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Quality over quantity

**OUTA submission on the National
Implementation Framework towards the
Professionalisation of the Public Service**

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OUTA comment on:

A National Implementation Framework towards the Professionalisation of the Public Service

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EXECUTIVE SUMMARY

Public services are seized with the issues of professionalism and the professionalisation of their employees and operations, and this is particularly challenging in South Africa. OUTA's comment invites the reader to critically evaluate the real state of our public service today, and highlights the failures of very similar frameworks that have come and gone without any noteworthy impact.

This framework engages with the distinction between being professional and professionalism. The distinction of the two concepts is this: "being professional" refers to practices, conduct, values and behaviour regardless of training, qualifications and levels of responsibility. It is a matter of *ethics*, which is about observing and serving people with empathy and compassion in accordance with the Constitution, Batho Pele and the Public Service Charter. In contrast, the concept of professionalisation refers to changing individual attitudes, behaviour, willingness and performance towards serving the public. Professionalism depends on duly qualified people who know what they are doing and fully equipped and willing to perform their tasks with diligence.

The Constitution of the Republic of South Africa (1996), Chapter 10, clearly suggests that the basic values and principles governing public administration demand a high standard of professionalism and ethics. Despite this, OUTA has experienced and documented countless instances of unethical and unprofessional conduct of public officials at all levels of government. This is related to ongoing revelations about high-ranking politicians who break the law with impunity.

Health workers occupy a crucial sector and belong to professional bodies which regulate their trade. The State needs to expand this to cover other public service occupations where high ethical standards would increase public trust in how the government spends public money.

We urgently call for predictable, mandatory and enforceable consequences for those who fail to comply with the standards of professionalism that flow from this framework. However, we also recommend positive reinforcement of exemplary behaviour among public servants by means of, for example, salary increases and bonuses that are exclusively available to individuals who have measurably performed well. Unemployment is a major challenge in South African society, but we emphasise the need to implement the principle of quality over quantity in the public sector. We recommend further proactive measures to prevent corruption and maladministration.

SECTION 1: Introduction

This section provides an overview of the purposes and objectives of the National Implementation Framework towards the Professionalisation of the Public Service. It is grounded in the current Medium Term Strategic Framework (MTSF) from 2019 to 2024 and underscores how all seven priorities provide a foundation to this proposed framework. Related to the MTSF are the White Paper Process on the Transformation and Modernisation of Public Administration as well the appointment of a Head of the Public Service. And finally, this framework is aligned with the Batho Pele principles, the National Development Plan (NDP), in particular Chapter 13, and the South African Constitution.

Section specific comments follow below:

Section 1.1: OUTA agrees that there is an urgent need to develop such a proposed national implementation framework. Together with this, the timelines, monitoring and evaluation (M&E) of *implementation*, and holding those to account who fail to adhere to the recommended measures, need to be prioritised and made explicit as well.

Section 1.2: It is noted that Cabinet has approved publication hereof, including the five critical professionalisation pillars. These activities will be led by the National School of Government (NSG) and other institutions of learning. However, it must be emphasised that those delivering the training and doing the M&E must also first receive training and/or prove their competence to deliver it.

Section 1.3: We welcome objective (e) which addresses consequence management of material irregularities as provided for in the Public Audit Amendment Act (Act 5 of 2018). Other objectives, such as (a) Entrenching a dynamic system of professionalisation in the public service, (b) Strengthening and enabling the legal and policy instruments to professionalise categories of occupations in the public service, (c) Enhancing and building partnerships and relationships with professional bodies, and (d) Ensuring **meritocracy** in the recruitment and career management of public servants should be reinforced and implemented as proposed.

Section 1.4: The majority of public sector occupations lack regulation by an independent, professional association. OUTA agrees this must be addressed by implementing externally managed and/or moderated public service professions. This can also contribute to the depoliticisation of the public service. To date, politicised unionisation has been obsessed with maximising unconditional remuneration rather than maximising labour productivity or outcomes.

Section 1.5: The stance developed in this section is weak. The statement that this framework “provides the State with an opportunity to develop key actions and systems to ensure the professionalisation of the Public Service”, is vague, devoid of timelines and lacks certainty as to its actual feasibility in the current environment. We argue that the State has always had ample opportunities to develop key actions and systems to this end, but opted not to make serious effort towards this.

