



PUBLIC PROTECTOR
SOUTH AFRICA

Accountability • Integrity • Responsiveness



PUBLIC PROTECTOR SOUTH AFRICA

ANNUAL PERFORMANCE PLAN 2022/2023

PUBLIC PROTECTOR VISION 2023

TAKING THE SERVICES OF THE PUBLIC PROTECTOR TO THE GRASSROOTS



TAKING THE SERVICES OF THE
PUBLIC PROTECTOR
TO THE GRASSROOTS

STATEMENT BY THE EXECUTIVE AUTHORITY



I am thankful for the opportunity to present the Public Protector South Africa (PPSA) Annual Performance Plan (APP) for the 2022/23 financial year; the sixth such document that I am submitting to the National Assembly since my appointment in October 2016. With no fewer than 18 months left on one's term of office, the preparation of this document presented an opportune moment for one to reflect on the journey of the last five and a half years, taking stock of both the hits and misses, with a view to using the remaining period profitably to tie up any loose ends.

By now, it should be well established that the work of this independent constitutional institution finds expression in the master plan that we simply refer to as the Public Protector Vision 2023. Every little activity that we have engaged in as part of the daunting responsibility to breathe life into section 182 of the Constitution and national legislation, which confer additional powers and functions on this office, is informed by this vision.

Simply put, the vision is about extending, in real terms, the reach of this institution to communities at the grassroots of society. These are ordinary folks who — owing to the reality that litigation tends to be the exclusive domain of the well-resourced — are unlikely to vindicate their rights and hold their government accountable through the court system. In this institution, they find what the Constitutional Court styled the voice and teeth that bite corruption and abuse.

The vision rests on eight pillars, namely: broadening access to services; engaging linguistic communities in their mother tongue; spreading our footprint; leveraging stakeholder relations and entering into agreements that would give effect to cooperation in this regard; projecting the image of a safe haven for the marginalised; empowering people with information and knowledge about their rights; cajoling organs of state to establish effective in-house complaint-resolution mechanisms; and inspiring people to be their own liberators.

Looking back, we have really gone the distance in applying this vision. Bar the difficult period during which the country was in the grip of COVID-19, we left the comfort of the office to take our services to far-flung communities. The people of Worcester in the Western Cape, Tlokweng in the North West, Marble Hall in Limpopo, Mbizana in the Eastern Cape, Platfontein in the Northern Cape and Umhlabuyalingana in KwaZulu-Natal, among other places, can attest to this.

During the period under review, mass communication remained at the centre of the drive to take our services to the backyards of the deprived. To this end, we have been on hundreds of community radio programmes, spreading the word about the resourcefulness of this institution in tackling the monster of maladministration, which continues to have a stranglehold on the

delivery of quality public services. What's more, we took into account that the listenership of those mediums were largely linguistic communities with whom we engaged in their home languages.

For an institution with a lofty constitutional mandate to be accessible to all people across the land, we fall short when it comes to physical presence among the communities we serve. This is largely due to the shallow depth of our pockets. Faced with this obstacle, we have had to innovate, augmenting the 18 offices that we already have countrywide with the placement of complaint drop-boxes in around 45 municipal areas. Complaint forms and information material published in local languages are placed alongside each drop-box to facilitate a seamless complaint-lodging process. Outreach officials in the provinces visit the drop-box sites periodically to collect complaints for further handling in the respective offices. This measure has gone a long way to narrow the distance between the office and the public we serve and has the potential to do more.

Considering how ambitious an idea Vision 2023 is, going it alone was always going to prove untenable. This is why we saw the need to rope-in a motley network of stakeholders. We entered into Memoranda of Agreements with each, aiming to foster cooperation with institutions whose contribution we deemed critical to the attainment of the goals set out in the vision. These include the Department of Justice and Correctional Services, Provincial Legislatures, sister independent constitutional institutions such as the South African Human Rights Commission (SAHRC), sector ombudsman institutions including the Tax Ombud and Health Ombudsman, and the Special Investigating Unit (SIU), to mention but a few. We have also entered into agreements with organs of state such as the City of Tshwane (CoT) and the National Student Financial Aid Scheme (NSFAS). These pacts make it easier for us to address emergency matters expeditiously. Examples include instances where the NSFAS fails to provide financial support to students, leaving them in the lurch, or electricity outages and sewerage spillages in respect of the CoT.

Linked to this is the crusade we have embarked upon to encourage organs of state to establish effective in-house complaints resolution units to serve as complaint structures of first instance. As a chronically underfunded institution, the reality that our mandate is broad, covering any and every administrative action within state affairs to the exclusion of court decisions, does not help our cause. This realisation led to the resolve that not every complaint of maladministration must be brought to us. Consequently, we have sought to persuade other organs of state to have internal complaints units. This has seen individual cases that would ordinarily clog our system being handled elsewhere. Such matters are only escalated to us when the complainant remains unhappy even after the intervention of such structures. The spin-off has been that a lot of space in our case basket has been freed-up for us to launch own-initiative systemic investigations to tackle widespread service delivery challenges.

In addition, we are developing a Mobile Referral Application through which potential complainants will be referred to institutions that are competent to resolve the specific problems that they would have ordinarily approached us with. Beyond empowering the public with information on where to go for help, this application will significantly cut the time it would have taken to have the complaint attended to as it will take complainants directly to where help is to be found. That way, we encourage the public to be their own liberators, demanding quality services and accountability from state functionaries.

This brings me to this APP. Like the five that preceded it and the last one that will follow in 2023/24, it is anchored in Vision 2023. To produce this document, we got together as the management and leadership of the institution last October on the sidelines of the celebration of the 26th anniversary of the PPSA. What we have come out with is a reflection of the honest and introspective conversations that we had during that two-day sitting.

Part of those conversations revolved around how being impactful should be the central tenet of our work and how a lot of the impact we made over the last few years largely came from government-wide systemic investigations. These refer to matters that tackle recurring problems which seem to affect many people at a time or a community as opposed to individual and isolated cases. This is not to suggest that individual cases are less important and deserve lesser attention because sometimes it is such isolated cases whose evidence helps us to identify systemic service failures so we can straighten out the system and see to it that the problem does not persist.

Above all else, through systemic investigations, we have been able to inspire good governance practices in state affairs through the identification of problem areas, recommendation of remedies and monitoring implementation thereof, thus sparking a positive change in the administration. An example of such investigations are the five that we carried out in 2021/22 involving 16 public hospitals in Gauteng, KwaZulu-Natal, the Eastern Cape, Limpopo and Mpumalanga provinces. Through those investigations, we were able to get to the bottom of the systemic problems that trouble our public health care sector. In 2022/23, we aim to finalise eight such investigations. One of these will target the bottlenecks that result in organs of state delaying to pay small businesses that trade with government on time for services rendered. One can't overemphasise the impact that will flow from correcting the system so as to unlock due settlement of invoices timeously. Delays in processing payments for services rendered have a devastating effect on the survival of small business, which we look to for the creation of much needed jobs and for stimulating the economy.

Still on investigations, we continue to pay close attention to our turnaround times. Our service standards proclaim that our investigations will take anything from 6 to 36 months, with investigators given up to half-a-dozen months to resolve "life and death" cases, which we refer to as Early Resolution matters, while extremely complex matters should be wrapped up in three years. However, we are mindful of the reality that things will not always go our way. For instance, respondents might not cooperate, thereby causing us to contravene our own service promise. This is why we have set ourselves a target of staying within the timelines in at least 80% of the matters before us.

We enter the penultimate lap of this seven-year journey with a renewed sense of commitment. There is no doubt that we are on track to see Vision 2023 to the end. The next 12 months will see our implementation of the vision shifting to higher gear, increasing the intensity of the roll-out in preparation to reaching the crescendo. But this has not been a solo effort by the institution and will not be. We owe much of our successes of the past half-a-decade to the unqualified support of our network of stakeholders. These include the public who entrust us with the conduct and service failure complaints, organs of state most of which are the respondents in all the matters we pursue, the executive arm of government from whom our budget comes, the judiciary from whose judgments we continue to draw important lessons, Parliament to whom we account and the media who scrutinise our activities and help carry our messages to our target audience.

We remain dependent on this backing as we set out to keep our end of the bargain not only in respect of our shared responsibility of strengthening constitutional democracy but on the quest to take the services of this institution to the grassroots.



ADV. BUSISIWE MKHWEBANE
PUBLIC PROTECTOR OF SOUTH AFRICA
PUBLIC PROTECTOR SOUTH AFRICA

FOREWORD BY THE CHIEF EXECUTIVE OFFICER



I am pleased to present the 2022/23 Annual Performance Plan (APP). The APP is developed at a time when the Public Protector South Africa (PPSA) and the country have to deal with the severe impact of the COVID-19 pandemic. In the midst of these challenges, the PPSA continues to work tirelessly to fulfil its mandate by introducing and implementing creative ways to deliver its services to all persons and communities, in terms of its Constitutional mandate.

The achievements of this institution in the 2020/21 financial year are encouraging, showing improved performance compared to previous financial years. Whilst maintaining a clean audit outcome for the second consecutive year, the institutional performance also improved as 83% of planned targets were achieved as compared to 79% in the last financial year. Since we are still operating in the environment of the pandemic, the Mobile Referral Application (MRA) will come in handy for complainants as they will be in a position to use it to find out which institutions will best assist them to deal with their respective complaints. This will ensure quicker resolution of their challenges. The operationalisation of the Case Management Application (CMA) is underway, where the first phase will be finalised in the current financial year and used internally. In the Medium-Term Expenditure Framework (MTEF), phase 2 of the CMA will be accessible to complainants to lodge complaints and to track the status of their cases. These electronic systems will improve access to PPSA services by our clients and make remote working possible.

