



17 October 2011

OVERVIEW OF THE PERFORMANCE OF THE CIVILIAN SECRETARIAT FOR POLICE IN 2010/11

1. INTRODUCTION

This paper will evaluate the performance information of the Police Secretariat as set out in the South African Police Service (SAPS) 2010/11 Annual Report¹. In the previous financial year the Secretariat received permission from Parliament to discontinue certain programmes in line with the restructuring of the Secretariat to address “*institutional changes required to enable the Civilian Secretariat to perform its role*”; and the reorganisation of the Secretariat’s revised mandate². For this reason and by agreement with Parliament the Strategic Plan covered a one-year period only.

The discussion on the Secretariat’s strategic objectives, budget and programme performance will thus be done with reference to the “draft set of programmes and activities”, some of which did not have measurable targets linked to them, as outlined in its Annual Performance Plan that was submitted to Parliament at the beginning of 2010/11.³

2. OVERVIEW OF SELECTED 2010/11 PERFORMANCE ISSUES AND HIGHLIGHTS

- **Insufficient reporting on financial performance:** A major shortcoming in the SAPS Annual Report and the information on the Secretariat in particular, is the lack of reporting on financial performance, apart from the under-expenditure and over-expenditure set out below.
- **Budget allocation and financial control:** No indication is given in the SAPS Annual Report of what amount was allocated to the Secretariat. The Secretary of Police confirmed telephonically that the Secretariat’s **final adjusted allocation was R25 million**. The Secretariat **spent R22. 806 million** or **91.2%** of this amount.⁴
- **Under-expenditure:** Under-spending in 2010/11 (20.16%) was lower compared to 2009/10 (22.71%). The following reasons were provided for the under-expenditure:
 - An amount of R4. 299 million⁵ was not spent due to the non-utilisation of R3 million that was set aside for the National Monitoring Evaluation Tool which was not finalised by SITA.
 - An amount of R1 million that had been set aside for the National Victims Perception Survey was not spent as STATS SA took over this project.⁶

¹ See p30 – 54 of the SAPS 2010/11 Annual Report

² In terms of the Civilian Secretariat for Police Service Act No 2 of 2011, the Secretariat functions under the direction of the Minister of Police.

³ SAPS 2010/11 Annual Report, p31

⁴ SAPS 2010/11 Annual Report, p31

⁵ SAPS 2010/11 Annual Report, p32. The Secretary of Police, Ms. Irish-Qhobosheane, stated telephonically on 17 October 2011 that the underspending was R2.475 million or 9.9%. It is not clear how this amount was calculated.

⁶ The Secretariat states that it would have under-spent by only R299 000 or 3% if the above projects were completed, which would have been a “significant” improvement on the reduction of under-expenditure compared to 2009/10.



- **Over-expenditure:** There was over-expenditure of R1. 824 million on the personnel budget as a result of posts that were filled in addition to the fixed establishment.
- **Performance rewards:** R9. 8 million was paid out in performance rewards for services rendered in 2009/10.⁷ This was not reported under the section dealing with the Secretariat and no other information regarding performance rewards is contained in the Annual Report.
- **Leadership and staff capacity problems:** The Monitoring and Evaluation Unit did not perform at the initially anticipated levels as it experienced leadership and staff capacity problems. A new Chief Director and five additional staff members were appointed in January 2011 to address problems in this unit. The post of Secretary for Police was filled on 1 July 2010 on a five-year contract; and critical senior management posts were created and filled from 1 January 2010 to assist the Chief Directors.
- **Human Resources:** All vacant posts within the existing structure of the Secretariat were filled during the period under review except for one administrative post.
 - The draft Employment Equity Policy for the Secretariat has been developed.
 - An appropriate performance management system with career pathing and pay progression has been put in place with the assistance of a consultant.
 - The Workplace Skills Plan for 2010/11 and quarterly reports were submitted to PESETA.
- **Involvement in sector legislation and regulations:** The Secretariat assisted and facilitated the finalisation of:
 - The Civilian Secretariat for Police Service Bill and the Independent Police Investigative Directorate Bill (both enacted in May 2011)
 - Regulations and the enactment of certain provisions of the Firearms Control Amendment Act.
 - Private Security Training Regulations.