Section 2.1: The extract from the NDP Chapter 13 refers. The NDP was adopted by Parliament in 2012 already. This 11-year failure to implement the NDP proclamations weakens its credibility as a foundation for this framework. We recommend that the framework takes an aggressive, proactive, focused and urgent approach to achieve what it claims to set out. Difficult and non-negotiable trade-offs are *immediately necessary* to eradicate the culture of non-compliance and unprofessionalism that we continue to see at various front lines of our public service.

Section 2.2: The relevance to the MTSF is noted. The previous MTSF was from 2014 to 2019, and the State must do more than persuade the public that the current MTSF will be successful. Several strategic goals and commitments made over the past decade have not been achieved.

Section 2.3: We agree that qualifications and relevant experience, in isolation from other essential elements such as social values, are not adequate indicators of professionalism. This is evident from widespread corruption and unprofessional work ethics in both public and private sectors. However, this should not detract from the need for competence and a capable state or the statement that meritocratic appointments and promotions should be prioritised in general.

Section 2.4: Yes, standards and approaches should be entrenched and all public representatives and servants must be trained and suffer the consequences should behaviour contradict such codes of conduct. This is especially applicable to senior public officials who sometimes abuse their reputation and clout; nobody is above the law or these codes of conduct.

Section 2.5: These concepts can be supported by an emphasis on being held accountable for contravening codes of conduct and the values espoused in the Public Service Charter.

Section 2.6: Creating and sustaining a professional public service cannot and should not be a shallow, compliance-driven process. It is recommended that it must respond to a higher calling adhering to the Constitution. However, in this instance the entrenchment of values is at best supported by strict and consistent measures to punish those who fail to comply. OUTA recommends more tangible and positive reinforcement, or incentives, to promote the values underpinning professional behaviour. A simple example is annual bonuses and salary increases which cannot be given to those who fail to adhere to relevant codes of conduct or underperform. Abstract adherence to Constitutional principles cannot be a substitute for real consequences.

Section 2.7: OUTA agrees that, since 1994, there have not been decisive interventions to professionalise the public service. Until now, public officials have either been slightly disciplined or the matter is ignored when they cross the line. This promotes impunity. A real lack of professionalism can have detrimental consequences, such as unauthorised, irregular, fruitless and wasteful expenditure, nepotism, corruption and poor service delivery. We see this in the everyday running of our municipalities, provinces and organs of state at the national level.

SECTION 2: The need for professionalising the South African public service

This section aligns the need for professionalising the South African public service with existing official government publications. It addresses the National Development Plan: Vision 2030, the MTSF 2019-2024, ethics and psychometric testing, and the notion of professionalisation. This is an important section in our view, because it highlights the fact that existing “frameworks” have thus far had little to no effect on the aggregate behaviour and labour productivity of public officials in South Africa. Section specific comments follow below.

Section 3: This specifically addresses the NDP with a vision towards 2030. It would be worth considering progress made between 2012 and 2020, to gauge the effectiveness of the government, pursuant to this vision. Issues and concerns identified within this period can more accurately indicate pitfalls for the next few years.

Section 4: This specifically addresses the MTSF 2019-2024. Since 2021 is the second year of the MTSF, it is recommended that (1) progress and concerns be identified from 2019 to 2021, and (2) progress and concerns be identified from the previous MTSF term. The non-adherence to these priority areas set the tone for current operations and the way forward.

The MTSF 2019-2024 focuses on a capable, ethical and developmental state. It also looks at transformation, job creation, education and health. Basic social values which will motivate public servants to do their work are important. Their performance needs to be measured consistently and fairly to ensure they are performing to acceptable standards and will be held accountable for their tasks. This cannot happen without a fair, open and transparent management. In OUTA’s view these are all essential pillars to the success of the State. These pillars contribute to the medium-term goals of the NDP and also underpin milestones to the achievement of the long-term goals to 2030.

The public service is at the centre of the achievement of NDP goals because most of the specified actions occur in organs of State, therefore the professionalisation of the public service will enable effective and efficient outcomes. To practice this, the public service needs to ensure that their personnel are experienced, capable, well-trained, honest and are committed to their jobs.

The public service should be non-partisan and free from political influence. Appointments should be based on merit and capability and not be based on cadre deployment. Competency based assessment should guide the recruitment process to create effective and cooperative teams.

