

BUDGETARY REVIEW AND RECOMMENDATION REPORT OF THE PORTFOLIO COMMITTEE ON WOMEN, YOUTH AND PERSONS WITH DISABILITIES, DATED 3 DECEMBER 2020.

The Portfolio Committee on Women, Youth and Persons with Disabilities, having considered the annual and financial performance of the Department of Women, Youth and Persons with Disabilities on 17 November 2020, the National Youth Development Agency and the Commission for Gender Equality on 2 December 2020, reports as follows:

1. Introduction

The President announced the appointment of the Minister and Deputy Minister in the Presidency for Women, Youth and Persons with Disabilities on 29 May 2019. On 26 June 2019, Schedule 1 of the Public Service Act was amended to establish the Department of Women, Youth and Persons with Disabilities (hereafter referred to as the Department). This entailed the reorganisation of the former Department of Women through the transfer of the functions and concomitant resources of persons with disability, and youth development from the departments of Social Development and Planning, Monitoring and Evaluation respectively.

The Department of Women, Youth and Persons with Disabilities (henceforth “the Department”) presented its budget and annual performance plan to the Portfolio Committee on Women, Youth and Persons with Disabilities (hereafter referred to as the Committee) in July 2019. Subsequently, the Department revised its 2019/20 Annual Performance Plan (APP) in August 2019 which was then resubmitted and presented to the Committee in September 2019. A Memorandum of Understanding was concluded between the Department and the transferring departments regarding the management of budgets for the Youth Development and the Rights of Persons with Disabilities programmes would only be transferred to the Department on 01 April 2020 taking into account the National Macro Organisation of Government (NMOG) process. It was envisaged that transfer of employees would take place from 01 October 2019 but that during that time, affected employees engaged with Youth and Persons with Disabilities would be involved in management meetings and strategic planning processes. This Budget Review and Recommendations Report (BRRR) takes cognisance of these changes.

The Committee was briefed by the Department on 17 November 2020 on its Annual Report 2019/20 and subsequently by the Auditor General of South Africa on 24 November 2020. The National Youth Development Agency (NYDA) and the Commission for Gender Equality (CGE) has been scheduled to brief the Committee on 2 December 2020. The Department’s Audit and Risk Committee briefed the Committee was unable to brief the Committee on 24 November 2020.

2. Strategic Overview

2.1. Mandate and Purpose of the Department

The Department’s mission is to provide strategic leadership, advocacy, coordinate, monitor and evaluate mainstreaming country-wide programmes on women, youth and persons with disabilities. Its mandate is to lead on socio-economic transformation and implementation of the empowerment and participation of women, youth and persons with disabilities through mainstreaming, advocacy, monitoring and evaluation. And its ultimate vision is a transformed, inclusive society free from all forms of discrimination and capable of self-actualisation.

As per the adjusted Estimates of National Expenditure (ENE) for 2019, the Department received its transfer from National Treasury via Vote 13, which at the time was inclusive of three programmes namely; Programme 1: Administration, Programme 2: Social Transformation and Economic Empowerment (STEE) and Programme 3: Policy, Stakeholder Coordination and Knowledge Management (PSCKM).

2.2 Mandate of the Commission for Gender Equality

The Commission for Gender Equality (CGE) was established in 1996 according to the Commission for Gender Equality Act 39 (1996) to promote gender equality. In its efforts to monitor, lobby, educate citizens and encourage the equitable development of women and men, the CGE is compelled to undertake the following:

- To monitor and evaluate policies and practices of organs of State at any level, statutory bodies or functionaries, public bodies and authorities, and private businesses, enterprises and institutions;

- To cultivate an understanding of gender equality and the role and activities of the Commission through developing, conducting and managing information and education programmes;
- To evaluate whether Acts of Parliament (existing or proposed), systems of personal and family law or custom, systems of indigenous law, custom or practices or any other law, will affect the status of women, and to make recommendations to Parliament in this regard;
- To recommend to the National and Provincial Legislatures, any new legislation that would promote gender equality;
- To investigate on its own initiative or due to a complaint, any gender related issue;
- To maintain close relations with institutions that undertake similar work, and to facilitate cooperation in handling complaints;
- To interact with civil society to further the work of the Commission;
- To monitor compliance to international conventions, covenants and charters related to gender issues, and to submit reports to Parliament in this regard;
- To conduct research on gender related issues; and
- To consider recommendations, suggestions and requests made with regards to gender equality as received from any source.

2.3 Mandate of the National Youth Development Agency

The National Youth Development Agency (NYDA) was established through the NYDA Act (No. 54 of 2008). It was established to be a single, unitary structure to deal with youth development issues at a national, provincial and local government level. The NYDA Act instructs the NYDA to promote a uniform approach to youth development by all organs of State, the private sector and non-government organisations. The NYDA derives its mandate from legislative frameworks which is inclusive of the NYDA Act (No. 54 of 2008), the National Youth Policy (2009-2014) and the Integrated Youth Development Strategy.

The NYDA Act (No. 54 of 2008) stipulates objectives of the Agency as follows:

- a) Develop an Integrated Youth Development Plan and Strategy for South Africa.
- b) Develop guidelines for the implementation of an integrated national youth policy and make recommendations to the President.
- c) Initiate, design, co-ordinate, evaluate and monitor all programmes aimed at integrating the youth into the economy and society in general.
- d) Guide efforts and facilitate economic participation and empowerment, and achievement of education and training.
- e) Partner and assist organs of state, the private sector and non-governmental organisations and community-based organisations on initiatives directed at the attainment of employment and skills development.
- f) Initiate programmes directed at poverty alleviation, urban and rural development and the combating of crime, substance abuse and social decay amongst youth.
- g) Establish annual national priority programmes in respect of youth development.
- h) Promote a uniform approach by all organs of state, the private sector and non-governmental organisations to matters relating to or involving youth development.
- i) Endeavour to promote, generally, the interest of the youth, particularly young people with disabilities.

From an oversight perspective, the Committee is therefore responsible for overseeing the Department which is inclusive of the Commission for Gender Equality (CGE) and the National Youth Development Agency (NYDA).

3. Purpose of the Budget Review and Recommendations Report (BRRR)

The Money Bills Procedures and Related Matters Amendment Act (No. 9 of 2009) sets out the process that allows Parliament to make recommendations to the Minister of Finance to amend the budget of a national department. Section 5 (1) of the Money Bills Amendment Procedure and Related Matters Act, (No. 9 of 2009) requires that the National Assembly, through its Committee, must annually assess the performance of each national department. Section 5 (2) makes provision for the annual submission of the budgetary review and recommendations report (BRRR) for tabling in the National Assembly for each department. It is expected of the BRRR to report on the following:

- Assessment of the department's service delivery performance given the available resources;
- Assessments on the effectiveness and efficiency of the department's use and forward allocation of available resources; and
- May include recommendations on the forward use of resources.

4. Method

In order to enable the Committee to take informed decisions on the performance of the Department for the financial year 2019/20, the Committee consulted the following reports and documents: Section 32's reports of National Treasury, the Department's Annual Report 2019/20, Reports of the Auditor-General of South Africa (AGSA), Report of the Department's Audit and Risk Committee (ARC), the 2019 State of the Nation's Address, the CGE's and NYDA's Annual Report's for 2019/20. All of this information assisted the Committee in providing a holistic assessment of the Department, the NYDA and the CGE's performance for 2019/20 with reflections on the 1st and 2nd Quarters of 2020/21.

In complying with Section 5 (2) of the Money Bills Amendment Procedure and Related Matters Act, (Act No 9 of 2009), the Portfolio Committee on Women, Youth and Persons with Disabilities held a meeting on the 17 November to consider the 2019/20 Annual Report of the Department of Women, Youth and Persons with Disabilities. The Office of the AGSA was invited to give input during the budget review and recommendation report process on 24 November 2020. As noted previously, the Committee was also briefed and deliberated on the quarterly reports for 2019/20 including the first and second quarter reports for 2020/21 of the Department, the NYDA and the CGE. As such, this report therefore includes those key issues that were identified by the Committee. Moreover, given the key policy imperatives such as the National Strategic Plan (NSP) on Gender-Based Violence and Femicide (GBVF) and the most Economic Reconstruction and Recovery Plan that have been prioritised by Government during this period, these have also been taken into account as it directly impacts on women, youth and persons with disabilities in the country.

5. Outline of the Contents of the Report

This report provides an analysis of the financial and programmatic performance of the Department and the CGE noting that budget for youth and persons with disabilities programme was only transferred on 1 April 2020 the current financial year. Hence the primary emphasis for the 2020 BRRR in terms of the financial aspects will be limited to the budget appropriated to the Department for Programmes 1-3 which is inclusive of the CGE allocation. Notwithstanding that, analysis and commentary is provided for Programme 4 and 5 insofar as Q1 and Q2 of 2020/21 is concerned and what needs to be taken into consideration going forward. The analysis takes cognisance of what Government's key priorities are as alluded to above and how these affect women, youth persons with disabilities and LGBTQIA+ persons in the country in order to determine what progress has been made as well as identify the gaps and challenges that have to be addressed.

6. Overview of Key Policy Focus Areas - Strategic Priorities of Government

6.1 National Development Plan

"The NDP Vision 2030 prioritises the significant role of women, youth and people with disabilities in our society. If these three groups are strong, our whole society will be strong. These are cross-cutting focus areas that need to be mainstreamed into all elements of South Africa's developmental future and all programmes of government. They will inform interventions across the three pillars."¹

The Department's indicates that its mandate is aligned to the National Development Plan and that it was engaging with the DPME on ensuring that the 7 national priorities informs the policy priorities for gender, youth and disability and includes indicators and targets into the NDP 5-year Implementation plan and MTSF 2019-2024. In turn, this would therefore inform the focus areas in the Strategic Plan for the next five years.

Furthermore, the Department maintains that its Country Gender Indicator (CGI) Framework which is the backbone of the monitoring mechanism of the Gender responsiveness Budgeting, Planning, monitoring, Evaluation (GRBPMEA) Framework has its foundation in the NDP, State of the Nation Address (SONA), Sustainable Development Goal (SDG) (5), Agenda 2063, Convention on the Elimination of all Forms of Discrimination (CEDAW), Beijing Platform of Action (BPfA), Solemn

¹ Department of Planning, Monitoring and Evaluation, Republic of South Africa (2019) Medium Term Strategic Framework 2019-2024.

Declaration on Gender Equity in Africa, Protocol on Gender and Development, National Policy Framework for Women Empowerment and Gender Equality (NPFWEGE) and other regional and international instruments on women

Thus in implementing its programmes, the Department maintains that it aligned its indicators to respond and contribute to the principles of the NDP. This BRRR also examines the extent to which the Department has been able to do this for the year under review but also across the 5-year period as outlined in its Strategic Plan.

6.2 Medium-Term Strategic Framework (MTSF)

The Medium-Term Strategic Framework (MTSF) (2019-2024) for the 6th Administration identified the following seven priorities:

Priority 1: A capable, ethical and developmental state

Priority 2: Economic transformation and job creation

Priority 3: Education, skills and health

Priority 4: Consolidating the social wage through reliable and quality basic services

Priority 5: Spatial integration, human settlements and local government

Priority 6: Social cohesion and safe communities

Priority 7: A better Africa and world

All of the MTSF priorities are underpinned by three pillars namely; (a) Achieving a more capable state (b) Driving a strong and inclusive economy (c) Building and strengthening the capabilities of South Africans. The MTSF 2019-2024 aims to address the challenges of unemployment, inequality and poverty through three pillars outlined above. Moreover, the MTSF has also identified Cross-cutting focus areas for women, youth and persons with disabilities which are implicitly linked to the National Development Plan (NDP). "Cross-cutting focus areas: The NDP Vision 2030 prioritises the significant role of women, youth and people with disabilities in our society. If these three groups are strong, our whole society will be strong. These are cross-cutting focus areas that need to be mainstreamed into all elements of South Africa's developmental future and all programmes of government. They will inform interventions across the three pillars."²

The Department provided specific commitments with respect to each of the MTSF priorities identified and presented these to the Committee in May 2020.

6.3 State of the Nation Address 2019

The President made mention of women thrice in his 2019 State of the Nation Address (SONA) namely;

- "As we mark her centenary, we reaffirm that no liberation can be complete and no nation can be free until its women are free." This was in reference to paying tribute to the late Albertina Nontsikelelo Sisulu in celebration of the centenary.
- "Through measures like preferential procurement and the black industrialists programme, we are developing a new generation of black and women producers that are able to build enterprises of significant scale and capability." This was in reference to the President emphasizing that the "process of industrialisation must be underpinned by transformation".
- "Radical economic transformation requires that we fundamentally improve the position of black women and communities in the economy, ensuring that they are owners, managers, producers and financiers." This was in relation to the President's commitment towards improving the capacity to support black professionals and dealing decisively with companies that resist transformation, using the competition policy to open up markets to new black entrants as well as investing in the development of businesses in townships and rural areas.

Programme 2, Social, Political and Economic Participation and Empowerment of Women of the Department is envisaged to provide intervention mechanisms on policies and programme implementation for mainstreaming the economic empowerment and participation of women towards economic transformation and development. The Department's Programme 3 (Policy, Stakeholder Coordination and Knowledge Management), strategic objective is the undertaking of evidence-based research to inform the planning and effective implementation of policies and programmes for women's socio-economic empowerment, conducting analysis and coordination of policies to inform measures

² Department of Planning, Monitoring and Evaluation, Republic of South Africa (2019) Medium Term Strategic Framework 2019-2024.

for women's economic empowerment and gender equality and management of information and knowledge on women's socio-economic empowerment and rights.

During the year under review, the Committee also requested the Department to report on progress in terms of what the President identified in its 2019 SONA and how the respective programmes were responding to these. Similarly, the CGE and NYDA was also requested to do the same in its quarterly report briefings to the Committee.

7. Department's Strategic Priorities

7.1 Strategic Priorities as per Strategic Plan 2020-2025³

The Department outlines the links between the 7 MTSF priorities, the NDP and SONA priorities by highlighting the alignment through the various outcomes and five-year targets that were identified in its Strategic Plan for 2020-2025 as outlined below.

7.1.1 MTSF Priority 1: A Capable, Ethical and Developmental State

Outcomes:

- Improved governance processes and systems for DWYPD
- Government-wide planning, budgeting, M&E addresses priorities relating to women's empowerment, youth development and the rights of persons with disabilities
- Gender, youth and disability rights machineries institutionalized
- Accessible and available evidence based knowledge and information on access to services, empowerment and participation for women, youth and persons with disabilities
- Revised legislative framework to respond to and enforce rights of women, youth and persons with disabilities
- Strengthened stakeholder relations and community mobilisation towards the realisation of women's empowerment, youth development and disability rights

7.1.2 MTSF Priority 2- Economic Transformation and Job Creation

- Equitable economic empowerment, participation and ownership for women youth and persons with disabilities being at the center of the national economic agenda

7.1.3 MTSF Priority 3- Education, Skills and Health

Outcomes

- Education: Improved rate of educational attendance and retention of young women and women with disabilities in public sector institutions
- Health: Improved health for women, youth and persons with disabilities
- Skills: Improved skills for women, youth and persons with disabilities

7.1.4 MTSF Priority 4 - Consolidating the Social Wage through Reliable

Outcomes:

- The department working with the Department of Social Development and of Health will co-develop and ensure implementation of a core package of essential psychosocial support and norms and standards for substance abuse, violence against women and children. Through the core package the department will ensure that 90% of victims of GBVF have access by 2024.
- The department will develop different interventions to reduce GBVF among women, youth and persons with disabilities. One of the interventions is the National Strategic Plan to end GBV which will be accompanied by a monitoring framework to ensure its implementation.
- The actual deliverables are covered under Priority 6 and the details on the specific deliverables will be outlined in the APP each year.