3. LEGISLATIVE MANDATE

The Secretariat derives its mandate from the Constitution⁸ and the Civilian Secretariat for Police Service Act No 2 of 2011 (“the Secretariat Act”). Section 208 of the Constitution states that a civilian secretariat for the police must be established by national legislation to function under the direction of the Cabinet member responsible for policing.⁹ In terms of the Secretariat Act the Secretariat will become a designated department with the Secretary for Police as the Accounting Officer. In respect of the 2010/11 financial year, however, the Secretariat was still functioning as a cost centre under the Administration Programme (Programme 1) of the SAPS.¹⁰

4. STRATEGIC OBJECTIVES 2010/11

In terms of the Secretariat’s 2010/11 Budget Vote presentation to Parliament the primary focus and priority in 2010/11 was the development of a five-year Strategic Plan.

⁷ SAPS 2010/11 Annual Report, p211

⁸ The Constitution of the Republic of South Africa, 1996

⁹ The Civilian Secretariat Bill [B16B – 2010] reaffirms this position by establishing the Secretariat to function under the direction of the Minister of Police.

⁸ p79

⁹ SAPS 2009/10 Annual Report, p79

¹⁰ SAPS 2010/11 Annual Report, p39



The following key functional areas were identified in relation to civilian oversight and policy advice to the Minister of Police:

- **Policy and Strategy:** Strategic and indicative planning, research and the formulation of departmental policy proposals to guide the activities of SAPS.
- **Audit and Monitoring:** The monitoring of the budget of the Department of Police (“the Department”) to ensure alignment with the policies approved by the Minister. Monitoring the effectiveness and efficiency of the implementation of these policies.
- **Providing Ministerial support services:** Including the management of international and stakeholder liaison; and provision of legal services.
- **Communication:** The implementation of a communication strategy aimed at informing and mobilising role players, stakeholders and partners outside the Department regarding the delivery of safety and security.
- **Accountability:** To account to the Minister and to Parliament on issues and activities.

5. BUDGET PERFORMANCE

In 2010/11 the Secretariat’s budget was still a cost-centre in the SAPS Budget Vote 24 under Programme 1: Administration, which received an allocation of R18 066 960 billion.

The Secretariat’s final adjusted allocated budget was R25 million. ¹¹ The Secretariat **spent R22. 806 million** or **91.2%** of its adjusted allocated budget of **R25 million.**¹²

The **under-expenditure** by the Secretariat amounted to R4. 299 million or 20.16% (compared to R4. 978 million or 22.71% in 2009/10). This is ascribed to the non-utilisation of R3 million that was set aside for the National Monitoring Evaluation Tool which was not finalised by the SITA; and an unspent amount of R1 million that was set aside for the conducting of a National Victims Perception Survey that was then taken over by STATS SA. Under-spending would have amounted to only R299 000 or 3% if the above projects were completed.

Notably, there was **over-expenditure** of R1. 824 million on **the personnel budget** as a result of posts that were filled in addition to the fixed establishment.¹³

According to the SAPS Annual Report 2010/11 an amount of R9. 8 million was paid out in **performance rewards** to Secretariat staff for services rendered in 2009/10.¹⁴

¹¹ The Secretariat’s preliminary 2010/11 Budget Vote of R21 327 490 million that was presented to Parliament consisted of an Operational Budget of R8 066 490 million, Human Resources R13 250 000 million and Overtime to the amount of R11 000 (compared to R232 000 in 2009/10).

¹² Confirmed telephonically by the Secretary of Police on 17 October 2011.

¹³ These appointments were all aligned to the new organisational structure that was being finalised between the Secretariat and the Department for Public Service and Administration (DPSA).