Section 4.1: The seven priority areas are noted as underpinning the government's strategic outlook for the next five years. It is argued, once again, that progress of previous priority areas be critically analysed. These principles are valid on paper, and if they fail in practice it detracts from the overall vision and questions the willingness of the State to attain existing priorities.

Section 4.2: Priority 1 addresses the professionalisation of the public service through all seven priorities of the MTSF. It puts forward a vision of strong leadership, a focus on people and an improved capability to implement plans. However, it lacks implementation and M&E details.

Section 4.3: An ethical State strengthens governance and accountability between citizens and government. Key characteristics that should be demonstrated are honesty, ethical behaviour and integrity. Further required actions are to strengthen democratic institutions and the **capability of the state to fight corruption** while ensuring compliance with constitutional values and Batho Pele principles. We note that the eight principles of Batho Pele were gazetted in 1997. The Batho Pele White Paper is national government's White Paper for Transforming Public Service Delivery¹. It is about delivering humane and high-quality customer service to all. All public servants must adhere to these principles, which include: consultation, service standards, courtesy, access, information, openness and transparency, and dealing with complaints and giving best value. After 24 years, it should be questioned to what extent these are implemented, effective and still applicable. How will this framework be more effective than those preceding it?

Section 4.4: OUTA agrees that with the two recommended outputs: (1) A compulsory in-service training framework that is approved by 2020 and eight compulsory programmes rolled out by 2022, and (2) The recognition of professionals in the public sector by a professional body by 2023 (working in partnership with the Department of Public Service and Administration). This will not only provide a framework to measure output and professionalisation, but also give suitable impetus to reward ethical high performance and punish unethical, poor behaviour.

¹ <https://www.gov.za/documents/transforming-public-service-delivery-white-paper-batho-pele-white-paper>

Section 4.5: OUTA agrees wholeheartedly that the public service must be depoliticised.

Section 5: This specifically addresses ethics and psychometric testing. The Ethics Institute argues that “in order to successfully navigate the challenges of ethics governance and management, and establish an ethical culture, organisations [private and public] must empower their governing bodies, management and staff with the requisite ethics awareness, skills and competencies”². It is also argued that trust is inspired by competence and ethics, and this can be achieved by prioritising ethics awareness and training. Ethics is very much aligned with corporate social responsibility, with a number of laws already in place to promote it in both the public and private sectors. In addition to legislation, ethics awareness and corporate governance is also promoted by the King Committee on Corporate Governance (resulting in the King Reports). It is recommended that public servants, and public entities, must conform to the same requirements that private entities are expected to abide by in order to be competitive.

Section 6: This section specifically addresses the notion of professionalisation. It is situated in the context of a literature review which expands on the multidimensional nature of the concept. This literature review was conducted on the concepts of professionalism and professionalisation within the public service and regulatory framework. Evident in the aforementioned literature is a nuanced discussion on the importance of **work ethics**, skills development initiatives, performance management and good governance in supporting professionalism.

Section 6.2: OUTA notes that the professionalisation of the Public Service is mandated by the Constitution, relevant legislation and various policies. However, this aspirational mandate must be supported by legislation that enables enforcement, implementation and stipulates consequences. Consequences should not be discretionary, but mandatory or automatic.

Section 6.3-6.8: OUTA acknowledges the relevance of literature and how it relates to the professionalisation in principle. However, we maintain our stance that any discourse of an aspirational nature must be grounded in practical and realistic implementation plans. In consideration of the need for requisite knowledge, skills and competence as well as exemplary conduct, commitment to the profession and its associated code of ethics and service to the community – such a framework must have clear M&E mechanisms and consequence

² <https://www.tei.org.za/why-ethics-training/>

management protocols. Whereas professionalism entails a high standard of work ethics and adherence to standards and principles pertaining to specific work, public servants must be held to account when failing to adhere to such standards and principles. OUTA agrees that to achieve standards of professionalism, we need leadership, sound policies, skilled managers and workers, clear lines of accountability, appropriate systems, consistent and fair application of rules as well as strict adherence to the values and principles in section 195 of the Constitution. However, values and principles are moot when corruption and maladministration proliferates.

SECTION 3: Understanding professionalisation – the constitutional and legislative context

Section 7: This section is on the Constitution. Professionalisation in the public sector simply means changing individual attitudes, behaviour, willingness and performance towards better serving the public. One of the basic tenets for a capable and developmental state is a professional and meritocratic public service which is driven by the democratic values and principles as enshrined in section 195(1) of the Constitution. This also encompasses the Bill of Rights which is the cornerstone of democracy in South Africa. It preserves the rights of all people in this country and affirms the democratic values of human dignity, equality and freedom. Section specific comments follow below.