7.1.5 MTSF Priority 5: Spatial Integration, Human Settlements and Local Government:

Outcomes:

- The department will lobby and support other department's infrastructure and neighbourhood development grants and tax rebates and new structures to incorporated universal design norms and standards. This will include retrofitting existing buildings, transport and Information and Communication Technology (ICT) systems and infrastructure to ensure universal design. It will also monitor compliance with the universal design, norms and standards.

³ Department of Women, Youth and Persons with Disabilities (2020) Strategic Plan 2020-2025

- Furthermore, the department, through Programme 5 on Persons with Disabilities, will develop Frameworks on Disability Rights Awareness Campaigns.

7.1.6 MTSF Priority 6- Social Cohesion and Safe Communities

Outcomes:

- Levels of marginalisation, stigmatisation and discrimination and violence against women, girls and persons with disabilities reduced
- Equal opportunities, inclusion and redress. The department contributes to Priority 6 through the Stakeholder Coordination and Outreach (SCO) sub-programme, which is responsible for coordinating sustained and visible initiative/ campaigns on gender to contribute to the target of 30 by 2024

7.1.7 MTSF Priority 7- A Better Africa and World

Outcomes:

- Strengthened women, youth and disability rights agenda within global, continental and regional platforms, institutions and engagements towards a better Africa and the world
- Gender equality, youth and disability agenda strengthened within multilateral institutions
- The department contributes to Priority 7 through the International Relations (IR) Directorate and the Research Policy and Knowledge Management, on international reporting

The Department had also identified the following strategic priorities for each of its programmes namely;

Programme 1: Administration (Admin.)

- Strengthened good governance that ensure the Department delivers on its mandate.
- Improved strategic financial management system in Department, enabling delivery on the mandate.
- Effective and appropriate Human and ICT and Physical Resource management, enabling delivery on its mandate.

Programme 2: Social Transformation and Economic Empowerment (STEE)

- Development and implementation of interventions to promote gender mainstreaming of socio-economic and governance programmes.
- A Department that advances women empowerment and gender equality.

Programme 3: Policy, Stakeholder Coordination and Knowledge Management (PSCKM)

- Promotion of gender-responsive knowledge and research, policy development, international relations, planning, monitoring and evaluation, stakeholder engagement, advocacy and outreach campaigns with respect to women's socio-economic empowerment and gender equality.

Programme 4: National Youth Development Programme (NYD)

- To coordinate, support and facilitate youth development and empowerment.

Programme 5: Rights of Persons with Disabilities (RPD)

- To promote, protect and empower persons with disabilities through the development and implementation of legislation, policies and programmes.
- To strengthen implementation of the White Paper on the Rights of Persons with Disabilities through the National Disability Rights Machinery.
- Strengthening of International Relations to promote the rights of persons with disabilities.

7.2 Strategic Priorities as per revised APP 2019/20⁴

The Department noted in its revised APP 2019/20 briefing to the Committee, that it is tasked with the role of contributing towards increased participation in social and economic empowerment for women, youth and persons with disabilities. To this end, the Department identified key priorities during the 2019/20 FY, which included the following key performance areas:

- Sanitary Dignity Framework to be submitted to Cabinet for consideration and approval
- Collaborate with key strategic partners – DPME on infusing the current monitoring and evaluation framework of Government with indicators responsive to issues of empowerment and equality for women and ensure that before each budget policy speech.
- Produce a National Gender Machinery (NGM) Framework for Cabinet consideration and possible approval and continue coordination of the National Gender Machinery

⁴ Department of Women, Youth and Persons with Disabilities (2019) Annual Performance Plan 2019/20

- iv. Establish the National Council on Gender Based Violence
- v. National Treasury clear targets will be set to the implementation of gender responsive budgets in the country embedded on the MTSF planning cycle of government
- vi. Produce a consultation report on the Country Gender Indicator Framework
- vii. Produce reports on performance monitoring review on women's empowerment and gender equality
- viii. Produce a National Strategic Plan for Gender Based Violence and Femicide
- ix. Monitor the implementation of the declarations of the Gender Based Violence summit.
- x. Social campaigns and community dialogues are critical, especially to raise awareness, lobby and advocate on persisting and emerging issues that continue to keep the women's sector subjugated, unequal and impoverished.
- xi. International commitments made by Government through ratification of international instruments advancing the protection, empowerment and equality of are met. In this regard, the Department has facilitated the adoption and ratification of the SADC Protocol on Gender and Development which is an instrument that legally binds the country on meeting the numerous targets contained therein.
- xii. The Department is also responsible for mainstreaming and coordinating the development and submission of Country Reports on the CEDAW.
- xiii. Develop and review youth development policies and legislation. Monitor and evaluate implementation of the National Youth Policy across the sectors in all spheres of government. Develop supplementary documents for the NYP such as guidelines and frameworks (e.g. NYS, M&E frameworks, etc.). Support government departments in mainstreaming youth development within their sectoral policies and programmes. Ensure alignment of sector specific strategic plans and annual performance plans to the NYP. Conduct performance and financial oversight of the National Youth Development Agency (NYDA). Support civil society and private sectors on youth development initiatives.
- xiv. Undertake research that is cross cutting on long-term trends and analyse implementation to inform short and medium term plans related to youth development; and Support the political principals on stakeholder engagements at national and international levels (e.g. on bilateral and multilateral engagements within UN; AU; SADC; Commonwealth; BRICS; and Y20).
- xv. To contribute to the effective and coordinated implementation of the White Paper on the Rights of Persons with Disabilities and mainstream disability rights into government-wide monitoring systems and monitor compliance.

With regards to the CGE, it aims to ensure that gender equality is promoted and unfair discrimination is eradicated within the policies and practices of Government, other state institutions, and private organisations, in line with outcome 3 (all people in South Africa are and feel safe) and outcome 11 (create a better South Africa, a better Africa and a better world) of Government's 2014-2019 Medium Term Strategic Framework.

The CGE over the medium term, intended to continue to advance policies that contribute to the eradication of gender inequality and unfair discrimination within the practices of government and the private sector. As such, the CGE aimed to focus on the following:

- Challenging gender stereotypes and changing perceptions by raising awareness and educating the public;
- Monitoring state compliance with regional and international conventions, covenants and charters; and
- Building an effective and sustainable organisation that will fulfil its constitutional mandate on gender equality.

To this end, over the MTEF period the CGE intended to conduct 220 education and information programmes per year. Furthermore, the work of the programmes included inspecting legal clinics, conducting campaigns and workshops, and engaging with civil society organisations to promote gender equality.

8. Policy Priorities for 2019/20

The Department identified the following selected performance indicators in relation to MTSF Outcomes 4 and 14 for the year under review as reflected in the table below as per the initial ENE (2019) and then the adjusted ENE (2019).

Table 2: Performance Indicators for 2019/20 – MTSF Outcomes

Indicator (ENE 2019)	Indicator (Adjusted ENE 2019)	Programme	MTSF Outcome
Number of reports produced per year on the	Number of research reports on policy	Programme 2: Social Transformation and	Outcome 4: Decent

Indicator (ENE 2019)	Indicator (Adjusted ENE 2019)	Programme	MTSF Outcome
implementation of the presidential directive on women's socioeconomic empowerment in the nine-point plan	implementation for women's socioeconomic empowerment	Economic Empowerment	employment through inclusive growth
Number of public participation and outreach initiatives on women's empowerment, including girls and young women, conducted per year	Number of public participation and outreach initiatives on women's empowerment conducted per year	Programme 3: Policy, Stakeholder Coordination and Knowledge Management	Outcome 14: Nation building and social cohesion
Number of campaigns rolled out for 365 Days for No Violence against Women and Children campaign per year	Number of community mobilisation initiatives conducted on issues affecting women per year*		
Number of reports on the implementation of government commitments on international instruments produced per year	Number of reports on compliance with international obligations produced per year*		

*Target and/or indicator changed to align with the department's 2019/20 annual performance plan, which was finalised after the 2019 ENE had been published.

The Department's priorities have remained largely the same except for a few changes. For example, the first priority focussed on the implementation of the presidential directive which was then changed to policy implementation for women's socioeconomic empowerment, inadvertently a broader focus. In terms of the priority on outreach, the shift was from girls and young women to only women's empowerment. With respect to campaigns rolled out for 365 Days for No Violence against Women and Children, this was changed to community mobilisation initiatives conducted on issues affecting women. Hence despite the expanded mandate of the Department in the latter part of 2019/20, the priorities areas that were identified remained largely focussed on women.

9. Overview and Assessment of Financial Performance

The adjusted 2019 Estimates of National Expenditure indicates that the Department received a budgetary allocation of R244.398 million as compared to R230.2 million in 2018/19 and R206.2 million for the 2017/18 financial year. Of this, R85.2 million constitutes the transfer payment to the CGE, leaving the Department with an operating budget of R159.221 million. The previous financial year 2018/19 the Department had an operating budget of R 149.5 million and in 2017/18 it was R 127.8 million. Thus for the year under review, the Department had an increase of R9.7 million in its operating budget as compared to the previous financial year.

Table 2: Appropriated budget 2019/20 (including the CGE transfer)

Programme	Budget				Nominal Rand change	Real Rand change	Nominal % change	Real % change
	2018/19	2019/20	2020/21	2021/22				
R million					2018/19-2019/20		2018/19-2019/20	
Programme 1: Admin.	79.4	84.4	91.5	96.9	5.0	0.8	6.30 %	1.04 %
Programme 2: STEE	109.5	109.2	116.1	122.7	- 0.3	- 5.7	-0.27 %	-5.20 %
Programme 3: PSCKM	44.9	50.9	52.1	55.3	6.0	3.5	13.36 %	7.76 %
TOTAL	233.8	244.5	259.7	274.9	10.7	- 1.4	4.58 %	-0.59 %

Table 2 indicates that despite a nominal increase of R10.7 million in the allocation between 2018/19 and 2019/20, when inflation is taken into account, the Department actually had R1.4 million less to spend than it did in the previous financial year. Previously there was a nominal increase of R25 million in the allocation between 2017/18 and 2018/19, when inflation was taken into account, the Department had R13 million more to spend in 2018/19 than it did in the 2017/18 financial year.

The key cost drivers were Compensation of employees and Goods and Services. As such, 57% (R90,322 million) of the Department's operating budget (R159,221 million) was allocated for Compensation of Employees and 40% (R63,324 million) was allocated for Goods and Services. In the previous financial year 2018/19, the Department allocated 56.2% and 40.8% of its operational budget to Compensation of Employees and Goods and services respectively. For the year under review, 2019/20, the Department spent R89,013 million (98.6% of final appropriation) in Compensation of Employees and R62,144 million (98.1% of final appropriation) on Good and services.

In terms of spending under Goods and Services, the main cost drivers were travel and subsistence (R28,348 million), property payments (R12,811 million), expenditure for external audit costs (R3.112 million), Communication (R3,194 million) and Computer services (R3,059 million). These 5 line items consume 81% of the Goods and Services budget.

Figure 1: Budget allocation 2019/20 (including CGE transfer payment)

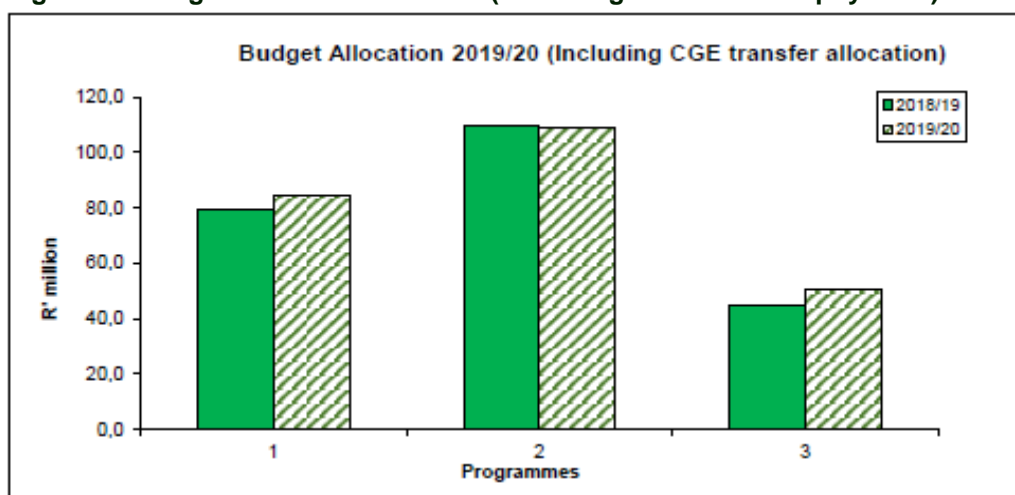


Figure 1 above provides a diagrammatic representation of the allocated funds. It illustrates that there has been a year-on-year increase in the Administration Programme (±R5 million), as well as in Programme 3: Policy, Stakeholder Coordination and Knowledge Management (increase of R6 million). However, there has been a decrease in Programme 2: Social Transformation and Economic Empowerment of R300 000 as such the programme has not seen any significant changes in budget. It must also be noted that Programme 2's allocation is inclusive of the Commission for Gender Equality's transfer payment.

It is also important to consider what the Department's appropriated budget was excluding the CGE transfer.

Table 3: Appropriated budget 2019/20 (excluding the CGE transfer)

Programme	Budget				Nominal Rand change	Real Rand change
	2018/19	2019/20	2020/21	2020/21	2018/19-2019/20	
R million						
Programme 1: Admin.	79.4	84.4	91.5	96.9	5.0	0.8
Programme 2: STEE	28.8	24.0	26.2	27.5	- 4.8	- 6.0
Programme 3: PSCKM	44.9	50.9	52.1	55.3	6.0	3.5
TOTAL	153.1	159.3	169.8	179.7	6.2	- 1.7

When removing the CGE transfer payment from the allocation, the real rand change in the Department's budget R1,7 million less than the previous financial year 2018/19. Programme 2 in fact

only had a R4,8 million decrease when the CGE transfer allocation is removed from the programme budget. Programme 3 sees the most significant increase year-on-year as stated above.

Table 4 below provides an overview of the final appropriation and expenditure per programme as at 31 March 2020. The CGE's budget allocation has been excluded from the budget for programme 2 so as to better depict Departmental spending. From this table it is clear that the bulk of the Department's budget was allocated to its Administration Programme (Programme 1). Overall, the Department spent 98.1% (R156.211 million) of its operating budget (R159.211 million).

Table 4: Programme Expenditure as at 31 March 2020

Programme	Amount allocated as per 2019/20 Estimates of National Expenditure (NT)	Amounts as per 2019 Adjusted Estimates of National Expenditure (NT)	Final appropriation	Virements (shifted funds)	Actual expenditure
Administration	R84.4 m	R87.8 m	R96.022 m	R7.922m from P2&3	(R3.199m) over-expenditure
Social Transformation and Economic Empowerment	R24.0 m	R27.5 m	R23.263 m	R1.083m from Progr.3 R60 000 shifted within programme	R4000-
Policy, Stakeholder Coordination and Knowledge Management	R50.9 m	R43.2 m	R39.936 m	R33.731m	R6.205m under-expenditure
	R159.3 m	R158.5 m	R159.221 m	R9.065 m	R156.211 m

The Department indicated that over-spending per programme was due to following reasons:

For Programme 1:

- a) In terms of Cost of Employment – costs related to the new Ministry and loss of office payment to the former Minister.
- b) In terms of Good and Services – costs related to the new Ministry as well as clearing of advances paid to DIRCO for expenditure for the international trips to the United Nations Commission on the Status of Women 62nd session in 2017 and 63rd session in 2018.