For the 2022/2023 financial year, we are committed to maintaining the clean audit status and to improve on the number of achieved targets. As we have done in the past, we intend to continue to work closely with all organs of state to ensure speedy resolution of all complaints. We have also decided to submit quarterly reports to Parliament on the status of implementation of remedial action on reports issued by the Public Protector. The intention of the submission of these reports is to allow Parliament to assist PPSA in holding those organs of state that are non-compliant accountable. We believe that with the assistance of Parliament, more remedial action will be implemented and more people who were treated unfairly by organs of state will get the remedy that will improve their lives sooner than later.

In line with our strategic intent of taking PPSA services to the people at grassroots level, we plan to conduct public awareness sessions, using radio as a medium to reach as many people as possible. We also plan to identify and partner with Community-Based Organisations (CBOs) for the purpose of collaboration on advocacy matters at the grassroots level. These will be our ambassadors and ensure that our services are accessible to everyone irrespective of their geographic location.

The 2022/23 APP will be meticulously implemented by the capable PPSA Team.



MS THANDI SIBANYONI
CHIEF EXECUTIVE OFFICER
PUBLIC PROTECTOR SOUTH AFRICA

OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by employees and management of the PPSA under the guidance of Advocate Busisiwe Mkhwebane;
- Takes into account all relevant policies, legislation and other mandates for which the PPSA is responsible; and
- Accurately reflects the Outcomes and Outputs which the PPSA will endeavour to achieve over the period 2022/23.

Adv. Elsabe de Waal

Acting Executive Manager: Provincial Investigations and Integration (Inland)

Signature:



Mr. Baldwin Neshunzhi

Acting Executive Manager: Provincial Investigations and Integration (Coastal)

Signature:



Ms Nthoriseng Motsitsi

Executive Manager: Complaints and Stakeholder Management

Signature:



Mr Gumbi Tyelela

Acting Executive Manager: Corporate Services

Signature:



Ms Ponatshego Mogaladi

Executive Manager: Investigations

Signature:



Adv. Nelisiwe Nkabinde
Acting Chief Operations Officer

Signature: 

Mr Tshiamo Senosi
Acting Chief Financial Officer

Signature: 

Ms Machebane Mothiba
Senior Manager: Strategic Support

Signature: 

Ms Thandi Sibanyoni
Chief Executive Officer

Signature: 

Approved by:
Adv. Kholeka Gcaleka

Signature: _____
Acting Public Protector of South Africa

Date: _____

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PART A: OUR MANDATE

1. Updates to the relevant legislative and policy mandates

The PPSA's mandate is to strengthen constitutional democracy through investigating, reporting on any alleged improper conduct in state affairs and taking appropriate remedial action. The following are key statutory mandate areas:

1.1 Maladministration and related improprieties

- (a) To implement the Public Protector Act 23 of 1994 through investigating maladministration or improper or prejudicial conduct, including abuse of power and abuse of state resources in all state affairs;
- (b) To resolve administrative disputes or rectifying any act or omission in administrative conduct through mediation, conciliation or negotiation; and
- (c) To advise on appropriate remedies or employing any other expedient means.

1.2 Executive Ethics Enforcement

To enforce the Executive Ethics Code as mandated by the Executive Members' Ethics Act 82 of 1998.

1.3 Investigating Corruption

To investigate allegations of corruption as mandated by section 6(4) (a) (iv) of the Public Protector Act, read with the Prevention and Combating of Corrupt Activities Act 12 of 2004.

1.4 Protected Disclosures

To receive and address protected disclosures from whistle-blowers as mandated by the Protected Disclosures Act.

1.5 Review of decisions of the National Home Builders Registration Council

To review decisions of the National Home Builders Registration Council (NHBRC) as mandated by the Housing Protection Measures Act 95 of 1998.

1.6 In addition, the following laws either recognise the inherent investigative powers of the Public Protector or assign some administrative role to the Office:

1.6.1 Electoral Commission Act 51 of 1996 – The Public Protector must serve as a member of a panel that recommends a list of candidates to a National Assembly Committee that nominates Electoral Commissioners.

1.6.2 National Archives and Record Service Act 43 of 1996 – The Public Protector must be consulted on investigations into the unauthorised destruction of records otherwise protected under this Act.

1.6.3 National Energy Act 40 of 2004 – 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.

1.6.4 Promotion of Equality and Prevention of Unfair Discrimination 4 of 2000 – recognises the Public Protector as an alternative forum to resolve equality disputes.

1.6.5 Promotion of Access to Information Act: Access to information disputes under the Promotion of Access to Information Act (PAIA) 2 of 2000.

1.6.6 Public Finance Management Act 1 of 1999 – The Public Protector must receive a certificate from 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. This provision does not limit the Public Protector from supplying this information to his/her staff, and where she/he deems it in the public interest, to report on this.

1.6.7 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.

1.6.8 Special Investigating Units and Special Tribunals Act 74 of 1996 – Referral of cases between the Public Protector and the SIU.

1.6.9 National Environmental Management Act 107 of 1998 – Records and annual reports on environmental conflict management referred to in the Act include proceedings by the Public Protector

1.6.10 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 and the Hawks for further investigations.

1.7 Policy mandates

1.7.1 The National Development Plan (NDP), 2030

1.7.1.1. Chapter 14 of the NDP states that corruption undermines good governance, and that poor governance “can critically undermine national development”. The NDP reiterates that it is crucial in an effective and democratic state that political leaders and public officials account to the citizens for their actions.

1.7.1.2. According to the NDP, the country needs an anti-corruption system that “makes public servants accountable, protects whistle-blowers and closely monitors procurement”.

1.7.1.3. The NDP singles out the following four areas in which policies should be implemented towards an accountable state:

- a) Building a resilient anti-corruption system;
- b) Strengthen accountability and responsibility of public servants;
- c) Create a transparent, responsive and accountable public service; and
- d) Strengthen judicial governance and the rule of law.

1.7.1.4. The NDP calls for South Africa’s “anti-corruption arsenal”, including the Public Protector and the Auditor-General “to have the resources, independence from political influence, powers to investigate corruption, and their investigations should be acted upon”. The NDP highlighted 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”. Independence entails insulating institutions from political pressure and interference.

The NDP 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.”

1.7.1.5. And further “strengthening the anti-corruption system requires increasing the agencies’ specialist resources. More capacity should be created for corruption investigations – more funding is required to employ skilled personnel and sophisticated investigative techniques”.

1.7.1.6. The following proposals of the NDP impact directly on the mandate areas of the Public Protector:

- a) Strengthen the multi-agency anti-corruption system;
- b) Strengthen the protection of whistle-blowers;
- c) Greater central oversight over the awarding of large tenders or tenders with long duration; and
- d) Empower the tender compliance monitoring office to investigate corruption and the value for money of tenders.

1.7.2 The Sustainable Development Goals

1.7.2.1 The Sustainable Development Goals (SDGs) - (Goal 16: Peace, Justice and Strong Institutions) Promoting peace and justice is one of 17 Global Goals that make up the 2030 Agenda for Sustainable Development. Peace, stability, human rights and effective governance based on the rule of law are regarded as important conduits for sustainable development.

1.7.2.2 Goal 16 contains several sub-priorities which are relevant to the role and mandate of the Public Protector, including reducing corruption, developing effective, accountable and transparent institutions, ensuring inclusive, participatory and representative decision-making and ensuring access to information.

2. Updates to the Institutional Polices and Strategies

Key policies and strategies that Public Protector South Africa plans to initiate/implement are the following:

- Vision 2023;
- Public Protector rules;
- Clean audit strategy;
- Institutional Turnaround Strategy; and
- Stakeholder Management Strategy.

3. Updates to Relevant Court Rulings

3.1. In *Economic Freedom Fighters v Speaker of the National Assembly and Others; Democratic Alliance v Speaker of the National Assembly and Others*[1], the Constitutional Court per Chief Justice Mogoeng Mogoeng stated the following when confirming the powers of the Public Protector:

3.1.1. Complaints are lodged with the Public Protector to cure incidents of impropriety, prejudice, unlawful enrichment or corruption in government circles;

3.1.2. An appropriate remedy must mean an effective remedy, for without effective remedies for breach, the values underlying and the rights entrenched in the Constitution cannot properly be upheld or enhanced;

3.1.3. Taking appropriate remedial action is much more significant than making a mere endeavour to address complaints which was the most the Public Protector could do in terms of the Interim Constitution. However sensitive, embarrassing and far-reaching the implications of her report and findings, she is constitutionally empowered to take action that has that effect, if it is the best attempt at curing the root cause of the complaint;

3.1.4. The legal effect of these remedial measures may simply be that those to whom they are directed are to consider them properly, with due regard to their nature, context and language, to

determine what course to follow;

3.1.5. Every complaint requires a practical or effective remedy that is in sync with its own peculiarities and merits. It is the nature of the issue under investigation, the findings made and the particular kind of remedial action taken, based on the demands of the time, that would determine the legal effect it has on the person, body or institution it is addressed to;

3.1.6. The Public Protector's power to take appropriate remedial action is wide but certainly not unfettered. What remedial action to take in a particular case, will be informed by the subject-matter of the investigation and the type of findings made;

3.1.7. Implicit in the words "take action" is that the Public Protector is herself empowered to decide on and determine the appropriate remedial measure. And "action" presupposes, obviously where appropriate, concrete or meaningful steps. Nothing in these words suggests that she necessarily has to leave the exercise of the power to take remedial action to other institutions or that it is power that is by its nature of no consequence;

3.1.8. She has the power to determine the appropriate remedy and prescribe the manner of its implementation;

3.1.9. "Appropriate" means nothing less than effective, suitable, proper or fitting to redress or undo the prejudice, impropriety, unlawful enrichment or corruption, in a particular case; and

3.1.10. The remedial action taken by the Public Protector has a binding effect. The Constitutional Court further held that: "When remedial action is binding, compliance is not optional, and whatever reservations the affected party might have about its fairness, appropriateness or lawfulness. For this reason, the remedial action taken against those under investigation cannot be ignored without any legal consequences."

