

The South African (Developmental?) State

- South Africa has positioned itself as a developmental state defined as a condition “when the state possesses the vision, leadership and capacity to bring about a positive transformation of society within a condensed period of time” (Fritz and Menocal, 2007)
- A considerable body of opinion suggests that the developmental state is not only possible, but indispensable to developing countries (Leftwich, 2000; Bagchi, 2000)
- The Developmental State embodies the principles (and practices) of electoral democracy and ensures citizen participation “... in the development and governance processes (Edigheji, 2005)
- The Developmental State is conjunctural and historically contingent and is therefore not an ideal typical construct that exists in the same form in different places in different time periods
- Myriad examples of Developmental States that are authoritarian and less democratic but the South African situation is counterfactual in that popular participation, political inclusion and representation are essential to the theory, practice and (form?) of the South African developmental state
- South Africa is a constitutional state that explicitly requires public administration to be developmental and participatory
- In addition, citizens’ rights, including socio-economic rights are enshrined in the Constitution
- Constitution requires that the state take “reasonable legislative and other measures, within its available resources, to achieve the progressive realization of these rights” (Section 27(2))
- Constitutional Court interpretation of these provisions in various cases has placed pressure on government to improve the performance of the public service

Administrative Origins of the Public Service Species

- Fundamental to the transformative agenda is the development of strong and stable institutions characterised by representativeness and participation
- Public service epitomised by an administrative ethos, preoccupied with the administration and enforcement of the minutiae of separate development
- Separate administrative systems dealing with separate and “ethnic” constituencies
- Rationalisation of a balkanised public service a priority given the differential servicing of the respective population groups
- Amalgamation of the disparate administrative systems into a unified public service premised on a different value set (176 Departments rationalised into 1 public service system under the same norms and standards)
- Extent and effectiveness of service delivery influenced by societal contextual realities and the needs of the client base.
- South Africa characterised by diversity, pluralism, and inequality and deeply divided societies are generally difficult to govern and administer
- Service delivery from the public service most needed by those components of the population that constitute its largest proportions (Schwella, 2001)



Policy Formulation Initiatives: A Snapshot

The Reconstruction and Development (RDP) White Paper (RDPWP), 1994: “together, the Government and the people of South Africa will give renewed priority to the provision of goods and services to meet basic needs, develop our human resources, build the economy, and democratise the state and society” (p. 13)

White Paper on Transformation of the Public Service (WTPPS), 1995: “to upgrade the standards of efficiency and effectiveness and improve the quality of public service delivery” (p. 2 of 3, Ch. 2 – Vision and Mission for the New Public Service)

Constitution, 1996: provides a framework for Intergovernmental Relations (IGR) and prescribes 9 basic values and principles for the administrative state apparatus

White Paper on the Transformation of Public Service Delivery (WTPSD) – Batho Pele, 1997: specifies a service delivery framework of 8 principles for implementation across the public service

Integrated National Disability Strategy White Paper (INDSWP), 1997: “there must be an integration of disability issues in all government development strategies, planning and programmes” (p. 9, Executive Summary)

The Public Service Regulations, 2001: The PSR state the following with regard to service delivery improvement programmes:

Part III.C.1 – an Executing Authority (EA) shall establish and sustain a service delivery improvement programme for his or her Department; and

Part III.C.2 – an Executing Authority (EA) shall publish an annual statement of public service commitment which will set out the Department’s service standards that citizens and customers can expect and which will serve to explain how the Department will meet each of the standards

The Management Future of the Public Service Species

- Shift in dominance and emphasis from the administration “problem” to the management “solution”
- The Batho Pele framework aligned itself with the global trend of adopting the New Public Management (NPM) philosophy
- Emphasis on the “Reinvention of Government” and infusion of private sector ideas into the public service
- Responding to societal demands for good quality public services
- Need to maintain fiscal discipline
- Emphasis on citizens as customers or clients
- Ensure government accountability and establish partnership based systems of governance
- Ascertaining citizen entitlements and guaranteeing equality and justice
- Mount Grace I process in South Africa heralded the explicit crystallisation and adoption of NPM ideas in the country
- Conference called for a decisive shift away from the apartheid inspired modus operandus towards more emphasis on governance
- Contractual provisions need to be entered into between the public service and the citizen in the interests of the accentuation of accountability
- Contract codified in terms of service standards or charters that publicise the expected levels of service
- Other facets of NPM relate to the implementation of alternative service delivery (ASD) mechanisms, like outsourcing, privatisation, semi-privatisation, agencification, etc.

The Batho Pele Framework: The Road to Damascus?

- *Consultation*: citizens should be consulted about the level and quality of the public services they receive and, wherever possible, to be given a choice about the services that are offered
- *Setting Service Standards*: reinforces the need for benchmarks to constantly measure the extent to which citizens are satisfied with the service or products they receive from Departments
- *Increasing Access*: provide a framework for making decisions about delivering public services to the many South Africans who do not have access to them
- *Ensuring Courtesy*: citizens should be treated with courtesy and consideration
- *Providing Information*: citizens should be given full and accurate information about the public services they are entitled to receive
- *Openness and Transparency*: citizens should be told how national and provincial departments are run, how much they cost, and who is in charge
- *Redress*: need to quickly and accurately identify when services are falling below the promised standard and have procedures in place to remedy the situation
- *Value for Money*: public services should be provided economically and efficiently in order to give citizens the best possible value for money