¹⁴ SAPS 2010/11 Annual Report, p211



Questions / Comments

- Was the R9.8 million that was paid out in performance rewards additional to the adjusted allocation of R25 million in 2010/11?
- What was the total staff complement at the end of March 2011?
- A breakdown of actual performance bonus amounts and posts, including the number of recipients (compared to the total number of staff members), are not provided in respect of 2010/11. This information was also not provided in the previous Annual Report. (a) Why not and (b) what are the relevant details in respect of performance rewards?
- Only 7 out of 33 staff members were given performance bonuses in 2009/10, and the average performance bonus paid was approximately R14 714. What was the average performance bonus amount paid to individuals in 2010/11?

6. PROGRAMMES AND ACTIVITIES

6.1 The Office of the Secretary

As part of its support to the Minister of Police, the Office of the Secretary for Police assisted with:

- International engagements including the facilitation of an Inter–Ministerial meeting of the Southern African Regional Police Chiefs Council Organisation (SARPCCO)
- Review of three international agreements and providing technical support for the Minister’s international engagements.
- Development of a policy position on international engagement for incorporation into the White Paper.
- Providing administrative support to the Ministry of Police in the form of 25 briefing documents and two policy documents submitted to the Minister; and
- Facilitating quarterly MinMEC meetings.

In addition to the above activities the Annual Report lists a number of activities under the Office of the Secretary in 2010/11.¹⁵ The table below contains selected performance indicators.

OFFICE OF THE SECRETARY			
Strategic Objective	Measurable Objective/ Performance Indicator	Target	Actual Performance
Develop & finalise legislation to empower & capacitate Secretariat	Finalise Secretariat legislation	1 Bill. Implementation plan approved by Minister & PC Police	1 Bill
Effectively enhance organisational capacity building in Secretariat	Enhance DPSA restructuring investigation. Approved organisational structure	No target set.	1 organogram submitted to Minister (after finalised by DPSA & Secretary’s office)

¹⁵ SAPS 2010/11 Annual Report, p40-42



Provide institutional leadership and direction to the Secretariat	Developed / approved / aligned Strategic Plan (MTSF/MTEF)	1 Strategic Plan	1 Strategic Plan
Ensure implementation of Departmental legislative programme & assist Minister with statutory mandate	Bills to Parliament: <ul style="list-style-type: none"> • Secretariat Bill • ICD Bill • Firearms Control Regulations <ul style="list-style-type: none"> • Private security training regulations • PSIRA Bill 	3 Bills presented 2 Regulations	3 Bills presented FCA Regulation drafted & sections of Amendment Act enacted. PSIRA training regulation submitted to PSIRA for finalisation
Ensure consistency & alignment in implementation of Secretariat oversight mandate	Align provincial & national organisational structures with legislation	Quarterly HODs forums	4 meetings held & agreement reached on national alignment. Secretariat aligned Annual Performance Plans (APPs) submitted to Treasury
Ensure co-operation and engagement with ICD	Establish functional ICD & Secretariat Forum & feedback report on forum activities	No target set	Task team established - working on implication of new Bills for ICD & Secretariat
Monitor the implementation of ICD recommendations	Ensure implementation of ICD recommendations. Progress reports on implementation of recommendations	Quarterly Reports	Task team established - working on implication of new Bills for both structures
Render communication support for the Secretariat and Minister	Upgrade and maintain Secretariat website	1 upgraded website	Upgraded website will go live when Minister approves new organogram
Manage & monitor implementation of special projects	Developed and approved project plan. Implement special projects (Firearms amnesty project).	No target set 100% Achievement of due dates within limited budget. 4 Progress & final project Reports submitted to Minister & Parliament.	3 special projects undertaken 100% achieved 4 Progress & final project Reports



6.2 Chief Directorate: Policy and Research

The strategic objective of the Policy and Research Directorate is to provide evidence-based strategic research and policy advice. Selected performance indicators are set out below.

