancelled, expires.

Where an existing financial liability is replaced by another from the same customer on substantially different terms, or the terms of an existing liability substantially modified, such an exchange or modification is treated as a derecognition of the original liability, and the difference in the respective carrying amount is recognised in the surplus or deficit for the year.

1.7 Leases

A lease is an agreement whereby a lessor conveys to the institution in return for a payment or series of payments the right to use an asset for an agreed period of time.

The institution has entered into agreements to lease office buildings and office equipment from lessors.

Finance leases - lessee

A lease is classified as a finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards incidental to ownership.

Finance leases are recognised as assets and liabilities in the statement of financial position at amounts equal to the fair value of the leased property or, if lower, the present value of the minimum lease payments. The corresponding liability to the lessor is included in the statement of financial position as a finance lease obligation.

Minimum lease payments are the payments over the lease term that the lessee is or can be required to make, excluding contingent rent, costs for services and, where appropriate, taxes to be paid by and reimbursed to the lessor, together with any amounts guaranteed by the lessee or by a party related to the lessee

The discount rate used in calculating the present value of the minimum lease payments is the institution's incremental borrowing rate.

The lessee's incremental borrowing rate of interest is the rate of interest the lessee would have to pay on a similar lease or, if that is not determinable, the rate that, at the inception of the lease, the lessee would incur to borrow over a similar term, and with a similar security, the funds necessary to purchase the asset.

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Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.7 Leases (continued)

Minimum lease payments are apportioned between the finance charge and reduction of the outstanding liability. The finance charge is allocated to each period during the lease term so as to produce a constant periodic rate of on the remaining balance of the liability.

Operating leases - lessee

An operating lease is a lease other than a finance lease.

All leases that the institution enters into as a lessee, and where the lessor retains substantially all the risks and rewards of ownership of the underlying asset, are classified as operating leases. Payments made under operating leases are charged against expenses on a straight-line basis over the lease term.

1.8 Impairment of non-cash-generating assets

Cash-generating assets are those assets held by the institution with the primary objective of generating a commercial return. When an asset is deployed in a manner consistent with that adopted by a profit-oriented institution, it generates a commercial return.

Non-cash generating assets are assets other than cash-generating assets held for service delivery purposes, consequently, the institution has designated its tangible and intangible assets as non-cash generating assets and at each reporting date assess whether there is indication that its assets maybe impaired.

Impairment is a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset's future economic benefits or service potential through depreciation and amortisation.

A non-cash generating asset will be impaired when its carrying amount exceeds its recoverable service amount. The recoverable service amount is the higher of the non-cash generating asset's fair value less cost to sell and its value in use.

Value in use is the present value of the assets remaining service potential. This is determined by using the depreciated replacement cost.

At each reporting date, the institution reviews the carrying amount of its tangible and intangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any).

If the recoverable amount of an asset is estimated to be less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. Impairment losses are immediately recognised as an expense, unless the relevant asset is carried at a re-valued amount under another standard, in this case the impairment loss is treated as a revaluation decrease under the standard.

Where an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. A reversal of an impairment loss is recognised in surplus or deficit immediately, unless the asset is carried at a re-valued amount under another standard, in this case the reversal of the impairment loss is treated as a revaluation increase under that other standard.

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Significant Accounting Policies

1.9 Employee benefits

Employee benefits comprises of termination benefits, short term employee benefits, vested employee benefits, gratuity, post employment benefits and other long term employee benefits given by an Institution in exchange for service rendered by employees.

Termination benefits are employee benefits payable as a result of either:

- an Institution's decision to terminate an employee's employment before the normal retirement date; or
- an employee's decision to accept voluntary redundancy in exchange for those benefits. Vested employee benefits are employee benefits that are not conditional on future employment. Short-term employee benefits.

Short-term employee benefits are employee benefits (other than termination benefits) that are due to be settled within twelve months after the end of the period in which the employees render the related service.

Short-term employee benefits include items such as:

- wages, salaries and social security contributions;
- short-term compensated absences (such as paid annual leave and paid sick leave) where the compensation for the absences are due to be settled within twelve months after the end of the reporting period in which the employees render the related employee service;
- bonus, incentive and performance related payments payable within twelve months after the end of the reporting period in which the employees render the related service; and
- non-monetary benefits (for example, medical care, and free or subsidized goods or services such as housing, cars and cell phones) for current employees.

When an employee has rendered service to the institution during a reporting period, the institution recognises the undiscounted amount of short-term employee benefits expected to be paid in exchange for that service as a liability (accrued expense) after deducting any amount already paid.

If the amount already paid exceeds the undiscounted amount of the benefits, the institution recognises that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund and as an expense, unless another Standard requires or permits the inclusion of the benefits in the cost of an asset.

The expected cost of compensated absences is recognised as an expense as the employees render services that increase their entitlement or, in the case of non-accumulating absences, when the absence occurs. The institution measures the expected cost of accumulating compensated absences as the additional amount that the institution expects to pay as a result of the unused entitlement that has accumulated at the reporting date.

The institution recognises the expected cost of bonus, incentive and performance related payments when the institution has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made. A present obligation exists when the Institution has no realistic alternative but to make the payments.

A constructive obligation is an obligation that derives from an Institution's actions where by an established pattern of past practice, published policies or a sufficiently specific current statement, the institution has indicated to other parties that it will accept certain responsibilities and as a result, the institution has created a valid expectation on the part of those other parties that it will discharge those responsibilities.

Finance costs is also derived from post-employment medical aid benefits. The calculation is performed by an independent actuary based on the nominal and real zero coupon government bond yield curves constructed by Sanlam Investments (closest available date to the valuation date) to discount the expected future payments. Different discount

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.9 Employee benefits (continued)

and inflation rates (according to the yield curve) are therefore used for medical aid subsidies paid at different future durations.

Post-employment benefits

Post-employment benefits are employee benefits (other than termination benefits) which are payable after the completion of employment.

Post-employment benefit plans are formal or informal arrangements under which an institution provides post-employment benefits for one or more employees.

Other long-term employee benefits are employee benefits (other than post-employment benefits and termination benefits) that are not due to be settled within twelve months after the end of the period in which the employees render the related service.

Defined benefit plans

Defined benefit plans are post-employment benefit plans other than defined contribution plans.

Actuarial gains and losses comprise experience adjustments (the effects of differences between the previous actuarial assumptions and what has actually occurred) and the effects of changes in actuarial assumptions. In measuring its defined benefit liability the Institution recognises actuarial gains and losses in the surplus or deficit in the reporting period in which they occur.

Current service cost is the increase in the present value of the defined benefit obligation resulting from employee service in the current period.

Interest cost is the increase during a period in the present value of a defined benefit obligation which arises because the benefits are one period closer to settlement.

Past service cost is the change in the present value of the defined benefit obligation for employee service in prior periods, resulting in the current period from the introduction of, or changes to, post-employment benefits or other long-term employee benefits. Past service cost may be either positive (when benefits are introduced or changed so that the present value of the defined benefit obligation increases) or negative (when existing benefits are changed so that the present value of the defined benefit obligation decreases). In measuring its defined benefit liability the Institution recognises past service cost as an expense in the reporting period in which the plan is amended.

The Institution accounts not only for its legal obligation under the formal terms of a defined benefit plan, but also for any constructive obligation that arises from the Institution's informal practices. Informal practices give rise to a constructive obligation where the Institution has no realistic alternative but to pay employee benefits. An example of a constructive obligation is where a change in the Institution's informal practices would cause unacceptable damage to its relationship with employees.

The Institution determines the present value of defined benefit obligations and the fair value of any plan assets with sufficient regularity such that the amounts recognised in the annual financial statements do not differ materially from the amounts that would be determined at the reporting date.

The Institution recognises the net total of the following amounts in surplus or deficit, except to the extent that another GRAP standard requires or permits their inclusion in the cost of an asset:

- current service cost;
- interest cost;
- the expected return on any plan assets and on any reimbursement rights;

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.9 Employee benefits(continued)

- actuarial gains and losses;
- past service cost;
- the effect of any curtailments or settlements; and
- the effect of applying the limit on a defined benefit asset (negative defined benefit liability).

Actuarial assumptions

Actuarial assumptions are unbiased and mutually compatible.

Financial assumptions are based on market expectations, at the reporting date, for the period over which the obligations are to be settled.

The rate used to discount post-employment benefit obligations (both funded and unfunded) reflect the time value of money. The currency and term of the financial instrument selected to reflect the time value of money is consistent with the currency and estimated term of the post-employment benefit obligations.

Post-employment benefit obligations are measured on a basis that reflects:

- estimated future salary increases;
- the benefits set out in the terms of the plan (or resulting from any constructive obligation that goes beyond those terms) at the reporting date; and
- estimated future changes in the level of any state benefits that affect the benefits payable under a defined benefit plan, if, and only if, either:
 - those changes were enacted before the reporting date; or
 - past history, or other reliable evidence, indicates that those state benefits will change in some predictable manner, for example, in line with future changes in general price levels or general salary levels.

Assumptions about medical costs take account of estimated future changes in the cost of medical services, resulting from both inflation and specific changes in medical costs.