Service Delivery Improvement Plans: The Heart of the Matter

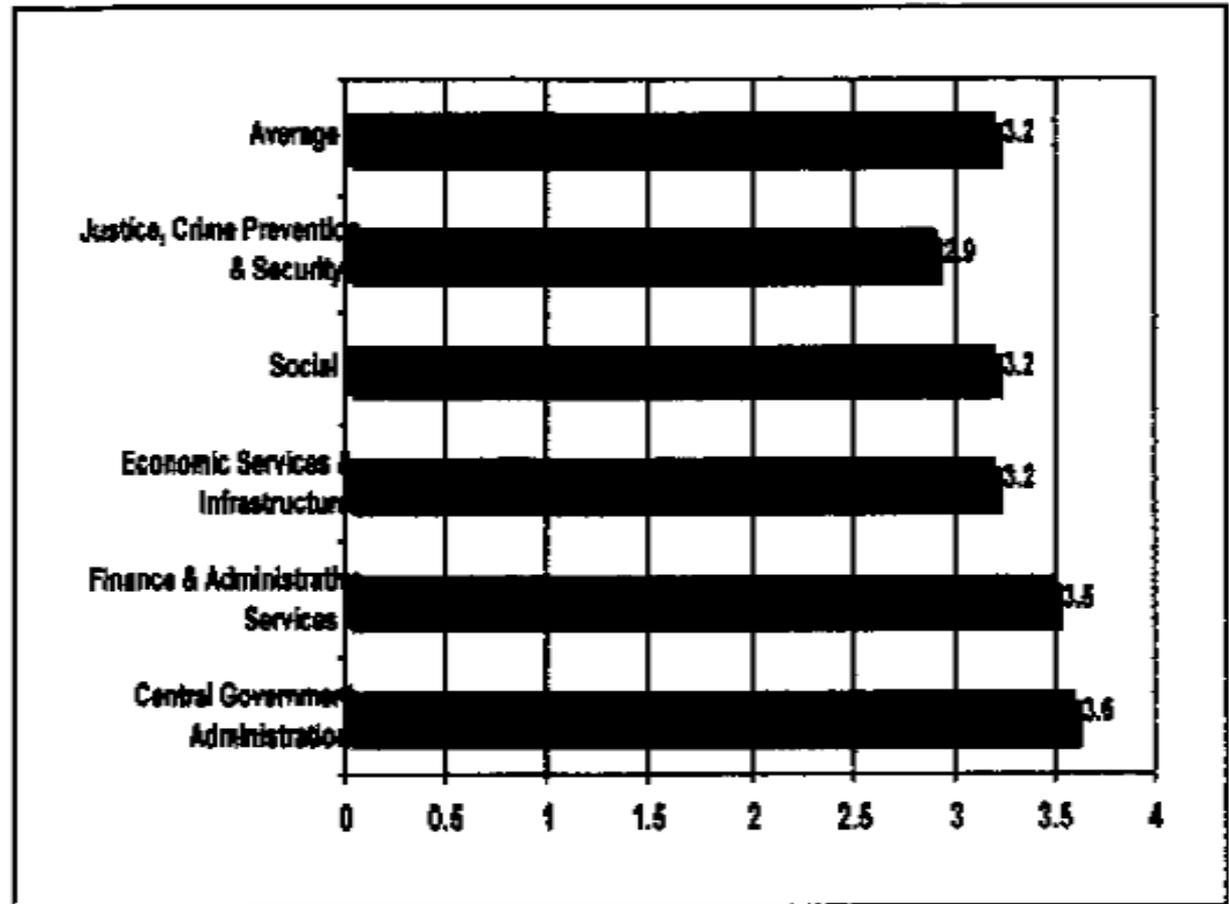
SDIPS NEED TO ENCAPSULATE THE FOLLOWING:

- Specify the existing and proposed service standards
- Indicate how service standards will be monitored and reported on
- Provide for organisational and systems arrangements that will ensure standards are met
- Address the HR training supervision and appraisal arrangements to ensure compliance with the Batho Pele principles
- Provide information on type and frequency of services customers require
- How complaints systems will be developed to identify and rectify failure
- Implement systems for data collection on unit costs of key services in order to assess Value For Money

