



8 October 2012

**ANALYSIS OF THE THE INDEPENDENT CIVILIAN SECRETARIAT FOR POLICE 2011/12
ANNUAL REPORT**

1. INTRODUCTION

The aim of this report is to provide the Portfolio Committee on Police with an overview of programme performance of the Civilian Secretariat in 2011/12 financial year. In order to do that, the paper focuses on legislative mandate, key strategic objectives and priorities, financial performance, programme performance and specific issues emanating from financial statements and notes.

Note: While this analysis focuses on performance in 2011/12, the Portfolio Committee should ascertain during the hearings:

- Financial implications (and any additional funds required) when the Secretariat becomes a fully-fledged Department with its own Vote targeted for 2013/14.
- Performance and spending patterns in 2012/13 (the current financial year). Has the Secretariat improved on the deficiencies in 2011/12 both in terms of spending (under-spending) and performance?

1.2 Legislative Mandate

The following legislative provisions governed the Secretariat in 2011/12:

- Section 208 of the Constitution requires the Minister of Police to establish a Police Civilian Secretary. Section 206 of the Constitution entitles the provincial executive to perform certain oversight functions that relate to policing.
- The Civilian Secretariat for Police Act was enacted by the President on the 1st of December 2011.



Other legislative framework that provides the mandate of the Civilian Secretariat for Police are:

- South African Police Act, 1996
- White Paper on Safety and Security, 1998
- National Crime Prevention Strategy, 1996¹

2. KEY STRATEGIC OBJECTIVES AND PRIORITIES

The Secretariat identified the following strategic objectives for the year under review.

- To provide quality, timeous evidenced-based strategic research and policy advice to the Minister.
- To play an activist and interventionist role with regard to civilian oversight of the Police.
- To develop and contribute to a global view on police practices and methodologies.
- To develop and build strategic partnerships in the fight against crime.
- To strengthen the national dialogue and relationships on safety and crime prevention.
- To initiate policy driven legislation on policing and security matters.
- To perform any other functions as may be determined by the Minister.²

2.1 The following Key strategic achievements were reported by ICD in 2011/12:

- The Civilian Secretariat for Police Service Act was enacted in December 2011.
- The Secretariat organogram was approved by the Minister of Police and signed off by the Minister of Public and Administration on 27 March 2012.
- The civilian oversight mandate of the Secretariat was achieved increasing its target of police station visits from 100 to 155.
- There have been engagements with variety of stakeholders and communities with the purpose of strengthening partnerships in the fight against crime. In particular the engagements surrounding the implementation of Community Safety Forums have

¹ Civilian Secretariat for Police 2011/12 Annual Report pg5

² Civilian Secretariat for Police 2011/12 Annual Report pg9



resulted in provinces starting to roll out Community Policing Forums at a provincial level.

- A number of key policy papers and documents have been developed some of which have been used to draft legislation.
- Research has been undertaken into a number of policing areas and this has been used to inform the review of the White Paper.³

3. FINANCIAL PERFORMANCE

According to Annexure B of the 2011/12 Annual Report, the Secretariat spent 76% (R31.9 million) of its actual budget of R41.7 million in 2011/12 and there was an **under spending of R9.8 million**.⁴ The amount of R14.2 million was allocated to Programme budget and R27.5 million to Personnel budget.

The following table indicates the actual allocation and expenditure for Secretariat in 2011/12:

Item	Actual Budget Allocation	Actual Expenditure	% Expenditure	Variance
Programmes Budget	14 206	11 770	83%	2 436
Personnel Budget	27 565	20 163	73%	7 402
Total	41 771	31 933	76%	9 838

The largest expenditure was in the office of the Secretary with the expenditure of R1.7 million during the last quarter of 2011/12, followed by Corporate Services with an expenditure of R1.3 million. The lowest expenditure was recorded in Programme 4: Partnerships, that is R127 000.⁵

Virement, fruitless and wasteful expenditure and irregular expenditure were not reported.