3.2. Following the EFF Judgement, the PPSA has experienced a significant rise of litigious responses by organs of state and public institutions against the Public Protector resulting in judicial review applications of the remedial action ordered by the Public Protector. Apart from the resultant increase in legal costs, the judgements in these matter have reflected on the whole spectrum of the Public Protector's powers and investigation processes, including:

- a) Principles applicable to the review of the Public Protector's powers;
- b) The acceptance and assessment of complaints, including the establishment of jurisdiction in respect of matters older than two years;
- c) Principles of effective investigations, including the availability and utilisation of formal powers such as the use of subpoenas; and

- d) Further clarification of aspects relating to the Public Protector's remedial action.

Makhosini Msibi v The Office of the Public Protector No. In the High Court of South Africa (Gauteng Division, Pretoria) Case No: 75594/2019 heard on: 15 October 2021 Delivered On: 26 January 2022

- a) On 16 September 2019 the Public Protector issued a report in terms of section 182(1)(b) of the Public Protector Act 23 of 1994 titled: "Report on an investigation into allegations of procurement irregularities, maladministration and nepotism within the Road Traffic Management Corporation (RTMC) by the CEO, Advocate Makhosini Msibi".
- b) Earlier, on 26 March 2019, the Public Protector had issued a notice in terms of section 7(9)(a) of the Act to the RTMC and Adv. Msibi to communicate potential adverse finding to the parties. The RTMC responded to the aforementioned notice. Following her investigation, the Public Protector, in her report *inter alia*, found that Adv. Msibi as a public official, had failed to adhere to the standard as required in section 195 of Constitution and proposed remedial action in her report.
- c) Adv. Msibi instituted legal action to challenge the report on two grounds of review, viz, procedural and substantive. In respect of the procedural grounds, he argued that the Public Protector violated his right to procedural fairness in that in conducting her investigation, she failed to hear him; and she failed to disclose the proposed remedial action to him prior to issuing the impugned report, "thus violating his right to be afforded reasonable opportunity to make representations on matters that detrimentally affect his interests".
- d) The Court found that section 7(9)(a) envisages a situation where the Public Protector hears the implicated person during the course of the investigation and not after the release of the so-called preliminary findings as the Public Protector has done in *casu*. The Court further held that the "Public Protector's failure to disclose the intended remedial action in the section 7(9)(a) notice effectively renders the entire process and her conduct unlawful and thus invalid."
- e) (Post note: Even before the judgement, the Public Protector had reviewed and aligned her business processes to include the disclosure of the intended remedial action in notices issued in terms of section 7(9) of the Act).

PART B: OUR STRATEGIC FOCUS

4. Updated Situational Analysis

a) The Constitutional mandate of the Public Protector is to investigate, report on and appropriately remedy any alleged or suspected improper conduct or improprieties in state affairs; and the imperative to be accessible to all people translates to a multi-pronged approach to handling complaints. In complying with its oversight function and its role in reconciling the citizens with the state, the Public Protector seeks to ensure that transgressions by organs of state are corrected, that a proper diagnosis and correction of any administrative inadequacies are conducted and that proper redress is provided in cases requiring remedial action, as envisaged in section 182(1)(c) of the Constitution. It aims to assist the State in good governance practice.

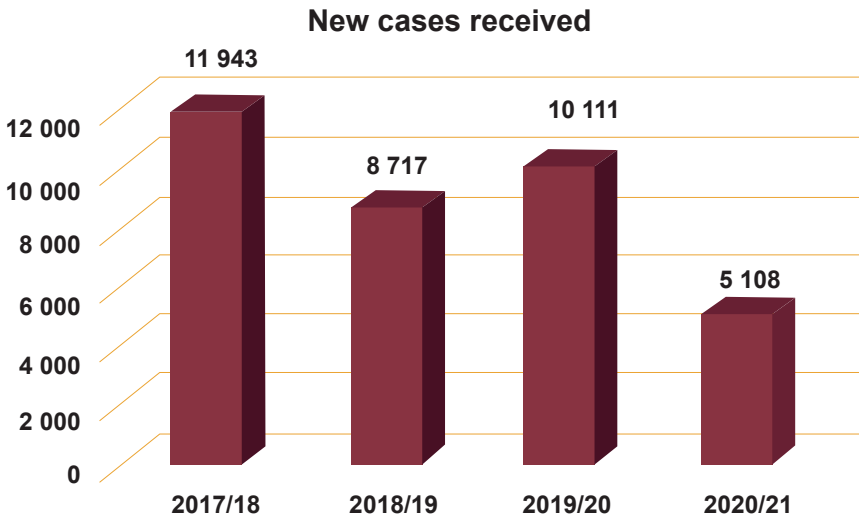
b) In an endeavour to better understand the environment within which PPSA operates, the institution used the SWOT analysis below:

<p>Strengths</p>	<ul style="list-style-type: none"> ● The PPSA derives its mandate from the Constitution and is subject only to the Constitution and the law ● The PPSA is part of Chapter 9 institutions that uphold constitutional democracy ● The PPSA is generally regarded as a professional institution with a good reputation for resolving complaints of conduct and service delivery failures by organs of state ● Sound financial management ● Knowledgeable and competent staff ● Outcomes of the PPSA investigations that changes the lives of ordinary South Africans ● Accessible to the public
<p>Weaknesses</p>	<ul style="list-style-type: none"> ● Absence of a Case Management System Inadequate subject matter specialists (e.g. forensic investigators) ● Inadequate security provision in the provinces and regions
<p>Opportunities</p>	<ul style="list-style-type: none"> ● Referral of matters in terms of section 6(4) of the Public Protector Act ● Sharing resources with other investigative organs of state and stakeholders to improve accessibility ● Income generation (funding model) ● Expand the PPSA footprint to reach far flung areas Building partnerships with others for mutual benefit, including the vulnerable ● Leverage on PPSA success stories in the media coverage ● Create capacity building opportunities ● Leverage relations with FIRD for mutual benefit ● Escalate non-implementation of remedial action to Parliament to improve the effectiveness of the office ● Involvement in African Ombudsman and Mediators Association (AOMA) and African Ombudsman Research Centre (AORC) to influence and learn from ombudsman institutions in Africa
<p>Threats</p>	<ul style="list-style-type: none"> ● Increase in litigation and associated costs ● Austerity measures, for example, no increase in salaries may lead to decay in service delivery and therefore lead to disgruntled communities and possible protests. (PPSA with limited resources may face a challenges in dealing with influx of complaints) ● Baseline reductions ● Decay in governance within the state ● Non-implementation of remedial action ● Negative press/media coverage ● Unstable electricity supply in the country (load-shedding)

4.1 External Environmental Analysis

4.1.1. In addition to the legislative and policy mandate, the Public Protector also considers the external context of its performance environment. In this regard, it is critical that the Public Protector considers the impact of national trends in executing its mandate together with the economic, social, technological, legal and environmental factors within the performance environment.

4.1.2. The Public Protector's primary constituency is all persons and communities, as well as their interaction and engagement with state affairs and public administration on national, provincial and local government level. The societal challenges experienced at these levels have a direct impact on the performance environment of the Public Protector as they directly relate to and are reflected in the nature of the complaints lodged with the Public Protector. These challenges relate to service delivery failures by institutions at all levels of government and the existing inequalities in access to infrastructure, and undue delay in the provision of basic services such as water, health and education, which is exacerbated by the COVID-19 pandemic. The impact of these service failures is aggravated by perceptions of high incidents of maladministration and corruption, particularly in the area of public procurement. This has a direct impact on the mandate of the Public Protector, as it is ordinarily required to respond to incidents of conduct failures in state affairs, as well as the protection of witnesses and whistle-blowers. The demand for PPSA services is evident as illustrated in the table below on the number of new cases received.



4.1.3. There is a visible decline in the number of new matters received in the 2020/21 financial year, which can be attributed to the COVID-19 restrictions as well as the implementation of Vision 2030. During the 2020/21, COVID-19 regulations restricted the movement of people, and this had an impact on the number of complaints lodged

4.1.4. During the planning process, the PESTEL analysis below was used as a tool to take into account and to assess external environmental factors that could potentially affect the implementation of the Strategic Plan and Annual Performance Plan.