The Constitution prescribes that the public administration should uphold a high standard of professionalism and ethical conduct when administering public services. Ethics is a process by which right and wrong behaviour and decision-making is demarcated. It can be based on a set of moral principles that are generally accepted but are also rooted in rational considerations as to what decisions and actions are best, and most appropriate, **for the public interest** in particular. Although not as easily enforced as legislation, ethical conduct simply refers to right and acceptable behaviour, as opposed to wrong and unacceptable behaviour. Due to this it is intertwined with the cultural values that individuals subscribe to. On the other hand, professionalism requires a high standard of work delivery and adherence to certain standards and principles pertaining to clearly defined job descriptions. This embodies skills, competencies, efficiency and effectiveness.

Section 7.1: OUTA agrees with and stands by the Constitution. The rights and duties of the citizens of South Africa are being oppressed by corruption and maladministration. If these rights and duties were respected and implemented as mandated by our leaders and public representatives, our country would be better positioned to demonstrate and sustain the professionalisation of the public service. To date, this has not been the case and we condemn those in the political arena that seek to undermine the constitutional rule of law which underpins any real constitutional democracy.

Section 7.2: “Section 195 (1) of the Constitution provides the basic values and principles of public administration, which includes a common ethos and value set in order to engender ‘a high

standard of professional ethics’.” Our leadership must practice what it preaches. OUTA agrees that the public administration requires good human resource management to develop transparency, efficiency and impartiality in rendering services and good governance.

OUTA acknowledges that the process of public administration requires human resources, thus for services to be rendered by a department, there is a need for personnel to be employed in specific posts within the organisational structure. However, OUTA is concerned that the public service is plagued with unethical conduct which constitutes issues such as the diversion of resources, delivering of low-quality services, bid rigging, bribery, patronage, nepotism, conflict of interest, awarding of contracts to incompetent service providers or personnel and the use and abuse of official and confidential information for private purposes. We recommend that the decision-making process should be transparent and open to scrutiny.

The Constitution provides that public servants must be professional, accountable, and development-oriented. The NDP amplifies this directive through identifying specific steps that need to be taken to promote the values and principles across public administration, which is inclusive of the public service. It emphasises building a capable and developmental state.

Section 7.3: Section 195 of the Constitution provides an understanding of the constitutional values and principles which are meant to be implemented and followed by all individuals. A high standard of professional ethics is one of the clauses which must be promoted and maintained in our country. OUTA emphasises that developmental public service must embrace the values and principles in Chapter 10 of the Constitution in order to offer a professional service through public servants who (1) have the necessary competence and experience, (2) strive for excellence in performance, and (3) adhere to the standards and values that underpin the profession. One of the most serious challenges in recent times has been the ease with which unlawful decisions are taken, yet consequences are not enforced. The head of State, ministers and other public officials no longer accept responsibility for poor, or inadequate supervision over, and management of subordinates. OUTA suggests that accountability and consequence measures should be implemented against those responsible for maladministration and corruption. Accountability should focus both on compliance with rules and ethical principles and on achievement of results. It is necessary to have reliable procedures and resources for monitoring, reporting and investigating breaches of public service rules, as well as commensurate administrative or disciplinary sanctions to discourage misconduct. Due to the interaction between the public and private sectors, external partners should be obliged to comply with the ethical standards of the

public when conducting businesses. Clear standards are required to prescribe the ethical principles and preferred conduct, which will then serve as a guideline of how the public should conduct business with the private sector and vice versa.

Section 8.1: Section 195 (3) of the Constitution provides that national legislation must ensure the promotion of the values and principles of public administration. This provision also contextualises the legal provisions for the professionalisation of public service administration. This should ideally cover every sphere of government, organ of state and public enterprise if read in conjunction with section 195(2).

Sub-Section 9: Public Service Charter: To ensure that personnel within the Public Sector behave in a professional manner, a social contract has been entered into between the employer and officials. This contract sets out their roles and responsibilities to improve performance and enhance service delivery. The focus to improve service delivery always comes first and foremost. The code of conduct in the Public Service Charter prohibits the abuse of power and to operate in a fair and transparent manner.