³ Civilian Secretariat for Police 2011/12 Annual Report pg9

⁴ Civilian Secretariat for Police 2011/12 Annual Report pg35

⁵ Van Zyl-Gous (2012) Expenditure Report for the Civilian Secretariat for Police: Fourth quarter of 2011/12 & First Quarter of 2012/13



Comments

- The Secretariat must provide information regarding virement, fruitless and wasteful expenditure and irregular expenditure which was absent in their report.
- A variety of reasons are provided in the report for under-spending (including for operational expenditure: advertising for posts budget not fully utilised; postponement of training by PALAMA; furniture budget not utilised and problems in the development of NMET; and for personnel expenditure: late finalisation of organisational structure. How have each of these issues been addressed in 2012/13?
- Is the Secretariat satisfied with the systems and controls that it has implemented to ensure both proper financial spending as well as effective performance and monitoring of performance? Provide some information on these systems and controls and explain where the current weaknesses are and what steps the Secretariat is taking to address these weaknesses. It is essential that these are in place before the Secretariat becomes a fully-fledged Department.

4. PROGRAMME PERFORMANCE

The Secretariat has the following Programmes:

- Programme 1: Administration
- Programme 2: Policy and Legislation
- Programme 3: Monitoring and Evaluation
- Programme 4: Partnerships

4.1 Programme 1: Administration

The purpose of the Programme is to ensure the Secretariat functions effectively and is able to assist the Minister of Police in fulfilling his role as an Executive Authority. It consists of auxiliary services, human resources management, financial management and reporting, and supply chain management.



4.1.1 Budget and spending for Programme 1

The following table indicates budget allocated and spending for Programme 1 in 2011/12:

Administration		
Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000)
34 578	26 377	8 202

The final appropriation of the Programme was R34.5 million of which the Secretariat spent R26.3 million with a variance of R8.2 million. The highest under-expenditure was recorded at Sub-programme: Personnel which totalled R7.4 million. The Sub-programme: Office of the Secretary had 100% expenditure in 2011/12 financial year.⁶

Question

- Can the Secretariat explain the cause for under-spending of R7.4 million in the Sub-programme Personnel? What is the impact of this under expenditure on service delivery?

4.1.2 Human Resources Management

- **Vacancies:** The number of posts at Secretariat in 2011/12 was 55 of which 53 were filled. There were two vacant posts in the period under review. One at Policy and Research and the other one at Support Service.
- **Training:** The Secretariat identified 66 courses to address the training needs of the employees. Fifty-one (77%) of those courses were offered with an expenditure of R304 468 in 2011/12.⁷
- **Staff turnover:** There were four terminations and transfers from the Secretariat in the under review. One employee was transferred to another department and three were transferred to SAPS.
- **Employment equity:** The Secretariat had the following employment equity during the period under review, 44 Africans (18 males and 26 females); 2 Coloureds (1 male and 1 female); 3 Indians (1 male and 2 females); and 4 Whites (2 males and 2 females).

⁶ Civilian Secretariat for Police 2011/12 Annual Report Presentation pg12

⁷ Civilian Secretariat for Police 2011/12 Annual Report pg34



- **Performance rewards**

An amount of R403 284 was used for performance rewards which were given to 21 beneficiaries. The average performance reward per employee was R19 204. Five out of 12 senior managers received performance rewards totalled at R190 883 which is 47% of the total performance rewards.⁸

Question

- Can performance awards to senior managers be broken down per manager awarded to and what kind of performance was awarded?

4.2 Programme 2: Policy and Legislation

The purpose of this programme and its sub-programme is to undertake research, develop policies and provide strategic policy advice to the Secretary of Police.⁹

4.2.1 Budget and spending for Programme 2

The following table indicates budget allocated and spending for Programme 2 in 2011/12:

Policy and Legislation		
Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000)
1 593	1 592	1

The final appropriation of the Programme was R1.5 million of which the Secretariat spent R1.5 million with a variance of R1000 in 2011/12.¹⁰

4.2.2 Performance

The following table depicts strategic objectives that the ICD focused on in 2011/12