Political factors	<ul style="list-style-type: none"> ● New government policies and/or the failure on the part of organs of state to effectively implement existing policies resulting in many complaints to the PPSA ● Complaints of unethical conduct against the Executives from various political parties
Economic factors	<ul style="list-style-type: none"> ● Competing demands (for example, service delivery) on a dwindling budget resulting in less resources being available to fund institutions such as the PPSA. ● PPSA is solely dependent on allocations of funding by the national government. ● Budget cuts to different spheres of government may lead to more service failure complaints ● The slow growth in the country's economy affects allocation of budgets, resulting into the Office's operations being negatively affected
Social factors	<ul style="list-style-type: none"> ● Media influence to the public on reporting ● Impact of service delivery protests
Technological factors	<ul style="list-style-type: none"> ● Impact of the fourth industrial revolution and automation of processes ● Technology as a vehicle for communication with complainants
Environmental factors	<ul style="list-style-type: none"> ● The ongoing development of informal settlements, townships and suburbs which result in an increase in the population in certain areas requiring access to basic services, the lack of which will lead to more people approaching the PPSA for assistance ● Disputes between traditional leaders and municipalities relating to land. (Some of these instances involve traditional leaders give land to people, who in turn demand services from municipalities that had not planned for the expansion services to those areas)
Legal factors	<ul style="list-style-type: none"> ● The PPSA has a strong legal basis in terms of its empowering legislation ● Any party affected by a report of the Public Protector has the right to review or bring other court applications against the reports of the Public Protector ● Application and implementation of the relevant jurisprudence and Public Protector Rules

4.1.5. The PPSA services people and communities in nine (9) provinces through its provincial and regional offices. In order to reach out to densely populated, far-flung and rural areas, in 2021/2022, one of the mechanisms to enhance accessibility was to install drop-boxes in areas where PPSA does not have a foot print. To this end, forty-five (45) drop boxes, five per province, have been installed at strategic points to enable communities to lodge their complaints in writing with the PPSA. Going forward, PPSA will collaborate with Community-Based Organisations, including traditional leaders to identify additional catchment areas for enhanced accessibility to its services.

4.1.6. The challenges that the PPSA need to address range from organs of state that may not respond to PPSA timeously during investigations, to non-implementation of remedial action as per the recommendations contained in the investigation reports. In order for PPSA to make an impact in the lives of complainants who were prejudiced by organs of state, cooperation from the same organs of state in the implementation of remedial action is key. The PPSA will be submitting quarterly reports to Parliament to assist in holding organs of state accountable for the implementation of remedial action.

4.1.7. The nature of complaints received by the institution is influenced by the environment within organs of state. For example, poor service delivery in certain municipalities may cause a spike in the number of service delivery related complaints the institution receives. Another notable trend is the increase in the number of conduct failure related complaints against the executive close to election periods, which have been taken into account during planning. These investigations are normally conducted in terms of the Executive Members Ethics Act and the Public Protector Act. The PPSA also receives complaints of a similar nature, which point to systemic administrative deficiencies in state organs.

4.1.8. Throughout the years, the Auditor-General South Africa (AGSA) has been reporting on irregular, fruitless and wasteful expenditure by state organs, which could be linked to fraud and corruption. With its expanded mandate to refer material irregularities to relevant public bodies (including the Public Protector), the institution is in a position to deal with specific requests for investigations from the AGSA. The PPSA has entered into a Memorandum of Understanding (MoU) with the AGSA on matters of cooperation, including assistance in investigating matters referred by AGSA to PPSA.

4.1.9. Organs of state have a right to exercise their legal remedies to take Public Protector's reports on judicial review even though there are no justifiable grounds. This legal right however, has resulted in some organs of state taking matters on judicial review, which prejudices complainants, who need their matters resolved timeously.

4.1.10. A number of complaints such as those pertaining to tender irregularities are on the rise, prompting PPSA to prepare for such complex investigations, including the training of investigators and establishing more efficient ways of investigating such matters. The PPSA has also embarked on a process to augment its capacity to effectively investigate through the employment of people who possess other skills such as auditing, forensics and accounting. This ensures the maintenance of multi-disciplinary teams to investigate any type of investigation and production of quality reports without the need to outsource investigations.

4.1.1.1. The PPSA has made a decision to refer matters of irregular appointments to Public Service Commission (PSC). Moreover, there are other matters, though within the jurisdiction of PPSA to investigate, that are referred to other institutions that are better placed to investigate specific matters such as the South African Human Rights Commission. Such referrals are pertinent to the PPSA in allowing investigators to deal with more matters that are systemic in nature.

4.2 Internal Environment Analysis

4.2.1 The institution is structured mainly in terms of core and support functions. In total, there are eighteen offices across the country. Key to the performance of the institution is its ability to fulfil the legislative mandate and the realisation of Vision 2023. The PPSA receives cases that are categorised as Early Resolution, Service Delivery as well as Good Governance and Integrity. Early Resolution cases are predominantly simple matters that deal with bread and butter issues such as the undue delay in processing an application for a pension. Service Delivery cases deal with alleged failure by organs of state to deliver services to communities such as water provision. Good Governance and Integrity cases focuses on conduct failure investigations, where allegations such as tender irregularities and the conduct of members of the Executive are investigated. Furthermore, it is vital for the PPSA to work with organs of State on a continuous basis from the beginning of an investigation process until its conclusion, including confirmation that the remedial action imposed by the Public Protector is implemented. The Executive Authority is supported by important internal stakeholders in the form of investigators and support staff with delegated authority in implement the mandate of the PPSA.

4.2.2 The PPSA is implementing an Integrated Stakeholder Management Strategy, which supports its mission and vision. Through Vision 2023, the PPSA seeks to take its services to grassroots communities and be responsive to customer needs. To realise this vision, the Integrated Stakeholder Management Strategy was developed to enhance accessibility, promote sharing of information, experience and resources amongst public institutions and, raise awareness and educate stakeholders about the mandate of the institution thereby empowering them to resolve their own complaints.

4.2.3 The Mobile Referral Application that has been developed and is being tested in the 2021/22 financial year. The Mobile Referral Application Project is aimed at the development of an application on Android (for now) mobile platform for use on mobile phones and other “smart devices”, with the view to configure and integrate an extensive database of internal and complaints handling systems over a wide spectrum of institutions. This will continue to build on the objectives of the Public Protector’s Vision 2023 to empower the public to become their own “Public Protectors”. The main purpose of this application is to advice and direct members of the public to the most appropriate complaint resolution avenue prior to lodging complaints with the Public Protector. One of the objectives of the Application is to manage and reduce the submission of premature,

duplicate and out-of-jurisdiction complaints to the Public Protector by advising, guiding and referring the public on:

- the mandate, role and function of the Public Protector as an institution of last resort;
- access information to and contact details of internal complaints handling systems and mechanisms at institutional level within departments and institutions at national, provincial and local government level, (in partnership with the Government Communication and Information System) as first point of contact;
- the availability of alternative external complaint handling (Ombuds) and oversight bodies (such as IPID) with the authority and responsibility to deal with complaints and grievances relating to specific areas within the public sector (for example, health, tax, military, police);
- the role and mandate of other Constitutional Institutions (ISDs) operating within the broad concept of state affairs but within specific substantive fields or sections of society; and
- Consumer bodies and complaint handling avenues to deal with matters outside the remit of the Public Protector.

4.2.4 The institution currently manages all its cases through a manual system that is time-consuming, ineffective and not responsive to the demands of the PPSA. The Case Management Application (CMA) has been developed and is being tested in the 2022/23 financial year. The CMA is essential for the PPSA to execute its mandate in an effective and efficient manner. The purpose of the CMA project is to put in place the building blocks towards the implementation of a responsive, modern and easy to use system for the PPSA. The CMA will allow the PPSA to perform the following:

- All cases reported to the Public Protector through multiple channels will be recorded electronically in a single and secure system;
- Cases to be registered, tracked and monitored throughout the life-cycle of the complaint from intake, registration, assessment, investigation, resolution, reporting, implementation and monitoring, as well as customer relationship management;
- Management information will be readily available in an easy to use and understandable format; and
- All incidents and steps in the system will be fully auditable.

4.2.5 Risk Management in the Institution is another important area that complements the efficiencies and effectiveness of the organisation. Early warnings are derived from a risk assessment and as a result, the institution is in a better position to respond to any eventuality as it will be better prepared for such. The institution is committed to ensure that risk management is embedded in all its business processes during this financial year.

4.2.6 The expansion of services to comply with the constitutional injunction on universal access has also been severely affected by financial constraints, leading to a strategic decision to partner with other institutions in the coming years. The PPSA continues with its endeavours to ensure physical access by approaching organs of state to utilise state-owned buildings such as magistrates

courts based on the conclusion of relevant MoUs with the Department of Justice and Correctional Services and other institutions such as traditional councils and municipalities. The use of drop-boxes is also instrumental in assisting complainants to lodge their complaints in far flung areas.

4.2.7 Pertaining to infrastructure requirements for the PPSA, the institution is in a process of reviewing its operational requirements pertaining to its offices. Thus far, PPSA has decided to close the Gauteng office to merge it with Head Office. Furthermore, the Klerksdorp office will also be closed as there are two more offices in the North West Province. Security requirements for offices are also being reviewed, with “Videofied” used in the interim.

4.2.8 The approved organisational structure of the PPSA has never been fully funded, which hampers its ability to rigorously investigate and finalise cases on time. Actually, at the time of its establishment in 1995, the PPSA did not have its own establishment and was supported through the secondment of staff from the Department of Justice. The budget allocated to the PPSA was not sufficient to establish the necessary corporate services to render administrative support the core line functions of the institution. Therefore, the PPSA had to continue to rely on the Department of Justice (DoJ) for administrative and financial support for a long period of time after the establishment of its own post structure as its funding was not adequate for a standalone institution. Furthermore, the implications of the significant statutory mandate expansions were never costed and budgeted for. Even with its limited resources, the PPSA is expected to investigate any conduct in state affairs in over 1000 organs of state within the national and provincial government departments, municipalities, State-Owned Enterprises, universities, etc. The resources allocated to the PPSA are inadequate for an institution with such a broad mandate.