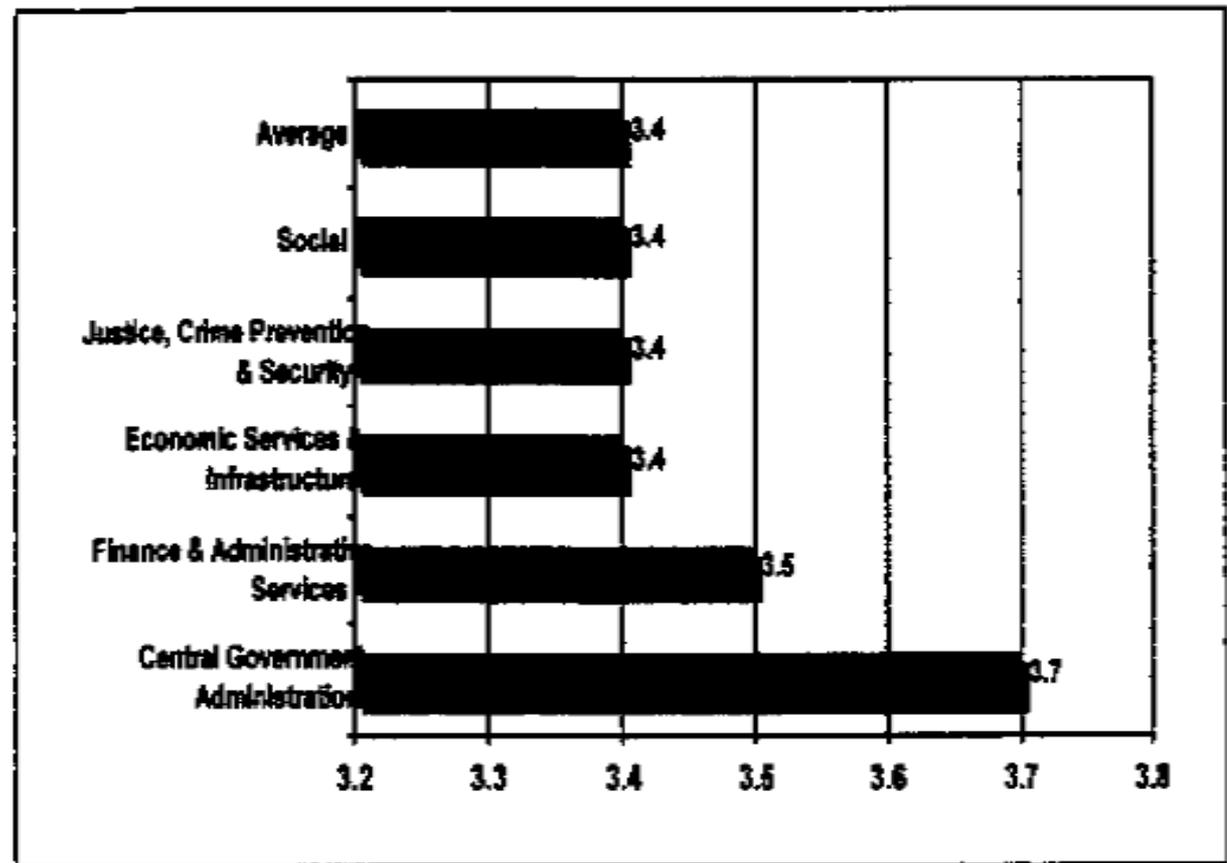
Methodology

- DPSA DG requested all HODs and DGs to submit sdips as per the regulations
- For data analysis, a short, standardised score sheet was developed to assess the quality, quantity, and time (QQT) dimensions
- Score sheet used a simple scale of 1 to 4
- 1 (very poor): none of the aspects of the SDIPs were addressed
- 2 (poor): SDIP contains major gaps with substantial information missing
- 3 (good): SDIP contains minor gaps, with some elements not specified
- 4 (excellent): SDIP complies with all the relevant criteria
- The Simple Measurable Attainable Realistic Time Bound (SMART) dimensions were also used for data analysis
- Tea from the Department of Justice assessed levels of compliance with Promotion of Access to Justice Act (PAJA) legislation
- Limitations of methodological approach (subjectivity attached to indexes; measurement of stated intent rather than outcomes of applied process)

SDIPs and QQT by Cluster



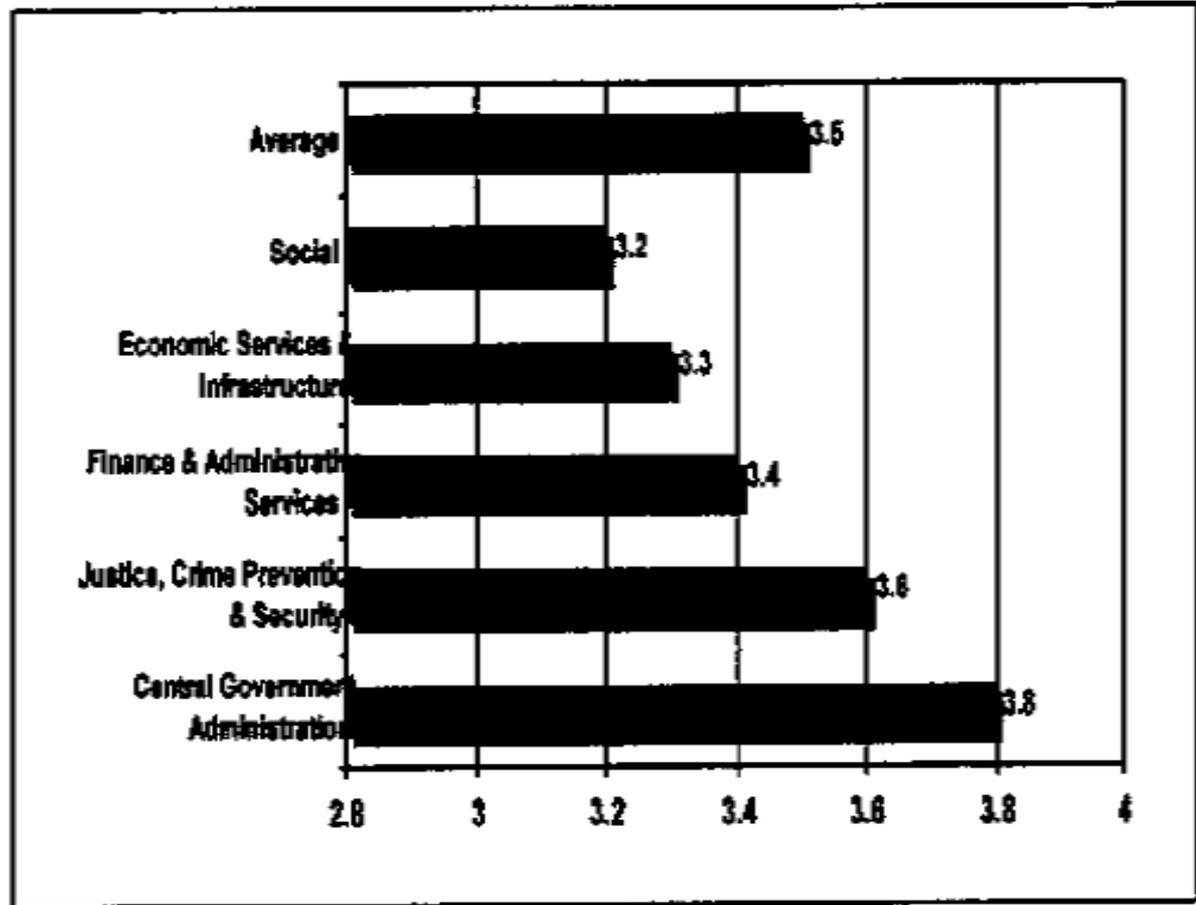
SDIPs and SMART Principles by Cluster



Overall Assessment

- 82% of Departments in provincial and national departments met the stipulated submission deadline
- In terms of quantity, Departments scored satisfactorily as the overall average was 3.2 out of 4
- Regarding quantity, the G&A cluster scored the highest out of all clusters (3.6 out of 4)
- In terms of quality, Departmental standards were largely compliant
- In terms of time, Departments averaged a satisfactory 3 out of 4, meaning that only minor revisions are required
- In relation to time, the Social and Economic service clusters fell below the average
- In terms of overall cluster performance, the Social cluster departments scored the lowest of all clusters in terms of both quantity and time
- In average terms, all the principles were satisfactorily addressed, though to varying degrees of success individually
- Information rated highest, while Value for Money is the lowest rated with the other principles not far behind suggesting a overall improvement in the orientation of Departments towards Batho Pele
- In terms of Cluster rankings though, the Social Cluster lags behind registering the lowest score out of all Clusters (3.2 out of 4)