The Institution uses the Projected Unit Credit Method to determine the present value of its defined benefit obligations and the related current service cost and, where applicable, past service cost. The Projected Unit Credit Method (sometimes known as the accrued benefit method pro-rated on service or as the benefit/years of service method) sees each period of service as giving rise to an additional unit of benefit entitlement and measures each unit separately to build up the final obligation.

Actuarial valuations are conducted on an annual basis by independent actuaries separately for each plan. The results of the valuation are updated for any material transactions and other material changes in circumstances (including changes in market prices and interest rates) up to the reporting date.

The Institution recognises gains or losses on the curtailment or settlement of a defined benefit plan when the curtailment or settlement occurs. The gain or loss on a curtailment or settlement comprises:

- any resulting change in the present value of the defined benefit obligation.

Defined contribution plans

Payments to defined contribution retirement benefit plans are charged as an expense as they fall due.

Payments made to GEPP and Sanlam retirement benefit schemes are dealt with as defined contribution plans where the Institution's obligation under the schemes is equivalent to those arising in a defined contribution retirement benefit plan.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.10 Provisions and contingencies

A provision is a liability of uncertain timing or amount. Provisions are recognised when:

- the institution has a present obligation as a result of a past event;
- it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; and
- a reliable estimate can be made of the obligation.

The amount of a provision is the best estimate of the expenditure expected to be required to settle the present obligation at the reporting date.

Where some or all of the expenditure required to settle a provision is expected to be reimbursed by another party, the reimbursement is recognised when, and only when, it is virtually certain that reimbursement will be received if the institution settles the obligation. The reimbursement is treated as a separate asset. The amount recognised for the reimbursement does not exceed the amount of the provision.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required, to settle the obligation.

Gratuity

In terms of the Public Protector's conditions of service, the Public Protector is entitled to a taxable lump sum gratuity on vacation of her office. The gratuity calculation is based on the basic salary and period of office. The provision raised in the annual financial statements is the actual amount that is payable to the Public Protector on vacation of office.

Contingent Liabilities

A contingent liability is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the institution; or a present obligation that arises from past events but is not recognised because it is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or the amount of the obligation cannot be measured with sufficient reliability.

Contingent Assets

A contingent assets is a possible asset that arises from past events, and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the institution.

Contingent assets and contingent liabilities are not recognised in the annual financial statements but are disclosed in the note thereto.

1.11 Commitments

Items are classified as commitments when an institution has committed itself to future transactions that will normally result in the outflow of cash.

Commitments are not recognised in the annual financial statements but are disclosed in the note thereto.

Commitments for which disclosure is necessary to achieve a fair presentation are disclosed in a note to the financial statements, if both the following criteria are met:

- Contracts are non-cancellable or only cancellable at significant cost (for example, contracts for computer or building maintenance services); and

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.11 Commitments(continued)

- Contracts relate to something other than the routine, steady, state business of the institution – therefore salary commitments relating to employment contracts or social security benefit commitments are excluded.

1.12 Revenue from exchange transactions

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets.

An exchange transaction is one in which the institution receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of goods, services or use of assets) to the other party in exchange.

Revenue from exchange transactions arises from, amongst others, interest from investments and recoveries. The recognition criteria is applied separately to each transaction.

Interest Income

Interest income is accrued on favourable balances with commercial banking institutions. Interest income is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable, which is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount.

Recoveries

Recoveries consist of legal, staff and other recoveries.

Legal recoveries mainly arise from litigation by or against the institution when the litigation outcome is favourable to the institution and the courts award favourable judgements.

The amounts of such recoveries are determined by the courts or agreement between the parties. Sundry income comprises of recoveries of bursaries, parking charges, salaries and allowances. Measurement Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates.

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction.

1.13 Revenue from non-exchange transactions

Revenue comprises gross inflows of economic benefits or service potential received and receivable by an institution, which represents an increase in net assets, other than increases relating to contributions from owners.

Non-exchange transactions are transactions that are not exchange transactions. In a non-exchange transaction, the institution either receives value from another institution or entity without directly giving approximately equal value in exchange, or give value to another institution or entity without directly receiving approximately equal value in exchange.

Revenue from non-exchange transactions include voted funds transferred to the institution through the Department of Justice and Constitutional Development as well as services in kind arising from rental paid by the Department of Public Works and Infrastructure on behalf of the institution.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

1.13 Revenue from non-exchange transactions(continued)

Recognition

An inflow of resources from a non-exchange transaction recognised as an asset is recognised as revenue, except to the extent that a liability is also recognised in respect of the same inflow.

As the institution satisfies a present obligation recognised as a liability in respect of an inflow of resources from a non- exchange transaction recognised as an asset, it reduces the carrying amount of the liability recognised and recognise an amount of revenue equal to that reduction.

Assets and revenue recognised as a consequence of a transfer are measured at the fair value of the assets recognised as at the date of recognition.

As the institution satisfies a present obligation recognised as a liability in respect of an inflow of resources from a non- exchange transaction recognised as an asset, it reduces the carrying amount of the liability recognised and recognises an amount of revenue equal to that reduction.

Measurement

Revenue from a non-exchange transaction is measured at the amount of the increase in net assets recognised by the institution.

When, as a result of a non-exchange transaction, the Institution recognises an asset, it also recognises revenue equivalent to the amount of the asset measured at its fair value as at the date of acquisition, unless it is also required to recognise a liability. Where a liability is required to be recognised it will be measured as the best estimate of the amount required to settle the obligation at the reporting date, and the amount of the increase in net assets, if any, recognised as revenue. When a liability is subsequently reduced, because the taxable event occurs or a condition is satisfied, the amount of the reduction in the liability is recognised as revenue.

Receivables that arise from statutory (non-contractual) arrangements are initially measured in accordance with this accounting policy, as well as the accounting policy on statutory receivables. The Institution applies the accounting policy on statutory receivables for the subsequent measurement, derecognition, presentation and disclosure of statutory receivables.

Interest is recognised using the effective interest rate method for financial instruments, and using the nominal interest rate method for statutory receivables. Interest levied on transactions arising from exchange or non-exchange transactions is classified based on the nature of the underlying transaction.

Services in-kind

Except for financial guarantee contracts, the institution recognise services in-kind that are significant to its operations and/or service delivery objectives as assets and recognise the related revenue when it is probable that the future economic benefits or service potential will flow to the institution and the fair value of the assets can be measured reliably.

Where services in-kind are not significant to the Institution's operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the institution disclose the nature and type of services in-kind received during the reporting period.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

I.14 Accounting by principals and agents Identification

An agent is an institution that has been directed by another Institution (a principal), through a binding arrangement, to undertake transactions with third parties on behalf of the principal and for the benefit of the principal.

A principal is an institution that directs another institution (an agent), through a binding arrangement, to undertake transactions with third parties on its behalf and for its own benefit.

A principal-agent arrangement results from a binding arrangement in which one Institution (an agent), undertakes transactions with third parties on behalf, and for the benefit of, another institution (the principal).

When the Institution is party to a principal-agent arrangement, it assesses whether it is the principal or the agent in accounting for revenue, expenses, assets and/or liabilities that result from transactions with third parties undertaken in terms of the arrangement.

The assessment of whether an Institution is a principal or an agent requires the Institution to assess whether the transactions it undertakes with third parties are for the benefit of another Institution or for its own benefit.

Binding arrangement

The Institution assesses whether it is an agent or a principal by assessing the rights and obligations of the various parties established in the binding arrangement.

Where the terms of a binding arrangement are modified, the parties to the arrangement re-assess whether they act as a principal or an agent.

Assessing benefits from transactions with third parties

When the institution in a principal-agent arrangement concludes that it undertakes transactions with third parties for the benefit of another entity, then it is the agent. If the Institution concludes that it is not the agent, then it is the principal in the transactions.

The Institution is an agent when, in relation to transactions with third parties, all three of the following criteria are present:

- It does not have the power to determine the significant terms and conditions of the transaction.
- It does not have the ability to use all, or substantially all, of the resources that result from the transaction for its own benefit.
- It is not exposed to variability in the results of the transaction.

Where the Institution has been granted specific powers in terms of legislation to direct the terms and conditions of particular transactions, it is not required to consider the criteria of whether it does not have the power to determine the significant terms and conditions of the transaction, to conclude that it is an agent. The Institution applies judgement in determining whether such powers exist and whether they are relevant in assessing whether the institution is an agent.

Recognition

The Institution, as a principal, recognises revenue and expenses that arise from transactions with third parties in a principal-agent arrangement in accordance with the requirements of GRAP 23 - Revenue from non-exchange transactions.

The Institution, as an agent, recognises only that portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with GRAP 9 Revenue from exchange transactions.

The Institution recognises assets and liabilities arising from principal-agent arrangements in accordance with the requirements of GRAP 109 - Accounting by principals and agents.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

I.15 Fruitless and wasteful expenditure

Fruitless expenditure means expenditure which was made in vain and would have been avoided had reasonable care been exercised.

All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense. If the expenditure is recoverable it is treated as an asset until it is recovered from the responsible person or written off as irrecoverable in the statement of financial performance.