⁸ Civilian Secretariat for Police 2011/12 Annual Report pg32

⁹ Civilian Secretariat for Police 2011/12 Annual Report pg9

¹⁰ Civilian Secretariat for Police 2011/12 Annual Report Presentation pg 17



Performance Indicator	Target	Actual
Revise White Paper document	1	1
Finalised policy document on a single police service	1	1
Policy document on private security	1	0 (Policy to be drafted by PSIRA)
Finalised policy document on establishment of CSFs	1	1
Finalised policy on police station boundaries	1	1
Analysis report on recruitment and placement policy finalised	1	1
Reports on policy arising from M&E recommendations	4	2
Research reports on police training	1	1
Research reports on areas required by the Minister	2	4
Quarterly engagements and quality reports from Reference Group	4	4
An integrated annual research programme for national and provincial secretariats to identify and align National research flagship projects/ programmes	1	1
Fully functional and operational Resource Information Centre	1	1
Draft Information Collection Development Policy	1	2
Source, analyse, store and disseminate research reports	4	4
Functional and coordinated policy research database	1	1
Bills finalised and submitted to Parliament: Dangerous Weapons		



<ul style="list-style-type: none"> • Dangerous Weapons Act • PSIRA • Firearms Control Amendment • Reviewed SAPS Act (DPCI) 	4	1
Prepare and submit regulations in terms of approved legislation: Firearms Control Amendment Act; Reviewed South African Police Services Act; Civilian Secretariat for Police Act	3	2

Comments/ Questions

- Programme 2 in the Annual Report is Policy and Legislation but in the presentation document it is Partnerships. Can the Secretariat explain the difference and provide the correct order on how their Programmes are to be listed?
- Can the Secretariat explain the reason for not meeting the target for Reports on policy arising from M&E recommendations?
- Can the Secretariat explain the reason for not meeting the target for Bills finalised and submitted to Parliament? The Portfolio Committee on Police has repeatedly stated that the Secretariat should provide realistic dates for submission of bills to Parliament. The Secretariat has again not met its dates (set by itself) for submission of bills for 2012/13. What steps is the Secretariat taking to address this problem?
- Can the Secretariat explain the reason for not meeting the target for Prepare and submit regulations in terms of approved legislation?

4.3 Programme 3: Monitoring and Evaluation

The purpose of this Programme is to provide efficient and effective oversight over the SAPS by conducting monitoring and evaluating services. It consists of service delivery and performance audit, policy and compliance, and provincial coordination Sub-programmes.

4.3.1 Budget and spending for Programme 3



The following table indicates budget allocated and spending for Programme 3 in 2011/12:

Monitoring and Evaluation		
Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000)
3 210	1 576	1 634

The final appropriation of the Programme was R3.2 million of which the Secretariat spent R1.5 million with a variance of R1.6 million in 2011/12. The reason provided for the under-spending was the National M&E Tool (NMET) database that was supposed to be developed through SITA which was not achieved.¹¹

4.3.2 Performance

The following table depicts the achievements of targets per Sub-programmes in 2011/12:

Sub-programme	Target	Actual
Service Delivery and Performance Audit	120	174
Policy Compliance	14	8
Provincial Coordination	33	52
TOTAL	167	234¹²

The following table indicates targets that were not achieved per Sub-programmes in 2011/12:

Sub-programme	Performance Indicator	Target	Actual
Service Delivery and Performance Audit	• SAPS bi-annual performance review reports against strategic plan	• 2	• 1
	• SAPS budget expenditure review reports	• 2	• 1
	• Monitoring reports on implementation of IPID recommendations	• 4	• 3
	• Monitoring report on the Implementation of CJS Revamp	• 1	• 0
Policy Compliance	• Report with recommendations on	• 1	• 0

¹¹ Civilian Secretariat for Police 2011/12 Annual Report Presentation pg20

¹² Civilian Secretariat for Police 2011/12 Annual Report pg22



	SAPS Transformation programme and analysis of demographic		
	<ul style="list-style-type: none"> Reference groups convened: M&E (Gender, DVA and CJA) 	• 8	• 4
Provincial Coordination	<ul style="list-style-type: none"> NMET database developed through SITA 	• 1	• 0

