PROTOCOL FOR TRACKING AND MONITORING

IMPLEMENTATION OF THE RECOMMENDATIONS OF

THE PUBLIC SERVICE COMMISSION

OCTOBER 2009

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Definitions

In this Protocol, the following expressions shall have the meanings assigned to them hereunder:

"*Feedback*" refers to any <u>comment</u> on the work of the PSC from any source, as well as information on the <u>status of implementation</u> of recommendations.

"*Generic recommendations*" provide <u>guidance</u> on how public administration or service delivery can be improved.

"Management letters" refer to letters from the Chairperson or Director-General of the PSC to the Executive Authority or Head of Department communicating the findings of its work, recommending an action to address problem areas in departments or improvement of certain public administration practices, and indicating the expected timeline for feedback and related evidence of implementation.

"*Recommendation*" includes advice, recommendations and directions as defined in the *Protocol Document on proffering advice, making recommendations and issuing directions*.

"*Specific recommendations*" require very <u>specific administrative action</u> from departments, especially regarding non-adherence to prescripts.

"Status of implementation" includes information on agreement/ disagreement with the recommendation, the administrative action taken by the appropriate authority to implement the recommendation, changes in policy resulting from a recommendation and/or an intention or action plan for implementation.

1.   Introduction

1.1.   Chapter 10 of the Constitution requires that the PSC be the custodian of good governance by contributing to effective and efficient public administration within the Public Service. It mandates the PSC to promote the values or principles in section 195 of the Constitution.

1.2   The PSC executes its mandate by conducting research and investigations on adherence to these values and relevant legislative and policy frameworks. The PSC also monitors and evaluates the performance of the Public Service and makes recommendations for improving performance. The result of these activities is oversight reports and management letters on the outcome of this work, containing detailed findings and recommendations. Recognising the importance of contributing to good governance through efficient and effective public administration the PSC monitors, on an annual basis, progress with the implementation of recommendations contained in the oversight reports and management letters.

1.3   This Protocol Document covers four aspects. Firstly, the background, aims and objectives of the Protocol. Secondly, it discusses the classification of recommendations and the quality assurance mechanisms used by the PSC for its recommendations. Thirdly, it outlines processes and procedures for obtaining feedback from stakeholders on the work of the PSC and reporting on implementation of recommendations. Fourthly, it defines roles and responsibilities within the PSC, and makes provision for the review of this Protocol Document.

2.   Background

2.1   The PSC produces various outputs. This includes reports, fact sheets, guidelines/ tools, cabinet memoranda and management letters.

2.2   The work of the PSC can be assessed at three levels. The first level is in terms of its **output**. Output refers to the end product of the annual activities of the PSC within and across its three divisions (branches). The second level is referred to as the **immediate outcome**, which entails the assessment of whether the recommendations of the PSC have been implemented or not. The third level, **consequent outcome** refers to the change in public administration resulting from the implementation of the recommendations. The implementation of the

recommendations of the PSC is expected to lead to a measurable improvement of the Public Service in terms of adherence to the values governing public administration.

2.2   The recommendations are either addressed to the whole Public Service, selected national government departments, selected provincial government departments, or to all departments in a province.

2.3   The recommendations are communicated to the relevant departments across the Public Service through formal management letters to the appropriate authority. The findings and recommendations are also disseminated to a wider audience through letters to stakeholders, presentations at media briefings or roundtable discussions and/or meetings with departments and Parliamentary and/or Provincial Legislature committees.

2.4   The recommendations serve as a tool for the Public Service to put in place corrective measures on practices that do not comply with the Constitutional values, and to sustain improvements in public administration. Therefore, to assess its contribution and impact, the PSC monitors the implementation of its recommendations.

3.   Aim of Protocol

The purpose of this Protocol is to guide the process of monitoring and tracking implementation of the recommendations of the PSC.

4.   Objectives

The objectives of monitoring the implementation of the recommendations are to:

4.1   increase the number of PSC recommendations that are implemented;

4.2   facilitate an assessment of the impact of the PSC's oversight role; and

4.3   provide the political oversight committees with feedback on the uptake of the PSC's recommendations and its contribution to good governance in the Public Service.