The Department indicated that under-spending per programme was due to following reasons:

For Programme 3:

- a) Compensation of Employees – Vacancies amounting to R2,5 million.
- b) Scaling down stakeholder engagement activities that were planned to take place in Q4 amounting to R3,1 million for Goods and services.
- c) Funds allocated towards replacing laptops was not utilised which amounted to R497 000.

The Department reports no over-expenditure and indicates a surplus/saving of R3 million for the financial year. However, as indicated there was an over-expenditure in terms of the budgets allocated for Programme 1. A significant amount was shifted from Programmes 2 and 3, the Department's core programmes towards the Administration Programme (R7.9 million). Programme 3 which incurred a R3.4 million virement towards programmes 1 and 2 still managed to underspend by R6.2 million. Virements were made between programmes to offset expenditure on Compensation of Employees, payment for goods and services as well as payments for capital assets and transfers and subsidies. Overall the key cost drivers were Compensation of employees and Goods and services.

Furthermore, the Department indicated that it utilised consultants on 8 projects throughout the financial year amounting to R1.074 million (p.107). These included:

- i. Service for Health Risk Management

- ii. Audit Committee
- iii. Legal Fees: State Attorney
- iv. Presidential Review Committee Meetings
- v. Facilitation of Gender Based Violence Public Hearing
- vi. Sign Language Interpreter Services for Workshops, Conferences and Events
- vii. Qualification verification
- viii. Men's Health Discussions with Men's Clinic

The Department was not able to indicate the estimated duration/work days of these consultants and was also unable to indicate whether consultants were historically disadvantaged individuals.

9.1 Financial statements

9.1.1 Irregular Expenditure

- For the year under review, the Department incurred irregular expenditure of R2.481 million which was attributed to non-compliance with procurement/ supply chain management processes. In addition, there was irregular expenditure from previous financial years to the amount of R37.974 million that the Department still awaits condonation for from National Treasury. This brings the total irregular expenditure "on the Department's books" to R 40.445 million.
- In the previous financial year, the Department incurred irregular expenditure of R4.095 million which was primarily as a result of non-compliance with procurement processes.

9.1.2 Fruitless and wasteful expenditure

- The Department incurred fruitless and wasteful expenditure amounting to R 22 000 for the payment of mainframe hosting by a Logis system. This is an improvement from the previous financial year when it had incurred R334 000. The Department indicates that this expenditure is under investigation.
- In the previous financial year, the Department incurred fruitless and wasteful expenditure amounting to R 334 000.

9.1.3 Unauthorised expenditure

- The Department incurred unauthorised expenditure of R3.199 million primarily in Programme 1 which was attributed to the new function of the Ministry and loss of office for the former Minister. To this end, the Department indicated that it had approached Treasury for additional funding to offset these costs but this was not granted. Furthermore, the Department reported that this expenditure is currently under determination and that it will make an application to the Standing Committee on Public Accounts through National Treasury for condonement of this unauthorised expenditure. In addition, there is unauthorised expenditure amounting to R29.575 million from previous financial years, which is still awaiting condonement from National Treasury
- In the previous financial year, the Department noted it had a total of R30 million unauthorised expenditure from previous years that is awaiting authorisation from Parliament with or without funding. R27 338 000 was due to overspending of the vote in the 2011/12 financial year. R2 237 000 was due to overspending of the main division within the vote in the 2015/16 financial year.

9.2 2020/21 MTEF financial allocation

The Department still maintains that it requires adequate funding in order to function optimally and that the current resource allocation was insufficient.

9.3 Concluding comments on financial performance

The Committee concurs with the findings of the AGSA and the ARC and the relevant recommendations made in this regard. The Department managed to spend nearly its entire budget and managed to achieve 80% of its targets. However, the Committee notes the repeat findings of the AGSA which is concerning. The Committee notes the work that was outsourced to consultants to deliver on targets and expenditure incurred despite a large cohort of staff within programmes. Most of the expenditure incurred was for Compensation of Employees and Goods and Services.

10. COMMISSION FOR GENDER EQUALITY (CGE)

The CGE briefed the Committee during all the quarterly reports on its finances. A Commissioner's report was submitted to the Committee at every quarter.

Based on its constitutional mandate, the CGE's vision is to strive for "a society free from all forms of gender oppression and inequality", while its mission includes to "advance, promote, protect, monitor and evaluate gender equality through undertaking research, public education, policy development, legislative initiatives, effective monitoring and litigation". Its values are independence; professionalism; accountability; ethical behaviour; and teamwork.

The Commission's Strategic Framework translates its constitutional mandate into four strategic objectives, which are:

10.1 Strategic Objective 1:

The purpose of Strategic Objective 1 is to ensure the creation and implementation of an enabling legislative framework that promotes the attainment of gender equality. These has been achieved through the following sub-strategies:

- (i) To monitor and evaluate the promotion of gender equality and any relevant policies and practices of the public and private sector and report to Parliament.
- (ii) To initiate and review for the improvement of the legislative framework in all spheres of government that impacts on priority areas of gender equality.
- (iii) To conduct periodic performance assessments of priority Ministries, State institutions, Government departments, political parties and the private sector on the implementation of applicable legislation and policies that impact on gender equality.
- (iv) To evaluate the implementation and the effectiveness of the national justice facilities for gender discrimination.
- (v) To convene direct dialogues with relevant policy makers at national and provincial level on recommendations to promote gender equality contained in research reports and research activities.

According to the Annual Report 2019/20, this Strategic Objective planned for 24 targets and achieved 25. However, the Annual Performance Plan indicates 12 targets for the year. This Strategic Objective was allocated R13.3 million ($\pm 15.6\%$ of overall budget) for 2019/20 financial year.

10.2 Strategic Objective 2:

The purpose of this Strategic Objective is to protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take actions against infringements of gender rights through the implementation of appropriate redress. These Strategic Objective has the following sub-strategies:

- To timeously investigate complaints of violations of gender rights and identify appropriate redress.
- To initiate investigations of systematic violations of gender rights in the public and private sector and identify appropriate redress.
- To develop a coordinated programme to promote equality
- To initiate intervention for sustainable development and promotion of gender equality by addressing violations in the social cultural, political and economic security and human rights dimension.
- To collaborate with organs of state, civil society and other institutions for the effective development, protection, promotion and attainment of gender equality.

According to the Annual Report 2019/20, this Strategic Objective planned to achieve 8 targets and all were achieved targets. The Annual Performance Plan 2019/20 also indicates 8 targets. This Strategic Objective was allocated R21,7 million ($\pm 25.5\%$ of overall budget) for financial 2019/20.

10.3 Strategic Objective 3:

The purpose of this Strategic Objective 3 is to monitor State compliance with regional and international conventions, covenants and charters which have been acceded to or ratified by the

Republic, relating to the objects of the Commission. This has been achieved through the following sub-strategies:

- To conduct annual reviews and audits of state compliance with obligations under the conventions, covenants and charters and to report a regular basis to Parliament and the Office of the Speaker of Parliament.
- To interact with and report to national, regional and international bodies on state compliance with conventions, covenants and charters acceded to or ratified.

According to the Annual Report 2019/20, this Strategic Objective planned to achieve 4 targets and all were achieved. However, the Annual Performance Plan indicates 5 annual targets. This Strategic Objective was allocated R8,7 million ($\pm 10\%$ of overall budget) for financial year 2019/20.

10.4 Strategic Objective 4

The purpose of this Strategic Objective 4 is to build an efficient organisation that promotes and protects gender equality.

According to the Annual Report 2019/20, this Strategic Objective planned to achieve 10 targets and 6 were achieved. However, the Annual Performance Plan indicates 19 annual targets. This Strategic Objective was allocated R41,6 million ($\pm 49\%$ of budget) for financial year 2019/20.

10.5 CGE'S BUDGET FOR 2019/20

For the 2019/20 period, the Commission for Gender Equality received a budgetary allocation of R85,2 million. This is a R6,9 million increase from the 2018/19 financial year. The greatest proportion of the Commission's budget is allocated to compensation of employees 70.5% (R60,1 million) and Good and Services equate to 29.3% (R25 million). Most of the Commission's work is carried out by internal personnel and thus the main driver of spending is the compensation of employees for a staff complement of 110.

For the year under review, the CGE has augmented its income by R1,4 million through interest income, asset disposals and donations by partners. This brings the total income to R86,2 million. As at the end of 31 March 2020, the CGE's Accumulated Surplus increased to R20,4 million mainly from the results of the current period (R10 million reported surplus for 2019/20). The surplus reported was attributed to cost containment efforts, interest income and vacancies which accounts for the bigger contribution. The Year-to-Date operating expenditure of R76,6 million was incurred. For the current period, R8,5 million (10% of the annual budget) underspending was recorded, of which R8,2 million was of Cost of Employment as there were vacancies mainly from the Commissioners' programme.

In terms of irregular expenditure, R1,424 304 was incurred for the 2019/20 financial year. As compared to 2018/19 when R864 654 irregular expenditure was incurred and R 121 114 was incurred during previous financial years. Investigations are currently underway to determine liability. There was no Unauthorised nor Fruitless or Wasteful Expenditure, whatsoever incurred during the year under review.

10.5 Human Resources

The Commission indicated that they had 111 funded posts during 2019/20 and a vacancy rate of 15% (17 vacancies). This is an increase in vacancies from the 2017/18 financial year when the vacancy rate was 10% (11 vacancies). This is a cause for concern. The CGE has previously indicated that while it recruits highly skilled personnel, it is hard to retain them due to its limited budget – staff often leave due to better financial offers which the CGE cannot compete with and this impacts on the CGE being able to achieve targets and activities set out in its mandate. The CGE had 94 employees during the period under review, of which 91 were permanent and 3 were temporary employees or interns. The majority of the CGE's employees are female (63%).

Under-representation of persons with disabilities within the CGE's administration is noted for an intervention through the Employment Equity plan in the next reporting cycle.

Personnel expenditure amounted to R54,5 million at an average cost per employee per annum of R216,580. Of 50% of salary cost is for the highly skilled category who also constitute the majority of those employed in Core-service delivery programme of the CGE. A total of 73 employees received performance related rewards during the period under review resulting in expenditure of R2,8 million in lieu of 2018/2019 performance period. Pending the finalisation of assessments for the 2019/20 performance cycle, a provision of R3.1 million is included in the reported figures.

During the period under review 34 employees participated in skills development opportunities. Training expenses incurred was R509, 804 in 2019/2020 compared to R447, 564 in the previous period.

A total of 20 employees left the CGE during 2019/20, 2 were due to retirement, 12 (60%) resignations whilst the rest were due to expiry of contracts. The attrition was counter-balanced by recruitment of 18 new employees in the reporting period.

11. NATIONAL YOUTH DEVELOPMENT AGENCY (NYDA)

For the year under review, the NYDA briefed the Committee on all 4 the quarterly reports in addition to Q1 and 2 of 2020/21. The quarterly reports included a focus on programme performance and financial health of the entity. Moreover, the NYDA tabled its Annual Report on 23 November 2020. The next section examines the performance of the NYDA in light of the Annual Report 2019/20.

In the period under review the NYDA had 23 Key Performance Indicators of which 11 were met whilst 12 were met and exceeded. This amounts to a 96% achievement of the planned targets in its Annual Performance Plan. The NYDA's work undertaken in each Performance area imperative is covered through 4 key Programme areas as outlined below.

11.1 Programme 1: Administration

The purpose of this programme is to enable effective and efficient capabilities for service delivery and supporting functions. Implementation is at the following Strategic Objective:

- To provide administrative support resulting in improved internal efficiencies and service delivery.

This programme achieved 6/6 targets of which 1 target were exceeded.

11.2 Programme 2: Programme Design, Development and Delivery (PDDD)

The purpose of the programme is to enhance the participation of young people in the economy through targeted and integrated economic programmes. Implementation is at the following Strategic Objective:

- To provide Socio-economic empowerment interventions and support for young people in South Africa.
- To provide increased information and universal access to young people

This programme achieved 7/8 targets of which 6 targets were exceeded and 1 target was not met.

11.3 Programme 3: National Youth Service

The purpose of the programme is to promote volunteerism, active citizenship and promoting mass participation in national activities. Implementation is at the following Strategic Objective: To coordinate the implementation of NYS across all sectors of society

This programme achieved 5/5 targets of which 4 targets were exceeded.

11.4 Programme 4: Research and Policy

The purpose focuses on fostering a mainstreamed, evidence based, integrated and result oriented youth development approach, through and monitoring and evaluation services, lobby and advocacy to bring onboard key stakeholders to implement youth development programmes. Implementation is at the following Strategic Objective:

- To produce research and policy which influences change in youth sector and build sustainable relationships.

This programme achieved 4/4 targets for the year under review.

12. FINDINGS OF THE AUDITOR GENERAL OF SOUTH AFRICA (AGSA)

The Department has received an unqualified audit opinion from the Auditor-General of South Africa (AGSA), with findings on performance indicators, expenditure management, internal control deficiencies and consequence management. To this end, the AGSA highlighted the following key concerns with regards to the Department:

12.1 Performance Indicators

- The AGSA found that the source information/evidence for achieving planned indicators was not clearly defined. This related to:
 - i. number of research on women's empowerment & gender equality produced
 - ii. number of community mobilisation initiatives conducted on issues affecting women
 - iii. guidelines on gender responsive planning, budgeting, monitoring & evaluation developed
- The AGSA had previously raised the concern with the Department that performance indicators were not SMART when the APP was reviewed.

12.2 Expenditure Management

- The AGSA found that effective and appropriate steps were not taken to prevent irregular expenditure.

12.3 Internal Control Deficiencies

- The AGSA found a lack of adequate oversight has been exercised by the accounting officer and senior management with regards to financial and performance reporting, compliance with laws and regulations, as well as internal controls.
- The AGSA found concerns with proper record keeping as well as daily and monthly controls.

12.4 Consequence management

- The AGSA indicated a lack of sufficient appropriate audit evidence to indicate that disciplinary steps were taken against officials who had incurred irregular expenditure insufficient record keeping to support investigations into irregular expenditure.

12.5 Compliance

- The AGSA found that non-compliance with laws and regulations would have been prevented had compliance been properly reviewed and monitored by senior management.

With regards to the CGE, it received an unqualified audit opinion from the AGSA. The following matters were raised by the AGSA:

12.6 Procurement and contract management

- The AGSA notes that the bid documentation for procurement of commodities designated for local content and production, did not stipulate the minimum threshold for local production and content as required by the 2017 preferential procurement regulation 8 (2).

12.7 Internal control deficiencies

- The AGSA found significant internal control deficiency that resulted in the finding on compliance with legislation.
- The AGSA found insufficient oversight responsibility was exercised with regards to compliance and related internal controls, particularly in the areas of procurement planning and contract management.
- The AGSA noted concerns with proper record keeping as well as the review and monitoring compliance i.t.o. financial and performance management.

The CGE's Audit Committee agreed with the findings of the AGSA and it has noted some issues that were identified by the AGSA in the previous FY that has not been fully addressed for various reasons which management has stated. To this end, management has made further commitment to address the shortcomings noted and as such the ARC was satisfied that if those commitments can be implemented accordingly, the risk will be properly mitigated.