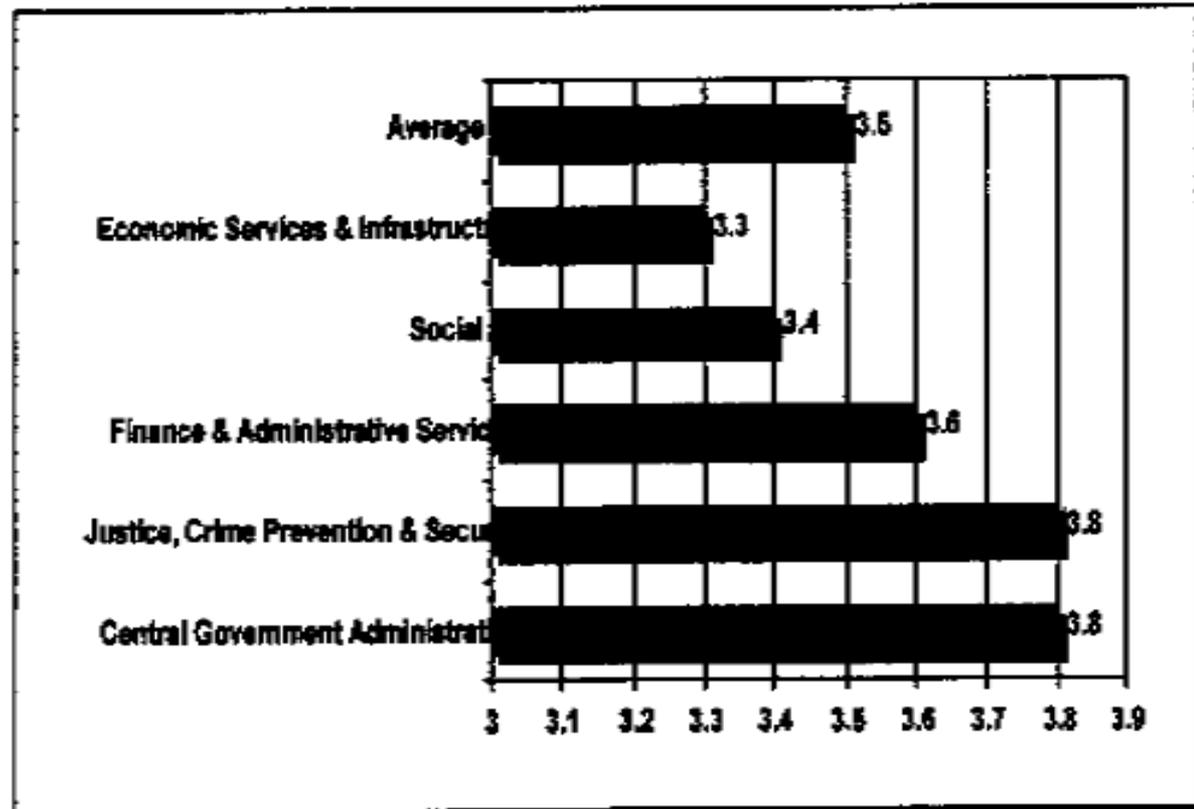
Access Principle by Cluster



Access Principle by Cluster

- Principle more than adequately dealt with across all Departments with average at 3.5 out of 4
- The most common standards quoted were signage, internet and intranet use, websites, meetings and one on ones
- Important innovations were the extension of business hours, introduction of mobile units, regional offices and staff deployment in rural areas for improved access
- Again there was a general lack of clear, measurable standards, e.g. “full access through offices, e-mail, memos and telephonically
- Differences in the rankings across Clusters once more apparent, with the Social Cluster once again the lowest ranked at 3.2 out of 4
- Though there was general clarity as to the implementation of the principle, access was sometimes confused with providing access to the relevant Department, rather than to the particular service
- Good and laudable intentions used as a substitute for measurable standards, e.g. “Open Door Policy” also does not guarantee equal access to the service nor can it be measured either
- Access conceptualised in narrow technical terms as opposed to in more meaningful terms that include issues of language, culture, and disability