5.   The Recommendations

The recommendations of the PSC are end products of its activities captured in a number of documents – see paragraph 2.1 above. For the purposes of this Protocol "*Recommendation*" includes advice, recommendations and directions as defined in the *Protocol Document on proffering advice, making recommendations and issuing directions.*

5.1   Classification of Recommendations

5.1.1   This Protocol prescribes procedures for monitoring the implementation of the recommendations of the PSC. The recommendations are classified as either **specific** or **generic** recommendations.

5.1.2   "*Generic recommendations*" provide <u>guidance</u> on how public administration or service delivery can be improved.

5.1.3   "*Specific recommendations*" require very <u>specific administrative action</u> from departments, especially regarding non-adherence to prescripts. Since a specific recommendation requires a specific action of department(s), they should either implement the recommendation or disagree with the recommendation and furnish reasons why they have not implemented the recommendation.

5.2   Quality Assurance of Recommendations

5.2.1   Check List

The Office, before submission of a recommendation for the approval of the PSC, evaluates the quality of the recommendation. This should be done as a matter of course when senior managers and the PSC consider draft reports, but it should be done more systematically. This can be done against the following criteria:

a)   *Specific:* the recommendation clearly states the required action, and should be prefixed as follows: **It is recommended that** …

Note that recommendations should not be confused with findings, and should be reflected under a separate heading. Additional findings and motivations should not be added to recommendations.

b) *Useful and relevant:* the recommendation relates to the concerns of the Executive Authority (EA) or head of department (HoD), if the project was undertaken on request of the EA or HoD, and they should find the recommendations useful in addressing the concerns raised in the report and/or management letter.

c) *Appropriate*: the recommendation is appropriate in relation to the problem it is supposed to address.

d) *Timely*: the recommendation is not issued after circumstances have changed or after the department has already addressed the problem or the issue the PSC has noted in its report or the management letter.

e) *Feasible*: the recommendation is within the authority and capability of the department to implement, and it does not have serious negative implications for other areas of public administration within the department or across the Public Service.

f) *Affordable*: the financial implications of implementing the recommendation have been considered.

g) *Best practice*: the recommendation should inculcate the application of best public administration and management practice, and rely on the best available evidence on the suitability of the recommended solution. The basis on which the proclaimed best practice and solution is recommended should also be given in the report.

h) *Contextualised*: the recommendation is contextualised, that is, it considers the current challenges that will affect implementation.

5.2.2 Restricting the number of recommendations issued

Since the PSC cannot pursue the implementation of all the recommendations it is currently issuing, the aim should be to restrict the number of recommendations to those that can have a big impact.

6.   Feedback from stakeholders on the work of the PSC

6.1   Categories of feedback

6.1.1   To enable the PSC to assess the impact of its work any <u>feedback</u> from any stakeholder on any of the outputs of the PSC should be recorded in the appropriate fields in the data base.

6.1.2   "*Feedback*" refers to any <u>comment</u> on the work of the PSC from any source, as well as information on the <u>status of implementation</u> of recommendations. Feedback includes both written comment and oral comment.

6.1.3   *"Status of implementation"* refers to information on agreement/ disagreement with the recommendation, the administrative action taken by the appropriate authority to implement the recommendation, changes in policy resulting from a recommendation and/or an intention or action plan for implementation.

6.1.4   Commissioners and staff are expected to put on record in writing any oral comment made during any interaction with any stakeholder on any of the PSC's outputs, and capture the comment in the appropriate fields in the data base.

6.1.5   Comment included in roundtable reports, reports on meetings with stakeholders and reports on the PSC's interaction with parliamentary and provincial legislature committees should be captured in the appropriate fields in the data base.

6.2   Soliciting comment from stakeholders on reports or findings of the PSC

When a draft report or preliminary findings are available the draft report or preliminary findings should be submitted to relevant stakeholders for comment.

6.3   Communication of recommendations and requesting feedback

6.3.1   The recommendations are communicated to the relevant implementation authority timeously, in a management letter:

- Informing the EA/HoD that the PSC has investigated/ evaluated/ considered the matter and a report is attached for consideration.

- Drawing the attention of the EA/HoD to the specific recommendations that the department is expected to implement.

- Directing the EA/HoD to, within stated timeframe, provide feedback to the PSC on whether the department has implemented the recommendations or not. In the case of specific recommendations the PSC should be furnished with reasons if recommendations were not implemented.