I.16 Irregular expenditure

Irregular expenditure is an expenditure, other than unauthorised expenditure, incurred in contravention of, or that is not in accordance with, a requirement of any applicable legislation, including the Public Finance Management Act. Irregular expenditure is recognised as expenditure in the statement of financial performance. If the expenditure is not condoned by the relevant authority it is treated as an asset until it is recoverable or written off as irrecoverable.

I.17 Surplus or deficit

Income, expenditure, gains and losses are recognised in surplus or deficit except for the exceptional cases where recognition directly in net assets is specifically allowed or required by a Standard of GRAP.

I.18 Budget information

The approved budget is prepared on an accrual basis and presented by economic classification linked to performance outcome objectives. The approved budget covers the fiscal period from 01 April 2023 to 31 March 2024. The annual financial statements and the budget are on the same basis of accounting therefore a comparison with the budgeted amounts for the reporting period have been included in the Statement of comparison of budget and actual amounts.

The budget variances in excess of ten percent (10%) and above are disclosed in the notes to the financial statements

I.19 Related parties

A related party is a person or an Institution with the ability to control or jointly control the other party, or exercise significant influence over the other party, or vice versa, or an institution that is subject to common control, or joint control.

Control is the power to govern the financial and operating policies of an institution so as to obtain benefits from its activities.

Joint control is the agreed sharing of control over an activity by a binding arrangement, and exists only when the strategic financial and operating decisions relating to the activity require the unanimous consent of the parties sharing control (the venturers).

A related party transaction is a transfer of resources, services or obligations between the reporting institution and a related party, regardless of whether a price is charged.

Significant influence is the power to participate in the financial and operating policy decisions of an institution, but is not control over those policies.

Management includes all persons having the authority and responsibility for planning, directing and controlling the activities of the institution including:

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

I.19 Related parties(continued)

- (a) all members of the governing body of the reporting Institution;
- (b) a member of the governing body of an economic institution who has the authority and responsibility for planning, directing and controlling the activities of the institution;
- (c) any key advisors of a member, or sub-committees, of the governing body who has the authority and responsibility for planning, directing and controlling the activities of the Institution; and
- (d) the senior management team of the institution, including the chief executive officer or permanent head of the institution, unless already included in (a).

Close members of the family of a person are those family members who may be expected to influence, or be influenced by that person in their dealings with the Institution.

The institution is exempt from disclosure requirements in relation to related party transactions if that transaction occurs within normal supplier and/or client/recipient relationships on terms and conditions no more or less favourable than those which it is reasonable to expect the institution to have adopted if dealing with that individual institution or person in the same circumstances and terms and conditions are within the normal operating parameters established by that reporting institution's legal mandate.

Where the institution is exempt from the disclosures in accordance with the above, the Institution discloses narrative information about the nature of the transactions and the related outstanding balances, to enable users of the Institution's financial statements to understand the effect of related party transactions on its annual financial statements.

The key management of the Institution includes the Public Protector, the Deputy Public Protector, the Chief Executive Officer, Executive Managers, Risk and Audit Committee members.

I.20 Events after reporting date

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and
- those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

The Institution will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the event occurred.

The Institution will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements.

I.21 Unspent conditional grants

This represent unspent funds at the end of the financial year on grants received from national government or any other external party that can only be spent for the condition for which it was received. The amount is recognised as a current liability until the conditions of the grant are met or the money is transferred back to the funder.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Significant Accounting Policies

I.22 Prepayments

Prepayments are amounts paid for by a business in advance of the goods or services received in future period.

Recognition

This is expenditures that has been paid for in the current reporting period, but for which economic benefits will not be consumed until future period. Prepayments are reported as current assets as the future economic benefits will be consumed within one year.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

2. New standards and interpretations

2.1 Standards and interpretations issued, but not yet effective

The Institution has not applied the following standards and interpretations, which have been published and are mandatory for the Institution's accounting periods beginning on or after 01 April 2024 or later periods:

GRAP 1: Presentation of financial statements

The change entails an enhancement of an existing standards of financial statements regarding going concern assessment consideration and disclosures.

Years beginning on or after expected impact:

Is expected that there will be an additional considerations of an assessment of a going concern as well as an additional disclosures of a going concern.

Effective date:

To be determined by the Minister of Finance.

GRAP 104: Financial instruments

The standard substantially revised the way in which financial instruments are classified, how amortised cost is determined, how and when financial assets are assessed for impairment, and overhauled the requirements for hedge accounting in line with recent changes in IFRS.

Years beginning on or after expected impact:

It is not expected that the change will materially impact the accounting and disclosure for the institution's financial assets and liabilities as its financial instruments comprise of cash and cash equivalents, short term receivables and payables with no stated interest rate and the Accounting Standards Board concluded that financial assets and financial liabilities should not be discounted prior to their due date for payment, unless the credit period granted is not in line with operating terms in the public sector. The institution does not grant credit nor credit period not in line with the operating terms of the public sector.

Effective date:

01 April 2025.

Notes to the Annual Financial Statements

Figures in Rand

	2024	2023 Restated*
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3. Property, plant and equipment

	2024			2023		
	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Furniture and fixtures	11 058 571	(7 810 048)	3 248 523	9 925 391	(7 655 232)	2 270 159
Motor vehicles	11 285 954	(5 257 431)	6 028 523	7 870 496	(4 360 468)	3 510 028
Office equipment	3 456 017	(2 479 563)	976 454	5 142 068	(4 565 671)	576 397
IT equipment	32 597 607	(13 915 550)	18 682 057	23 426 966	(18 195 093)	5 231 873
Leasehold improvements	1 870 476	(613 949)	1 256 527	824 339	(261 428)	562 911
Other leased assets	4 257 235	(3 427 055)	830 180	4 773 306	(2 483 624)	2 289 682
Total	64 525 860	(33 503 596)	31 022 264	51 962 566	(37 521 516)	14 441 050

Notes to the Annual Financial Statements

Figures in Rand

	2024	2023 Restated*
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3. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2024

	Opening balance	Additions	Disposals	Depreciation	Total
Furniture and fixtures	2 270 159	1 307 279	(9 630)	(319 285)	3 248 523
Motor vehicles	3 510 028	3 652 941	(51 865)	(1 082 581)	6 028 523
Office equipment	576 397	726 788	(58 199)	(268 532)	976 454
IT equipment	5 231 873	16 473 668	(359 771)	(2 663 713)	18 682 057
Leasehold improvements	562 911	1 046 138	-	(352 522)	1 256 527
Other leased assets	2 289 682	47 194	(98 330)	(1 408 366)	830 180
	14 441 050	23 254 008	(577 795)	(6 094 999)	31 022 264

Notes to the Annual Financial Statements

Figures in Rand

2024
2023
Restated*

3. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2024

	Opening balance	Additions	Disposals	Depreciation	Total
Furniture and fixtures	2 270 159	1 307 279	(9 630)	(319 285)	3 248 523
Motor vehicles	3 510 028	3 652 941	(51 865)	(1 082 581)	6 028 523
Office equipment	576 397	726 788	(58 199)	(268 532)	976 454
IT equipment	5 231 873	16 473 668	(359 771)	(2 663 713)	18 682 057
Leasehold improvements	562 911	1 046 138	-	(352 522)	1 256 527
Other leased assets	2 289 682	47 194	(98 330)	(1 408 366)	830 180
	14 441 050	23 254 008	(577 795)	(6 094 999)	31 022 264

Notes to the Annual Financial Statements

Figures in Rand

	2024	2023
		Restated*

4. Intangible assets

	2024		2023			
	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value	Cost / Valuation	Accumulated amortisation and accumulated impairment	Carrying value
Computer software, other	2 372 640	(1 345 889)	1 026 751	2 372 640	(1 219 467)	1 153 173

Reconciliation of intangible assets - 2024

	Opening balance	Amortisation	Total
Computer software, other	1 153 173	(126 422)	1 026 751

Reconciliation of intangible assets - 31 March 2023

	Opening balance	Additions	Amortisation	Total
Computer software, other	312 048	1 042 974	(201 849)	1 153 173

5. Payables from exchange transactions

Trade payables	2 254 988	13 592 328
Deferred operating leases	370 741	155 331
Salaries and allowance	1 107 115	2 806 125
Accrued services bonus	7 021 283	6 604 891
Creditors accrual	4 997 141	13 165 003
VAT on imported services	-	8 960
	15 751 268	36 332 638

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

6. Employee benefit obligations

The amounts recognised in the statement of financial position are as follows:

Key assumptions used

Assumptions used at the reporting date:

Carrying value

Opening balance	(11 975 000)	(11 995 000)
Interest cost	(1 416 000)	(1 285 000)
Current service cost	(829 000)	(844 000)
Benefits paid	95 000	94 700
Actuarial gains or (losses)	3 664 000	2 054 300
	<u>(10 461 000)</u>	<u>(11 975 000)</u>
Non-current liabilities	(10 328 000)	(11 880 000)
Current liabilities	<u>(133 000)</u>	<u>(95 000)</u>
	<u>(10 461 000)</u>	<u>(11 975 000)</u>

Net expense recognised in the statement of financial performance are as follows:

Current service cost	829 000	844 000
Interest cost	1 416 000	1 285 000
Actuarial (gains) losses	(3 664 000)	(2 054 300)
Benefit paid	<u>(95 000)</u>	<u>(94 700)</u>
	<u>(1 514 000)</u>	<u>(20 000)</u>

Key assumptions used

The PPSA follows a practice of subsidizing the post-retirement medical aid (PRMA) contributions of its retired employees.