4.2.9 The PPSA was evaluated for BBB-EE verification in line with Broad-Based Black Economic Empowerment Act 53 of 2003 as amended by Act 46 of 2013 requirement. The verification outcomes came back negative being non-compliant. But there is a significant improvement as compared to 2019/20 financial year verification outcomes. The institution is sitting at 43.91% as compared to 10.62% which was achieved in 2019/20 financial year. The main contributors is the improvement under Enterprise Supplier Development (ESD) as the institution managed to exceed all the compliance targets and scored full points under this component. The institution was also able to exceed the compliance target percentage by more than 50% under Board participation (black person who are executive director and black female directors as a percentage of all executive directors).

4.2.10 The PPSA provides services to all persons and communities irrespective of their race, gender, colour or creed. Despite the openness of the systems and level of accessibility of the services of the Public Protector, the profile of petitioners/complainants is often not as diverse as that of the population as a whole. Our data reflects that the percentage of men who complain to the Public Protector by far exceeds the percentage of women. In the 2020/21 financial year, 29% of complaints were lodged by women compared to 63% of complaints lodged by men. The

8% difference is attributed to complainants who did not disclose their gender. This is a general phenomenon that has been found in other empirical research on complainants, which shows that quite often, when a woman had a problem with public administration, it was her husband who eventually filed the complaint. The areas of priority for the PPSA in relation to complaints received from or affecting women, youth and people with disabilities, include:

- Fraudulent annulment of marriage without consent of the woman;
- Undue delay of registration of children (birth certificate);
- Failure to deal and resolve sexual harassment cases;
- Failure to issue Spousal permits;
- Failure to issue permanent resident permits;
- Failure to provide Customary Marriage certificates;
- Failure to provide electricity resources;
- Failure to provide title deeds;
- Unpaid benefits;
- Undue delay to allocate RDP houses;
- Non-payment of maintenance money and failure to enforce maintenance order;
- Denial of medical attention; and
- Failure to assist victims of gender-based violence.

4.2.11 The PPSA has a policy on people with disabilities and special needs, with an emphasis on enabling people with disabilities (both employees and clients) to have access to the PPSA premises and events. In as much as implementation of the policy is dependent on financial resources, the PPSA intends to continue catering for people with disabilities such as having materials printed in braille for visually impaired clients, having sign language translators at big events as well ensuring its offices cater for the needs to people using wheelchairs.

4.2.12 The institution plays an important role in empowering the youth through a partnership with Safety and Security Sector Education and Training (SASSETA) where graduates are employed in different fields ranging from investigations to administration, with a focus on providing the graduates with experience. It is envisaged that the experiential training will open opportunities to these graduates to enter into full-time employment.

4.2.13 The institution is a member of the AOMA, where the Public Protector holds the position of President. AOMA's role is to strengthen the Ombudsman Institutions in Africa to become among the best in the world. AOMA established the AORC, whose role is to support AOMA's goals of promoting ombudsman-ship, good governance, the rule of law and human rights in Africa. Secondly, AORC seeks to develop the capacity and knowledge of AOMA members. The Public Protector is the chairperson of AORC.

Part C: Measuring Our Performance

5. Institutional Programme Performance Information

5.1 Programme 1: Administration

5.1.1. Purpose: The purpose of the administration programme is to create effective systems within the institution to ensure optimal performance and compliance to laws and regulations. The administration programme supports the Public Protector in fulfilling its constitutional mandate.

5.1.2. Outcomes, outputs, output indicators and targets

Outcome	Output	Output Indicator	Audited Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21		2021/22 Target	2022/23 Target	2023/24 Target
Clean audit achieved and maintained	Clean audit obtained	Obtain clean audit annually	The institution received an unqualified audit opinion	Clean Audit Strategy was reviewed and implemented. The institution received a clean audit opinion	The institution received a clean audit opinion	Obtain a clean audit opinion	Maintain a clean audit opinion for 2021/22 FY	Maintain a clean audit opinion for 2022/23 FY	Maintain a clean audit opinion for 2023/24 FY
Implementation of ICT systems to optimally support business objectives	ICT infrastructure implemented	Percentage of implementation of ICT infrastructure	Hard drive encryption was implemented at 100%	N/A	Mobile Referral Application was not implemented	100% implementation of a Mobile Referral Application	100% implementation of a Case Management Application by 31 March 2023	100% implementation of a self-service portal by 31 March 2024	N/A

5.1.3. Output indicators: annual and quarterly targets

Output Indicator	2022/23 Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Obtain clean audit annually	Maintain a clean audit opinion for 2021/22 FY	N/A	Maintain a clean audit opinion for 2021/22 FY	N/A	N/A
Percentage of implementation of ICT infrastructure	100% implementation of a Case Management Application by 31 March 2023	6% implementation of the Case Management Application (Testing and piloting at Head Office)	56% implementation of the Case Management Application (Rollout to 9 provincial offices)	94% implementation of the Case Management Application (Rollout to 7 regional offices)	100% implementation of the Case Management Application (post implementation review report)

5.1.4. Explanation of planned performance over the medium-term period

The PPSA is an institution of integrity and it is very important for the institution to obtain and maintain clean audit outcomes from AGSA year on year. The institution obtained a clean audit outcome in the 2020/21 financial year and plans to review and implement its clean audit strategy to maintain the *status quo* in the 2021/22 and subsequent financial years.

The manual system that the institution uses to manage investigations is time consuming and therefore ineffective as it impacts on timeous finalisation of cases under investigation. The institution intends to deploy an electronic Case Management Application in 2022/23 financial year to assist investigative staff to finalise cases timeously, therefore benefitting complainants.

5.1.5. Programme Resource Considerations

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/Activity							
Administration	129 472	175 407	158 392	139 403	148 021	144 341	153 347
Total	129 472	175 407	158 392	139 403	148 021	144 341	153 347

5.1.6. Explanation of the contribution of resources towards achievement of outputs

The clean audit strategy is implemented by PPSA employees, thus the allocation is covered under compensation of employees. The allocation of these resources will assist the institution in operational efficiency and maintaining the clean audit opinion. The administration programme is funded from National Treasury allocation to the PPSA. Case Management Application will contribute to efficiencies, accuracy as well as reduce the amount of time investigators spend on reporting.

5.1.7. Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Clean audit achieved and maintained	Negative audit opinion	Strengthen internal controls Monitor implementation of internal controls Strengthen implementation of the combined assurance model
Implementation of ICT systems to optimally support business objectives	Inadequate capacity to accommodate requirements of the fourth industrial revolution (e.g. virtual meeting, saving large amounts of data, digitalising the work environment)	Implementation of critical ICT solutions

5.2 Programme 2: Investigations

5.2.1. Purpose: The purpose of the investigations programme is to ensure speedy resolution of complaints in line with fulfilling the mandate of the Public Protector to strengthen constitutional democracy.

5.2.2. Outcomes, outputs, output indicators and targets

Outcome	Output	Output Indicator	AUDITED PERFORMANCE				ESTIMATED PERFORMANCE	MTEF PERIOD		
			2018/19	2019/20	2020/21	2021/22 Target		2022/23 Target	2023/24 Target	2024/25 Target
Successful resolution of complaints	Investigation reports finalised	Number of investigation reports finalised	46 formal reports were finalised	137 investigation reports were finalised	50 investigation reports finalised	50 investigation reports finalised	2021/22 Target	2022/23 Target	2023/24 Target	2024/25 Target
Successful resolution of complaints	Cases finalised within approved turnaround times	Percentage of adherence to turnaround times in finalisation of cases	99% (4757/4803) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2018) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	95% (7112/7515) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2019) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	95% (4532/4754) of cases were finalised within the following turnaround times: ER: 9 months (as at 1 April 2019) SD: 18 months (as at 1 October 2018) GGI: 30 months (Very complex): 36 months	80% of cases finalised within the following turnaround times: ER: 9 months SD: 18 months GGI: 30 months (Very complex): 36 months	2021/22 Target	2022/23 Target	2023/24 Target	2024/25 Target
Successful resolution of complaints	Cases finalised within approved turnaround times	Percentage of adherence to turnaround times in finalisation of cases	99% (4757/4803) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2018) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	95% (7112/7515) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2019) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	95% (4532/4754) of cases were finalised within the following turnaround times: ER: 9 months (as at 1 April 2019) SD: 18 months (as at 1 October 2018) GGI: 30 months (Very complex): 36 months	80% of cases finalised within the following turnaround times: ER: 9 months SD: 18 months GGI: 30 months (Very complex): 36 months	2021/22 Target	2022/23 Target	2023/24 Target	2024/25 Target