13. FINDINGS OF THE AUDIT AND RISK COMMITTEE (ARC)

The Department's Audit and Risk Committee (ARC) noted that it was concerned "about the breakdown of key controls as well as the inability of management to adequately strengthen the internal control systems in

supply chain and performance information management. Management indicated some internal control deficiencies that emanated from inadequate human and financial resourcing.”

13.1 Performance information

With respect to Performance Information the ARC noted:

In terms of Planning

- Inconsistencies between the Strategic Plan and the Annual Performance Plan.
- Inconsistencies between the performance indicators and the performance indicator descriptors in the APP.
- Performance indicators not consistent with the planned performance target.

In terms of Reporting

- Performance indicators, performance targets and the reported performance not consistent.
- Inconsistency of the strategic objectives in the Annual Performance Report and the APP.
- Inadequate evidence supporting the reported performance.

13.2 ICT governance and IT environment

- Inadequate ICT infrastructure and ICT control environment.
- Lack of ICT backup system and the disaster recovery system.
- Reporting inadequate ICT budget places, a limitation on ICT to support the operations of the Department.

13.3 Unauthorised and irregular expenditure

- The controls to prevent irregular expenditure may not be working effectively due to non-adherence to supply chain management (SCM) prescripts.

13.4 Addressing Audit Findings

- It takes a long time for the audit findings to be resolved in the Department.

14. OVERVIEW AND ASSESSMENT OF SERVICE DELIVERY & FINANCIAL PERFORMANCE PER PROGRAMME

Diagram 1 below provides a schematic overview of the Department’s performance for 2019/20 includes the use of operational budget versus targets achieved for Programmes 1 to 3 as the budget for Programme 4 and 5 was only transferred as of 1 April 2020 as stated previously.

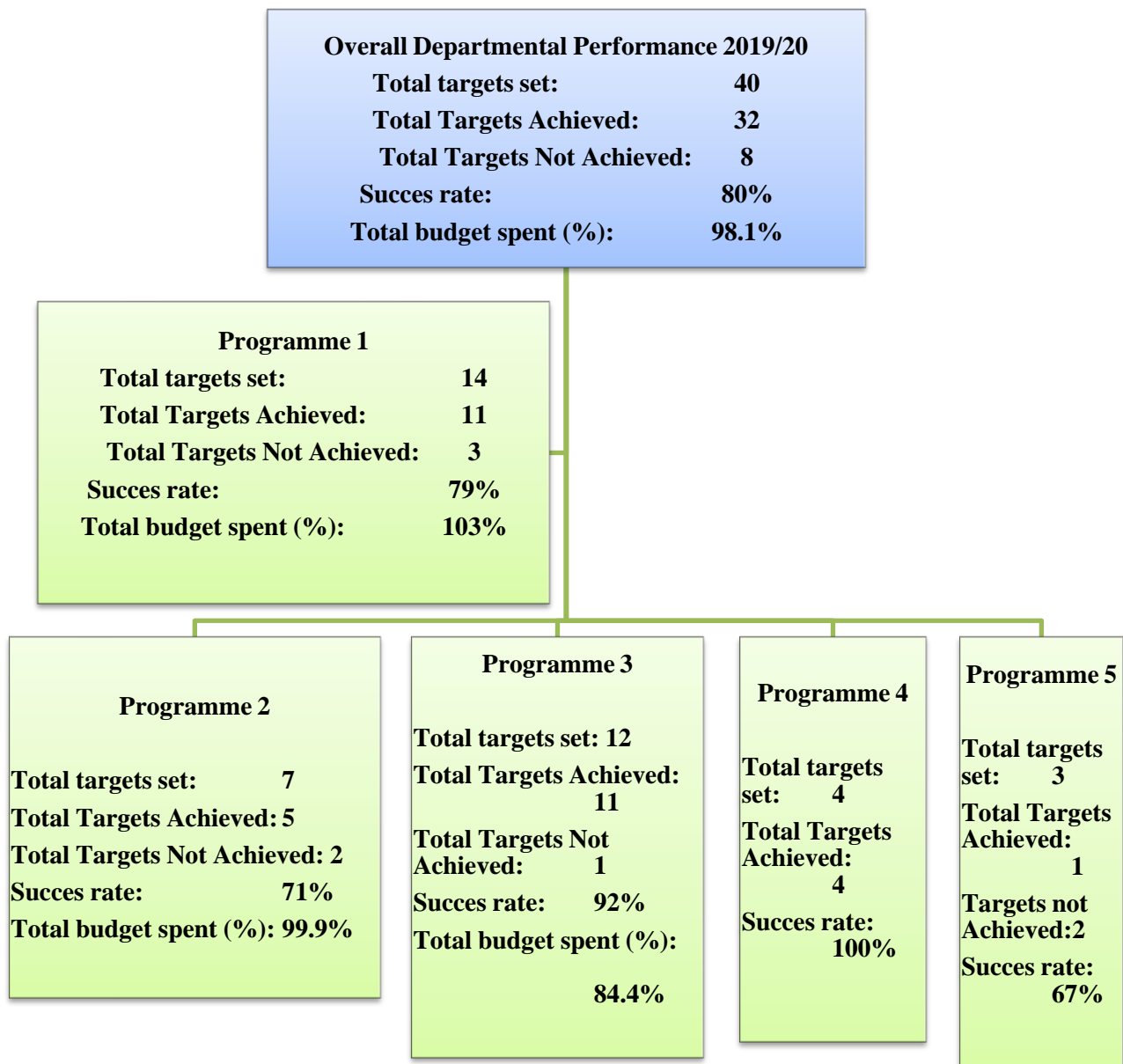
The achievements of the aforementioned targets were considered and examined by the Committee in its deliberation of the Department’s Annual Report. These are reflected in the Observations section of this report.

The Department managed to spend nearly all of its allocated budget 99.8% for the year under review and achieved 80% of its targets (32/40). This is an improvement compared to the previous financial year 2018/19 in which the Department managed to spend nearly 94.7% of its appropriated budget (that excluded the CGE’s allocation) but only managed a 68.7% success rate in the attainment of its indicated targets – only 22 out of the 32 targets were met during 2018/19.

The majority of targets that were met, were under Programme 1, 3 and 4. Unmet targets were primarily in Programme 2 and 5. The Disability Programme was the worst performing even though it had the least amount of targets to achieve for the FY under review.

Overall, the Department maintains that there has it has seen a performance improvement year-on- year with a success rate of 80% in 2019/20 as compared to 68.7% in 2018/19 then 59.2% in 2017/18 as compared to 36.8% in 2016/17. While this is commendable, it must be noted that the majority of targets in Programme 1 related to compliance matters and the core programmes targets achieved included events, frameworks and reports many of which were still in draft form and or required cabinet approval.

Diagram 1: Overall Performance of the Department for 2019/20 Use of operational budget vs targets achieved



14.1 Programme 1: Administration

The purpose of this Programme is to provide effective leadership, management and administrative support services to the Department. In turn, it is supported by three Sub-Programmes: Departmental Management; Financial Management; and Corporate Management. The purpose of each sub-programme is as follows:

- **Departmental Management:** To provide executive support, strategic leadership and management to the Department.
- **Financial Management:** To provide and ensure effective, efficient financial management and supply chain services. This includes budget planning and expenditure monitoring; and the management of procurement, acquisition, logistics, asset, and financial transactions.
- **Corporate Management:** To provide effective human capital management, facilities and auxiliary management and ICT systems enablers for the Department.

The Programme's Strategic Objectives include effective leadership and oversight; sound financial management; and the strengthening of good governance for the department to deliver on its mandate. The Sub-programme Strategic Objectives are as follows:

- **Departmental Management:** Strengthened good governance to ensure the Department deliver on its mandate.

- **Financial Management:** Improved strategic financial management system in the Department, enabling delivery on the mandate.
- **Corporate Management:** Effective and appropriate Human and ICT and Physical resource management, enabling delivery on its mandate

This programme planned to achieve 14 targets of which 11(79%) were achieved and 3 were not achieved. The three targets not achieved related to

- (i) Invoices that were not paid within 30 days
- (ii) 95% of external audit recommendations implemented – only 72.8% of recommendations implemented
- (iii) 100% of all disciplinary cases resolved within 90 days – one case still outstanding

With regards to the Department's strategy to overcome areas of underperformance, the Department indicated that it was reorganised to create additional capacity to address performance gaps in the programme.

The total allocation for this programme was R84,4 million as per the initial Estimates of National Expenditure (ENE) 2019/20 and with the adjusted ENE it was R87,8 million. The final appropriation was R96,022 million this included virements of R7,922 million from Programme 2 and 3. Of importance to note was that, this programme has seen a significant increase in its budget between the initial budget and final appropriation thus an increase of R11,6 million. In addition, the programme still consumed the highest proportion of the Department's budget in 2019/20. The actual expenditure was R99,221 million, hence an over-expenditure of R3,199 million was recorded.

The key cost drivers for Programme 1 were as follows:

- Compensation of Employees accounted for 54.7% of the programme budget (R54,3m), an over-expenditure of R1,223 million incurred.
- Goods and Services accounted for 40.3% of the budget (R40m), an over-expenditure of R1,999 million incurred.

With respect to the expenditure per sub-programme, the Ministry with a final appropriation of R29,005 million spent R33,053 thus incurred an over-expenditure of R4,048 million.

14.2 Programme 2: Social Transformation and Economic Empowerment (STEE)

The purpose of the programme is to facilitate and promote the attainment of women's socioeconomic empowerment and gender equality. The programme's strategic objective is development and implementation of interventions to promote gender mainstreaming of socio-economic and governance programmes.

The programme consists of the following sub-programmes namely;

- **Social Empowerment and Transformation:** the purpose of the sub-programme is to develop and implement intervention for mainstreaming the social empowerment and participation of women towards social transformation.
- **Economic Empowerment and Participation:** the purpose of the sub-programme is to develop and implement intervention for mainstreaming the economic empowerment and participation of women towards economic transformation and development.
- **Governance Transformation, Justice and Security:** the purpose of the sub-programme is to develop and implement interventions to mainstream gender equality and reduce and contribute to eliminating gender based violence.

The sub-programme Objectives are as follows:

- **Social Empowerment and Transformation:** Intervention mechanisms for gender mainstreaming for women's social empowerment and participation developed.
- **Economic Empowerment and Participation:** Intervention mechanisms on policies and programmes, implementation for mainstreaming the economic empowerment and participation of women towards economic transformation and development.
- **Governance Transformation, Justice and Security:** Mechanisms developed for engendered transformation through advancing measures for the empowerment of women towards a just society.

This programme planned for 7 targets in 2019/20 and achieved 5 (71%). As compared to the previous FY 2018/19 where it planned to achieve 5 targets but only achieved 1 hence an improvement in performance. The two unmet targets related to:

- i. Number of reports on the implementation of the Women's Financial Inclusion Framework produced – 3 instead of 4 reports were produced.
- ii. Revised IMC-IPOA for the establishment of the National Council on Gender-Based Violence and Femicide (NCGBVF) – The NCGBVF was meant to be established by the end of the 2019/20 FY however Cabinet only approved the NCGBVF conceptualised document and deferred establishment of the council to the IMC. NCGBVF establishment deferred to 2020/21.

With regards to strategy to overcome areas of underperformance, the Department indicated that there were no major deviations on most of the targets and where targets were not met it was due to unforeseen circumstances and capacity constraints. As such, the organisational structure has been reviewed to create the capacity needed

Notwithstanding that, a key omission from the Annual Report 2019/20 was the target related to the National Strategic Plan (NSP) on GBVF which appeared in the revised APP 2019/20 and was presented to the Committee. This target was not reported on and subsequently has reappeared as a target in Q1 of 2020/21 FY.

In terms of this programme's operating budget i.e. excluding the transfer to the CGE, this programme was allocated R24 million as per the initial ENE and then R27,5 million as per the adjusted ENE for 2019/20 but the final appropriation was R23,263 million due to a virement to Programme 1. The actual expenditure incurred was R23,259 million, 99.9% of its budget. Notwithstanding the virement, this programme spent almost all of its budget hence only a minor under-expenditure incurred. The key cost driver for this programme was as follows:

- Compensation of Employees accounted for 69.6% of the programme budget (R16,2m)
- Goods and Services accounted for 29.6% of the budget (R6,8m)

The Governance Transformation, Justice and Security sub-programme incurred the highest proportion of the expenditure for Programme 2, R7,609 million (33%) with a slight over-expenditure of R24 000.

14.3 Programme 3: Policy, Stakeholder Coordination and Knowledge Management (PSCKM)

The purpose of programme 3 is to promote and undertake government wide gender-responsive policy development and analysis, research, planning, monitoring and evaluation, knowledge management, stakeholder coordination and international relations for women's socio-economic empowerment and gender equality.

The programme consists of the following sub-programmes:

- **Research, Policy Analysis and Knowledge Management:** the purpose of the sub-programme is to promote the development of gender sensitive research, position the department as a hub to content relating to the socio-economic empowerment of women, and conduct policy analysis to intervene in transformation for women's socio-economic empowerment and gender equality.
- **Stakeholder Coordination and Outreach:** the purpose of the sub-programme is stakeholder management, and to conduct outreach initiatives which promote women's socio-economic empowerment and gender equality.
- **International Relations:** the purpose of the sub-programme is to promote international relations and engagements on women, as well as ensure South Africa's compliance with international treaties on women.
- **Monitoring and evaluation:** the purpose of the sub-programme is to coordinate gender-responsive planning and monitor and evaluate progress on the empowerment of women in line with national development goals as well as regional, continental and international treaties and commitments.

This Programme's Strategic Objectives is evidence based research to inform the planning and effective implementation of policies and programmes for women's socio-economic empowerment, conduct analysis and coordination of policies to inform measures for women's economic empowerment and gender equality as well as the management of information and knowledge on women's socio-economic empowerment and rights.

The sub-programme Strategic Objectives are as follows:

- **Research, Policy Analysis and Knowledge Management:** Engendered research to inform policy development and coordination.
- **Stakeholder Coordination and Outreach:** Public participation and community mobilisation initiatives to advance women's Empowerment and gender equality.
- **International Relations:** Strengthening of International Relations on women's socio-economic empowerment and gender equality.
- **Monitoring and Evaluation:** Effective monitoring and evaluation of socio-economic empowerment of women.

This programme planned for 12 targets and achieved 11. The only target not met was as follows:

- Number of performance monitoring review reports on women's empowerment and gender equality – 2 performance monitoring reports were not produced as the Chief Director Post for M&E was vacant.

The Department notes in its 2019/20 Annual Report that the "monitoring of departments on the responsiveness to the GRPBME framework will increase as the department has now filled a position of CD: Monitoring and Evaluation and other key positions in the M&E unit."

The programme was allocated R50,9 million as per the initial ENE and then R43,2 million as per the adjusted ENE for 2019/20 but the final appropriation was R39,936 million due to a virement (R7,9 million) to Programme 1. The actual expenditure incurred was R33,731 million, 84.4% of its budget. Notwithstanding the virement, this programme still incurred an under-expenditure of R6,205 million. The key cost driver for this programme was as follows:

- Compensation of Employees accounted for 46.1% of the programme budget (R18,450m)
- Goods and Services accounted for 38% of the budget (R15,210m)

The sub-programme Stakeholder Coordination and Outreach incurred the half of the expenditure for Programme 3, R18,899 million (50%) with an over-expenditure of R732 000 as compared to the final appropriation of R16,167 million.