Sub-Section 10: Codes of Conduct and Codes of Ethics: Executive members of government are expected to act in good faith and in the best interest of good, ethical governance. This is sorely lacking in our current government officials judging by the number of them implicated in the Commission of Inquiry into State Capture and looking at ministries such as Higher Education and Social Development as an example. This gap can be addressed by clearly differentiating between the code of conduct and codes of ethics, and then provide clear guidelines as to the adherence of both. Whereas codes of ethics tend to be more aspirational and can function as an inspiring set of values to be achieved by public sector servants within their respective places of employment, codes of conduct are directional in terms of expected conduct and punishment for contraventions. It can be argued that in the case of the public sector, aspirational codes are more open to misinterpretation and willful misappropriation to such an extent that it benefits the individual without repercussions. Directional codes cannot be willfully misunderstood since these more directly align with legal frameworks and therefore include disciplinary protocols. Together with this differentiation, it is highly recommended that regular training be implemented within the public sector.

SECTION 4: Progression to date and benchmarked studies

Section 11: One of the priorities of democratic South Africa, as stipulated in the Constitution and numerous legislation, is to create a public service that is responsive and committed to efficient and effective service delivery, as pledged to the citizenry. The premise of government initiatives was to demonstrate that performance in all categories of service delivery is managed, measured and improved. That is, what gets measured, gets done. However, the public sector faces several challenges related to performance management that are influenced by the history, administration, and culture of managing performances within the public sector.

Sub-Section 12: The introduction of the performance management and development system (PMDS) for the South African Public Service was driven by the transformative agenda to achieve both acceptable levels of service delivery and measurable results.

Section 12.1.1: The priority that underpins the implementation of the PMDS is service delivery. The PMDS for the senior management service (SMS) introduced an infrastructure of systems and processes, such as performance agreements, the designing of work plans and appraising performance including quarterly performance reviews, and addressing capacity deficits through training and development to enhance skills and knowledge. In contrast, employee targets and indicators should align individual performance with organisational performance at every level of service delivery which should be results-oriented.

The concerning issues which are impeding the effectiveness of performance management within the public sector include (1) poor clarity around the strategy and organisational plan, (2) deferred and delayed performance feedback processes, (3) a highly unionised environment and (4) limited behavioral and performance incentives.

Public servants are uninformed about the overall strategy and enabling plan of their departments or entities. Some public servants do not receive adequate communication from leaders regarding the organisation's strategy and the actions required of employees to contribute to these goals. This gap in communication contributes to misalignment between employee activity and the organisation's strategy. As a result, employees spend time on activities that do not contribute to the plans of the organisation and feel overwhelmed due to the lack of a clear sense of direction.

OUTA suggests that, to drive aligned performance, leadership must also demonstrate how their plans and personal goals are strategically aligned to the broader objectives of the organisation. In addition, they should consistently cascade this information down to employees to ensure that this alignment is understood and adopted by the employees.

OUTA finds that the performance review cycles vary across government departments, agencies and even within collective agreements. There is an inclination amongst public sector leaders to reserve performance feedback for formal performance review cycles. Employees tend to meet with their performance management supervisors/manager once or twice a year to obtain formal feedback. As a result of this approach, leaders often struggle to integrate both formal and informal feedback during their performance sessions with employees.

The public sector runs the risk of bottling up performance feedback instead of evenly distributing it throughout the year and/or delivering it to employees in an appropriate time frame. This results in a performance management time lapse where employees are receiving feedback that has little relevance to their immediate priorities and outputs. This can lead to an overall decline in the number of accountable employees and declines in individual motivation or team morale.

Leadership has a tendency of lowering the employee's performance targets to meet the current expectations instead of ensuring that the employees meet the targeted performance indicators as stipulated on their key performance indicators. OUTA recommends that leadership teams must take into consideration the expectations of a multi-generational workforce that increasingly demands a flexible performance management system, with timely access to coaching and feedback, when planning, preparing and modifying their departments and entities for the future.

Public sector leaders, including in local government, face the challenge of managing in a highly unionised environment. Collective agreements are put in place to protect employers and employees; however, they can be difficult to understand, and the threat of union grievances can often shape and limit how managers provide performance feedback, especially when performance improvements are required in the context of expected salary increases. Therefore, this has a significant impact on an organisation's productivity and ability to meet its goals. This can result in managers not getting the desired level of performance from their employees.