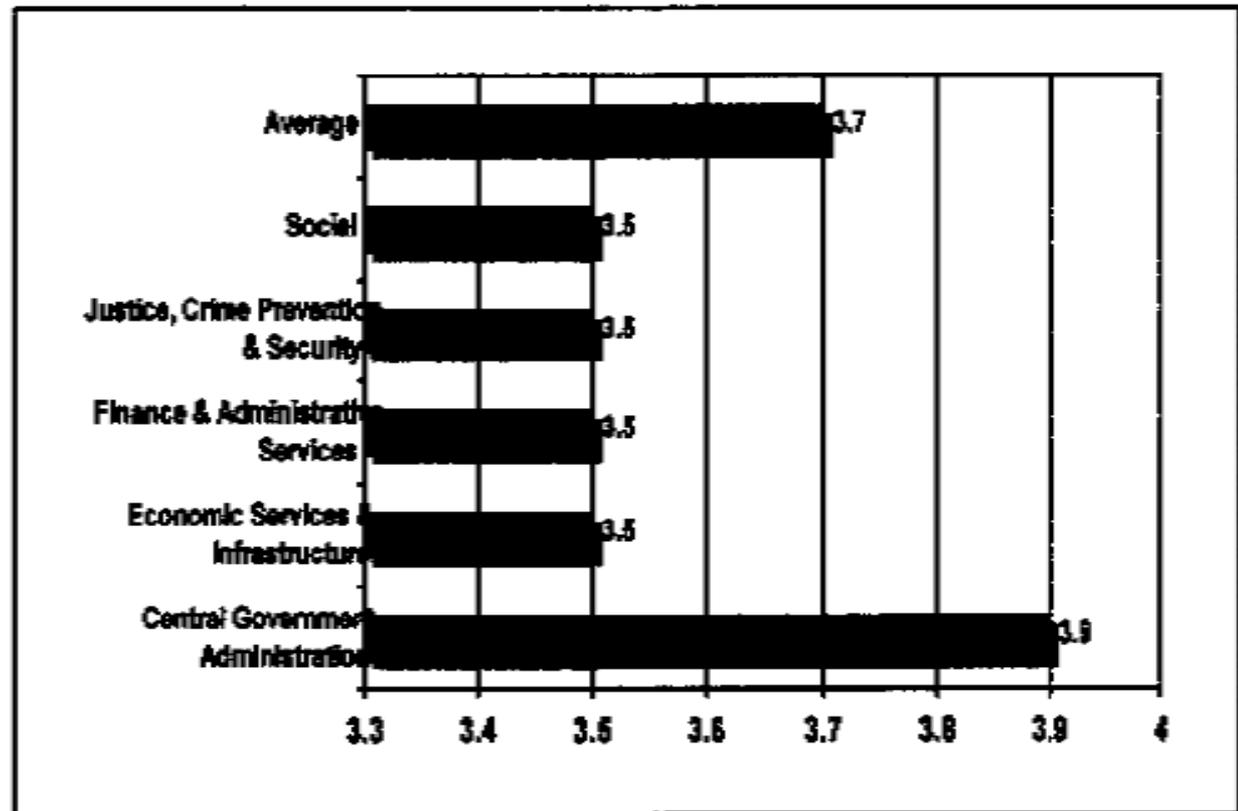
Courtesy Principle by Cluster



Courtesy Principle by Cluster

- On average, the principle was satisfactorily dealt with across all departments, with the average at 3.5 out of 4
- The majority of Departments that managed to set some form of standards for this principle defined it in terms of service dimensions such as response times to correspondence, answering telephones and wearing name tags
- Differences between Clusters once again apparent, with the Social Cluster second only to the Economic Services and Infrastructure Cluster (3.4 out of 4) and also below the average, albeit very slightly
- The Justice Cluster was one of the highest ranked (3.8 out of 4) and also encouraging given its high level of interaction with citizens
- The data analysis attests to this principle being one of the least understood in terms of setting specific service standards, e.g. some Departments included complaints mechanisms as a courtesy standard which is better suited for redress
- A number of Departments indicated the need to expose their staff to customer care and public relations training
- This then underscores the need for generic service dimensions in the interests of common reference points for standards

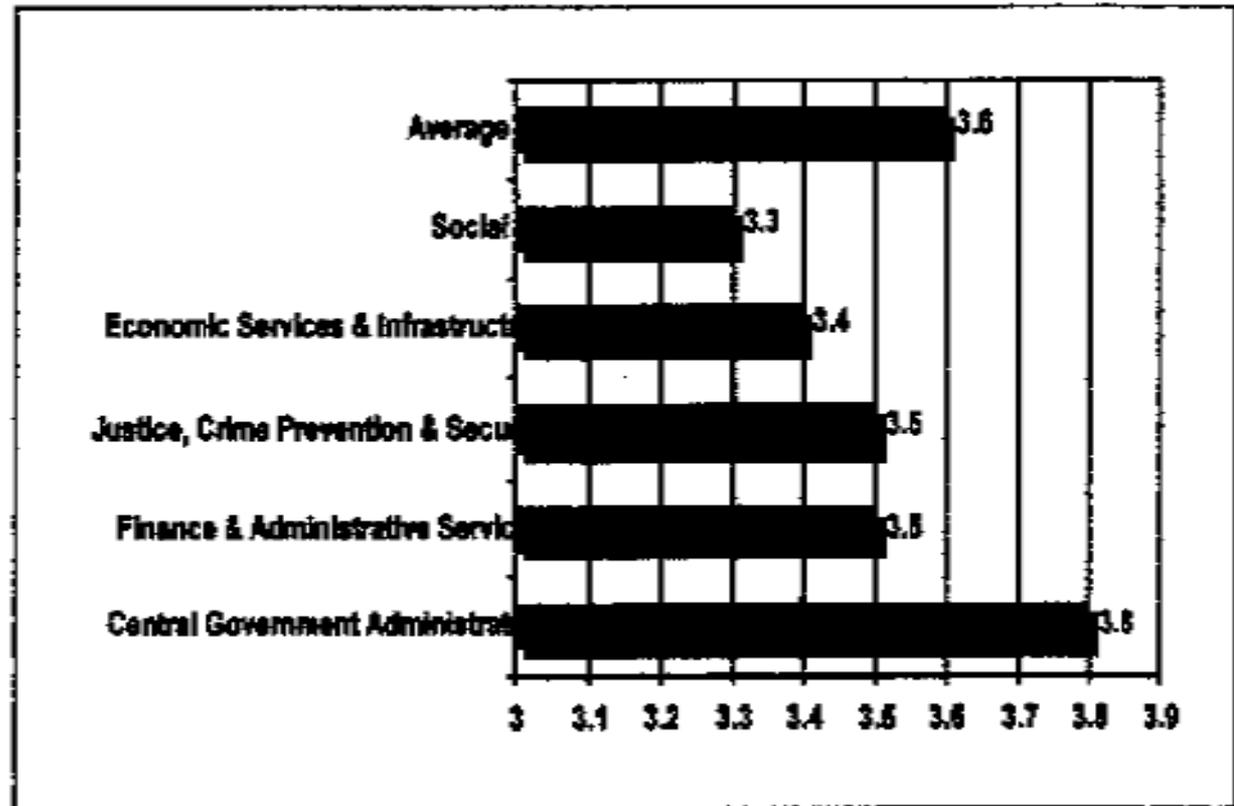
Information Principle by Cluster



Information Principle by Cluster

- Principle competently dealt with by all Clusters in their respective SDIPs
- The average score of 3.7 suggests a clear direction on how Departments intend to communicate with key stakeholders and beneficiaries of their services
- In the main, departments produced pamphlets, circulars, posters and flyers on their services and listing them on their departmental websites
- Several departments indicated their intention to use local radio stations and newspapers to disseminate information on their services, an overdue initiative
- There however was vagueness on the SMART aspects of these provisions like publishing pamphlets without providing the necessary measurable criteria like frequency, quantities, and timeliness
- Very interestingly, not a single Department included the publication and display of Service Charters at service delivery points as a standard for the Information principle
- Discussion Forums, meetings and one-on-ones are perhaps more appropriately accommodated under the Consultation principle, once again underscoring the need for uniformity of practice
- Again, there were no institutional provisions alluded to with respect to the Promotion of Access to Information Act (PAIA)