14.4 Programme 4: National Youth Development (NYD)

The purpose of this programme is to oversee youth policy development implementation, monitoring and evaluation and conduct oversight of the National Youth Development Agency. The Programme Strategic Objectives is to coordinate, support and facilitate youth development and empowerment.

The programme consists of the following sub-programmes:

- **National Youth Policy and Legislation Development:** the purpose of the sub-programme is to develop national youth policies, legislation, frameworks and strategies as well as ensure monitoring and evaluation thereof.
- **Stakeholder Engagement and Support:** the purpose of the sub-programme is to engage and support youth stakeholders nationally and internationally; conduct oversight of the National Youth Development Agency; and facilitate transfer of funds to the agency.

The sub-programme Strategic Objectives are as follows:

- **National Youth Policy and Legislation Development:** Develop national youth policy, legislation, frameworks and strategies as well as ensure monitoring and evaluation thereof.
- **Stakeholder Engagement and Support:** Engagement and support youth stakeholders nationally and internationally; conduct oversight of the National Youth Development Agency; and facilitate transfer of funds to the agency.

This programme planned for 4 targets and achieved all.

14.5 Programme 5: Rights of Persons with Disabilities

The purpose of this programme is to promote, protect and empower persons with disabilities through the development and implementation of legislation, policies and programmes.

This Programme consists of two sub-programmes:

- **Advocacy and Mainstreaming:** the purpose of the sub-programme is three-fold, i.e. to oversee the development of policies, strategies, legislation, guidelines and programmes to promote the rights of persons with disabilities; to ensure effective awareness raising and advocacy programmes on the rights of persons with disabilities; and to coordinate and manage the provision of institutional support and capacity building on the rights of persons with disabilities.
- **Governance and Compliance (Monitoring and Evaluation):** the purpose of the sub-programme is three-fold, i.e. to coordinate the compilation of national and international compliance reports; to ensure the development of a knowledge system for reporting purposes; and to provide technical support for participation on international platforms.

The Sub-programme Objectives are as follows:

- To promote, protect and empower persons with disabilities through the development and implementation of legislation, policies and programmes.
- To strengthen implementation of the White Paper on the Rights of Persons with Disabilities through the National Disability Rights Machinery
- Strengthening of International Relations to promote the rights of persons with disabilities.

This programme planned for 3 targets and achieved 1 (33%). The 2 (67%) targets not met were as follows:

- National Disability Rights Machinery strengthened – The Department was meant to ensure that disability inclusion was embedded in Government wide institutional arrangements. The target was not met as the activity was suspended due to lack of capacity.
- Performance reports on implementation of White Paper on Rights of Persons with Disabilities – The Annual Progress report on the implementation of White Paper on Rights of Persons with Disabilities was not developed. The Department noted that the quality of the inputs to this report was poor and showed misalignment between information reported, matrix targets and timelines hence this could not be accepted as a national report.

The Department notes that in order to overcome areas of underperformance within this programme, the following will be undertaken:

- The capacity of the unit will be enhanced to implement the activity on disability inclusion in the new financial year
- The 2nd and 3rd Annual Progress Report on Implementation of the WPRPD will be combined

14.6 Human Resources

The Department notes in its Annual Report as at 31 March 2020 it had 115 approved posts of which 109 were filled, resulting in a vacancy rate of 5.2%. The Department had a total of 10 employees additional to the establishment. This is an improvement on 2018/19 when the Department had 23 employees additional to the establishment.

The majority of personnel in the Department's employ were in the Administration Programme (70), 18 posts filled Programme 2 and 21 in Programme 3. Ten of the employees additional to the establishment were in the Administration programme. According to the Department of Public Services and Administration, Public Service Regulations of 2016, "Additional to the establishment appointments" usually occurs where the employment is as a result of absence of employee or increase in work which is usually limited to 12 months. The Department had 42 employees in senior management which was 10 more than in 2018/19. This amounted to an average cost of R1.1 million per employee in senior management.

The Department had a turnover rate of 11.4% which was up from 8.0% in 2018/19. In terms of people leaving the Department during the financial year, a total of 14 staff left. To this end, 5 staff members resigned, 1 was transferred to another Public Service department and 8 had their contract expire. 21 employees joined the Department during 2019/20. During the year under review, 3 disciplinary cases were finalised (2 males, 1 female).

The Department indicates that no employees received performance awards were during the 2019/20. With respect to signed performance agreements, 24 out of 30 employees in senior management signed. Out of 28 staff in senior management, only 14 had signed performance agreements. Reasons cited for this include a staff member being on sick leave, an invalid/unsigned

agreement being submitted, a dispute with regards to the content of the performance agreement and late submissions.

For the year under review, the Department has only 1 employee recorded as receiving salary exceeding the level determined by job evaluation.

14.7 Future plans

The Department indicated that in the financial year 2021/22 it will be integrating its services for Women, Youth and Persons with Disabilities by redefining its core business to focus on its regulatory mandate and the enforcement of the rights of Women, Youth and Persons with Disabilities. This has subsequently been done through the tabling of a revised Strategic Plan 2020-2024 and the Annual Performance Plan (APP) 2021/22 FY followed by the adjusted APP 2020/21.

14.8 Concluding comments on service delivery performance

In examining the significant achievements which the Department noted in the 2019/20 Annual Report, the following have been highlighted:

General

- i. Improved performance against Annual Performance Plan targets. Performance improved from 69% for 2018/19 to 80% by the end of the financial year 2019/20.

Administration

- ii. The department maintained a vacancy rate below the targeted 10% with 5.1%.
- iii. It managed to maintain a less than 2% underspending in expenditure against budget allocation;
- iv. The department's risk management function was fully compliant with legal/regulatory requirements;
- v. Internal audit systems were developed and implemented in the department to ensure that internal audit function operates in a systematic and effective manner.
- vi. 95% availability of ICT systems was achieved as planned;

Programme 2 & 3 - Women

- vii. Approval of Sanitary Dignity Framework by Cabinet and the national roll-out conducted by the Department. Linked to the Sanitary Dignity Project was the implementation of the Women's Financial Inclusion Framework (WFIF) through capacity building workshops in Gauteng and Mpumalanga.
- viii. The Department also produced a Participation Report on the symposium for the economic inclusion of women towards developing a women-led position for the South African Investment Conference.
- ix. The Department coordinated programmes on 365 days Programme of Action (dialogues, hosting of CEDAW committee investigations on GBV in Gauteng, Western Cape, Eastern Cape and KwaZulu-Natal Provinces).
- x. Approval of National Gender Machinery (NGM) Framework by the Acting Director General for submission to Cabinet for consideration.
- xi. Ten reports produced in Programme 3 on various matters ranging from policy matters to public participation and country reports.
- xii. Young Women in construction innovation conference and Young Women's Empowerment Conference.
- xiii. Attendance SADC meeting of Ministers responsible for gender and women's affairs and 16th international inter-ministerial conference (IIMC) on south-to-south cooperation in Population and Development.
- xiv. The Department successfully coordinated a range of advocacy campaigns, community outreach programmes and dialogues in the period under review.
- xv. International Relations Strategy on Gender Equality and Women's Empowerment developed and approved.
- xvi. Guidelines on gender-responsive planning, budgeting, monitoring and evaluation developed and approved;
- xvii. The department consulted the Country Gender Indicator (CGI) Framework with various stakeholders.

Programme 4: Youth

- xxviii. National Youth Policy (NYP) monitoring reports produced.
- xix. NYDA Reports were quality assured by the NYD Officials and Assessment Reports were produced;
- xx. The department conducted NYDA oversight and facilitated appointment of the NYDA Board which will be finalised in the next financial year;
- xxi. Policy development: Draft NYP 2020-2030 was produced and consulted with the youth development stakeholder; and Draft Youth Responsive Budgeting, Planning, Monitoring, Evaluation and Auditing was produced, but kept on hold pending approval of the NYP 2030; and
- xxii. Law reform: Commenced process of amending the National Youth Development Agency Act, Act No. 54 of 2008; and •Started the process of developing the South African Youth Development Act – a framework legislation for youth development in the country;
- xxiii. Convened the National Youth Development Coordinating Forum – a strategic platform for youth development stakeholders.

Programme 5: Disability

- xxiv. National Disability Rights Machinery (NDRM) plenary meeting held.
- xxv. Policy development: National Frameworks on Disability Rights Awareness and Self-Representation was updated in preparation for submission to the Technical Working Group for further comments and consultations. The Department also developed draft Guidelines on Community Based Disability Inclusive Development Programme based on good practice models in LP, FS, EC and KZN. In preparation for submission to Cabinet, the Policy on Social Development Services to Persons with Disabilities was presented to EXCO where issues for clarity were raised. The Cabinet Memorandum and the final Report on Socio-Economic Impact Assessment (SEIAS) have been developed. The Costing Report has been approved by the Welfare Services Forum. Draft Guidelines on the empowerment of persons with disabilities and disability mainstreaming (DEM) developed as an outcome of the “Project for the Promotion of Empowerment of Persons with Disabilities and Disability Mainstreaming” from May 2016 to May 2020 in four project sites. This project is based on collaboration between the Department and Japan International Cooperation (JICA). The final draft of the guidelines will be submitted for approval and shared with provincial departments, the disability sector and other key partners in the next financial year.
- xxvi. Coordination of an intensive Disability Rights Awareness Month (DRAM) Campaign.
- xxvii. Treaties: The Department successfully facilitated the process of signing the AU Protocol on Disability in April 2019 and further participated in lobbying and awareness raising workshop and seminar on human rights protocols hosted by AU in Rwanda and Ethiopia in July and October 2019 respectively.
- xxviii. The Department participated in international events at the United Nations and European Union which included study tours.
- xxix. Reports developed: Preliminary Report on the Rights of Persons with Albinism in South Africa was completed, which informed the preparations and engagements of these visits. A National Action Plan on Albinism was also developed.

Thus of the notable achievements, many relate to compliance matters in the Administration programme and the development of draft reports which have yet to be finalised and fully implemented as these emanated from the former Department of Women in the Presidency with respect to Programme 2 and 3. Of concern is the impact of the unmet targets from 2019/20 which totals 8 and the impact on the financial and programmatic performance of 2020/21 including the unmet targets from Quarter 1 and 2 of 2020/21 as reflected in Table 5 below.

Table 5: Targets Achieved per programme 2019/20 – 2020/21

Programme	2019/20	2020/21	
		Q1	Q2
Administration	11/14 (79%)	0/3 (0%)	2/6 (33%)
STEE	5/7 (79%)	1/6 (17%)	6/7 (86%)
PSCKM	11/12 (92%)	4/5 (80%)	4/4 (100%)
NYD	4/4 (100%)	5/5 (100%)	5/5 (100%)
RPD	1/3 (33%)	3/3 (100%)	1/2 (50%)
Total	32/40 (80%)	13/22 (59%)	18/24 (75%)

The performance of the Department within the 1st quarter of 2020/21 was at 59% and then improved to 75% in Q2. By the end of Q2, there were 6 unmet targets that were rolled over to Q3 of 2020/21. The performance of Administration and Disability programmes was concerning. The pressure on the Department to thus deliver in the 3rd and 4th quarter of 2020/21 would be increased given the number of outstanding targets from previous quarters which also have to be met in addition to the impact of the Covid-19 pandemic coupled with the reduction in finances.

14.9 Summary: Finance and Service Delivery Performance Assessment

This section provides a synopsis of the service delivery performance against spending patterns for 2018/19 and 2019/20 as well as the 1st and 2nd quarter of 2020/21 of the Department.

2018/19 - 2019/20

- a) The 2019 Estimates of National Expenditure indicates that the Department received a budgetary allocation of R244,4.2 million for the 2019/20 financial year. Of this, R85,2 million constituted the transfer payment to the Commission for Gender Equality, leaving the Department with an operating budget of R 159,2 million. This is an increase of R9,7 million in the Department's operating budget as compared to the previous FY 2018/19.
- b) The Department spent R156,211 million (98.1% of final appropriation with respect to its operating budget) and achieved 32 targets (80%) with a surplus/savings of R3,010 million.
- c) With respect to the final appropriation, R244,398 million (including the CGE allocation) the Department spent in total R241,388 (including the transfer to the CGE). This amounts to 98.8% of its total budget with a surplus/savings of R3,010 million.
- d) The key cost drivers were Compensation of employees and Goods and Services. For the year under review, 2019/20, the Department spent R89,013 million (98.6% of final appropriation) in Compensation of Employees and R62,144 million (98.1% of final appropriation) on Good and services.
- e) In terms of spending under Goods and Services, the main cost drivers were travel and subsistence (R28,348 million), property payments (R12,811 million), expenditure for external audit costs (R3,112 million), Communication (R3,194 million) and Computer services (R3,059 million). These 5 line items consume 81% of the Goods and Services budget.
- f) The bulk of the savings/unused funds in Programme 2 and 3 was used to offset expenditure in Programme 1.
- g) Irregular Expenditure: For the year under review, the Department incurred irregular expenditure of R2.481 million which was attributed to non-compliance with procurement/ supply chain management processes. The irregular expenditure from previous financial years amount of R37.974 million that the Department still awaits condonation for from National Treasury. This bring the total irregular expenditure "on the Department's books" to R 40.445 million.
- h) Unauthorised Expenditure: The Department incurred unauthorised expenditure of R3.199 million primarily in Programme 1 which was attributed to the new function of the Ministry and loss of office for the former Minister. Treasury was approached for additional funding to offset these costs but this was not granted. The Department will make an application to the Standing Committee on Public Accounts through National Treasury for condonement of this unauthorised expenditure. Unauthorised expenditure amounting to R29.575 million from previous financial years still awaits condonement from National Treasury
- i) Fruitless and wasteful expenditure: The Department incurred fruitless and wasteful expenditure amounting to R 22 000 for the payment of mainframe hosting by a Logis system. The Department indicates that this expenditure is under investigation.

2020/21

- j) As per the 2020 ENE released in February 2020, the Department under Vote 20, received an annual appropriation of R778.5 million. During the 2020/21 financial year, the Department was expected to transfer R89.9 million to the CGE and R478.7 million to the NYDA. This amounts to R568.8 million hence the Department would be left with an actual operating budget of approximately R210 million to undertake its programmes and meet its targets for 2020/21.
- k) The Adjustments Appropriation Bill [B-10 of 2020] indicated a budget revision/ decrease of R133 253 million to the Department's overall appropriation for 2020/21 of R778.5 million. R107.3 million of the proposed revision was related to the budgets of the CGE) and the NYDA. This resulted in an overall revised allocation of R645.2 million. When removing the CGE and NYDA transfers the Department had an operating budget of approximately R210 million. A proposed R25.9 million will be taken from the Department's operating budget of R210 million, leaving it with just over R180 million to meet its targets for the 2020/21 financial year. Money has primarily been reprioritised from the goods and services budget.