Even though collective agreements can seem daunting, there are plenty of opportunities to ensure performance is managed effectively, especially for unionised employees. Collective agreements should not be used as an excuse to avoid delivering difficult or harsh messages to poorly

performing employees. Instead, they should be used to build a workforce that is developing and is delivering on organisational objectives.

Section 12.1.2: OUTA acknowledges that internship programs provide opportunities for young people to enter the workplace. It is an advantage that internships provide an opportunity of temporary employment, source of income and working experience. However, internships do not bring long-term benefits for both the employee and the employer. Interns are not fully exposed to the strategic operation of the department as they are often required to do administrative work in various departments. Administrative work is useful, but it does not necessarily serve a purpose when it comes to the strategic development and operations of an organ of state.

Ideally, if South Africa had incorruptible officials, there would be transparency and young people would enjoy relevant work exposure and access to information. In the current environment we find that senior officials do not allow junior employees to work closely with them because of the senior employee's involvement in unlawful behavior or activities. This limits the interns from being fully exposed to the department's operations, leaving them with minimal opportunities to be productive and add value by applying their acquired skills and knowledge to the entity.

The exposure that young people get is appalling and it's important to question how these internship programmes benefit young people and professionalise the public sector. OUTA is concerned that the internship programmes do not contribute toward improving service delivery, government's efficiency and government's responsiveness to the needs of the public. Therefore, to professionalise the public sector, we need experienced employees who can impart skills to other employees. It would be setting up interns for failure if they are expected to professionalise the public sector while government officials are incompetent and unable or unwilling to perform their duties. Hence, we need officials who have the requisite skills and meet the threshold or the standards of employment to professionalise internships in the public sector.

Furthermore, most internship programmes are not regulated. For example, if an internship programme is rolled out to employ human resource candidates, the government needs to conduct a full assessment to understand specific skills required in their department and clearly define them. This will enable the government to train interns in a uniform way across all provinces to yield uniform results. If internships are structured in an ad-hoc way, how will government achieve its objectives if interns are trained differently? Therefore, we recommend that internship programmes need to be regulated and uniformed across all government sectors.

How does the government assess the competence of interns, as the current method used is heavily reliant on time sheets? Signed timesheets are used to measure competences which in certain instances are not regularly checked. It is unclear whether the competence of interns is properly assessed.

Section 12.1.3: It is a trend in South Africa that the appointment of boards is influenced by political patronage. In 2019 OUTA conducted an investigation into the appointment of boards and the findings have highlighted how various board members are appointed without meeting the employment criteria or without relevant skills and qualifications to hold the appointed position. Furthermore, some positions are influenced by party politics, undermining the procedures and processes of enforcing ethics and professionalism in the public sector. In addition, there is a tendency of rotating incompetent boards from one department to another, without holding them accountable for their actions. OUTA recommends that the appointment of boards should be transparent, inclusive of the public shareholder and that thorough due diligence needs to be conducted well in advance. Candidate board members who are suspected of maladministration, incompetence and corruption should not be allowed to hold any position as a board member until allegations against them are resolved. This will assist in enforcing good governance and ethical leadership, while promoting professionalism in the public sector.

Section 12.2: Performance incentives are often used by organisations to encourage top performance and desired behaviors. However, the link between incentives (remuneration) and performance management is not as clear in the private sector. This can be attributed to the public sector being highly unionised and policy based. Rewards are generally based on tenure, and promotions are traditionally linked to employees' ability to meet standardised selection criteria effectively, as opposed to their performance and personal "fit" for the position. The lack of correlation between these activities within the public sector can result in a deterioration of the employee engagement. Leaders should begin to better understand what motivates their employees and recognise that this varies from one employee to another. When there is a high level of clarity around what drives performance for an employee and a team, including their career development aspirations, it is easier to adjust the performance conversation in a way that is motivating for each employee.

Public sector organisations tend to be hierarchical in nature, leading certain employees to view vertical career paths as unattainable. Employees who are interested in career advancement, instead, often seek opportunities to rotate departments to advance their career trajectory by taking

available positions. The public sector should ensure they provide career growth opportunities within the organisation to enable employees to grow and develop into senior management without walking away with valuable institutional knowledge and expertise.

Sub-Section 13: This section is on professionalisation in local government. OUTA recognises that the nature of administrative decentralisation in local government is flawed, as municipalities are continuously confronted with issues of insufficient institutional capacity, a low rate of revenue collection, unskilled or inappropriate personnel, slow service delivery, inadequate public participation, and party political affiliation in the affairs of local government. Local governments consistently suffer from poor institutional capacity constraints, which often masks the real causes of municipal non-performance.