The calculations are performed by independent actuaries on yearly basis. The valuation for this financial year was completed on the 07 May 2024.

Contribution rate structure

Members contribute according to tables of contribution rates which differentiate between them on the type and number of dependents. Some options also differentiate on the basis of income.

Post-employment medical aid subsidy policy

Eligible employees will receive a post-employment subsidy of 75% of the contribution payable should they be a member of a medical scheme at retirement, subject to a minimum of five uninterrupted years of service prior to retirement.

Continuation members and their eligible dependents receive a 75% subsidy. Only a spouse or life partner is covered as a dependent under this benefit. Upon a member's death-in-service, surviving dependents are not entitled to commence receipt of the subsidy. Upon a member's death-in-retirement, surviving dependents are not entitled to continue to receive the subsidy.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

Comparison of vital statistics

The table below presents vital statistics on eligible employees at the valuation dates.

Comparison of in-service statistics

	31/03/2024	31/03/2023
Eligible employees		
Total number of eligible employees	235	240
Number of in-service members	195	191
Average age	42,2	41,8
Average past service	11,2	10,7
Average current value of post-employment subsidy p.m.	R2,662	R2,514
Number of in-service non-members	40	49
Average age	42,8	39,9
Average past service	10,4	8,9
Average current value of post-employment subsidy p.m.	R2,896	R2,722

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

6. Employee benefit obligations (continued)

Comparison of valuation assumptions

The table below compares the assumptions used at the current and previous valuation dates.

Assumption	31/03/2024	31/03/2023
Discount rate	13.22%	11.87%
Health care cost inflation rate	8.70%	7.87%
Net-of-health-care-cost-inflation discount rate	4.16%	3.71%
Maximum subsidy inflation rate	8.20%	7.37%
Net-of-maximum-subsidy-inflation discount rate	4.64%	4.19%
Mortality during employment	SA 85-90	
Mortality post-employment	PA(90) - I with a 1% mortality improvement p.a. from 2010	
Withdrawal rates	See Table A4.2 of the Actuarial report	
Proportion with a spouse dependent at retirement	60%	
Continuation of membership at retirement	90%	
Proportion of in-service non-members joining a scheme by retirement and continuing with the subsidy at and after retirement	45%	

Sensitivity Analysis on current-service and interest costs for year ending 31/03/2024

Assumptions	Change	Svc. cost	Interest cost	Total	%Change
Central assumptions		829,000	1,416,000	2,245,000	
Health care inflation rate	+1%	846,000	1,435,000	2,281,000	2%
	-1%	806,000	1,389,000	2,195,000	-2%
Discount rate	+1%	679,000	1,296,000	1,975,000	-12%
	-1%	1,022,000	1,553,000	2,575,000	15%
Post-employment mort.	+1 yr	806,000	1,376,000	2,182,000	-3%
	-1 yr	851,000	1,456,000	2,307,000	3%
Average retirement age	-1 yr	921,000	1,563,000	2,484,000	11%
Membership continuation	-10%	737,000	1,272,000	2,009,000	-11%

Defined contribution plans

It is the policy of the institution to provide retirement benefits to all its employees. PPSA is investing its employee benefits plans into two separate funds all of which are subject to the Pensions Fund Act.

The Institution is under no obligation to cover any unfunded benefits.

Pension fund	16 066 643	15 197 062
Provident fund	20 378 204	19 346 057

Included in a defined contribution plan information above, is the Government Employee Pensions Fund (GEPPF) and Sanlam which are a multi-employer funds and only the contributions made towards these plans are disclosed.

GEPPF contributions are only towards pension funds and Sanlam contribute towards both pension and provident fund. The 2022-23 financial year has been restated to include the disclosure of defined contribution plans.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

Figures in Rand	2024	2023 Restated*
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7. Prepayments

Opening balance	1 569 859	976 699
Additions	4 098 987	1 569 859
Less: utilised	(3 219 460)	(976 699)
	2 449 386	1 569 859

8. Receivables from exchange transactions

Interest receivable	702 350	615 644
Other receivables	1 173 590	1 262 710
Provision for doubtful debts	(1 173 589)	(1 262 367)
	702 351	615 987

Trade and other receivables impaired

In determining the recoverability of other receivables, changes in the quality of the individual debtors were considered.

At 31 March 2024, other receivables amounting to R 1 173 589 (2023: R 1 262 710) were impaired and a provision for the doubtfulness of their recoverability was raised accordingly.

The ageing of these debts is as follows:

Over 6 months	1 173 589	1 262 360
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Reconciliation of provision for impairment of trade and other receivables

Opening balance	1 262 367	1 106 774
(Gain) / Loss	(88 778)	155 593
	1 173 589	1 262 367

9. Receivables from non-exchange transactions

Other receivables from non-exchange revenue	179 291	69 487
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10. Cash and cash equivalents

The cash balance remain within the primary bank account of PPSA.

Cash on hand	22 027	17 768
Bank balances	104 836 625	126 196 313
	104 858 652	126 214 081

Cash and cash equivalents held by the institution that are not available for use	45 062	282 923
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The institution is a member of the African Ombudsman & Mediators Association (AOMA) whose research centre, the African Ombudsman Research Centre (AORC) is based in South Africa. The institution holds a bank account on behalf of AORC.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

Figures in Rand	2024	2023 Restated*
11. Finance lease obligations		
Minimum lease payments due		
- within one year	669 752	1 728 784
- in second to fifth year inclusive	95 574	756 830
	<u>765 326</u>	<u>2 485 614</u>
less: future finance charges	(32 429)	(139 556)
Present value of minimum lease payments	732 897	2 346 058
Present value of minimum lease payments due		
- within one year	639 329	1 619 900
- in second to fifth year inclusive	93 568	726 158
	<u>732 897</u>	<u>2 346 058</u>
Non-current liabilities	93 568	726 158
Current liabilities	639 329	1 619 900
	732 897	2 346 058

The liability mainly relates to leasing of cell phones.

12. Provisions

Reconciliation of provisions - 2024

	Opening Balance	Additions	Utilised during the year	Reversed during the year	Total
Gratuity	8 474 872	3 817 429	-	(9 142 906)	3 149 395
Provisions - Operational expenditure	6 419 585	2 651 533	(5 469 039)	(1 327 164)	2 274 915
Accumulated leave	16 121 959	3 676 743	(1 203 748)	(1 421 044)	17 173 910
Performance awards	3 397 633	2 606 394	-	-	6 004 027
	34 414 049	12 752 099	(6 672 787)	(11 891 114)	28 602 247

Reconciliation of provisions - 31 March 2023

	Opening Balance	Additions	Utilised during the year	Reversed during the year	Total
Gratuity	7 578 312	896 560	-	-	8 474 872
Provisions - Operational expenditure	6 457 045	2 218 313	(1 605 812)	(649 961)	6 419 585
Accumulated leave	19 560 921	4 227 825	(4 369 828)	(3 296 959)	16 121 959
Performance awards	4 899 882	3 397 633	(1 697 772)	(3 202 110)	3 397 633
	38 496 160	10 740 331	(7 673 412)	(7 149 030)	34 414 049

Non-current liabilities	3 149 395	-
Current liabilities	25 452 852	34 414 049
	28 602 247	34 414 049

The Public Protector is entitled to a taxable lump sum gratuity when vacating the office as stated in conditions of service applicable to her. The Public Protector's term of office is a fixed term of seven (7) years. The current Public Protector's term of office will officially end in October 2030.

The accumulated leave provision relates to the employer's present obligation as a result of leave days which were not utilised by the employees by the end of the financial year. In the event of termination of employment, employees' unutilised leave days are payable to the extent that they are not forfeited. Unutilised leave days are forfeited if they are not taken at the end of June of each year.

The provision on performance awards for the current year relates to notch progression that depends on individual employee performance.

Notes to the Annual Financial Statements

Figures in Rand	2024	2023 Restated*
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13. Sundry income

Recoveries of salaries	104 749	745 918
Recoveries of bursaries	128 615	50 490
Parking and access card	98 180	98 500
Other income	87 928	516 322
	419 472	1 411 230

14. Revenue from non-exchange transactions

Services in-kind	13 035 886	12 305 034
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The Department of Public Works pays for our offices in Head Office (Pretoria) and Mpumalanga Provincial Office.