- l) The Supplementary Budget Review notes that “the restrictions on economic activity have reduced goods and services and capital spending. Funds have been reprioritised for procurement of ICT equipment to enable officials to work remotely.”
- m) The revised or reallocated budget amount was reported as R27.228 million by the Department in their presentation to the Committee. The Administration programme remains unaffected in terms of budget allocations.
- n) In terms of the financial performance, the original appropriation was R654 million with an actual expenditure of R336,9 million for Quarter 2 of 2020/21.
- o) Programme 1 was allocated R90,841 million for the financial year (FY) 2020/21 as per the adjusted budget, and it spent R42,052 million out of an available budget of R 48,789 million. Hence half way through the FY, this programme spent 46% of its allocated budget.
- p) The adjusted appropriation was R106,9 million for Programme 2 including Commission for Gender Equality of R79,6 million. The actual expenditure was R38,1 million which translates to 35,7%. The operational appropriation was R27,3 million with actual expenditure of R8,2 million translating to 29,9%.
- q) Programme 3 was allocated R39,331 million for the FY as per the adjusted budget with an actual expenditure of R11,283 million out of an available budget of R28,028 million. Thus half way through the FY this programme has spent only 28.7% of its allocated budget.
- r) Programme 4 was allocated R15,953 million for the FY as per the adjusted budget and spent R3,098 million out of the available budget of R12,855 million. Thus half way through the FY this programme has spent only 19.4% of its allocated budget.
- s) The adjusted appropriation was R392,2 million for Programme 5 including the National Youth Development Agency (NYDA) of R381,7 million. The actual expenditure was R242,3 million which translates to 61,8%. The operational appropriation was R10,5 million with an actual expenditure of R2,3 million translating to 21,8%.
- t) The key reasons cited for under-expenditure in Q2 of 2020/21 was due to vacant posts and planned activities which could not be carried out due to the lockdown regulations imposed and the impact of COVID-19.
- u) As of 30 September 2020, the Department incurred irregular expenditure amounting to R647 808,72 that related to payments of the security contract that was identified as irregular expenditure during the audit of 2017/18 financial year.
- v) Human Resource matters: The vacancy rate in the Department as of 30 September 2020 was 3.6%. In terms of Signed Performance Agreements, there were only 30 in total in the Department by 31 August 2020.

15 COMMITTEE'S OBSERVATIONS

Having interacted with the Department, the AGSA, the NYDA and the CGE, the Committee made the following observations:

15.1 General

- a) The Committee commends the Department, the NYDA and the CGE for tabling the Annual Reports within the specified time.
- b) The Committee observed that 80% (32/40) of the Department's targets were met and 20% (8/40) were not met, whilst 98.1% of the budget (i.e. its operating budget, R159,221 million) was spent (R156,211 million) with a surplus/saving of R3.010 million.
- c) Whilst the Department's increase in performance is to be commended, from 68.7% in 2018/19 to 80% in 2019/20. The performance of the RPD programme part of its core programme is concerning. The majority of the targets met in Programme 1 relate to compliance matters in terms of the development and submission of reports whilst the targets achieved in the core programmes were the development of frameworks, reports many of which were draft and or have yet to be submitted to Cabinet for final approval/endorsement. The Committee notes a total of 8 projects involved the use of external service that contributed to the achievement of targets for the Department.
- d) The Committee remains particularly concerned with limited number of tangible deliverables by the Department that have been implemented that is not in a draft form, still requires further consultation and or Cabinet approval. As such, the Committee questions what evidence is there to motivate this expenditure.
- e) The Committee commends the Department for submitting documents/reports for consideration, but not all of these were forthcoming in the year under review. This compromises the ability of the Committee to conduct effective oversight of the

Department. Notwithstanding that, the Committee acknowledges the Department's request for outstanding reports to be presented and discussed by the Committee.

- f) The Committee noted with concern that even though the Department's mandate has been expanded to be inclusive of gender, youth and disability the evidence provided hereto was not convincing and did not appear to translate to visible changes to these groups in South Africa.
- g) The Committee notes the highlights of significant achievements listed in the Annual Report of 2019/20 for each programme but questioned why many of these deliverables are still in draft form as many of these have originated from the 5th Administration. Whilst many of the achievements cited related to reports and events, the Committee noted what was lacking was illustrating the outcome and impact of these initiatives.
- h) The Committee questioned how the Department contributed to the MTSF priorities based on its achievements for the year under review.
- i) The Committee remains concerned about whether the Department is optimally utilising its budget and whether it was in fact giving effect to its mandate. The Committee notes the Department's concern regarding inadequate funding to give effect to its mandate.
- j) The Committee concurred with all of the findings and recommendations of the AGSA and the ARC.
- k) The Committee observed that the Department was not effectively implementing the AGSA recommendations and those of the ARC, hence the repeat findings. The Committee raised this as a major concern.
- l) The Committee noted with concern that staff morale in the Department was very low and questioned whether officials are assisted when reporting their concerns. Whistle-blowers have informed the Committee of mismanagement, employees being poorly treated by managers and employees experiencing being abused causing mental health concerns. The impact of low staff morale on productivity within the Department was concerning for the Committee.

Observations with respect to the Department of Women, Youth and Persons with Disabilities

15.2 Policy imperatives

- a) The Committee questioned how the Department would provide strategic leadership to other government departments when many of its policies were still in draft form.
- b) The Committee remained concerned about how the Department would implement their mission and vision in the absence of finalised policies for women, youth and persons with disabilities.
- c) The Committee was concerned about the cost incurred for Compensation of employees especially at senior management levels and on highly skilled professionals but despite these human resources, the Department's monitoring and evaluation tools were still in a draft form.
- d) The Committee remained concerned about how it was implementing gender mainstreaming as well as youth and disability mainstreaming. The lack of finalised policies puts into question how the Department was then monitoring and evaluating whether gender, youth and disability mainstreaming was given effect to within Government.

15.3 Governance and operational issues

- a) *AGSA findings*: The Committee noted with concern the repeat findings by the AGSA and the repeated calls by the Committee itself for the Department to address particular matters which appeared not to be taken seriously as not all of these recommendations were implemented by the end of the financial year. The Committee noted with concern the AGSA and ARC finding which relates to the lack of accountability and consequence management which is attributed to the leadership within the Department. However, the latter was not identified as problematic by the AGSA or the ARC.
- b) The Committee remains concerned about the repeat finding both by the AGSA and the ARC regarding lack of adequate oversight by the accounting officer and senior management. This too is a repeat finding since the 5th Administration.
- c) *Audit and Risk Committee (ARC)*: The Committee acknowledges the findings and recommendations of the ARC. The Committee notes with concern that the ARC would be supporting the Department and NYDA simultaneously.
- d) *Audit outcomes*: The Committee noted with concern audit outcomes for 2019 that were not implemented (Out of the 59 audit findings 43 or 72.88%, has been cleared / resolved). This despite the Department having reported on progress of its audit action plan at every quarter in 2019/20. This pointed to a serious lack of consequence management. The Committee observed that the Department did not have a designated Labour Relations Officer and relied on officials from other departments and their availability. However, the Department prioritised labour relation post for 2020/21. The Committee noted its discontent with the lack a labour relations officer and

its impact on resolving audit outcomes. The ARC was concerned with the pace in which the Department moves to resolve the audit findings.

- e) *Compliance*: The Committee noted with concern the repeat finding of non-compliance with laws and prescripts.
- f) *Forensic investigations*: The Committee has noted with concern the slow progress of investigations as reported on by the AGSA and the ARC.
- g) *Internal Audit*: The Department is to be commended for producing one rolling three-year strategic internal audit plan for 2019/2021 and the annual internal plan for 2018/2019 which was approved by the ARC as well as producing 5 Internal Audit reports against the Annual Internal Audit coverage plan.
- h) *Internal Controls*: The Department is to be commended for having developed and implemented the internal audit systems. However, the AGSA notes significant internal control deficiencies which is concerning. Firstly, inadequate oversight has been exercised by the accounting officer with regards to financial and performance reporting, compliance with laws and regulations as well as related internal controls. Secondly, Non-compliance with laws and regulations would have been prevented had compliance been properly reviewed and monitored by senior management. This is concerning as these are repeat findings within the Department which the Committee has highlighted in the 2019 BRRR. According to the 2019/20 Annual Report, the ARC noted "improvement of internal control systems, however the committee is concerned about the breakdown of key controls as well as the inability of management to adequately strengthen the internal control systems in supply chain and performance information management. Management indicated some internal control deficiencies that emanated from inadequate human and financial resourcing. Management has assured the Audit and Risk Committee that the control deficiencies will be addressed through detailed actions plans." This is concerning as the Department had reported in every quarter report but has not raised this with such seriousness as articulated by the ARC.
- i) *Risk management*: The Committee commends the Department for its submission of risk reports and for ensuring that the risk management function was fully compliant with legal/regulatory requirements. The Committee noted that the ARC "considers the Risk Management Function to be under-resourced in order to function optimally and to maximise its coverage of the risk exposures facing the department, given its current human resources capacity."
- j) However, the main concern of the Committee related to what the issues were that are contained in the reports which have not been addressed hence the repeat findings noted by the AGSA and ARC.
- k) *Consequence Management*: The Committee noted with concern the lack of consequence management which can be attributed to ineffective leadership.
- l) *Leadership*: The Committee observed that even though the Department has not experienced a change in its leadership with regards to the Executive Authority, the senior management position including that of the Accounting Officer was filled towards the end of the 2019/20 financial year. Hence, the position of Acting Director General was done on a rotational basis for a significant part of 2019/20. Notwithstanding that, the vacant positions for senior management positions within the core programmes may have also contributed to problems for programmes to be led effectively. Moreover, given the Auditor General (AG) of South Africa's repeat findings around lack of consequence management, irregular expenditure incurred and internal control deficiencies due to inadequate oversight and non-compliance with laws and regulations even though not stated by the AGSA or ARC does bring into question the effectiveness of leadership in the Department.

15.4 Administration

15.4.1 Human Resources

- a) *Top-heavy structure vs Lack of capacity*: The Committee observed that of the 109 funded posts in 2019/20, 42 (39%) officials were in senior management added to another 42 (39%) fell within the highly skilled professional category. Thus 84 officials are meant to have the requisite skills to function at a high end level and as such the expectation would be that the Department should be able to yield the necessary deliverables in order to give effect to its mandate and achieve the goals it has set out. The Committee noted with concern the Departments repeated indications that it lacked the required capacity in terms of human resources yet at the point of appointing the highly skilled staff and senior managers this was never an issue. Hence there was a disjuncture between claiming lack of capacity but employing what the Department deemed competent and skilled officials. This then pointed to serious problems with the Department's recruitment process.
- b) *Use of consultants*: The Committee noted that the Department continued to procure the services of consultants during the year under review for 8 projects which was concerning given the

request from National Treasury to curtail costs in terms of consultancy. Moreover, the Committee consistently discouraged the Department from using external service providers given its limited budget. The use of consultants still remained a concern for the Committee given the large number of highly skilled professionals and senior managers in the Department as noted previously.

- c) *Vacancies*: The Department is commended for maintaining a vacancy rate below the targeted 10% with 5.1%. Notwithstanding that, the Committee was dissatisfied with lack of capacity in Programme 4 (RPD) as it would appear that filling of these vacancies were not prioritised. Furthermore, in light of the filling of vacancies reported on during lockdown and the controversy in relation to the Chief Director: Advocacy and Mainstreaming (P4, RPD) the Committee expressed its concern in this regard. The Committee having received briefing document regarding the filling of vacancies during lockdown was concerned with the composition of the appointment panels and required more information in this regard.
- d) *Disciplinary cases*: The Committee noted with concern that there was 1 disciplinary case outstanding from 2019/20 but more importantly there appeared to be outstanding disciplinary cases that were not finalised from the 2012/13 financial year. The disciplinary cases for the year under review are directly related to repeat findings both by the AGSa and the ARC lack of consequence management (poor record keeping) and internal control deficiencies (lack of oversight and non-compliance to prescripts) which is concerning.

15.4.2 Financial performance

- a) The Department is to be commended for maintaining a less than 2% underspending in expenditure against budget allocation. However, the lack of under-spending within the core programmes is concerning particularly Programme 4 (RPD). This continued trend into Q1 and Q2 of 2020/21 was disconcerting as the Department still maintained its lack of the requisite funding and resources to fully give effect to its mandate.
- b) The Committee was concerned about the *Unauthorised expenditure, Fruitless and wasteful expenditure and Irregular Expenditure* incurred during 2019/20 and noted its dissatisfaction with the Department's ability and response to addressing the concerns.
- c) The ARC's acknowledges that the Department reduced the irregular expenditure by 40% when compared to R 4. 095m irregular expenditure incurred in 2018/19 financial year. This has been commended by the Committee. However, the ARC still regards the irregular expenditure as still high. This is a repeat finding and is concerning for the Committee.
- d) The Committee noted with concern the delayed payments in terms of clearing of advances paid to DIRCO for expenditure for the United Nations Commission on the Status of Women's 62nd and 63rd session that took place in 2017 and 2018. The Committee noted its discontent with the duration it took to resolve an outstanding payment matter.
- e) *Virements*: The Committee observed virements from the core programmes to the administration programme that still over-spent. Whilst the virements were allowed, the shifting of funds away from the core programmes is concerning.

15.4.3 Supply Chain Management

- a) The Committee noted with concern the number of invoices paid outside the 30-day period. This target was not met as only 99.03% was achieved (Out of 8 673 invoices received, 8 589 invoices or 99.03% were paid within 30 days). The Committee notes the late payment which was due to human resource capacity challenges as officials were on study leave during quarter one of the financial year. However, this points to poor planning on the side of the Department and could have been avoided.
- b) The Committee has been informed by the Department at its Q2 2020/21 briefing that the position Director: SCM will be filled in Q3 2020/21 which is welcomed.
- c) The Committee remains concerned about the perpetual transgressions that occur and the lack of effective consequence management implemented that would deter officials from offending in this regard.

15.4.4. ICT

- a) The Committee commended the Department for the 95% availability of ICT systems and the development of reports. However, the major ICT issues emanating from 2018/19 have not been entirely resolved which is concerning as the Committee has continuously requested progress updates from the Department during quarterly report briefings at which the Committee was reassured that matters were being addressed.
- b) With respect to ICT governance and the IT environment, the ARC notes the following (a) Inadequate ICT infrastructure and ICT control environment. (b) Lack of ICT backup system and the disaster recovery system. (c) Reporting Inadequate ICT budget place a limitation on ICT to support the operations of the department. This is concerning hence this highlights that the

production of progress reports in and by itself as a target met does not address the grave ICT concerns. The Committee maintains that it is what is contained in those reports and what is done about it that is more important.

- c) The Committee noted with concern that tools of trade such as laptops were not procured as the budget was not utilised.

15.5 Core Programmes

15.5.1 Service delivery performance overall for core programmes

- a) *Unmet Targets*: The Committee was concerned about the impact of the 8 unmet targets in 2019/20 and subsequent unmet targets in Q1 and Q2 of 2020/21.
- e) *Performance outcomes*: The Committee was concerned that the Department was not placing more emphasis on the outcomes and impact of initiatives undertaken.
- f) *Policy and Law Reform*: The Committee notes with concern in the absence of finalised policies gender, youth and disability mainstreaming cannot be expedited in Government, the private sector and civil society at large. The Committee notes the pending legislation the Department is currently working on that pertains to women, youth and persons with disabilities.
- g) *Draft Frameworks*: The Committee notes with concern the number of outstanding policies still in draft form and requiring Cabinet approval within the core programmes as well as the length of time it takes to finalise.
- h) *Monitoring and Evaluating Impact of Government Policies and Programmes*: The Committee notes with concern that in the absence of M&E frameworks that are fully implemented the Department would be failing on its mandate.