Poor leadership in strategic management, including in corporate governance, the inadequate implementation of financial management legislation, misaligned placement of skills, and political considerations used in the appointment of senior managers without the required qualifications adversely affect the performance of municipalities. The uneven distribution of local government outcomes is not only because of capacity constraints, but also (perhaps more importantly) due to:

- The tensions of intergovernmental roles and responsibilities;
- The political–administrative interface;
- High vacancy rates and instabilities of the administrative leadership;
- Skills deficits;
- Poor organisational design; and
- Inappropriate staffing and low staff morale.

Furthermore, it is often assumed that municipalities are overstaffed, but at the same time, it is generally acknowledged that there is a shortage of specialists and expensive skills in areas such as engineering, infrastructure planning, finance and management. Personnel are appointed to positions without meeting the minimum requirements. Additionally, some are appointed to positions with inadequate job descriptions, or the job descriptions which were tailored to accommodate the candidate.

To improve professionalism in local government, exemplary leadership and political will is required to enforce ethics and professionalism because at times the problems start from the top and permeate the institution leading to junior officials taking advantage of such situations. The State should prioritise providing training in basic skills to carry out official duties. This includes

financial management literacy so that employees have the technical know-how required for public financial management as per PFMA, MFMA. There is an urgent need to enroll councillors and mayors in independent political schools or education to improve value-based leadership.

OUTA suggests that the local government revitalises or re-establishes a well-articulated and fair human resource policy on remuneration, conditions of service, and training and development programmes. This can be implemented by recognising good work through incentives and correction of poor performance, while cultivating professionalism and good governance practice. Additionally, local government should enforce transparency in recruitment methods to enforce professionalism of the public service, by offering to the greatest number of people — particularly those with the required qualifications — the opportunity to prepare for and apply for posts subject to recruitment in the future, the administration increases the selectiveness of such recruitment exercises.

The level of professionalism and efficiency of the public administration as a whole depend not only on the quality of recruitment, but also on the career development plans of individual departments and entities. This means that public institutions should establish a common framework applicable to different administrations, which set a hierarchy of functions, grades and career development opportunities. This is helpful because it creates a framework of career development within the organisation and possibly identifies scarcity of skills which are required or a necessity for the organisation to grow and fulfil its mandate.

Municipalities need to ensure that the employment of staff is based on merit and within the requirement of the employment criteria. Political considerations should not be considered when appointing staff, except in cases where the role is of a politico-advisory nature. Municipalities need to promote accountability at all levels by emphasising that the codes of conduct for staff and councillors should be properly applied. Municipalities also need to specify serious consequences for poor performance and misconduct, whether the transgressor is a staff member, a councillor or mayor, or a senior person external to the formal structures.

Sub-Section 14: OUTA recognises the comparative overview of different approaches used by a variety of countries to professionalise the public sector. The discipline and objectivity ingrained in China's public service system, for example, is something useful to consider. Nonetheless, we contend that South Africa needs an approach which is customised to South Africa's unique context, in order to address the major challenges faced by our public sector.

SECTION 5: Proposals for professionalising the public sector

Sub-Section 15: OUTA recognises that the professionalisation and professional ethics within the public service cannot be promoted and institutionalised solely through a generic Code of Conduct. Each profession has its own unique peculiarities. A value chain that addresses a comprehensive systematic approach has been introduced which includes: pre-entry recruitment; induction and onboarding; planning and performance management; continuous learning and professional development; and career progression and career incidents

Section 15.3: OUTA welcomes the appointment of the Head of Public Service (HPS) and the Head of Department (HoD) to manage the political-administrative interference. However, we are concerned that the framework provides minimal details about the duties and functions of the HPS, and how the HPS and HoDs will be appointed. OUTA recommends that the HPS and HoDs should be appointed by the President using the recommended candidates selected by the advisory boards. The advisory board should include the Department of Public Service and Administration, civil society, higher education institutions and businesses. Moreover, the framework does not elaborate on the removals of the HPS and HoDs and how the removals will be rolled out.