Comments/Questions

- What are the developments regarding the National Monitoring and Evaluation Tool (NMET) database project?
- Targets that were not achieved in Sub-programme: Service Delivery and Performance Audit are mostly based on the oversight function of the Secretariat over the SAPS, Why is that? What are difficulties experienced by the Secretariat which hinder the achievements of these targets? Has performance in 2012/13 improved with regard to this function?
- Key areas of concern to the Portfolio Committee include reports on implementation of IPID recommendations and implementation of the Criminal Justice System Revamp. What progress has the Secretariat made on these reports in 2012/13 and what are some of the key findings?

4.4 Programme 4: Partnerships

The purpose of this Programme is to mobilise role-players, stakeholders and other partners in the fight against crime. It comprised of civil society partnerships, intergovernmental partnerships, community outreach programmes, and crime prevention: private-public partnerships.

4.4.1 Budget and spending for Programme 4

The following table indicates budget allocated and spending for Programme 3 in 2011/12:

Partnerships		
Final Appropriation (R'000)	Actual Expenditure (R'000)	Variance (R'000)



2 389	2 388	1
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The final appropriation of the Programme was R2.3 million of which the Secretariat spent R2.3 million with a variance of R1000 in 2011/12.¹³

4.4.2 Performance

The following table depicts the performance Programme 4 in the year under review:

Performance Indicator	Target	Actual
Stakeholder engagement plan	1	1
Workshops with stakeholders	1	1
Report on stakeholder engagements	4	4
Assessment reports on implementation of intergovernmental plans	3	3
Approved intergovernmental plans on stock theft and small business robberies	4	2
Establish intergovernmental working committees on priority areas	2	2
Training programme developed and implemented for officials implementing CSFs at National and Provincial level	10	4 Training programme has been developed with Wits University for roll out in 2012/13
Implementation plan rolled out at National and Provincial levels	10	6
Approved community outreach programme	1	1
Revised CPF guideline and framework approved	1	1

¹³ Civilian Secretariat for Police 2011/12 Annual Report Presentation pg14



Revised CPF guideline framework implemented at National and Provincial	10	0 Pending the approval of guidelines
Successful engagements with communities through Ministerial izimbizo and public participation	2	10
Formalised structured engagement process with business in place	12	12
Regular assessment of quality engagement between the Department of Police and business	12	12

Questions/ Comments

- Implementation of Revised CPF guideline framework is pending approval. Why was the target set even before the guideline framework approved? What is the status regarding the approval?

5. CONCLUDING ISSUES

The Committee raised the following concerns regarding the performance of the Secretariat in the period under review:

- The Committee was concerned about the overspending that took place on the last quarter of the year (2011/12) when the Secretariat had under-spent in the first three quarters. The Committee suspected fiscal dumping.
- The Committee has a concern about under-expenditure by the Secretariat which might have a serious impact on the performance of the Secretariat. The under -expenditure might mean that the Secretariat was under performing.
- The quality of the presentation on quarterly financial expenditures was also a serious cause for concern. There were no specific details about the expenditure of each Programme and Sub-programme and it was not possible to ascertain from the presentation whether full spending had occurred or not. Discrepancies in figures provided were also a concern. The Secretariat has responded in writing to these concerns and has committed itself to improved reporting in future.



- The Committee was concerned about the delay in the appointment of the legal person in the Secretariat.
- The Secretariat was unable to meet deadlines regarding the production of the legislation to be considered by the Committee in the year under review. Such failure added pressure to the work of the Committee.
- The Secretariat was also seen to be failing in their oversight function over the Police.



SOURCES

Civilian Secretariat for Police 2011/12 Annual Report

Civilian Secretariat for Police 2012 Presentation on 2011/12 Annual Report

Van Zyl-Gous, N. (2012). Expenditure Report for the Civilian Secretariat for Police: Fourth Quarter of 2011/12 & First Quarter of 2012/13