Programme 2

15.5.2 Sanitary Dignity Programme (SDP)

- a) The Department is to be commended for achieving the two targets related to the SDP namely; Sanitary Dignity Implementation Framework submitted to Cabinet for consideration and approval and 4 reports that outline progress on the national rollout of the enabling environment, enabling infrastructure and provincial sanitary dignity programmes in line with the Revised Sanitary Dignity Implementation Framework produced.
- b) The Committee having been briefed by the Department on the SDP for Q2 2020/21, was concerned about the effectiveness and roll out of the programme in provinces given the findings and outcomes contained in the reports. The Committee maintained that it was not merely the production of reports for the SDP but the impact this programme has made.
- c) The Committee was concerned by the length of time it has taken to finalise the Monitoring and Evaluation Framework as it is scheduled to be finalised in November 2020. However, this was in contrast to the deliverable noted in the 2019/20 Annual Report.
- d) Another concern noted by the Committee based on the Department's briefing on the SDP by the end of Q4 2019/20 only 6/9 provinces had established Provincial Sanitary Dignity Committees (PSDC). This was problematic given that these governance structures were meant monitor the Sanitary Dignity Implementation Framework.
- e) The Committee noted with concern the corruption in KwaZulu-Natal as it pointed to the lack of timely monitoring and evaluation and enforcement of the framework and guidelines.
- f) The disparate funding modalities in the implementation of the SDP in provinces despite the framework and guidelines was another cause of concern and thus the Committee questioned how many young girls and women then actually benefitted not only in 2019/20 but in the current FY 2020/21 as well.
- g) The Committee noted with concern that not enough emphasis was placed on ensuring that young women benefit from the entire value chain of the SDP.

15.5.3 Women's Financial Inclusion Framework (WFIF)

- a) The Committee noted with concern that this annual target was not met even though the Department highlights implemented WFIF through capacity building across provinces as an achievement, the annual target was not met. Only three of the four reports were approved as achieved.
- b) The Committee observed that the capacity building workshops which were held in Gauteng and Mpumalanga related to the SDP and welcomed the report from the Department in this regard.
- c) The Committee reiterated that importance of inclusion of youth particularly young women and persons with disabilities throughout the economic value chain which includes training opportunities at the capacity building workshop implemented by the Department.

15.5.4 Programmes on 365 days Programme of Action Coordinated

- a) *Impact of events/campaigns*:The Department is commended for achieving the target having coordinated several initiatives on the 365 days on Programme of Action. Notwithstanding the achievement, the Committee reiterates the importance of the impact and the outcomes yielded from these initiatives, following up matters that emanated at these events by participants and how the sustainability of the 365 days POA is ensured in the medium to long term.

15.5.5 National Gender Machinery (NGM)

- a) The NGM Framework was approved by the ADG for submission to Cabinet for consideration which is commended. However, it is concerning that it took the Department an entire 2019/20 FY to complete a framework, then approved by the ADG and after which it still needed to be sent to Cabinet. Whilst the development of a framework is welcomed, the duration to complete such a task and cost incurred is questionable. In the current FY 2020/21, by Q2 the Department indicated that the target was not met target. It was pending further internal consultations and the target will be finalised in Quarter 3 of 2020/21.
- b) The Committee remains concern that in the absence of a NGM framework how the Department then convenes an NGM plenary.

15.5.6 National Strategic Plan (NSP) on Gender-Based Violence and Femicide (GBVF)

- a) The Committee notes that the Annual Report of 2019/20 makes no reference to progress in relation to the target pertaining to the NSP. This despite it being identified as a priority in the revised APP 2019/20 as indicated earlier on “Produce a National Strategic Plan for Gender Based Violence and Femicide”. This is particularly concerning. The Committee was briefed on 3 September 2020 by the Department and informed that the NSP had subsequently been finalised and was approved by the President during lockdown. The official hand over of the NSP was televised.
- b) The Committee, having engaged with the Department on this policy, was particularly concerned by the scope and veracity of the policy given that the costing was still not complete at the time of the briefing bringing into question how the plan would be implemented with no clear indication of the cost incurred and resources required.
- c) The Committee notes with concern the allegations that were revealed on a televised exposé that related to the involvement of South African Business Coalition on Health and AIDS (SABCOHA) and the 5 BMWs that were donated by the German Chancellor during 2019/20.
- d) The Committee noted its concerns with regards to the establishment of GBV fund as it was unclear how exactly such a fund would be managed and on what basis funds would be disbursed. To this end, it was also unclear to the Committee what the criteria and process would be for non-governmental organisations to apply and what would inform the selection outcome.

15.5.7 National Council on Gender-Based Violence and Femicide (NCGBVF)

- a) The Committee noted with concern that the target - National Council on Gender Based Violence established –was not achieved and the establishment was deferred to 2020/21.
- b) The Committee remains concerned about the process for establishing the NCGBVF, its role and purpose.
- c) The Committee remains concerned about the structure of the proposed NCGBVF. The Committee was not satisfied with the explanation provided by the Department regarding the form and function of the NCGBVF, the Board of Trustees, the secretariat and other structures within Government dealing with GBVF.
- d) The Committee noted its discontent with the lines of accountability of the NCGBV and related structures between the inter-ministerial committee and the Committee. The Committee noted it was unclear who exactly should be held to account for the implementation of the NSP at a national, provincial and local level.
- e) The Committee observed that, the statutory requirement for the Council is another outstanding matter and according to the President’s recent address to the nation regarding a COVID-19 response, he indicated a process had commenced in this regard.

Programme 3

15.5.8 Monitoring review reports on women`s empowerment and gender equality

- a) The Committee noted with concern that the target “Two performance monitoring review reports on women`s empowerment and gender equality produced” was not achieved. Instead reports were produced however, the department could only review Annual Performance Plans and Strategic Plans of 2 provinces Limpopo and Free State to assess their responsiveness to the GRPBME framework. The review of Strategic Plans for Gauteng could not be conducted due to human resource capacity. The Chief Director: M&E post was vacant and this affected planned performance. Despite the absence of a Chief Director for M&E the department has 42 highly

skilled staff within its employ. Given then budget constraints and capacity constraints the Department would need to plan more effectively for the rest of the MTSF period to look at how it would attain targets within its current workforce of 42 highly skilled professionals and 42 senior managers.

15.5.9 Events, Campaigns, Mobilisation

- a) Whilst the Department is commended for hosting events, campaigns and various consultation forums are important platforms for engagement the impact is not clear. The Committee maintains reflecting only on the number of attendees as beneficiaries is insufficient. Measuring the outcomes and subsequent impact of such initiatives is not apparent to the Committee based on what the Department has reported on this despite numerous requests by the Committee to the Department to do this.

15.5.10 Gender Policy Priorities for 2019-2024

- a) The Department is to be commended for achieving this target, Report on Gender Policy Priorities for 2019-2024.
- b) This report was submitted to the Committee and subsequently presented. Having been briefed on the report, overall it was not entirely clear what the role of the Department is in terms of giving effect to the gender priorities identified, what the specific time frames are and how these priorities will be monitored and evaluated. As well as what the interrelation is between the GRPBMEA, CGIF and the NEPF plus the NYP, IYDS and the White Paper on the Rights of Persons with Disabilities etc.

15.5.11 Country Gender Indicator Framework (CGI)

- a) The Department is to be commended for achieving the target, One consultation report on the Country Gender Indicator Framework. Even though the Annual Report indicates that this is a new indicator the work pertaining to the CGIF is not new.
- b) The CGIF is not listed on the Department's website nor is the consultation report. These are important deliverables which should be made widely accessible and be available.
- c) The Committee was briefed by the Department on the CGIF. The concerns noted was that the CGIF is focussed on gender. The checklist whilst providing some guidelines still remains broad, open ended and lacked specificity. There is no specific guidance to a government department or entity to assist them with knowing what indicators and targets are key and where these have been formulated correctly, how the data should be collected how often and who should be monitoring evaluating and reporting on it. Nor is there specific guidance to indicate what is required for targeted gender programs within departments and entities. Nor is there specific guidance to indicate what is required for allocating resources that is gender responsive. It is also not clear at what level of responsibility this will be assigned to the Accounting Officer, the Chief Financial Officer a DDG etc. And there is no guidance to indicate what is required for ensuring that technical indicator descriptors are formulated correctly.
- d) The Committee maintained that the CGIF would need to be strengthened in order to be effective.

15.5.12 GRPBMEA Framework

- a) The Department is to be commended for achieving the target, "Guidelines on gender-responsive planning, budgeting, monitoring and evaluation developed".
- b) The Committee has noted however several areas of concern, key of which was the status of the framework and guidelines.
- c) Another concern noted by the Committee was the interrelation between the GRPBMEA and National Youth Policy, Integrated Youth Development Strategy, Youth Accord, the White Paper on the Rights of Persons with Disabilities, Frameworks on Disability Rights Awareness Campaigns, as well as Self-Representation by Persons with Disabilities and the Guidelines for embedding of Disability Inclusion in Government-wide Institutional Arrangements. Several of these policies within the Department is in the process of being finalised and or updated. The Committee was concerned with the lack of interlinkages between these policies.
- d) The Guidelines on the Implementation of the Framework on Gender Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) dated February 2020 was welcomed by the Committee at the briefing. However, the guidelines appeared to be broad in some respects and offering little guidance on what should be specifically done, by who, how and when. The checklist in the Guidelines document is a helpful first step but there are areas for each of the 4 phases that require clarity. As such the Committee questioned the effectiveness of the guidelines to the framework.

15.5.13 Rights of Persons with Disabilities Programme

- a) Whilst the Department is to be commended for achieving the target, two national strategic frameworks on self-representation and public awareness campaigns which have been revised and updated, these targets have emanated from the previous FY. Furthermore, these frameworks were still to be consulted on by affected sectors.
- b) The Committee was concerned that Rights of Disability Programme is performing poorly since the establishment of the Department.
- c) The Committee remains concerned about the lack of capacity and the impact on the programme to deliver on its targets.
- d) The Committee questioned the effectiveness of the M&E function of the programme given the challenges identified for persons with disabilities having to access wheelchairs at public health facilities and disability grants at the Post Office.
- e) The Committee noted that they have not received any policy frameworks related to people with disabilities from the Department despite being requested to do so. These were submitted on the day of the Department's Annual Report briefing.
- f) The Committee reiterated the importance of finalising the draft frameworks and introducing a Disability Bill.
- g) The Draft Discussion Paper on the Disability Rights Bill, Report, September 2020 submitted to the Committee was of poor quality and weak with no page numbers. It contained a list of definitions and chapters; objects and purpose of the proposed Act in addition to a cut and paste of the general principles and obligations from the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

15.5.14 National Youth Development Programme

- a) The Department is to be commended for achieving all 4 (100%) targets in this programme.
- b) Notwithstanding the achievements the Committee noted with concern that the National Youth Policy even though presented to Cabinet, it has yet to be finalised as technical inputs were made and the Committee's comments would also be taken in consideration. The Committee articulated its concerns about the draft NYP.
- c) The Committee noted with concern the need for role clarity between the Branch, the NYDA and the Presidential Working Group on Youth.
- d) The Committee awaits the tabling of the NYDA Amendment Bill.
- e) The Committee noted with concern the repeated reference to the use of the word oversight in describing the role and function of this programme in relation to the NYDA. This despite numerous occasions in which the Committee had brought this to the attention of the Department.

Observations with respect to the Commission for Gender Equality

15.6 CGE Matters

Notwithstanding the fact that the CGE is a Chapter 9 Institution, it only accounts to Parliament vis-a-vis the Portfolio Committee on Women, Youth and Persons with Disabilities Presidency and that the Department merely transfers its funds, the Committee deemed it important to note the following observations:

15.6.1 General

- a) The CGE was commended for achieving targets 93.5% (42/46 targets) most of which were service delivery related and only 4 targets were not achieved in Strategic Objective 4. However, the discrepancies between the number of targets reported on in the Annual Report versus that which appeared in the Annual Performance Plan 2019/20 (44 targets reported) were significantly different and warranted serious attention. To this end, the Committee noted with concern whether the targets achieved in the Annual Report 2019/20 was then an accurate reflection of performance for the year under review.
- b) The Committee noted with concern that Strategic Objective 4 was the worst performing for the year under review yet received the greatest proportion of the CGE's budget thus bringing into question whether there was value for money in this programme.
- c) The Committee concurs with the findings and recommendations of the AGSA.

15.6.2 Governance

- a) The Committee noted its discontent with the CGE's governance structure, plenary of Commissioners in particular and senior management for having approved such an Annual Report

with these major anomalies. To this end, the Committee questioned the CGE's internal processes for approving reports.

- b) The Committee observes that the Commission for Gender Equality's Audit Committee agreed with the findings of the AGSA, that some issues that were identified by the AGSA in the previous year 2018/19 were not fully addressed for various reasons which management have stated. But management has committed to address the shortcomings and as such the Audit Committee was satisfied that if these were implemented accordingly, risk would be properly mitigated. The Committee also notes the Audit Committee was satisfied with the key control implemented over financial and performance management reporting for 2019/20 with the exception of the reported deficiencies and deviations.

15.6.3 Finance

- a) The Committee commended the Commission for Gender Equality for operating within its budget given the scope of its mandate. The Committee urged the Commission to guard against incurring irregular expenditure and to swiftly address irregularities and complete investigations.
- b) The Committee notes the impact of the adjusted budget on the CGE in terms of the R10,3 million that was surrendered to National Treasury but also the R6,8 million that was subsequently returned to the CGE.

15.6.4 Human Resources

- a) The Committee noted with concern that the legal unit lack the requisite capacity and that the position of the Parliamentary Liaison Officer was not prioritised to be filled in the year under review.
- b) The Committee noted with concern the CGE's punitive approach to employee's sick leave and reiterated the rights of employees in this regard.

15.6.5 Legal Services

- a) The Committee noted with concern that the CGE's standing as a legal practice has been withdrawn and that this in turn has impacted on its case management.
- b) The Committee raised its concerns with the CGE that no submission was made at the time of the Legal Services Amendment Bill to Parliament in 2017 to motivate why the CGE should remain as a legal entity in order to perform certain acts or render a certain service as practising legal practitioners.

15.6.6 Programme

- a) **Case Management:** The Committee commends the CGE for achieving this target. However, the major concerns noted by the Committee was the decrease in the number of cases opened, closed, pending and rolled over to the next financial year. The Committee expressed its dissatisfaction with the CGE's decision to focus on what it deemed "major" cases that would draw greater attention and make more impact. The Committee reiterated the value and importance of the CGE in rendering a service to the majority of persons in this country who are poor, many of whom are women and experience discrimination.
- b) **Reports:** The Committee acknowledged the importance of the investigations undertaken and research reports produced by the CGE but placed the importance on the findings being addressed and recommendations implemented.
- c) **Treaty Compliance:** The Committee remained concern about the CGE's ongoing monitoring and evaluation of international and regional treaties and commitments as this was not apparent. And in the absence of a M&E framework and tool this was disconcerting.
- d) **Women incarceration:** The Committee noted with concern the lack of follow-up pertaining to work done on women incarcerated in Correctional Service Centres in South Africa which was done in 2018/19 as this was not reflected in the current Annual Report of 2019/20.
- e) The AGSA indicates that the usefulness and reliability of the reported performance information was reviewed to determine whether the reported performance information was properly presented and consistent with the approved performance documents. Strategic Objective 1 was evaluated and no material findings were noted. However, the Committee notes that there are numerous discrepancies, particularly in relation to Strategic Objective 4, which is the "inward-looking" or operational objective of the CGE. In the Annual Performance Plan, this objective had 19 annual targets for the 2019/20 financial year; however, the Commission reports only 10 targets in the Annual Report. This is particularly concerning.
- f) **M&E Framework and Tool:** The Committee noted with concern that this target was not achieved as the tool could not be developed due to capacity constraints. Moreover, this target emanated from 2016/17 and is thus longstanding and overdue despite the various progress reports made to the Committee during quarterly report briefings of 2019/20. The Committee has noted its

dissatisfaction with the use of an external service provider to complete this target and indicated that the expertise within the CGE, Commissioners with requisite skills, should be utilised. In its quarter 2 report of the 2020/21 financial year, the CGE indicated that M&E expertise will be solicited from DPME to assist in finalising the M&E plan and tracking tool and to ensure the target is achieved. The Committee was not satisfied with this and maintains that Commissioners that are highly skilled should be tasked with finalising the framework and tool.