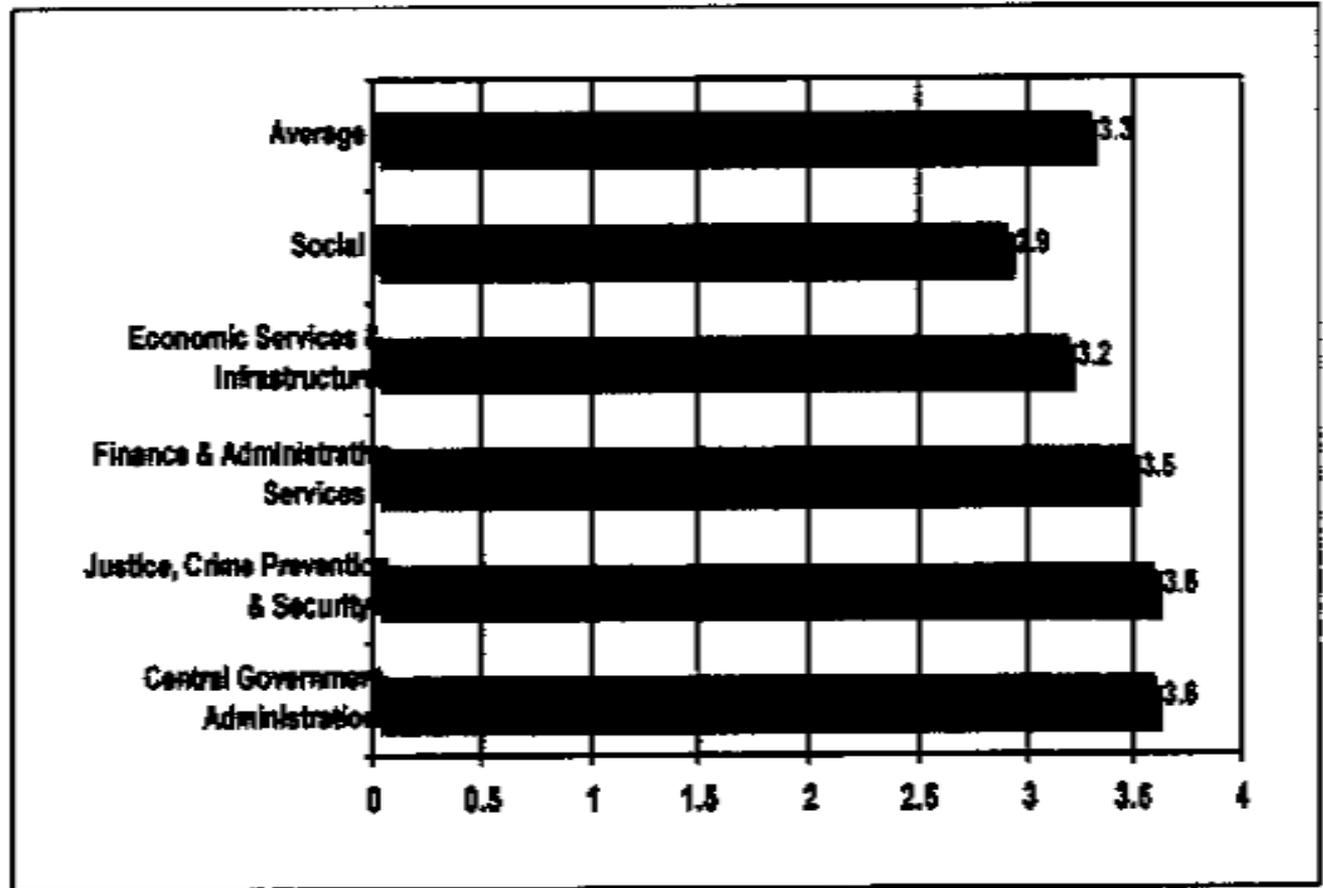
Openness and Transparency by Cluster



Openness and Transparency Principle by Cluster

- Average rating of the Clusters on this principle is 3.6 out of 4
- The Social Cluster is once again rated the weakest at 3.3 out of 4, while the Governance and Administration Cluster is the highest at 3.8 out of 4
- The Social Cluster is therefore not experienced by clients as being sufficiently open and transparent
- Principle well conceptualised by Departments but then often confused with the provisions of the Information principle
- While the publication of the Annual Report is appropriate here as a standard, there was a general failure to augment the service standards with SMART principles, e.g. the distribution strategy thereof, including accessibility considerations, linguistic and otherwise
- There was a general overemphasis on Departmental websites as a access standard given that it is clearly restricted to citizens with digital access and excludes the marginalised and the poor
- The general recommendation is for the use of local media and languages to publish excerpts of relevant information from Annual Reports