Outcome	Output	Output Indicator	Audited Performance				Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22 Target		2022/23 Target	2023/24 Target	2024/25 Target
Successful resolution of complaints	Systemic investigations finalised	Number of systemic investigations/interventions finalised	6 systemic investigations/interventions were finalised	6 systemic investigations/interventions were finalised	3 systemic investigations/interventions were identified and investigations ongoing	1 systemic investigation finalised by 31 March 2022 2 systemic investigations identified and ongoing by 31 March 2022	Finalise 3 systemic investigations/interventions by 31 March 2023	Finalise 4 systemic investigations/interventions by 31 March 2024	Finalise 5 systemic investigations/interventions by 31 March 2025	
Successful resolution of complaints	Bilateral dialogues held with organs of state on systemic challenges	Number of bilateral dialogues held with organs of state on systemic challenges	10 dialogues were held with organs of state on systemic challenges	10 dialogues were held with organs of state on systemic challenges	15 dialogues were held with organs of state on systemic challenges	10 bilateral meetings held with organs of state on systemic challenges	Hold 10 bilateral dialogues with organs of state on systemic challenges by 31 March 2023	Hold 10 bilateral dialogues with organs of state on systemic challenges by 31 March 2024	Hold 10 bilateral dialogues with organs of state on systemic challenges by 31 March 2025	
Successful resolution of complaints	Quarterly reports on the implementation of remedial action submitted to Parliament	Number of quarterly reports on the implementation of remedial action submitted to Parliament	N/A	N/A	N/A	N/A	Submit 4 quarterly reports on the implementation of remedial action to Parliament by 31 March 2023	Submit 4 quarterly reports on the implementation of remedial action to Parliament by 31 March 2024	Submit 4 quarterly reports on the implementation of remedial action to Parliament by 31 March 2025	

5.2.3. Output indicators: annual and quarterly targets

Output Indicators	2022/23 Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of investigation reports finalised	Finalise 80 investigation reports by 31 March 2023	Finalise 17 investigation reports by the end of the quarter	Finalise 44 investigation reports by the end of the quarter	Finalise 61 investigation reports by the end of the quarter	Finalise 80 investigation reports by the end of the quarter
Percentage of adherence to turnaround times in finalisation of cases	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 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 the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter
Number of systemic investigations/interventions finalised	Finalise 3 systemic investigations by 31 March 2023	N/A	Finalise 1 systemic investigations by the end of the quarter	N/A	Finalise 3 systemic investigations by the end of the quarter
Number of bilateral dialogues held with organs of state on systemic challenges	Hold 10 bilateral dialogues with organs of state on systemic challenges by 31 March 2023	Hold 2 bilateral dialogues with organs of state on systemic challenges by the end of the quarter	Hold 6 bilateral dialogues with organs of state on systemic challenges by the end of the quarter	Hold 8 bilateral dialogues with organs of state on systemic challenges by the end of the quarter	Hold 10 bilateral dialogues with organs of state on systemic challenges by the end of the quarter
Number of quarterly reports on the implementation of remedial action submitted to Parliament	Submit 4 quarterly reports on the implementation of remedial action to Parliament by 31 March 2023	Submit 1 quarterly report on the implementation of remedial action to Parliament by the end of the quarter	Submit 1 quarterly report on the implementation of remedial action to Parliament by the end of the quarter	Submit 1 quarterly report on the implementation of remedial action to Parliament by the end of the quarter	Submit 1 quarterly report on the implementation of remedial action to Parliament by the end of the quarter

5.2.4. Explanation of planned performance over the medium-term period

The outputs of finalising investigation reports, systemic investigations, finalising cases within turnaround times, prioritising the finalisation of cases that are two years and older as well as continually holding dialogues with organs of state to address systemic challenges are key to achieving the core mandate of the PPSA. This is aimed at changing the lives of the complainants we serve once investigations are finalised and appropriate remedies are implemented by relevant organs of state. Women, the youth as well as people with disabilities are welcome to lodge complaints that will be investigated and finalised.

The institution has planned to finalise 80, 90 and 100 investigation reports over the MTEF period. The numbers were arrived at after considering factors such as capacity (number of investigative staff) along with complexity of matters the Office has been receiving lately. Pertaining to timeframes within which investigations should be finalised, the plan is to finalise ER cases within 6 months, SD cases within 12 months, GGI cases within 24 months and very complex GGI cases within 36 months.

On systemic investigations, the plan is to finalise at least three systemic investigations in the 2022/23 financial year, four and five systemic investigations in the outer two years respectively. The purpose of these systemic investigations is to assist organs of state to resolve systemic challenges and to improve service delivery. Related to systemic challenges, when the PPSA notes a trend or an influx of complaints pertaining to a specific organ of state, those organs of state are contacted in order for bilateral dialogues to take place with the aim of resolving those identified systemic challenges. The target is to hold at least ten bilateral dialogues per annum.

5.2.5. Programme Resource Considerations

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/ Activity							
Investigations	180 908	178 665	179 794	186 230	197 832	200 596	207 922
Total	180 908	178 665	179 794	186 230	197 832	200 596	207 922

5.2.6. Explanation of the contribution of resources towards achievement of

The major cost driver for core business responsible for investigating and finalising cases, is compensation of employees, thus labour intensive and within a manual environment. The institution is transitioning from the manual environment to an automated operational case management system.

The PPSA is in the process of developing and implementing a procedure guide and template forms to effect to the provisions of Section 7A of the Public Protector Act No 23 of 1994, which authorises the Public Protector or authorised person(s) to enter premises, search and seize information that is relevant to and necessary for the investigation of a complaint of improper conduct. Furthermore, it outlines the powers of the Public Protector in relation to search and seizures, sets out in broader terms, the procedure to be followed in applying for search and seizure warrants from Magistrates or High Courts; and also lays out the rights and obligations of those subjected to a search and seizure in terms of Section 7A.

The allocation under this programme is for the core function of the institution in line with the targets projected for the financial year. The Investigations programme is funded from National Treasury allocation to the PPSA.

5.2.7. Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Successful resolution of complaints	<p>Lack of cooperation from organs of state</p> <p>Lack of capacity to conduct specialised investigations</p> <p>Litigation</p>	<ul style="list-style-type: none"> • Apply the Public Protector rules and PPA (subpoena, search and seizure) • Strengthen project management • Appointing investigations staff with varied skills (e.g. forensic investigators, auditors, etc.) • Institutionalise training and development through: <ul style="list-style-type: none"> • Conducting on the job training such as file inspections • Training investigators with the assistance of other institutions such as AORC, SIU, FIC, etc. • Creation of e-library • Continuously reviewing, adapting and improving the PPSA investigation operating procedures to incorporate lessons learned from observations and findings of the Courts involving the Public Protector, with the view to try and manage the risk of investigations ending up in judicial review. • Strengthening business processes through the implementation of technology (for example, the CMA)

5.3. Programme 3: Stakeholder Management

5.3.1. **Purpose:** The purpose of the programme is to enhance accessibility of Public Protector services to all persons and communities as well as to assist in improving complaints handling mechanisms in organs of state and ombudsmen institutions.

5.3.2. Outcomes, outputs, output indicators and targets

Outcome	Output	Output Indicator	AUDITED PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD		
			2018/19	2019/20	2020/21		2021/22 Target	2022/23 Target	2023/24 Target
Accessible PPSA services	Execution of activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	N/A	N/A		Executed 42 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2022 (42 = 36 radio interviews + 5 National events and 1 Good Governance Week)	Execute 117 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2023	Execute 117 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2024	Execute 117 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2025

5.3.3. Output indicators: annual and quarterly targets

Output Indicators	2022/23 Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Execute 117 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2023 (117 = 108 public awareness sessions+ 5 National events + 1 Good Governance Week + 3 Collaborations with Community-Based Organisations on advocacy matters at the grassroots level)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by the end of the quarter: (1 national event, conduct 27 public awareness sessions, 3 CBOs identified for collaboration on advocacy matters at the grassroots level)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by the end of the quarter: (2 national events, conduct 27 public awareness sessions, negotiate with the 3 CBOs identified for collaboration on advocacy matters at the grassroots level)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by the end of the quarter: (1 Good Governance Week, 1 National event, conduct 27 public awareness sessions, 3 cooperation/ collaboration letters signed with CBOs for collaboration on advocacy matters at the grassroots level)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by the end of the quarter: (1 National event, conduct 27 public awareness sessions)

5.3.4. Explanation of planned performance over the medium-term period

The output concerning implementation plan of the Integrated Access and Stakeholder Management Strategy is pivotal in making the PPSA accessible to as many people in South Africa as possible, in fulfilling the institution's mandate as stipulated in Section 182 (4) of the Constitution of being accessible to all persons and communities. The implementation includes public awareness sessions through radio where it is expected that every province will conduct at least 12 interviews every financial year.

National events happen when the PPSA commemorates national days by highlighting the role of the Office plays in relation to specific days being commemorated. Good Governance week is a campaign that seeks to raise awareness about the importance of clean administration in the public administration. These events are aimed at people who may need the services of PPSA (for PPSA to assist them) as well as organs of state (to improve their services to the people). The collaboration with CBOs is meant to assist communities with access to PPSA services, where the CBOs can advise on how to acquire PPSA services.

5.3.5. Programme Resource Considerations

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/ Activity							
Stakeholder management	12 086	13 190	13 101	15 285	15 066	15 448	16 021
Total	12 086	13 190	13 101	15 285	15 066	15 448	16 021

5.3.6. Explanation of the contribution of resources towards achievement of outputs

The budget allocation for the Stakeholder Management programme is apportioned in line with the targets set to ensure that some of the goals of Vision 2023 are attained and contribute towards making PPSA more accessible, especially to those people staying in remote areas within the country. Key funded projects include national events which will take place through simulcast streaming/ regional radios/webinars/hybrid events. Public awareness and education sessions, mainly done through radio, will be primarily used to reach out to communities due to the COVID-19 restrictions. The Stakeholder Management programme is funded from National Treasury allocation to PPSA.