CHIEF DIRECTORATE: POLICY AND RESEARCH		
Measurable Objective/ Performance Indicator	Target	Actual Performance
A fully developed, flexible & responsive research programme with concrete deliverables	3 Policy Advice reports to the Secretary / Minister	5 reports submitted. Note: <i>“challenges/reasons for non-performance” column states 2 reports submitted will be published in 2011</i>
	1 State of Policing report	State of Policing Terms of Reference (TORs) completed & discussed with Reference Group
	1 Sector Policing Review report	1 report submitted
	1 Metro Police draft policy	1 draft policy report developed and submitted
	1 Approved Community Safety Forum (CSF) policy	Draft CSF policy developed and submitted to JCPS
	1 Report on Reservist policy with recommendations on areas for review	Literature review on Reservist National Instructions conducted & draft report developed for inclusion in White Paper
	Finalised National Instructions on Child Justice Act (CJA) regulations	National Instructions completed & published
Review of White Paper for Safety and Security	New project. No target set	Discussion document finalised
	Discussion document on police station boundaries	Discussion document developed

Questions / Comments

- What was the actual performance in respect of the Policy Advice reports to the Secretary / Minister target as the “challenges/reasons for non- performance” column states that two reports were submitted but will only be published in 2011?
- The State of Policing report was deferred to 2011/12 pending the finalisation of the White Paper. When will the White Paper be finalised?
- What were the Terms of Reference for the State of Policing report; and when will this report be finalised?
- Regarding the Reservist policy, the Secretariat stated on page 34 of the SAPS 2010/11 Annual Report that, in respect of the review of the National Instruction relating to reservists, that it was “excluded from these deliberations and did not get any further assistance from the SAPS nor was it privy to information”. What was the reason for this?



6.3 Chief Directorate: Monitoring and Evaluation

The strategic objectives of this programme are to provide professional civilian oversight capacity through active monitoring evaluations of SAPS systems, processes and approaches; and to monitor and evaluate the performance of SAPS in respect of the management and deployment of human and material resources. Selected performance indicators are set out in the table below.

CHIEF DIRECTORATE: MONITORING AND EVALUATION		
Measurable Objective/ Performance Indicator	Target	Actual Performance
A single comprehensive streamlined M&E Tool developed & implemented	Finalised database system for monitoring & evaluation. No target set	Database is being developed
Monitor & evaluate SAPS performance, ICD recommendations & SAPS complaints mechanism	4 Reports on SAPS performance monitored against Performance Chart	0 reports. Access to the SAPS Performance Chart not granted
	4 Reports on ICD recommendations	0 reports. Task team comprising Secretariat, SAPS & ICD established to map out a clear process to address complaints & recommendations
	4 Reports on SAPS complaints mechanism	0 reports. Task team comprising Secretariat, SAPS & ICD established to map out a clear process to address complaints & recommendations
Improved SAPS station service delivery	1 Report on SAPS resource deployment & performance against transformative programme incl. DVA	0 report. Data gathered at 19 police stations had to be developed

Questions / Comments

- What was the reason why access was not granted to the SAPS performance chart?
- How will the Secretariat ensure greater co-operation between the SAPS and the Secretariat in future, especially in the light of its liaison functions and DVA functions to be taken over from the ICD; and ensuring that ICD recommendations, among others, are implemented by SAPS?
- What processes had been put in place by the Task Team in respect of SAPS complaints and ICD recommendations?

6.4 Chief Directorate: Partnerships

The strategic objectives of this programme are to facilitate community participation in crime prevention initiatives; ensure collaboration between government, business and civil society organisations on crime prevention; and enhance intergovernmental co-operation on safety and security through a co-ordinated effort in tackling challenges and blockages.



The table below contains selected performance information.