15. Staff costs

Basic	183 729 676	187 515 312
Performance awards*	2 899 477	448 176
Medical aid - company contributions	8 704 099	8 165 430
UIF	720 425	735 660
Cell phone allowance	466 263	457 611
Medical aid allowance	858 161	763 348
Employer contribution: pension & provident fund	24 111 154	22 849 108
Travel, motor car, accommodation, subsistence and other allowances	1 319 199	1 417 922
13th Cheques	14 318 671	13 483 018
Acting allowances	2 048 888	1 975 302
Housing benefits and allowances	7 221 056	7 105 193
Gratuity **	(5 325 477)	896 560
Pension allowances	2 658 636	2 595 883
Non-pensionable allowance	17 522 534	17 284 076
Leave pay	2 211 853	413 783
Other staff allowance	809 305	771 603
	264 273 920	266 877 985

*Performance awards:

A directive from National Treasury discontinued the payment of performance bonuses from 2021-22 financial year. The current year expenditure relates to pay progression subsequent to performance assessment for the 2021-22 performance cycle.

**Gratuity:

The negative net expense for the gratuity was as a result of a reversal of the prior year balance.

16. Depreciation and amortisation

Property, plant and equipment	6 094 999	5 637 890
Intangible assets	126 422	201 849
	6 221 421	5 839 739

17. Finance costs

Finance leases	124 911	191 943
Post-employment medical benefit - Interest costs *	1 416 000	1 285 000
	1 540 911	1 476 943

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

Figures in Rand	2024	2023 Restated*
17. Finance costs (continued)		
* The interest cost represents the accrual of interest on the total accrued liability, allowing for benefit payments, over the corresponding year. This arises because the post-employment medical aid contributions are one year closer to payment.		
18. Administrative expenses		
Advertising	343 689	101 308
Auditors remuneration	4 365 184	3 859 460
Bank charges	101 811	97 579
Cleaning	2 794 033	3 022 334
Consulting and professional fees (21.1)	12 488 738	45 355 704
Entertainment	302 459	278 332
Rental - service in kind	13 035 886	12 305 034
Rental of buildings	11 361 221	10 229 287
Parking	1 039 141	916 538
Printing and publications: Annual report and APP	368 672	161 625
Insurance	211 534	161 802
IT expenses	15 933 432	15 281 205
Marketing	-	52 520
Fuel and oil	1 655 447	1 278 681
Postage and courier	446 268	445 379
Printing and stationery	304 143	437 853
Personal protective equipment	-	799
Security	2 337 559	1 823 143
Subscriptions and membership fees	111 593	53 572
Communications: Cellphones	656 686	735 275
Training and bursaries	1 383 472	929 022
Travel - local	6 075 375	9 239 310
Travel - overseas	587 615	550 282
Municipal services	3 412 698	4 566 418
Communications telephone and fax	1 398 944	1 810 344
Copy charges - Photocopies	319 080	647 518
Non-capital assets	1 182 494	781 455
Current service cost (post-employment medical benefits)	829 000	844 000
Storage	207 682	178 992
Compensation fee	300 285	292 418
General expenses	2 771 419	3 229 389
	86 325 560	119 666 578

21.1 Consulting and professional fees include legal fees.

19. Cash generated from operations

Surplus	25 621 794	5 302 583
Adjustments for:		
Depreciation and amortisation	6 221 421	5 839 739
Gain on sale of assets and liabilities	436 795	254 930
Finance costs	124 911	191 943
Debt impairment	-	155 593
Movements in retirement benefit assets and liabilities	(1 514 000)	123 959
Movements in provisions	(6 069 619)	(4 082 109)
Capital assets (leasehold improvement)	-	(370 553)
Donations	-	(285 500)
Changes in working capital:		
Receivables from exchange transactions	(86 364)	(483 005)
Other receivables from non-exchange transactions	(109 804)	1 686 590
Prepayments	(879 527)	(593 158)
Payables from exchange transactions	(20 581 373)	12 550 949
Transfers payable (non-exchange)	237 861	-
	3 402 095	20 291 961

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

Figures in Rand	2024	2023 Restated*
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20. Commitments

Authorised capital expenditure

Approved and contracted

• Property, plant and equipment	-	3 796 924
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Approved but not contracted

• Property, plant and equipment	16 869 336	4 606 003
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Total capital commitments

Approved and contracted	-	3 796 924
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Approved but not contracted	16 869 336	4 606 003
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16 869 336	8 402 927
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Authorised operational expenditure

Approved and contracted

• Contracted services	15 272 806	28 823 212
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• Procurement of goods	2 888 302	1 233 749
------------------------	-----------	-----------

18 161 108	30 056 961
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Approved but not contracted

• Approved services but not yet contracted	1 540 000	11 627 999
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Total operational commitments

Approved and contracted	18 161 108	30 056 961
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Approved but not yet contracted	1 540 000	11 627 999
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19 701 108	41 684 960
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In the 2022-23 financial statements; the commitments were not broken down into capital and operational expenditure components. The prior year commitments balance has been reclassified into capital and operational expenditure.

Operating leases - as lessee (expense)

Minimum lease payments due

- within one year	7 975 748	8 011 173
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- in second to fifth year inclusive	5 339 392	11 057 279
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- later than five years	173 490	362 751
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13 488 630	19 431 203
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Included in the operating leases is photocopier machines leased for a minimum period of 36 months.

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies

Contingent Liabilities

1. **Parties:** Commission for the promotion Protection of the rights of Cultural, Religious and Linguistic Communities// Public Protector South Africa - Pretoria High Court- Case No 2073/2021

Cause of action: Review Application - Report No 98 of 2019/20 - No Interdict

Value of the claim: No claim value

Cost exposure: None

2. **Parties:** Ntuli// PPSA & 2 Others - Pretoria High Court - Case No 59440/2024 Cause of action: Review Application - Report No 111 of 2021/2022 - No Interdict

Value of the claim: No claim value

Cost exposure: None

3. **Parties:** The Minister of Finance/National Treasury//PPSA/ Mzunani Roseberry Sonto - Pretoria High Court - Case No 30833/2022

Cause of action: Review application - Report No 8 of 2022/2023 - No Interdict

Value of the claim: No claim value

Cost exposure: None

4. **Parties:** The Minister of Human Settlement, Water and Sanitation// PPSA/MacDonald - Pretoria High Court - Case No 80277/19

Cause of action: Review Application - Report No 26 of 2019/202 - No Interdict

Value of the claim: No claim value

Cost exposure: None

5. **Parties:** Moloi// PPSA & 2 Others - Johannesburg Labour Court - Case No JR2296/23

Cause of action: Review of CCMA Arbitration award

Value of the claim: No claim value

Cost exposure: None

6. **Parties:** Sethokga & 8 Others// Public Protector SA(11th Respondent) & 14 Others Cause of action: Founding papers requested to determine the cause of action. Value of the claim: No claim value

Cost exposure: None

7. **Parties:** Rabie/Anthea Berenice Rabie/Calvin Tyrone Rabie// The Public Protector & Others

Cause of action: Appeal of High Court decision

Value of the claim: No claim value

Cost exposure: None

8. **Parties:** Mangwane// PPSA - Gqeberha High Court - Case Number 3069/2023

Cause of the action: Application to compel

Value of the claim: No claim value

Cost exposure: None

9. **Parties:** Hantam Municipality & Others//PPSA & Another - Kimberley High Court - Case No 633/2021

Cause of the action: Review application - Report No 4 of 2020/2021

Value of the claim: No claim value

Cost exposure: None

10. **Parties:** Dawid Kruiper Municipality & Others//PPSA & Others - Kimberley High Court - Case No 822/2021

Cause of the action: Review Application - Report No 128 of 2019/2020 - No Interdict

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies (continued)

Value of the claim: No claim value

Cost exposure: None

11. Parties: Mankabidi//PPSA & Mopani District Municipality- Pretoria High Court - Case NO 27346/21

Cause of the action: Review application - Report No 14 of 2020/21

Value of the claim: No claim value

Cost exposure: None

12. Parties: Malatsi//Minister of Safety and Security/ Office of the Public Protector

Cause of the action: Report on an investigation into an allegation that the South African Police Service failed to pay a reward to an informer after undertaking to do so.

Value of the claim: No claim value

Cost exposure: None

13. Parties: Hlongwane & 4 Others//National Housing Finance Corporation//PPSA (11th Respondent) & Others - Pretoria High Court - Case No 076217/2023

Cause of action: Action to compel.

Value of the claim: No claim value

Cost exposure: None

14. Parties: ECKO Green Environmental Consulting (PTY) Limited//SIU/PPSA (5th Respondent) & Others - Pretoria High Court - Case No

Cause of action: Appeal - No relief sought against the PPSA

Value of the claim: No claim value

Cost exposure: None

15. Parties: Shabangu//MEC of Health//PPSA & Others - Mbombela High Court - Case No 500/21

Cause of action: Claim for Defamation

Value of the claim: R12 Million

Cost exposure: None

16. Parties: Sekgobela// PPSA & 3 Others - Polokwane High Court - Case No 1907/2024

Cause of action: Review application - Report No 31 of 2023/2024 - No Interdict

Value of the claim: No claim value

Cost exposure: None

17. Parties: Mkhwebane//Public Protector & 4 Others - Pretoria High Court - Case Number 023495/2024

Cause of action: Review of the decision by the PPSA.

Value of the claim: R10 Million plus interest.