- Indicating that the PSC is willing to make a presentation on the report or matter. During the presentation the points about implementation of recommendations and feedback on implementation should be reiterated.

- Where appropriate, highlighting the problems, risks or consequences that may result from non-implementation of the recommendations.

- Informing the department that in those instances where the recommendations are not implemented and no valid reasons are provided, the PSC will advise the Portfolio Committee for Public Service and Administration or other relevant parliamentary committee or committee of the relevant provincial legislature accordingly. (See also Section 10.4 of the *Protocol for Conducting Public Administration Investigations.*)

6.3.2 If no response is received from the department after the lapse of the due date for feedback on implementation communicated to the EA/HoD in the first management letter, a reminder should be sent to the department. If no feedback is received in response to the reminder a second reminder is issued. In this reminder the EA's/ HoD's attention should be drawn to the fact that if feedback is not provided to the PSC, the PSC may issue summons forcing the EA/ HoD to provide the required information. If after this reminder feedback is still not received, the Office will prepare a submission to the PSC for the issuing of summons. (See also Section 10.3 of the *Protocol for Conducting Public Administration Investigations.*)

6.3.3 In the case of generic recommendations the following additional feedback should be requested from departments:

- **How** the department has implemented the recommendations. Under this section the department should provide details of whether any further investigations/ evaluations/ studies were undertaken by the department and what solutions, policies, plans, guidelines, procedures, systems, structures or

measures were developed by the department in order to implement the recommendations.

- The **usefulness** of the recommendations for the department in relation to the improvement of public administration or service delivery. Under this section the department can comment on the specificity, relevance, appropriateness, acceptability, timeliness, feasibility, and affordability of the recommendations and whether the recommendations applied best public administration and management practice or relied on the best evidence available on whether the solutions offered will work.

6.4 Specific action by the PSC to promote implementation of recommendations

The PSC shall annually, as part of the process of approving its annual work plan, prioritise a few of the projects/ activities from the previous year with regard to which specific steps will be taken to pursue implementation of the recommendation(s). Such steps shall include:

- Advocacy of the findings and recommendation(s).
- Agreeing with the appropriate authority (ies)/ department(s) on a specific implementation plan for the recommendation(s).
- Providing support to the department(s) in implementing the recommendation(s).

6.5 The Database

6.5.1 **Annexure A** presents a workflow chart on the process of monitoring and tracking the status of implementation of the recommendations.

6.5.2 Information shall be captured in the data base by a person assigned for this task in each of the Chief Directorates.

6.5.3 Details to be captured in the data base and that must be updated quarterly shall include the following:

a) The recommendation
  i.   title of report or subject of the letter containing the recommendation
  ii.   date a grievance or complaint was lodged with the PSC (if applicable)

    iii.   date of approval of the recommendation(s) and/or report

    iv.   date of the report

    v.   date of letter communicating the recommendation(s)

    vi.   the department(s) to whom the recommendation(s) is addressed

    vii.   the recommendation itself, captured verbatim

    viii.   classification into specific (S) or generic (G)

    ix.   date of reminder letter (if issued)

    x.   due date for implementation feedback

    xi.   date of tabling of the report in Parliament/ legislature

    xii.   date of discussion of report in Parliament/ legislature

b)   Status of implementation of the recommendation

    i.   date of response from the EA/ HoD

    ii.   status of implementation

- recommendation(s) implemented
- detail of actions taken to implement the PSC recommendation(s) (if generic recommendation)
- any other activities undertaken by the department informed by the recommendation(s) or findings
- recommendation(s) not implemented
- disagreed with recommendation(s), and reasons

c)   Comment on the report or findings of the Commission

    i.   name, organizational affiliation and job title of the commentator

    ii.   date of the comment

    iii.   the comment itself, captured verbatim

6.5.4   **New recommendation(s)** should be added in the database by the designated person in a Chief Directorate as soon as the recommendation is formally approved by the PSC.

6.5.5   **Updates on the status of implementation** of recommendations as well as **feedback on the work of the PSC** should be captured in the database by the designated person in each Chief Directorate, as soon as such status or feedback is received.