5.3.7. Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Accessible PPSA services	Inability to access full PPSA services	Outreach interventions to target far flung/remote areas will include: <ul style="list-style-type: none"> Increased use of public awareness sessions, mainly done through radio to communicate PPSA messages PPSA to collaborate with CBOs on advocacy matters at the grassroots level
	Inadequate visibility of PPSA offices due to lack of signage	Communications Unit to audit available signage and obtain approval from municipalities to place the signage
	Insufficient budget to take services to the people	Constant engagement with the National Treasury for additional funding

PART D: TECHNICAL INDICATOR DESCRIPTIONS

Programme I: Administration

Indicator title	Obtain clean audit annually
Definition	The PPSA to obtain and sustain a clean audit opinion from Auditor-General South Africa
Source of data	AGSA audit report
Method of calculation / Assessment	Verification against AGSA audit report if the clean audit is obtained
Means of verification	AGSA audit report
Assumptions	AGSA will conduct the audit
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non - Cumulative
Reporting cycle	Annual
Desired performance	100% achievement of target
Indicator responsibility	CFO, all executive managers, all senior managers

Indicator title	Percentage of implementation of ICT
Definition	The Case Management Application is an electronic system that will be used by the PPSA to register complaints, update investigation files, finalise investigation files, and to produce various reports pertaining to all complaints handled by the PPSA
Source of data	Reports on the implementation of the Case Management Application
Method of calculation / Assessment	Percentage = Number of items implemented/total number of items to be implemented X 100
Means of verification	Post implementation review report Functional Case Management Application
Assumptions	Suitable infrastructure will be available to support the functioning of the CMA
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-to-date)
Reporting cycle	Quarterly
Desired performance	100% achievement of target
Indicator responsibility	Senior Manager: ICT Executive Manager: Corporate Services

Programme 2: Investigations

Indicator title	Number of investigation reports finalised
Definition	The indicator refers to investigation reports that are issued by the Public Protector in terms of section 182(1)(b) of the Constitution, read with section 6(4) and in terms of 8(1) of the Public Protector Act
Source of data	Investigation Branches and Provincial reports; formal, closing, advisory reports and intervention letters/ observation reports signed by the Public Protector; register of finalised reports signed by the Public Protector
Method of calculation / Assessment	Simple count
Means of verification	Investigation reports signed by the Public Protector
Assumptions	All investigation reports followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of Beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (year-to-date)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: Investigations and PII (Inland and Coastal)

Indicator title	Percentage of adherence to turnaround times in finalisation of cases
Definition	The indicator measures the percentage of cases that get finalised within stipulated timeframes [from the date of receipt by PPSA] of 6 months for Early Resolution (simple) cases, 12 months for Service Delivery cases, 24 months for Good Governance and Integrity (conduct failure) cases and 36 months for very complex Good Governance and Integrity (conduct failure) cases. This indicator focuses on finalised cases as well as active cases that have exceeded their turnaround times at the time of reporting.
Source of data	Investigation files / Statistical reports / investigations reports / closing letters and register of finalised cases and active cases that have exceeded their turnaround times falling within the categorisation of ER, SD, GGI, GGI (very complex)
Method of calculation / Assessment	Percentage = number of finalised cases within turnaround times / (total number of cases finalised + active cases that have already exceeded their turnaround times) X 100
Means of verification	<ol style="list-style-type: none"> 1. List of finalised and active cases that exceeded their turnaround times indicating the date on which files were received, the classification of cases [ER, SD, GGI, GGI (very complex)] and the date of finalisation of cases (the date of finalisation is only applicable to finalised cases, not active cases that exceeded their turnaround times) 2. Complaint form/complaint e-mail/complaint letter with date on which the complaint was received 3. Assessment form or investigation file cover indicating how the cases were classified or reclassified as ER, SD, GGI or GGI (very complex) 4. Formal report/Closing report/closing letter/closing note
Assumptions	All finalised investigations followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (year-to-date)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: CSM, Investigations and PII (Inland and Coastal)

Indicator title	Number of systemic investigations/interventions
Definition	<p>The indicator pertains to the finalisation of systemic investigations/ interventions.</p> <p>Systemic challenges that result in systemic investigations/ interventions are recurring problems in organs of state that usually increase the number of cases received by the PPSA.</p> <p>By resolving systemic challenges in organs of state, recipients of services benefit as they will not experience the type of challenges that would have been addressed.</p>
Source of data	Investigation files / investigations reports and register of finalised systemic investigations/ interventions
Method of calculation / Assessment	Simple count
Means of verification	Systemic investigation/ intervention reports signed by the Public Protector
Assumptions	All finalised investigations followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of beneficiaries (where applicable)	<p>Target for women: N/A</p> <p>Target for youth: N/A</p> <p>Target for people with disabilities: N/A</p>
Spatial Transformation (where applicable)	The spatial impact area is within the provinces where the investigations will be identified and finalised
Calculation Type	Cumulative (year-to-date)
Reporting cycle	Bi-annual
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: Investigations and PII (Inland and Coastal)

Indicator title	Number of bilateral dialogues held with organs of state on systemic challenges
Definition	Bilateral dialogues are meetings held between PPSA and identified organs of state wherein systemic challenges identified by PPSA are discussed. These dialogues are meant to resolve the identified systemic challenges and prevent recurrence.
Source of data	<ol style="list-style-type: none"> 1. List of cases that prompted the classification of specific matters as systemic challenges. 2. Attendance registers/ screenshots of online meetings showing the names of attendees signed off by the chairperson 3. Minutes or recordings of meetings where systemic challenges were discussed 4. Register of bilateral dialogues
Method of calculation / Assessment	Simple count
Means of verification	<ol style="list-style-type: none"> 1. Attendance registers/screenshots of online meetings showing the names of attendees signed off by the chairperson 2. Minutes or recordings of meetings where systemic challenges were discussed
Assumptions	Meetings on systemic challenges addressed the matters identified
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (year-to-date)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for PII (Inland and Coastal), Investigations and Provincial Representatives

Indicator title	Number of quarterly reports on the implementation of remedial action submitted to Parliament
Definition	Remedial Action is the decision taken by the Public Protector in terms of Section 181(1)(c) after an investigation with a view to remedy the consequences of maladministration, corruption or impropriety
Source of data	Reports issued by the Public Protector from 1 April 2021 and subsequent reports that were not fully implemented and / or where progress reports on implementation of remedial action were not submitted to PPSA. Quarterly reports submitted to Parliament
Method of calculation / Assessment	Simple count
Means of verification	Quarterly reports on the implementation of remedial action Proof of submission of the approved quarterly reports to Parliament (e.g. e-mails)
Assumptions	Reports are issued by the Public Protector
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	The spatial impact area is within provinces where remedial action is implemented
Calculation Type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Manager: CSM

Programme 3: Stakeholder Management

Indicator title	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy
<p>Definition</p>	<p>The PPSA has an approved Stakeholder Management Strategy which specifies broad focus areas on how to make the institution accessible as well as dealing with stakeholders.</p> <p>The implementation plan pertaining to the Stakeholder Management Strategy details how the strategy will be implemented.</p> <p>The implementation plan aims to execute:</p> <ol style="list-style-type: none"> 1. Public awareness sessions – public awareness sessions attended by PP or delegated officials to address and/or engage listeners on issues pertaining to PPSA mandate and its service offering. These are executed using radio as a medium of communication. 2. National events - Public Holidays and ordinary period to commemorate specific events – Youth Day, Women’s Day, Heritage Day, 16 Days of Activism and Human Rights Day 3. Good Governance week – awareness campaign and commemoration of good governance and ethics in RSA 4. Collaborations with Community-Based Organisations on advocacy matters at the grassroots level. The purpose is to enter into collaboration with CBOs to access densely populated, rural and far flung areas to promote accessibility and awareness. <p>The National events and Good Governance Week will take place through simulcast streaming / radios/ webinars/ hybrid event or physical meetings.</p>
<p>Source of data</p>	<p>Attendance registers/screenshots for National events and Good Governance Week, registers or signed letters/ forms or email confirmation by radio stations as evidence of public awareness sessions having taken place, confirmation by service provider of simulcast streaming of National events and Good Governance week, signed letters of cooperation by PPSA and CBOs</p>
<p>Method of calculation / Assessment</p>	<p>Simple count</p>
<p>Means of verification</p>	<p>Attendance registers/screenshots for National events and Good Governance Week, registers or signed letters/ forms or email confirmation by radio stations as evidence of public awareness sessions having taken place, confirmation by service provider of simulcast streaming of National events and Good Governance week, signed letters of cooperation by PPSA and CBOs</p>
<p>Assumptions</p>	<p>Cooperation from stakeholders</p>
<p>Disaggregation of beneficiaries (where applicable)</p>	<p>N/A</p>
<p>Spatial Transformation (where applicable)</p>	<p>The execution of the implementation plan will cover all the nine provinces</p>
<p>Calculation Type</p>	<p>Cumulative (year-end)</p>
<p>Reporting cycle</p>	<p>Quarterly</p>
<p>Desired performance</p>	<p>Performance higher than the one targeted is desired</p>
<p>Indicator responsibility</p>	<p>Executive Manager: CSM</p>

ACRONYMS

AGSA	Auditor-General South Africa
AIR	Accountability, Integrity and Responsiveness
AOMA	African Ombudsman and Mediators Association
AORC	African Ombudsman Research Centre
APP	Annual Performance Plan
BBB-EE	Broad-Based Black Economic Empowerment
CBO	Community Based Organisation
CEO	Chief Executive Officer
CMA	Case Management Application
CCMA	Commission for Conciliation, Mediation and Arbitration
CSM	Complaints and Stakeholder Management
CFO	Chief Financial Officer
COT	City of Tshwane
DIRCO	Department of International Relations and Cooperation
DoJ	Department of Justice
EFF	Economic Freedom Fighters
ER	Early Resolution
ESD	Enterprise Supplier Development
EM	Executive Manager
FISD	Forum for Institutions Supporting Democracy
GGI	Good Governance and Integrity
IPID	Independent Police Investigative Directorate
IASS	Integrated Accessibility Stakeholder Strategy
ICT	Information and Communications Technology