Cost exposure: None

18. Parties: City of Tshwane Metropolitan Municipality//The Public Protector SA & 8 Others

Cause of action: Report on the investigations into allegations of maladministration by the North West Housing Corporation and the City of Tshwane Metropolitan Municipality regarding improprieties in the sales and transfers of properties of the North West Housing Corporation situated within boundaries of the City of Tshwane Metropolitan Municipality

Value of the claim: No claim value

Cost exposure: None

19. Parties: NTP Radioisotopes (SOC) LTD// PPSA & Others - Pretoria High Court - Case No 2211/2020

Cause of action: Review application - Report No 108 of 2019

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies (continued)

Value of the claim: No claim value

Cost exposure: None

20. Parties: The Trustees for the time being of the Independent Development Trust/ Coceko Bambihlelo Johan Pakade// The Public Protector SA & Other - Pretoria High Court - Case No 11097/19

Cause of action: Review application - Report No 49 Of 2019/20 - Interdict

Value of the claim: No claim value

Cost exposure: None

21. Parties: Nelushi//The Public Protector & Other - Pretoria High Court - Case No 36221/20. Cause of action: Review application - Investigation reference no 7/2-005743/19 – NO. Value of the claim: No claim value

Cost exposure: None

22. Parties: Vhembe District Municipality// The Public Protector South Africa & 3 Others - Case No 6166/21

Cause of action: Review application - Report No 37 of 2020/21 - No interdict

Value of the claim: No claim value

Cost exposure: None

23. Parties: Norkie //PPSA/Industrial Development Corporation - Western Cape High Court - Case No 18870/22.

Cause of action: Review application - Report No 40 of 2022/23

Value of the claim: No claim value

Cost exposure: None

24. Parties: Hola Bon Renaissance Foundation// PPSA & Others - Pretoria High Court - Case No 074208/2023

Cause of action: Review application - Report No 12 of 2023/2024 - No Interdict

Value of the claim: No claim value

Cost exposure: None

25. Parties: National Health Laboratory Services// Public Protector - Pretoria High Court - Case No 2022 - 00310

Cause of action: Review application - Report No 108 of 2021/22 - No Interdict

Value of the claim: No claim value

Cost exposure: None

26. Parties: Putco (PTY) Limited//PPSA & Others -Pretoria High Court - Case No 15874/2022

Cause of action: Review application - Report No 91 of 2021/22

Value of the claim: No claim value

Cost exposure: None

27. Parties: Govan Mbeki Municipality//PPSA & 2 Others - Pretoria High Court - Case No 55085/2019

Cause of action: Review application - Report No 13 of 2019/2020 - No interdict

Value of the claim: No claim value

Cost exposure: None

28. Parties: Medical Information Technology SA (PTY) LTD/ Jacob Maleme Poo// The Public Protector & 7 Others - Pretoria High Court - Case No 29760/20

Cause of action: Review application - Report No 109 of 2019/20 - No Interdict

Value of the claim: No claim value

Cost exposure: None

29. Parties: Sethokga//Ivanplats/PPSA & Others - Mogalakwena Magistrate's Court - Case No 691/2023

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies (continued)

Cause of action: Founding Papers requested from applicant's attorneys

Value of the claim: No claim value

Cost exposure: None

30. Parties: Ngxanga//PPSA & Others - Kimberely High Court - Case No 200/23

Cause of action: Application to compel

Value of the claim: No claim value

Cost exposure: None

31. Parties: Mangwane// PPSA - Gqeberha High Court - Case Number 451/2024

Cause of action: Contempt of court application

Value of the claim: No claim value

Cost exposure: R14,755.09

32. Parties: African Transformation Movement//PPSA & Others - Pretoria High Court - Case No 075327/2023

Cause of action: Review application - Report No 12 of 2023/2024 - No interdict

Value of the claim: No claim value

Cost exposure: None

33. Parties: Chabalala//PPSA & Others - Pretoria High Court - Case No 012350/2024

Cause of action: Application to compel Value of the claim: No claim value Cost exposure: None

34. Parties: Khwinana//PPSA & Others - Pretoria High Court - Case No 020597/2024 Cause of action: Review application - Report No 31 of 2023/2024 - No Interdict Value of the claim: No claim value

Cost exposure: None

35. Parties: Mdoda//PPSA/NHLS - Mthatha High Court - Case No 2445/2023

Cause of action: Review application - Closing report

Value of the claim: No claim value

Cost exposure: None

36. Parties: Greater Letaba Local Municipality//PPSA/Star-Mirls Construction - Polokwane High Court - Case No 6245/2023

Cause of action: Review application - Report No 116 of 2019/2020 - No interdict

Value of the claim: No claim value

Cost exposure: None

37. Parties: Speaker: Winnie Madikizela -Mandela Local Municipality & Others //PPSA & Others - Bisho High Court Case No 800,802/81/2021 (Consolidated).

Cause of action: Review application - Report No 49 Of 2021/22 - Interdict

Value of the claim: No claim value

Cost exposure: R1,275,090.00

38. Parties: Marenza Civils & Others//PPSA & Others - Pretoria High Court - Case No 82779/2019

Cause of action: Review application - Report No - N/A

Value of the claim: No claim value

Cost exposure: None

39. Parties: Obed & Others//PPSA & Others - Pretoria High Court - Case No 027089 Cause of action: Review application - Internal Review Case No 7/20055031/12

Value of the claim: No claim value

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies (continued)

Cost exposure: None

40. Parties: Masombuka//PPSA/ Ephraim Mogale Local Municipality - Polokwane High Court - Case No 11200/2022

Cause of action: Review application - Report No 34 Of 2021/2022 - No Interdict

Value of the claim: No claim value

Cost exposure: None

41. Parties: Gauteng Gambling Board & Another //PPSA & Others - Pretoria High Court - Case No 48085/2019

Cause of action: Review application - Report No 11 of 2019/2020

Value of the claim: No claim value

Cost exposure: None

42. Parties: Stellenbosch University//PPSA

Cause of action: Review application - Report No 109 of 2021/2022

Value of the claim: No claim value

Cost exposure: None

43. Parties: Baloyi//PPSA & Others - Pretoria High Court - Case No84053/2019

Cause of action: Claim for damages

Value of the claim: No claim value

Cost exposure: No cost exposure, the matter has been finalised.

44. Parties: PPSA // PSA obo Thabang Dikobo and Others - Johannesburg Labour Court - Case No JR44/23

Cause of action: Review application

Value of the claim: R141,041.10

Cost exposure: None

45. Parties: PPSA // Samuel & Others - Johannesburg Labour Court - Case No JR1721/22

Cause of action: Review application

Value of the claim: No claim value

Cost exposure: None

46. Parties: Poo // PPSA and Others - Pretoria High Court - Case No. 29760/2020

Cause of action: Review application

Value of the claim: No claim value

Cost exposure: None

47. Parties: PPSA and Another // Gordhan and Others - Pretoria High Court - Case No: 36099/19; SCA Case No: 464/2021; Constitutional Court:CCT46/2022

Cause of action: Review application

Value of the claim: No claim value

Cost exposure: No cost exposure

48. Parties: Phumelela Gaming & Lesisure//PPSA & Others - Case No 44039/2019

Cause of action: Review application

Value of the claim: No claim value

Cost exposure: None

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

21. Contingencies (continued)

49. Parties: Nkwinti//PPSA & Another - SCA - Case No A245/2022 Cause of action: Appeal of HC judgement Case No 36050/2019

Value of the claim: No claim value

Cost exposure: None

50. National Treasury instruction note 12 of 2020/21 requires institutions to declare surpluses or deficits to the relevant Treasury using the annual financial statements. An estimated calculation for surplus for 2023/24 reporting period stands at R63 592 120. A contingent liability therefore exists in relation to the retention of surplus funds as at 31 March 2024.

*Cost exposure estimates relate to future legal expenditure whose estimates is subject to unpredictable legal strategies and tactics of litigants that may change throughout the course of each litigation.

Contingent assets

1. Parties: Kagisano Molopo Local Municipality v the Public Protector

Cause of action: Review application.

Value of the claim: No claim value

Fee recovery: Amount not yet quantified

2. Parties: Mokaba v the Public Protector

Cause of action: Review application Report No. 15 of 2016/17.

Value of the claim: No claim value

Fee recovery: Amount not yet quantified

3. Parties: Mostert v PPSA

Cause of action: Review application.

Value of the claim: No claim value

Fee recovery: Amount not yet quantified

4. Parties: Mark v PPSA

Cause of action: Review application.

Value of the claim: No claim value

Fee recovery: Amount not yet quantified

5. Parties: PPSA v H Samuel

Cause of action: Review application.

Value of the claim: R1,513,866.00

Fee recovery: None

Public Protector South Africa

Annual Financial Statements for the year ended 31 March 2024

Notes to the Annual Financial Statements

22. Related parties

1. Controlling Parties

The Parliament, through the Constitution and the Public Protector Act, has the ability to control or exercise significant influence on the institution, through, amongst other means, its authority for the recommendation of the appointment of the Public Protector and the Deputy Public Protector as well as their removal from office and the institution directly reports to the National Assembly.

National Treasury has the ability to affect the nature or amount of budget allocations to the institution and thus has power over the institution.