CHIEF DIRECTORATE: PARTNERSHIPS		
Measurable Objective/ Performance Indicator	Target	Actual Performance
Develop criterion for identifying areas to implement community outreach programmes.	1 approved community outreach criteria.	1 approved community outreach criteria
Implement quality outreach programmes	10 outreach programmes	10 outreach programmes implemented. Facilitated resuscitation of CSFs.
Implement Public Participation Programmes (Ministerial Izimbizo)	Report on impact of implemented programmes. No target set	6 Reports on impact of implemented programmes.
Joint crime prevention programmes between governance institutions & business community	<ul style="list-style-type: none"> 4 MOU developed & signed off Implemented programmes. No targets set 	<ul style="list-style-type: none"> Only 1 MOU developed & signed off due to time constraints Nil. Programme implemented by SAPS and Reference Group
Functioning reference group	<ul style="list-style-type: none"> 1 Functioning reference group 4 meetings with business organisations 4 Quarterly reports on business meetings 	<ul style="list-style-type: none"> Nil due to time constraints 4 meetings held 4 Quarterly reports achieved
Engagement of civil society organisations in crime prevention and safety	<ul style="list-style-type: none"> 1 Civil Society Partnership Plan 4 Reports on engagement 	<ul style="list-style-type: none"> 1 Civil Society Partnership Plan 6 Reports on engagement
Keep CPFs informed of latest crime prevention initiatives	<ul style="list-style-type: none"> Developed CPF engagement guidelines. No target set 12 CPF meetings 4 Reports on CPF meetings 	<ul style="list-style-type: none"> 1 CPF engagement guideline 12 CPF meetings 4 Reports on CPF meetings
Drafted CSF policy (functioning model)	1 Approved CSF policy (incorporated successes in pilot projects)	Nil. Policy to be finalised in 2011/12
Monitor provincial pilot projects	4 Meetings & reporting on provincial pilot projects	6 Meetings

Questions / Comments

- Why is the Facilitation of the resuscitation of CSFs listed in the “Challenges / Reason for non-performance” column?
- The Annual Report contains very little information on CPFs. What are the relevant details of the CPF engagement guidelines reports on CPF meetings as stated?
- What are the challenges experienced in respect of the effective functioning of CPFs and CSFs?
- Why was the CSF policy not finalised?



6.5 Chief Directorate: Support Services

The strategic objectives of this programme include the re-organisation and alignment of the Secretariat; attracting, recruiting and retaining appropriate skilled and qualified human resources; managing performance management systems; and providing procurement services to the Secretariat and the Ministry in compliance with the PFMA and other related prescripts.

The table below sets out the relevant selected performance information.

CHIEF DIRECTORATE: SUPPORT SERVICES		
Measurable Objective/ Performance Indicator	Target	Actual Performance
Develop and implement MTSF/MTEF.	<ul style="list-style-type: none"> 1 Medium Term Strategy Framework Submit 1 HR Plan to DPSA & report on HR plan implementation 	<ul style="list-style-type: none"> Nil. Plans in place to comply with NT deadlines in preparation for becoming designated department 1 HR Plan submitted to DPSA
Approved organisational structure aligned with Secretariat direction & legislation as mandate	1 Organisational structure aligned with Secretariat mandate	Organisational structure aligned and awaiting Ministerial approval
Estimate HR compensation need for 2011/2012	1 Compensation Budget	Compensation Budget approved & included in 2011/12 Strategic Plan
Appoint qualified, competent & skilled personnel on Secretariat establishment	Vacancy levels reduced by 50%	Vacancy levels on existing structure reduced by 78% and posts additional to establishment created and filled
Employment Equity (EE) Plan	1 EE plan submitted by September	Draft EE policy developed – EE plan to be developed once Secretariat becomes designated department
Implement approved Workplace Skills Plan (WSP)	4 Reports. 100% compliance with Plan	4 quarterly Reports to PESETA. 100% compliant with Plan
Alternative dispute resolution processes	100% formal disputes finalised in 3 months	100% compliance (2 disputes)
Engage in disciplinary cases	<ul style="list-style-type: none"> 1 Report compiled and submitted to Secretary. 1 Report compiled and submitted to Public Service Commission (PSC) 	<ul style="list-style-type: none"> 1 Report submitted to Secretary. 1 Report compiled and submitted to PSC
Establish HR policy repository	Policy Repository established	All HR policies aligned to DPSA collated and filed in repository
Expenditure control	100% compliance. 12 Expenditure reports	100% compliance. 12 monthly Expenditure reports submitted
Financial Risk Management	<ul style="list-style-type: none"> 1 Risk Management Plan. Monthly reports on financial misconduct/non compliance Monthly report on risk management 	<ul style="list-style-type: none"> Draft Risk Plan developed No financial misconduct reported Reports submitted to Secretary