MOU	Memorandum of Understanding
MRA	Mobile Referral Application
MTEF	Medium Term Expenditure Framework
N/A	Not Applicable
NDP	National Development Plan
NHBCRC	National Home Builders Registration Council
NSFAS	National Student Financial Aid Scheme
PAIA	Promotion of Access to Information Act
PESTEL	Political, Economic, Social, Technological, Environmental, Legal
PII	Provincial Investigations and Integration
PPI	Programme Performance Information
PFMA	Public Finance Management Act
PPSA	Public Protector South Africa
PSC	Public Service Commission
PULE	Passion, Ubuntu, Leadership and Efficiency
RDP	Reconstructive Development Programme
RTMC	Road Traffic Management Corporation
SAHRC	South African Human Rights Commission
SASSETA	Safety and Security Sector Education and Training
SIU	Special Investigating Unit
SD	Service Delivery
SM	Stakeholder Management
SWOT	Strengths, Weaknesses, Opportunities, Threats

Annexure A: Amendments to the existing 2020-2025 Strategic Plan

(a) Amendments approved in the 2021/22 APP

1. Page 24: the outcome indicator; “Number of outreach methods employed to reach people and communities” is replaced with the indicator below because of COVID-19 restrictions on large gatherings:

Outcome	Outcome indicator	Baseline	Five year target
Programme 3: Stakeholder Management			
Accessible PPSA	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Approved Integrated Access and Stakeholder Management Strategy	Execute 777 activities in the annual implementation plan of an Integrated Access and Stakeholder Management Strategy (42 in 2021/22 and 245 in subsequent years)

2. On page 24, outcome indicator on “number of new service points established” is removed because of COVID-19 restrictions.

3. On page 24, the outcome: “Investigations finalised within turnaround times” is replaced with “Successful resolution of complaints” due to better phrasing of the outcome.

4. On page 25, the outcome of “ongoing engagements with ombudsman and organs of state” is removed due to shifting of the target to operations.

5. On page 26, the risk pertaining to outcome: “Ongoing engagements with ombudsman and organs of state” is removed following the removal of the outcome “ongoing engagements with ombudsman and organs of state”

6. On page 27, the table with indicator title: “Number of outreach methods employed to reach people and communities” is deleted and replaced with the table below because of the changed indicator:

Indicator title	Number of activities executed in the implementation plan of an Integrated access and Stakeholder Management Strategy
Definition	<p>PPSA has an approved Stakeholder Management Strategy which specifies broad focus areas on how to make the institution accessible as well as dealing with stakeholders. The implementation plan pertaining to the Stakeholder Management Strategy details how the strategy will be implemented.</p> <p>The implementation plan aims to execute:</p> <ol style="list-style-type: none"> 1. Radio Interviews – Radio interviews attended by PP or delegated official to address and/or engage listeners on issues <ul style="list-style-type: none"> pertaining to PPSA mandate and service delivery. 2. MOUs – Partnership agreements entered into with stakeholders <ul style="list-style-type: none"> for mutual benefit as well as to assist organs of state to establish complaints handling mechanisms 3. National events - Public Holidays and ordinary period to commemorate specific events – Youth Day, Women’s Day, <p>The National events and Good Governance Week will take place through simulcast streaming / regional radios/ webinars/ hybrid event.</p>
Source of data	Attendance registers/screenshots for webinars, registers or signed letters/form by radio stations as evidence of radio slots having taking place, signed MOUs
Method of calculation / Assessment	Simple count
Assumptions	None
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	The execution of the implementation plan will cover all the nine provinces within South Africa
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Manager: CSM

7. On page 28, the table with indicator title: “Number of new service points established” is removed following the removal of outcome indicator “number of new service points established”

8. On page 29, the table with indicator title: “Number of systemic investigations finalised”: under definition, “The indicator on systemic investigations/interventions pertains to identification of 2 systemic investigations in one financial year and completion in the next financial year” is removed. The reason for the revision is based on the fact that the PPSA resolved to finalise systemic investigations every financial year.

9. On page 31: the table with indicator title: “Number of bodies being engaged on Ombudsman related matters” is removed following the removal of the outcome “Ongoing engagements with ombudsman and organs of state”

(b) Amendments approved in the 2022/23 APP

Amendments to the Strategic Plan below were prompted by the Disaster Management Act (No. 57 of 2002), in response to the COVID-19 pandemic that limits large gatherings and made it necessary to review the outcome on “Accessible PPSA”. It was also necessary to review the risks PPSA faces in the implementation of the Strategic Plan.

1. Page 24: the outcome indicator; “Number of outreach methods employed to reach people and communities” is replaced with the indicator below because of COVID-19 restrictions:

Outcome	Outcome indicator	Baseline	Five year target
Programme 3: Stakeholder Management			
Accessible PPSA	Number of activities executed in the implementation plan of an Integrated access and Stakeholder Management Strategy	Integrated access and Stakeholder Management Strategy is approved	Execute 393 activities in the annual implementation plan of an Integrated Access and Stakeholder Management Strategy (42 in 2021/22 and 117 in subsequent years)

2. On page 27, the table with indicator title: “Number of outreach methods employed to reach people and communities” is deleted and replaced with the table below because of the change in the indicator:

Indicator title	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy
Definition	<p>The PPSA has an approved Stakeholder Management Strategy which specifies broad focus areas on how to make the institution accessible as well as dealing with stakeholders.</p> <p>The implementation plan pertaining to the Stakeholder Management Strategy details how the strategy will be implemented.</p> <p>The implementation plan aims to execute:</p> <ol style="list-style-type: none"> 1. Public awareness sessions – public awareness sessions attended by PP or delegated officials to address and/or engage listeners on issues pertaining to PPSA mandate and its service offering. These are executed using radio as a medium of communication. 2. National events - Public Holidays and ordinary period to commemorate specific events – Youth Day, Women’s Day, Heritage Day, 16 Days of Activism and Human Rights Day 3. Good Governance week – awareness campaign and commemoration of good governance and ethics in RSA 4. Collaborations with Community-Based Organisations on advocacy matters at the grassroots level. The purpose is to enter into collaboration with CBOs to access densely populated, rural and far flung areas to promote accessibility and awareness. <p>The National events and Good Governance Week will take place through simulcast streaming / radios/ webinars/ hybrid event or physical meetings.</p>
Source of data	Attendance registers/screenshots for National events and Good Governance Week, registers or signed letters/ forms or email confirmation by radio stations as evidence of public awareness sessions having taken place, confirmation by service provider of simulcast streaming of National events and Good Governance week, signed letters of cooperation by PPSA and CBOs
Method of calculation / Assessment	Simple count
Assumptions	Cooperation from stakeholders
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	The execution of the implementation plan will cover all the nine provinces
Calculation Type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Manager: CSM

3. Page 26: The table on key risks is replaced by the following table due to the COVID-19 work environment:

Outcome	Key Risk	Risk Mitigation
Accessible PPSA services	Inability to access full PPSA services	<p>Outreach interventions to target far flung/remote areas will include: Increased use of public awareness sessions, mainly done through radio to communicate PPSA messages</p> <p>PPSA to collaborate with CBOs on advocacy matters at the grassroots level</p>
	Inadequate visibility of PPSA offices due to lack of signage	Communications Unit to audit available signage and obtain approval from municipalities to place the signage
	Insufficient budget to take services to the people	Constant engagement with the National Treasury for additional funding
Successful resolution of complaints	Lack of cooperation from organs of state	<ul style="list-style-type: none"> • Apply the Public Protector rules and PPA (subpoena, search and seizure)
	<p>Lack of capacity to conduct specialised investigations</p> <p>Litigation</p>	<ul style="list-style-type: none"> • Strengthen project management • Appointing investigations staff with varied skills (e.g. forensic investigators, auditors, etc.) • Institutionalise training and development through: <ul style="list-style-type: none"> • Conducting on the job training such as file inspections • Training investigators with the assistance of other institutions such as AORC, SIU, FIC, etc. • Creation of e-library <p>• Continuously reviewing, adapting and improving the PPSA investigation operating procedures to incorporate lessons learned from observations and findings of the Courts involving the Public Protector, with the view to try and manage the risk of investigations ending up in judicial review.</p> <ul style="list-style-type: none"> • Strengthening business processes through the implementation of technology (for example, the CMA)

Outcome	Key Risk	Risk Mitigation
Clean audit achieved and maintained	Negative audit opinion	Strengthen internal controls Monitor implementation of internal controls Strengthen implementation of the combined assurance model
Implementation of ICT systems to optimally support business objectives	Inadequate capacity to accommodate requirements of the fourth industrial revolution (e.g. virtual meeting, saving large amounts of data, digitalising the work environment)	Implementation of critical ICT solutions

4. Page 28: The method of calculation on indicator “Percentage of investigations finalised within approved turnaround times” changed to Percentage = number of finalised cases within turnaround times / (total number of cases finalised + active cases that have already exceeded their turnaround times) X 100. The reason for the amendment is to take into account cases not yet finalised, yet have exceeded their turnaround times.



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