15.7 Observations with respect to the National Youth Development Agency

- a) The Committee commends the NYDA on receiving a clean audit and achieving 96% of its targets.
- b) The Committee noted that despite the NYDA's services rendered not enough was being done to support young female entrepreneurs and youth with disabilities.
- c) The Committee noted that the National Skills Fund which was reflected in the Annual Report of 2018/19 did not find expression in the current Annual Report of 2019/20.
- d) The Committee expressed the importance of monitoring grants to entrepreneurs and providing support to youth in this regard to ensure sustainability in the long term of these businesses.

16 RECOMMENDATIONS

The Minister of Women, Youth and Persons with Disabilities should ensure that the following recommendations are implemented.

16.1 Mandate of the Department

- a) Greater emphasis should be placed on how the Department can give effect to its mandate and this can be achieved for the rest of the MTSF period by focussing more on outcomes and impact.
- b) Policy imperatives must be clearly defined within the Department and articulated within Government and all relevant stakeholders. Specific timeframes are required to finalise all outstanding frameworks and guidelines by the Department within the current FY and greater emphasis should be placed on the implementation, monitoring and evaluation of these for the rest of the MTSF period.

16.2 Audit Action Plan

- a) The Department should submit its final Audit Action Plan for the Committee's consideration.
- b) The AGSA and ARC recommendations should be taken seriously by the Department and implemented. Officials found not having implemented these recommendations must be held to account.
- c) The Department should clearly articulate how it intends addressing each of the findings identified and implementing the recommendations within a set time frame within the Audit Action Plan.

16.3 Financial performance

- a) *In-Year Monitoring Reports*: The Department must continue to submit quarterly reports to the Committee in line with National Treasury Regulations.
- b) *Spending Trends*: The Committee recommends that the Department monitor spending patterns and ensure that this is in keeping with what has been outlined in the respective Strategic Plans and Annual Performance Plans. To this end, the Department is to provide the Committee with detailed financial reports for activities on a quarterly basis. These financial reports should clearly indicate the purpose of the activity as it relates to the objectives outlined in the APP and the expenditure incurred.
- c) *APP*: The Department must ensure that its APP is costed appropriately with a clear indication as to how and when it intends undertaking activities with corresponding costs.
- d) *Irregular expenditure, Fruitless and Wasteful Expenditure*: The Committee requests a comprehensive report on the investigations into irregular expenditure incurred during 2019/20 and fruitless and wasteful expenditure as well as unauthorised expenditure. The report should clearly indicate the sanctions brought against members responsible for irregular expenditure and fruitless and wasteful expenditure. The Department should further develop an action plan on steps to prevent irregular expenditure.
- e) *Investigations*: Committee awaits outcomes and reports in this regard and for a briefing until matters are concluded at every quarterly briefing. The Director-General should investigate the filling of vacancies during COVID-19 period, what these posts entail, where these officials were placed and why these appointments were made during COVID-19 lockdown period. The Minister should request the Department officials to furnish her with Fluxmans Report that had been

developed in the former Department and brief her on the outcomes thereto. Hereafter to provide a comprehensive report to the Committee in that regard.

- f) *Unauthorised expenditure*: The Department is urged to follow-up with SCOPA regarding the condonement of historical debt incurred and report back to the Committee accordingly.
- g) *Virements*: The Committee urges the Department to avoid virements from the core programme to administration. In the event, that virements have to be done this needs to be brought to the attention of the Committee for discussion during quarterly briefings.

16.4 Internal control and risk management

- a) The Committee recommends that the Department must provide the Committee with a detailed report on the implementation of risk management controls which should include the staffing structure, risk management systems, challenges identified and remedial action.
- b) The Committee requires the Department's Audit and Risk Committee to brief the Committee at the Department's 3rd Quarter briefing of 2020/21 on the challenges identified and recommendations made.

16.5 AGSA & Audit and Risk Committee

- a) The ARC should continue to monitor the implementation of the AGSA recommendations, intervene when necessary with the senior management of the Department and report to the Committee on a quarterly basis in this regard. The Committee in turn will provide the ARC with feedback on the outcome of meetings held with the Department and what recommendations are expected to be implemented with specific time frames.
- b) ARC to submit its quarterly reports to the Committee for consideration after every meeting it has with the Department.

16.6 Human Resource

- a) *Organogram*: The Committee requests the Department submit an updated detailed organogram for the Department which clearly indicates funded, unfunded positions, posts established in addition to the establishment per programme to clearly illustrate what the capacity constraints are. The Department should clearly indicate the role of senior management and the highly skilled professionals within its employ.
- b) *Vacancies*: All key funded vacancies should be filled within the specified time allocation, in instances where this is not complied with, the Department should clearly identify within the quarterly reports to the Committee reasons for failure to comply and remedial action taken.
- c) *Performance management*: The Committee recommends that the heads of Programmes provide quarterly reports of consequence management for the non-delivery of targets with a clear indication of the remedial action implemented. Each programme and sub-programme will be required to present progress to the Committee on a quarterly basis.
- d) *Use of consultants*: The Committee requests the Department to indicate what measures the Department would implement to avoid the use of consultants in the next FY 2021/22 in a bid to contain costs. Furthermore, the Committee recommends that skills transfer must occur when using consultants so as to capacitate staff within the Department.
- e) *Top-heavy structure*: The Committee recommends that the Department indicates how it intends utilising its top-heavy structure more optimally to ensure that targets are met, rather than using consultants. The Committee has requested a detailed report from the Department of Public Services and Administration in this regard.

16.7 Governance

- a) The Committee reiterated the importance of compliance with the Public Finance Management Act and National Treasury Regulations by the Department and that failure of officials in this regard must be dealt with expeditiously. To this end, the Committee recommends that the Department reports on how it deals with transgressors and what remedial action is taken. This should be presented in the quarterly reports.
- b) The Committee remains concerned about the non-compliance and adherence to laws and prescripts by officials within the Department. The Department should consider including a specific key performance indicator and targets that addresses compliance to laws and prescripts.
- c) The Committee recommends that the Department report on the forensic investigation/s referred to by the AGSA to be submitted to the Committee on completion and Committee to be briefed on progress with regards to new investigations underway.
- d) *Supply Chain Management (SCM)*: The Committee recommends that the Department provides a monthly report on the Supply Chain Management (SCM) deviations and transgressions and what action steps were taken against officials who fails to comply with SCM policies. Where deviations were allowed, the motivation hereto should be clearly stipulated. The Department should consider

identifying a specific key performance indicator with targets pertaining to SCM in its APP for 2021/22.

- e) *Investigations*: The Committee recommends that the Department briefs it (at Quarter 3 briefing for 2020/21) on the outcome of investigations that have been completed and indicate what progress has been made in terms of implementing recommendations and consequence management. Furthermore, the Department is expected to brief the Committee on progress with regards to investigations currently underway.

16.8 ICT

- a) With regards to ICT governance and the IT environment, the Committee urges the Department to address matters related to inadequate ICT infrastructure and ICT control environment. Emphasis must be placed on the lack of ICT backup system and the disaster recovery system. The Department must allocate adequate budget toward ICT support operations.

16.9 Performance related recommendations

16.9.1 SMART principle

- a) The Committee recommends that the Department must ensure the alignment between the Strategic Plan and its Annual Performance Plan which includes objectives and targets that are SMART and costed accordingly. Any changes to the APP must be brought to the attention of the Committee as soon as these are done with a clear indication of the HR impact and financial implications. The Department must update the Committee on the status of targets on a quarterly basis.
- b) The Department to provide the Committee with feedback from the AGSA on its review of the APP 2021/22.

16.9.2 National Gender Machinery (NGM)

- a) The NGM is an important mechanism for stakeholder engaged as espoused in CEDAW to which South Africa is a signatory. There is therefore an obligation to have is established. The Department should expedite finalising the framework and implement it.

16.9.3 Country Gender Indicator Framework (CGIF)

- a) The Department should present its findings on all analysis, monitoring and evaluations undertaken. To this end, reports compiled should be referred to the Committee for consideration.

16.9.4 Events/Campaigns/Conferences

- a) The Department should inform the Committee in advance of all initiatives it intends undertaking in order for Portfolio Committee Members to attend where possible.
- b) The Department should provide the Committee with reports of all initiatives undertaken by outlining the cost incurred (as per the recommendation on spending trends), the purpose of initiatives and its relation to the APP, the outcomes of the initiative, number of intended beneficiaries and an action plan as to how resolutions/outcomes will be implemented.
- c) The Committee recommends that a year plan be submitted of all key events with forecasted costs.

16.9.5 Gender-responsive planning budgeting monitoring evaluation and auditing

- a) The Committee recommends that the Department should brief the Committee on what progress has been made by departments in implementing this framework.
- b) The Committee recommends that the Department the guidelines be strengthened and implemented within 3 months.

16.9.6 Treaty compliance framework and timeframes

- a) The Committee recommends that the Department should ensure that country reports are submitted within the specified timeframes as required by the relevant reporting bodies.
- b) The Committee recommends that the Department should report back to Parliament on feedback received on country reports, action plans developed in this regard as well as progress in terms of implementing recommendations.
- c) The Committee recommends that the Department must present all reports at an international level to the Committee at least one month before it undertakes the international trip.

16.9.7 Legislative and Policy Reform

- a) The Committee recommends that the Department should brief the Committee on gaps identified within policies and laws on a regular basis.

- b) The Committee recommends that the Department should table all reports developed upon completion on a quarterly basis for the Committee to consider.
- c) The Committee urges the Department to finalise all outstanding policies and frameworks. The Committee placed emphasis on the Department finalising the draft Framework on Disability Rights, the Framework on Self-Representation by Persons with Disabilities and the draft National Youth Policy.

16.9.8GBVF

- a) NSP: The Department to provide quarterly updates on the implementation of the NSP and respond in writing to outstanding matters raised by the Committee. The Department is urged to place greater emphasis on M&E of the NSP and report to the Committee accordingly.
- b) The Committee requests the Department to brief the Committee on the criteria to select the beneficiaries of the BMW's received as a donation.
- c) The Committee requests the Department to brief the Committee on the criteria for disbursement of funds for the proposed GBVF Fund.
- d) NCGBVF: The Department to provide regular updates on the establishment of the NCGBVF and respond in writing to outstanding matters raised by the Committee.

16.9.9 Sanitary Dignity Programme (SDP)

- a) The Committee recommends that the Department ensure that young women and persons with disabilities benefit from the whole SDP value chain.
- b) The Committee urges the Department to finalise the Sanitary Dignity Framework and its M&E Framework.
- c) The Committee recommends that the Department reports back on its monitoring and evaluation of the roll out of the sanitary dignity programme in provinces and its budgetary allocations.

16.9.10Rights of Persons with Disabilities (RPD) Programme

- a) The filling of vacancies within this programme must be prioritised.
- b) The Department should submit quarterly and annual reports on the NDM.
- c) The Department should monitor the Department of Social Development to ensure that the community received their COVID-19 and disability grants on time as well as the Department of Health to monitor issuing of assistive devices.

16.9.11National Youth Development (NYD)

- a) The role of the NYD branch needed to be refined further.
- b) The NYP must be finalised and submitted to the Committee with urgency.
- c) The programme must update the Committee on progress with regards to the development of Bills identified and any other policies.

16.10 CGE

The CGE should ensure that the following recommendations are implemented.

16.10.1Finance

- a) *Audit Action Plan*: The CGE should develop an audit action plan that relates to the recommendations made by the AGSA. This action plan should address the root cause of the problems and reflect the AGSA and ARC findings/recommendations. It must be submitted to the Committee with the 3rdQuarterly Report for 2020/21.
- b) The CGE should provide quarterly progress reports on the implementation of its Audit Action Plan.
- c) The CGE should ensure that it maintains tight control over its fiscus and avoid over-expenditure in 2021/22.

16.10.2 Governance

- a) The CGE should finalise its policy that pertains to interrelations between the administration and the Commissioners.
- b) The CGE should finalise the Commissioner's Handbook and submit to the Committee on completion.
- c) The CGE should strengthen its internal governance processes.

16.10.3Programme and performance

- a) The CGE must prioritise the filling of vacancies for its legal units and that of the Parliamentary liaison officer.

- b) The CGE is requested to review its decision on case management and report back to the Committee accordingly.
- c) The CGE to submit its finalised M&E framework and tool within 3 months of the adoption of this report to the Committee.

16.11 NYDA

- a) Audit Action Plan: The NYDA should develop an audit action plan that relates to the recommendations made by the AGSA. This action plan should address the root cause of the problems. It must be submitted to the Committee with the 3rd Quarterly Report for 2020/21.
- b) The NYDA should provide quarterly progress reports on the implementation of its Audit Action Plan.
- c) The NYDA should ensure ongoing monitoring of its grants programme and provide young entrepreneurs with the necessary support required.
- d) The NYDA should continue with a dedicated focus on young women and youth with disabilities to ensure they benefit from the opportunity afforded by the NYDA.

16.12 National Treasury

- a) The Committee requests National Treasury for a briefing on the financial implications of establishing the NCGBVF and the GBVF Fund.
- b) Sanitary Dignity Programme: The Committee requests National Treasury to provide a detailed report on the funding of SDP and any investigations in this regard.

17. SUMMARY OF REPORTING REQUESTS

Table 6: Reporting requests

Reporting matter	Action required	Timeframe	Dept.	CGE	NYDA
Quarterly reports	Written report Briefing	Every quarter	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Audit outcomes - Details of audit action plan	Written report of audit action plan Briefing	Q3 2020/21 briefing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Progress report on audit action plan Briefing	Q3 2020/21 briefing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Forensic investigations	Written report Briefing	Quarterly	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Deviations	Written report Briefing	Quarterly	<input checked="" type="checkbox"/>		
HR: vacancies, dismissals, termination of contracts	Written report Briefing	Quarterly	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
GRPBMEA Guidelines	Written report Briefing	Within 3 months Q3 2020/21 briefing	<input checked="" type="checkbox"/>		
Country reports	Written report Briefing	Progress update at quarterly briefings	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
NYP	Written report	Submit finalised NYP	<input checked="" type="checkbox"/>		
Impact reports of initiatives (campaigns, events, workshops, conferences etc.)	Written report	30 days after an event has taken place	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
M&E framework and tool	Written report Briefing	Reports within 3 months Briefing at Q3 2020/21		<input checked="" type="checkbox"/>	

Reporting matter	Action required	Timeframe	Dept.	CGE	NYDA
Commissioner's performance per quarter	Written report Briefing	At every quarterly report briefing		<input checked="" type="checkbox"/>	

18. CONCLUSION

The Committee will continue to stringently monitor the Department with respect to the implementation of recommendations made by the AGSA as well as the ARC. Thus, the Committee urges the Department, the CGE and the NYDA to take its recommendations seriously and implement these expeditiously.

The Democratic Alliance reserved its rights with respect to the adoption of the report.

Report to be considered.