OUTA recommends that the framework needs to define “merit” for the appointment of public officials. Qualifications should not be the only basis for appointment, but a holistic approach should be taken into consideration. This holistic approach includes experience, qualifications, race and disability. If appointments are based on required qualifications only, there is a risk of racial and gender inequality. People should be appointed based on merit, and merit should be defined based on qualifications, experience, race and disability.

OUTA is concerned that the appointment of DGs and DDGs is political. These public officials represent political interests which do not serve the interest of the public. DGs should be non-partisan or not affiliated to particular political interests. Currently the rotation of DG and DDGs is seven years, which should rather be a permanent contract, subject to DGs and DDGs constantly undergoing training and skills development. There should be seasons of appointments to enter or exit from public service. This will ensure all inductions and training are conducted thoroughly.

OUTA is concerned that the internship programmes do not contribute toward improving service delivery, their efficiency and government’s responsiveness to the needs of the public as described

in Section 12. OUTA acknowledges that internship programs provide opportunities for young people to enter the workplace, however, there are various drawbacks in the internship programmes. OUTA believes that the internship programmes should be revitalised by ensuring that they are regulated and applied with greater uniformity across all government sectors, which will yield uniform results. Furthermore, the government needs to determine specific skills required in each department and clearly define these for the internship programme.

Section 15.4: Effective induction and onboarding of public officials are critical. OUTA recommends that the framework needs to provide more context on the induction and onboarding processes and procedures. Induction and onboarding training should be mandatory, and no public official should be allowed to exit the onboarding sessions once they have enrolled.

To improve the current SMS, OUTA recommends that the issues impeding the effectiveness of performance management – such as poor clarity around the strategy and organisational plan, deferred performance feedback processes, operating in highly unionised environments and limited behavioral incentives – need to be rectified.

The framework does not recognise civil society as an important stakeholder in professionalising the public service. Civil society can play a significant role in decision-making about services, the performance of the public sector and the fiscal performance of public service. The framework should provide more details on the role of civil participation in every sphere of government. Civil society should have access to information pertaining to the appointment of personnel.

OUTA recommends that civil society should also be part of the advisory panels that help a minister choose a board. The names of advisory panelists should be made public, probably after they have finished their advisory role to avoid people trying to influence them. For example, the National Nuclear Regulator has a recently appointed board, with questions about the omission of certain legally required members, but the Department of Mineral Resources and Energy will not release the names of the advisory panel. In some cases, Members of Parliament are part of the advisory panel, but in other cases it is discretionary. There should be standardisation.

Section 15.5: OUTA believes that to drive aligned performance, leadership must demonstrate how their plans and personal goals are strategically aligned to the broader objectives of the organisation and consistently cascade this information down to employees to ensure this alignment is understood and adopted by the employees.

There is a gap in communication contributing to misalignment between the goals of employees and the organisation's strategy. As a result, employees spend time on activities that do not contribute to the plans of the organisation and feel overwhelmed due to the lack of a clear sense of direction. The public should not bottle up performance feedback. This results in a performance management time lapse where employees are receiving feedback that has little relevance to their current performance situation. This can lead to an overall decline in the level of accountable employees.

Furthermore, those in leadership positions have a tendency to lower an employee's performance measurements to meet the current performance instead of ensuring that the employees meet the targeted performance indicators. OUTA advocates that leadership teams must take into consideration the expectations of a multi-generational workforce that increasingly demands a flexible performance management system, with timely access to coaching and feedback, when planning, preparing and modifying their organisations for the future.

Sub-Section 16: OUTA acknowledges that the majority of public servant occupations lack regulation by an independent professional association. OUTA agrees this must be addressed by implementing externally managed and/or moderated public service professions. This can also contribute to the depoliticisation of the public service, which has often been abused and manipulated in favour of private interests by political office bearers.

Sub-Section 17: This section is on implementation. In order to professionalise the public service it is necessary to diversify its approach going forward. This includes setting norms and standards of identified categories of disciplines. OUTA agrees with this view because being a multi-disciplinary organisation itself, it leverages on the strengths and synergies of these different disciplines. To avoid duplication of efforts, engagements must be undertaken with other organs of state to determine what they are doing or what they have already done.

Civil society should participate in the decision-making about services, the performance of the public sector and the fiscal performance of public service. The framework should provide more details on the role of civil participation in every sphere of government. Civil society should also be part of that advisory panel that helps the minister choose the board.

Implementation relies on the National School of Government, but OUTA is concerned about whether this institution has the capacity to facilitate the induction and onboarding training for the appointed public officials.