6.5.6   The designated person in each Chief Directorate should do a final verification of whether all recommendations, status of implementation and feedback have been

captured, by the end of April of a year, to enable the Branch M&E to start preparing the report on *Tracking the Implementation of the Recommendations of the PSC.*

6.5.7   A list of reports and letters containing recommendation(s) should be captured in the data base by the designated person in the chief directorate.

7.   Report on the Implementation of PSC Recommendations

7.1   The M&E Branch shall compile a report by the end of July each year, covering the last two financial years, on tracking the implementation of the recommendations of the PSC, which shall include:

7.1.1   tables and graphs that summarise the data in the data base; and

7.1.2   quantitative and qualitative analysis of comments on the work of the PSC and status of implementation of recommendations.

7.2   A draft report shall be circulated for comment to management (Chief Directors, DDGs and DG) for inputs or comment before it is submitted to the PSC.

8.   Roles and Responsibilities

8.1   PSC

8.1.1   The PSC shall provide leadership in terms of the veracity of its findings and usefulness of its recommendation(s).

8.1.2   The PSC shall contribute to the communication of recommendation(s) to the department(s) through its interaction with EAs, especially where the recommendation(s) has the potential to alleviate major problems in the department(s) and maintain the good reputation of the Public Service.

8.1.3   The PSC shall hold the EA and HoD accountable for the implementation of recommendations, especially recommendations that address critical issues that could harm the reputation of a department, through letters signed by the Chairperson.

8.1.4   Where the reminder letter in 6.3.2 does not yield any positive response, the PSC shall issue summons to the concerned HoD, and report to relevant Parliamentary Committees within reasonable time.

8.2   Management

8.2.1   The Chief Directorates shall assign a person to capture recommendation(s), update comments on reports and status of implementation of the recommendation(s), and communicate with the M&E Branch: Governance Monitoring (chief directorate) in this regard.

8.2.2   Under the guidance and/or support of the Deputy Director-General, the Chief Director shall ensure quality assurance of the recommendation(s) as guided by section 5.2.

8.2.3   The Branch senior management shall ensure that reminders are forwarded to departments immediately after the lapse of the due date for feedback, and request feedback on the status of implementation.

8.2.4   The M&E branch shall play a central and coordinating role in assisting and supporting the processes of recording the recommendation(s) and tracking the status of implementation.

8.3   Branches

The following are key responsibilities of all the Chief Directorates:

8.3.1   Capturing and updating recommendation details in the data base as and when they are approved by the Commission.

8.3.2   Capturing comments on reports and information on status of implementation of recommendations on a quarterly basis.

8.3.3   Compiling quarterly a list of reports and other documents containing recommendations.

9.   Review of the Protocol

The Protocol shall be reviewed annually or as and when a need arises.

10.   Approval of the Protocol

This Protocol was approved by the PSC on **29 October 2009**

Dr RR MGIJIMA
CHAIRPERSON
Date:

Annexure A   **Protocol Work Flow Chart**

Recommendation(s) in
- **the Report**
- **a letter**

Recommendation(s) documentation

Recommendation(s) disseminations

Monitoring recommendations

- *Branch*
- *Document type*
- *Document title*
- *Approval date*
- *Recommendation classification*
- *Acknowledgement and/or acceptance of recommendation(s)*
- *Feedback timeframe notice*

- ***Dissemination of recommendation(s)***
  - ➢ Presentation to department(s)
  - ➢ Dissemination of recommendations in a report, under cover of a management letter to the appropriate authority
  - ➢ Tabling at Parliament/ Legislature
  - ➢ Presentation to Portfolio Committees
  - ➢ Roundtable discussions

Tracking status of implementation

- *Capturing recommendations in the Electronic Database or Intranet*

- *Accessing the updated recommendations on the Electronic Database/ intranet for report writing*

- *Capturing the status of implementation*
- *Analysis*

- *Annual report writing*

Follow up –
- ➢ Offer support in initiating implementation of the recommendations
- ➢ 1st and 2nd reminders
- ➢ Summons
- ➢ Report to relevant Parliamentary Portfolio Committee

Specific recommendation(s) **–** classified as specific and feedback report as to whether the recommendation was implemented as proposed

Generic recommendation(s) – classified as generic and detail how the recommendation(s) will be or was implemented