Ensure compliance with Supply Chain Management (SCM) policy	100% compliance with all prescripts on supply chain management	100% compliance. Submissions checked for Treasury compliance
Asset and facilities management	Quarterly integrity-based and updated asset register	IT asset register in place. Manual records of furniture kept and awaiting capturing on PAS by SAPS
Risk management	1 Approved and implemented Risk Management Plan	Draft Risk Management Plan developed
Information technology support	Turnaround time on logged calls = 2 days	All calls logged and attended to within 2 days

Questions

- What was the vacancy rate in each programme and which programmes had the most vacancies?
- How many posts were additional to the establishment?

6.5.1 HUMAN RESOURCE MANAGEMENT¹⁶

The sub-component has its functions divided into four areas: performance management, training and skills development, strategic support and human resource administration (labour relations, recruitment and employee benefits).

The Human Resources component falls under the Support Services. In addition to providing human resource support to the staff, this component also provides support to the Secretary for Police in the process of restructuring and reorganising the Secretariat.

The following Human Resources performance information was provided:

- **Restructuring:** An internal task team, in close co-operation with the Department of Public Service and Administration (DPSA) is managing the restructuring process in preparation for the Secretariat becoming a designated department in terms of the Civilian Secretariat for Police Service Act No. 2 of 2011.
- The **work-study for the proposed structure** was to have been submitted to the Minister for approval in June 2011 after which the filling of key posts was to commence.
- **Recruitment:** More than 50 new posts were created; and existing staff were placed in appropriate posts. The appointment of staff in the HR sub-component has had a positive impact on service delivery in this environment.
- A **performance management system** with career-pathing and pay progression was put in place with the assistance of a consultant.
- The **Secretary for Police post was filled on 1 July 2010** on a five-year contract.
- **Critical Senior Management posts were created and filled from 1 January 2010.**
- **Vacancies:** All vacant posts, except for one administrative post, were filled.

¹⁶ SAPS 2010/11 Annual Report, pages 38 - 39



In addition the following may be noted:

- An **Employment Equity Policy** was developed. However, the Annual Report does not provide any breakdown or other information on the racial, gender and occupational demographics of staff.
- The **Workplace Skills Plan** for the 2010/11 financial year and quarterly reports were submitted to PESETA.
- A report on all **performance agreements for SMS members** was submitted to the DPSA.
- The **Employee Wellness Policy** was developed.
- A report was submitted to the Public Service Commission regarding formal disputes for 20110/11.
- **HR policies** were developed.

Questions / Comments

- Was the work study for the proposed new structure submitted to the Minister of Police in June 2011?
- Please provide a breakdown of the racial, gender and occupational demographics of staff.
- How many of the total staff members are persons with disabilities?

Sources

1. SAPS 2009/10 Annual Report
2. SAPS 2010/11 Annual Report
3. Civilian Secretariat for Police Service Act No 2 of 2011
4. Whittle, P (2010). Overview of the Performance of the Civilian Secretariat for Police in 2009/10. Research Unit. Information Services Section. Parliament of South Africa.
5. Report of the Portfolio Committee on Police on Budget Vote 24 of the Department of Police for 2010/11, Dated 4 May 2010.
6. Secretary of Police (2011). Telephonic confirmation of final allocated Secretariat budget amount in 2010/11. 17 October 2011