2. Other related parties include members of the same economic entity, the national government departments and their entities, the details of the transactions or balances are narrated below:

(a) The funds allocated to the institution through the budget are transferred through the Department of Justice and Constitutional Development and an amount of the R357 261 000 (2023: R377 928 000) was transferred during the period. There were no outstanding balances in relation to the transfers. In a separate transaction, the Department, through the State Attorney paid legal fees in respect of the Section 194 enquiry, a balance of R479 988,73 (2023:R0) remains unpaid.

(b) The Department of Public Works and Administration paid rental of R13 035 886 (2023: R12 148 298 restated to R12 305 034) in respect of two office buildings occupied by the institution for the purposes of office accommodation for the head office in Pretoria and provincial offices in Nelspruit.

(c) The institution hosted interns on practical experience training programmes on behalf of the Safety and Security Sector Education and Training Authority (SASSETA), an entity of the Department of Education and Training and paid stipends to learners hosted under the training programme. At reporting date, a balance of R332 700,00 (2023: R332 700) remains outstanding in respect of stipends paid by the institution on behalf of SASSETA.

3. Key management information

Class	Description	Number
-Executive Authority	The Public Protector of South Africa	1
-Executive Authority	The Deputy Public Protector of South Africa	1
-Executive management	Executive Management within PPSA	8

Key management personnel remuneration

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22. Related parties (continued)

Management information

2024

Name	Basic salary	Pension allowance	Travel allowance	Medical aid allowance	Non-pensionable allowance	Other allowance	Service bonus	Gratuity	Other benefits received	Total
Public Protector - Adv BJ Mkhwebane (1)	770 570	-	-	-	296 111	34 729	-	-	-	1 101 410
Acting Public Protector - Adv KN Gcaleka	740 856	-	-	-	437 849	-	-	-	-	1 178 705
Public Protector - Adv KN Gcaleka (2)	739 864	-	-	-	284 311	32 375	-	3 149 395	-	4 205 945
Chief Executive Officer - MT Sibanyoni	1 301 676	180 914	120 667	140 417	199 761	130 000	107 927	-	-	2 181 362
Chief Operating Officer - Adv NI Nkabinde (3)	1 333 559	200 034	-	-	261 052	5 488	116 921	-	97 494	2 014 548
Chief Financial Officer - M Mdingi	822 935	123 440	-	-	357 134	-	51 433	-	-	1 354 942
Executive Manager GGI and AJSD - PR Mogaladi	1 265 613	189 842	72 000	-	60 562	140 727	105 468	-	-	1 834 212
Acting Executive Manager Corporate Services - GG Tyebilela (4)	750 626	113 491	-	-	325 271	9 071	61 771	-	124 176	1 384 406
Acting Executive Manager Investigations - V Dlamini (5)	980 655	151 151	-	-	191 461	44 310	78 375	-	209 081	1 655 033
Acting Executive Manager PII Inland- Adv E de Waal (6)	1 297 417	199 876	-	70 848	118 809	116 259	110 231	-	55 657	1 969 097
Executive Manager Stakeholder Management - FN Motsitsi	1 322 773	171 960	-	121 000	164 490	-	110 231	-	-	1 890 454
Executive Manager - Adv D Barnard (7)	1 303 430	169 446	-	-	389 167	-	-	-	-	1 862 043

Figures in Rand	2024	2023 Restated*
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Figures in Rand										2023	2024	2023
												Restated*
22. Related parties (continued)												
Acting Executive Manager	1 223 774	196 273	-	70 848	104 431	238 466	104 001	-	151 300	2 089 093		
PII Inland- Adv E de Waal												
Acting Executive Manager	890 476	-	-	-	460 079	58 222	-	-	58 501	1 467 278		
PII Coastal - B Neshunzhi												
Executive Manager	1 297 667	168 697	72 000	-	98 516	140 013	102 486	-	-	1 879 379		
Stakeholder Management -												
FN Motsitsi												
Executive Manager PII	1 127 488	169 123	-	-	238 624	25 572	89 613	-	341 523	1 991 943		
Inland Acting as COO - Adv												
NI Nkabinde												
Executive Manager - Adv D	520 003	67 600	-	-	155 258	8 475	-	-	-	751 336		
Barnard												
Chief Financial Officer - M	65 403	9 810	-	-	28 341	1 695	-	-	-	105 249		
Mdingi												
Chief of Staff - L Lebelo	126 995	-	-	-	84 663	-	-	-	-	211 658		
	15 117 772	1 020 228	417 559	215 448	3 644 057	2 022 932	800 369	1 418 695	1 926 084	26 583 144		

- (1) Adv BJ Mkhwebane's term of office ended on September 2023.
- (2) Adv KN Gcaleka was appointed as Acting Public Protector from June 2022 and was appointed as Public Protector in November 2023.
- (3) Adv NI Nkabinde was appointed to the position of COO from July 2023 to date.
- (4) Mr GG Tyelele assumed the responsibility of Acting Executive Manager: Corporate Services from June 2022 to February 2024.
- (5) Mr V Dlamini assumed the responsibility of Acting Executive Manager from April-June 2022 and from October 2022 to December 2023.
- (6) Adv E De Waal assumed the responsibility of Acting Executive Manager PII Inland from July 2022 to May 2023.
- (7) Adv D Barnard assumed the responsibility of the Executive Manager PII Coastal from November 2022.
- (8) Ms L Sekele assumed the responsibility of Acting Executive Manager: CSM from August 2023.
- (9) Ms P Mafani P assumed responsibility of Executive Manager CSM from December 2023 to date.

Remuneration of management

Audit committee members

Notes to the Annual Financial Statements

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	2024	2023 Restated*
22. Related parties (continued)		
Princess Mangoma	71 288	110 916
Stanley Ngobeni	45 866	52 696
Luyanda Mangxuku	-	52 696
Jonty Tshipa *	58 273	-
Tebogo Tukisi **	39 644	-
	215 071	216 308
Risk committee members		
Bongani Mnguni	-	31 140
Virenda Magan ***	63 128	-
	63 128	31 140

* Dr J Tshipa was appointed in May 2023.

** Ms T Tukisi was appointed in September 2023

*** Mr Virenda Magan was appointed in May 2023.

23. Change in estimate

Property, plant and equipment

The useful lives of certain property, plant and equipment were assessed during the 2023-24 financial year. The effect of the change in estimates is as follows:

Effect in the statement of financial position

Net Impact	After Change	Before Change
20 754	1 455 411	1 434 657

Effect in the statement financial performance

Net Impact	After Change	Before Change
20 754	27 244	47 998

24. Prior period errors

The correction of the error(s) results in adjustments as follows:

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24. Prior period errors (continued)

Statement of financial position

Receivables from non-exchange transactions (a)	-	(464 713)
Property, plant and equipment (b)	-	308 681
Payables from exchange transactions (c)	-	(846 824)
Finance lease obligation: current assets (d)	-	(635 759)
Finance lease obligation: Non-current assets (e)	-	635 760
Provisions (f)	-	(3 397 633)
Transfer payable - non-exchange (g)	-	98 128
Opening Accumulated Surplus or Deficit (h)	-	4 498 616

Statement of financial performance

Reversal of impairment loss (i)	-	(177 107)
Internship (j)	-	210 000
Interest received (k)	-	(20 698)
Sundry income (l)	-	(132 013)
Government grants & subsidies (m)	-	(210 000)
Depreciation and amortization (n)	-	(61 872)
Staff cost (o)	-	(3 397 633)
Impairment loss (p)	-	(155 593)
Administrative expenses (q)	-	(474 748)

25. Prior-year adjustments

Presented below are those items contained in the statement of financial position, statement of financial performance and cash flow statement that have been affected by prior-year adjustments:

Statement of financial position

31 March 2023

	As previously reported	Correction of error	Restated
Receivables from non-exchange transactions (a)	534 200	(464 713)	69 487
Property, plant and equipment (b)	14 132 369	308 681	14 441 050
Payables from exchange transactions (c)	(35 485 814)	(846 824)	(36 332 638)
Finance lease obligation: current assets (d)	(984 141)	(635 759)	(1 619 900)
Finance lease obligation: Non-current assets (e)	(1 361 918)	635 760	(726 158)
Provisions - Current (f)	(31 016 416)	(3 397 633)	(34 414 049)
Transfer payable - non-exchange (g)	-	(98 128)	(98 128)
Accumulated surplus (h)	(63 396 379)	4 498 616	(58 897 763)
	(117 578 099)	-	(117 578 099)

Statement of financial performance

31 March 2023

	As previously reported	Correction of error	Restated
Reversal of impairment loss (i)	177 107	(177 107)	-
Internship (j)	-	210 000	210 000
Interest received (k)	5 686 485	(20 698)	5 665 787
Sundry income (l)	1 543 243	(132 013)	1 411 230
Government grants & subsidies (m)	378 138 000	(210 000)	377 928 000
Depreciation and amortization (n)	(5 777 867)	(61 872)	(5 839 739)
Staff cost (o)	(263 480 352)	(3 397 633)	(266 877 985)
Impairment loss (p)	-	(155 593)	(155 593)
Administrative expenses (q)	(119 191 830)	(474 748)	(119 666 578)
Surplus for the year	(2 905 214)	(4 419 664)	(7 324 878)

Public Protector South Africa

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25. Prior-year adjustments (continued)

Error narrations:

Statement of financial position:

(a) Receivables from non-exchange transactions

-Reclassification of administrative expenditure.