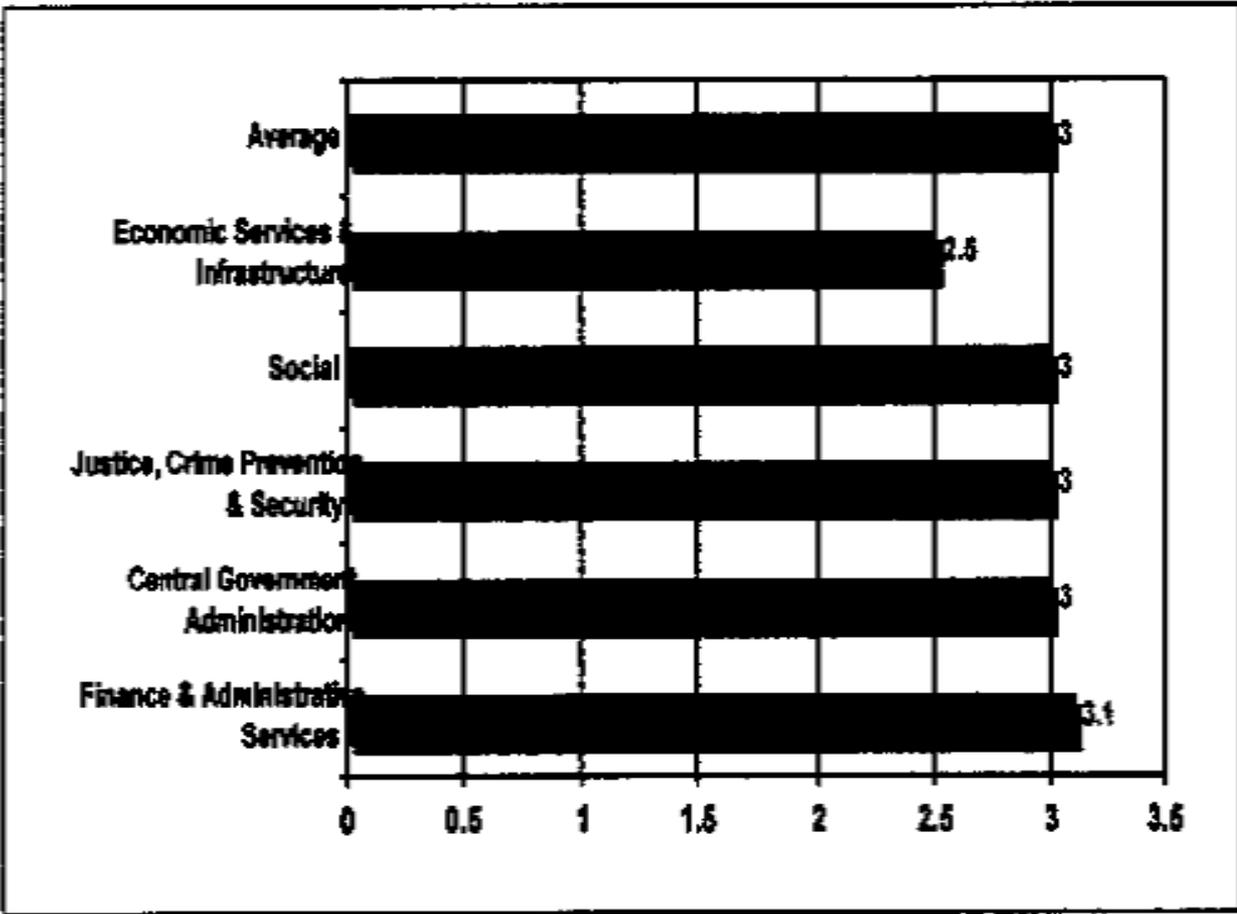
Redress by Cluster



Redress Principle by Cluster

- While all the Clusters almost reached parity, the Social Cluster fared the worst in relation to the provision of Redress mechanisms (2.9 out of 4)
- Standards provided indicate that while the principle is generally well understood, the provisions thereto have not addressed it to the degree and extent that is necessary
- The general trend stipulated the use or introduction of Complaints or Help Desks that would be managed
- The standard also stipulated the keeping of careful records to provide efficient means of redress, albeit without the necessary SMART standards for these initiatives
- Standards provided for this principle tended to overlap with those of Courtesy and Consultation, suggesting the need for consistency of usage throughout the Departments
- Surprisingly, only 6% of redress mechanisms meet the PAJA standard of furnishing citizens with a reason within 90 days of receipt of request by the Administrator
- Social Cluster weakest in terms of relating its services to PAJA provisions and the service rendered is therefore without the legislatively guaranteed quality
- In some cases, citizens have fled applications before court because of failed administrative action in cases of social need (Monyakane, 2007)

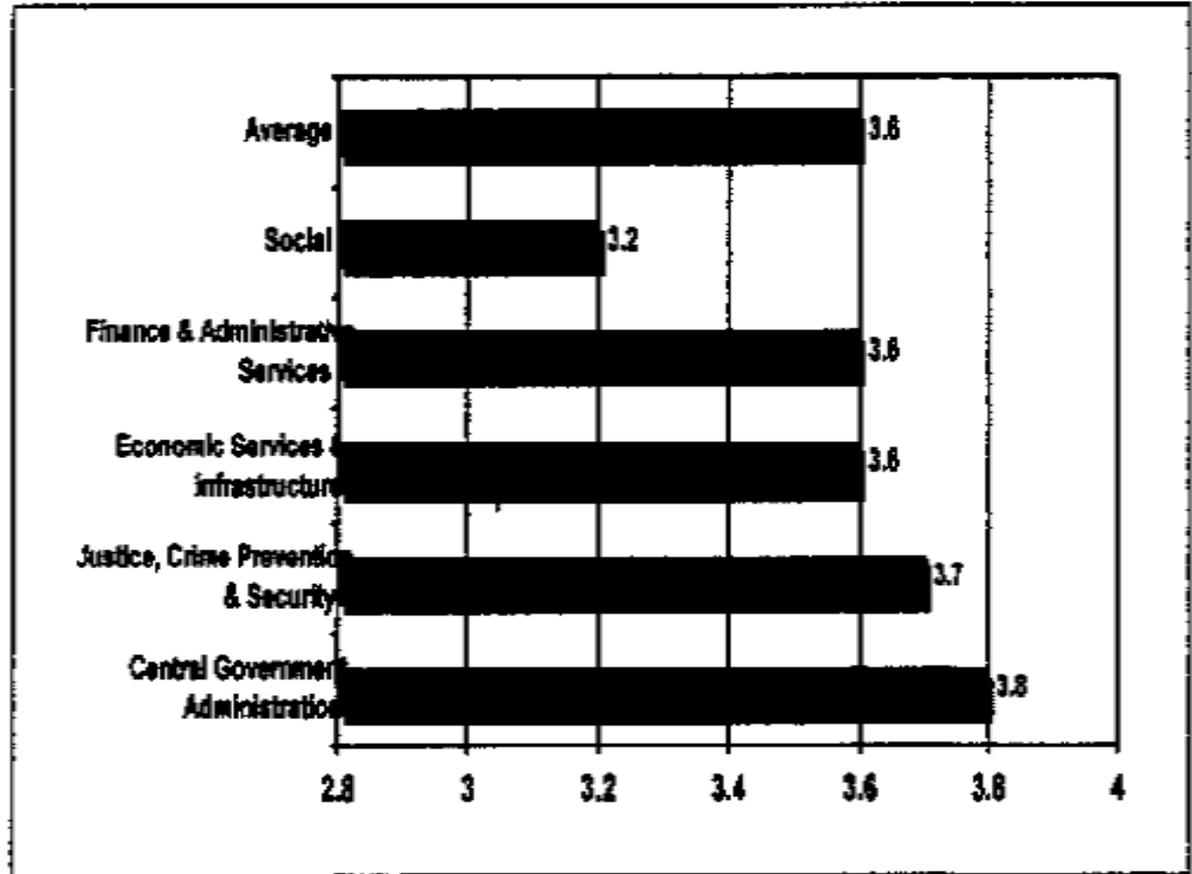
Value for Money by Cluster



Value For Money Principle by Cluster

- Challenges with the conceptualisation of this principle across all Clusters with only the Finance and Administrative Cluster scoring higher than 3 out of 4.
- The majority of Departments unclear as to how to operationalise this principle and to subsequently embed it into their service processes
- Standards provided include operating within the approved budget for the relevant services, the development of standards related to unit costs and the provision of better services through more effective use of human resources
- The overall recommendation is that Departments provide relevant “cost-benefit” analysis as a standard for this principle
- There is need for more focus on this principle across all Clusters given that this is a key principle of good governance
- Most Departments will in the future, given better familiarity with SDIPs, develop their own unique standards for this principle

Consultation by Cluster



Consultation Principle by Cluster

- This principle was adequately addressed by the SDIPs of most Departments
- The most common standards used by Departments were discussion groups/forums/izimbizo/meetings/one-on-ones/surveys/suggestion boxes and workshops.
- However, these were not accompanied by the appropriate SMART standards, e.g. a more in-depth consultation process is planned
- Other Departments tended to define the audience, rather than the process, e.g. IDP, ESKOM, Municipalities, etc.)
- Seemingly very few Departments have engaged in consultative processes with their citizens, making their SDIPs “inside-out” as opposed to “outside-in”
- Looking at the Clusters though, the Governance and Administration Cluster scored the highest (3.8 out of 4), while the Social Cluster again scored the lowest (3.2 out of 4)
- While the Social Cluster scored satisfactory (score above 3 suggests that SDIPs only require minor revisions) it again highlights the need for more work to be done on improving SDIPs in this Cluster

Lest We Forget: PAIA and PAJA

- PAJA - right to fair, lawful and reasonable administrative action and to the reasons for administrative action that affects them negatively
- PAJA addressed four of the eight principles of Batho Pele, namely Consultation, Openness and Transparency, Information and Redress
- While Consultation and Openness and Transparency were incorporated relatively successfully into SDIPs, this was not the case with Redress and Information
- With respect to the Time dimension, very few SDIPs met the criterion of a response within 90 days of the administrator receiving the request
- With respect to Clusters, the Social Cluster was the weakest in respect of effecting the PAJA provisions, while National Departments were more compliant than Provinces were
- PAIA – right to access records and/or information held by the State
- PAIA overlaps with three Batho Pele principles namely Openness and Transparency, Information and Redress
- The majority of national Departments addressed the 30 day response period by the Information Officer (IO) to a request, while this was less so the case with Provincial Departments

Conclusion: Whither Accountability?

TECHNICAL ISSUES:

- Overall, some success in the area of unifying the public service and expanding success in previously under-serviced areas and increasing the range of service channels
- More Departments have accountability mechanism in place than before, even though a significant amount of fine tuning needs to be done
- SDIPs are a bureaucratically driven exercise of pure ornamental value and amounts to *formalistic* accountability to the centre as opposed to consensual and client derived *substantive* accountability
- The majority of the standards in the SDIPs were often too vague to be meaningful, thereby making the monitoring thereof difficult, if not impossible
- Across a fair proportion of SDIPs, there was insufficient distinction between internal and external clients, with most leaning towards the needs of internal clients
- The majority of SDIPs assessed amount to a mere statement of objectives as they are not explicit as to the nature of remedial mechanisms to bridge the gap between the existing and future standards
- No heightened consciousness of disability issues

Conclusion: What Have you Done for Service Delivery Lately?

INSTITUTIONAL ARRANGEMENTS:

- Absence of regular performance monitoring, a critical component of NPM and general good practice by both the national and provincial spheres
- No annual report to Parliament on the state of Batho Pele in the public service by the MPSA
- What role for the Portfolio Committee on Public Service and Administration (PSCPSA)
- Unintended flexibility in our regulatory regime which is typified by absence of punitive measures
- Lack of effective co-ordination between the centre Departments in the national sphere and the respective Premiers' offices in the Provinces
- Visible and befuddling absence of the respective Premiers' Offices in the Provinces in terms of the service delivery improvement processes in general.
- Role reduced to that of liaison between individual Departments in the Province and the relevant centre department rendering implementation support.
- Absence of government - community partnerships and service delivery monitoring is a fertile area for these kinds of partnerships. For instance, what of the role of CDWs, Black Sash's Community Monitoring Project, the National Productivity Institute (NPI), the South African Bureau of Standards (SABS), etc?.
- Is the Presidency's M&E system the saviour in this regard?

NPM: The Cancer or the Cure?

DEVELOPMENTAL ISSUES:

- Institutional foundations and systems required for successful implementation on NPM measures taken for granted.
- The consumerist orientation of the NPM framework and the developmental ethos of our trajectory. Are they compatible?
- Efficiency in the public sector. What does it really mean?
- Body of evidence points to side effects of the NPM framework that we can ill-afford given our developmental priorities with respect to the public service
- A more litigious future (Q T Machi and others vs Social Welfare and Population Development MEC for KZN Province, 2005; Vumazonke and others vs Social Development MEC for EC Province, 2005)
- Major discrepancies between the Social Assistance Act 95 of 1992 and the Promotion of Administrative Justice Act 3 of 2000
- Disability issues: Permanently in the shade?
- Transformation or stagnation?
- How developmental are we in real terms?