(b) Property, plant and equipment

-Addition of leasehold improvements previously omitted.

(c) Payables from exchange transactions

-Movement in lease liability previously omitted.
-Creditors liabilities previously omitted.

(d & e) Finance lease obligation

-Apportionment between current and long-term portions previously omitted.

(f) Provisions

- Accounting for an omission of a notch progression.

(g) Transfer payable - non-exchange

- Third party liability previously accounted for as revenue.

(h) Accumulated surplus

-Accumulated surplus changed due to net effect of item (a), (b), (c), (d), (e), (f), (g), (i), (j), (k), (l), (m), (n), (o), (p) and (q).

Statement of financial Performance

(i) Impairment loss

-Adjustment arising from restatement of receivables.

(j) Internship stipends recoverable

-Reclassification of revenue from non-exchange to exchange transactions.

(k) Interest received

-Reclassification of interest received on third-party funds previously accounted for as revenue.

(l) Sundry income

-Reclassification of third-party funds previously accounted for as revenue.

(m) Government grants & subsidies

-Reclassification of internship stipend recoverable to revenue from exchange transactions.

(n) Depreciation and amortization

-Additional depreciation arising from addition of leasehold improvements not previously recognised (omitted).

(o) Staff cost

-Accounting for an omission of a notch progression.

(p) Reversal of impairment loss

-Adjustment arising restatement as a result of restatement of receivables.

(q) Administrative expenses

-Adjustment arising from correction of omissions, reversal of duplications and reclassification of sundry transactions aggregated to administrative expenditure.

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Annual Financial Statements for the year ended 31 March 2024

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26. Risk management

Liquidity risk

Liquidity risk is the risk that the PPSA will not be able to meet its financial obligations as they fall due. The PPSA has adequate cash balances at its disposal and minimal long-term debt, which limits liquidity risk. Nevertheless, budgets and cash flow forecasts are prepared annually to ensure liquidity risks are monitored and controlled.

The table below analyses the PPSA's financial liabilities into relevant maturity groupings based on the remaining period on the Statement of Financial Position to the contractual maturity date. The amounts disclosed in the table below are contractual undiscounted cash flows:

At 31 March 2024	Liabilities in less than 3 months	liabilities in 12 months	Liabilities after 1 year	Total
Payables from exchange transactions	15 751 268	-	-	15 751 268
Finance lease obligation	-	639 329	93 568	732 897
At 31 March 2023	Liabilities in less than 3 months	liabilities in 12 months	Liabilities after 1 year	Total
Payables from exchange transactions	36 332 638	-	-	36 332 638
Finance lease obligation	-	1 619 900	726 158	2 346 058

Credit risk

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation.

Credit risk represents the potential loss to the PPSA is as a result of unexpected defaults or unexpected deterioration in the creditworthiness of counterparties. PPSA credit risk is primarily attributable to its receivables. However, the risk is minimal as the institution receivables (excluding amounts held with banks) are limited to advance to employees and interest receivable. There are past due and impaired receivables for this current financial year.

The carrying amount included in the Statement of Financial Position represents the PPSA maximum exposure to credit risk in relation to this asset. The institution does not consider there to be any significant concentration of credit risk.

With regard to credit risk arising from the other financial assets, which comprise of cash and cash equivalents, the institution exposure arises from a potential default of the counterparty where credit rating is constantly monitored, with a maximum exposure to the carrying amount of these instruments. Cash and cash equivalents are only placed with banking institutions with an AA credit rating.

31 March 2024	Financial assets	Financial liabilities	Total carrying value
Receivables from exchange transactions	702 351	-	702 351
Cash and cash equivalent	104 858 652	-	104 858 652
Payables from exchange transactions	-	(15 751 268)	(15 751 268)
Receivables from non-exchange transactions	179 291	-	179 291
	105 740 294	(15 751 268)	89 989 026
31 March 2023	Financial assets	Financial liabilities	Total carrying value
Receivables from exchange transactions	615 986	-	615 986
Cash and cash equivalent	126 214 081	-	126 214 081
Payables from exchange transactions	-	(36 332 638)	(36 332 638)
Receivables from non-exchange transactions	69 487	-	69 487
	126 899 554	(36 332 638)	90 566 916

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26. Risk management (continued)

Market risk

Interest rate risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk.

PPSA is exposed to cash flow interest rate risk arising from cash on hand at commercial banks which earns interest at floating rates based on daily bank deposit rates.

The PPSA exposure to market risk (in the form of interest rate risk) arises as a result of the following:

- a) Possible interest on late payment by the PPSA
- b) Interest income linked to rates prescribed by the National Treasury
- c) Interest on accounts held at banking institutions

PPSA is mainly exposed to interest rate fluctuations, and the financial assets and liabilities are managed in such a way that the fluctuations in variable rates do not have material impact on the surplus (deficit) as the institution settles its outstanding obligations within 30 days and interest on outstanding debts is charged monthly using the applicable interest rates if there is any.

Foreign exchange risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates.

PPSA exposure to foreign exchange risk is limited to the payment of Microsoft license fees and international membership fees, the transaction volume is minimal. The foreign exchange risk is related to the fluctuation of the Rand and Dollar/Euro purchase rates.

The institution reviews its foreign currency exposure, including commitments on an ongoing basis. The institution expects its foreign exchange contracts to hedge foreign exchange exposure.

27. Going concern

The institution assessed its going concern status considering several factors including financial position and cash flows, its revenue sources and funding regulatory environment with the following outcomes:

- Positive net asset position of R84 519 558 and net current asset position of R66 041 506.
- Positive operating cash flows R3 402 095.
- From the past experience National Treasury never declined the institution's request to retain the surplus funds
- National Treasury has instituted a 10% budget reduction amounting to R37,4 million. The institution has adjusted its operating expenditure to accommodate the budget reduction.
- To the best of the management knowledge; no legislation has been enacted or substantially enacted to indicate that National Government plans to review our founding legislation.

After considerations of the outcomes of the assessment conducted; the annual financial statements have been prepared on the basis of accounting policies applicable to a going concern.

28. Events after the reporting date

1. The Department of Public Works and Infrastructure entered into a lease contract with private lessors and assume the liability for the rental of PPSA offices; thus Head Office and Nelspruit provincial office.

In the subsequent reporting period from April 2024, the funds in respect of the rental of the two offices have been devolved from DPW to the institution.

Notes to the Annual Financial Statements

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29. Irregular expenditure and fruitless and wasteful expenditure

Irregular expenditure	5 838 198	18 987 533
Fruitless and wasteful expenditure	208 396	153 746
Total	6 046 594	19 141 279

Irregular expenditure is presented inclusive of VAT

The PPSA received excess perishable cleaning material. Some of the material could not be used and reached the expiry dates. The value of stock is yet to be quantified

i) Irregular expenditure

Rotation of legal suppliers for consulting and professional fees	5 838 198
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ii) Fruitless and wasteful expenditure

Lost cellphones	208 396
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(1) Amounts of material losses through criminal conduct

- The PPSA does not have any material losses through criminal conduct for the year under review

(2) Criminal or disciplinary steps taken as a result of losses, irregular and fruitless and wasteful expenditure

- There are no criminal or disciplinary steps taken , as the irregular and fruitless is under determination.

30. Budget differences

Material differences between budget and actual amounts

(1) Recoveries of legal fees

The variance arises from unpredictability of the outcome of court proceedings regarding the awarding of costs and the timing of taxation of the costs once awarded.

(2) Impairment loss

The variance is as a result of an unforeseen restatement of a debtor's balance that was previously overstated and disputed and had to be adjusted downwards.

(3) Sundry income

The variance is largely due to recoveries of fruitless and wasteful expenditure and recovery from officials that negligently lost the institution's assets, these incidents cannot be predicted with certainty.

(4) Interest received

Excess interest was received than originally projected due to rising interest rates and low.

(5) Revenue - Service in Kind

The institution does not budget for revenue received in kind as it is budgeted for by the benefactor.

(6) Staff cost

Savings were realised due to vacant positions that were frozen subsequent to anticipated budget ten percent (10%) cut to the institution's budget in the next financial year.

(7) Depreciation and amortisation

The variance arose from acquisition of assets subsequent to approval of the retention of surplus for such acquisitions.

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30. Budget differences (continued)

(8) Finance costs

The institution does not budget for finance costs as they are not part of its normal operations and depend on the outcome of actuarial valuations..

(9) Administrative expenses

The over expenditure mainly arises from the fact that the institution does not budget for services in kind disclosed under related party transactions but expenses an amount equivalent to the revenue recognised, this has resulted in administrative expenditure budget appearing to be exceeded.

(10) Loss on disposal of assets and liabilities

The institution does not budget losses on disposal of assets as they are not part of its operations and cannot be reliably estimated.

(11) Actuarial gains/losses

The institution does not budget for these gains or losses as they are not part of its normal operations and depend on the outcome of actuarial valuations.



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