

## Report of the Select Committee on Health and Social Services on the filling of vacancies for the National Youth Development Agency (NYDA) Board, dated 15 July 2021

The Subcommittee of the Portfolio Committee on Women, Youth and Persons with Disabilities and the Select Committee on Health and Social (hereinafter referred to as the Subcommittee), having considered the referral by the Speaker through a resolution of the National Assembly, dated 03 September 2020, and the decision by the National Assembly Programme Committee (NAPC), for the Select Committee to reconsider its report to fill vacancies for persons to serve on the board of the National Youth Development Agency, reports as follows:

### 1. INTRODUCTION

The NYDA was established in 2009, following a merger between Umsobomvu Youth Fund and the National Youth Commission. The NYDA derives its mandate from the legislative frameworks, including the National Youth Development Agency Act (Act 54 of 2008), the National Youth Policy (2015–2020) and the Integrated Youth Development Strategy (IYDS). Section 9 of the NYDA Act stipulates that the Board consists of seven members, two of whom are Executive Directors. According to the Act, members of the Board hold office for a period of three years and are appointed by the President, on the recommendation of Parliament.

The term of office of the NYDA Board expired on 31 May 2020, and both the Portfolio Committee and Select Committee are jointly mandated to consider the filling of these vacancies and make recommendations to the National Assembly and National Council of Provinces, respectively.

### 2. SUBCOMMITTEE PROCESS AND PROCEDURES

A Subcommittee of the Portfolio Committee on Women, Youth and Persons with Disabilities and the Select Committee on Health and Social Services was established in terms of the NA Rule 172 and NCOP Rule 106, to be responsible for the appointment of members to serve on the NYDA Board. In terms of these Rules, the Subcommittee must report its activities to the principal Committees, which are the Portfolio Committee on Women, Youth and Persons with Disabilities and the Select Committee on Health and Social Services.

On 3 September 2020, the NA resolved to return the report of the Portfolio Committee on the filling of vacancies for members of the NYDA Board, for reconsideration and reporting. This resolution was followed by the decision of the NAPC on 28 January 2021, for the Subcommittee to restart the process, having due consideration to demographics, geographical representation, as well as persons with disabilities on the list of candidates to be recommended for appointment.

A meeting of the Subcommittee was convened on 9 February 2021, and the committee resolved to restart the process, in line with the NAPC decision, and as such, accordingly adopted reports, to give effect to that resolution. The reports of the Portfolio Committee and the Select Committee were published on 9 February 2021 (see ATC 9 February 2021). It was further agreed that the new Subcommittee membership should remain the same Members who served in the previous process.

The new Subcommittee of the Portfolio Committee on Women, Youth and Persons with Disabilities and the Select Committee on Health and Social Service programme was accordingly adopted on 9 March 2021.

The composition of the Subcommittee is as follows:

NATIONAL ASSEMBLY	NATIONAL COUNCIL OF PROVINCES
<i>African National Congress</i>	
Ms CN Ndaba	Ms M Gillion (Western Cape)
Ms FA Masiko	Ms AD Maleka (Mpumalanga)
Ms B Maluleke	*Mr ME Nchabeleng (Limpopo)
Ms T Mgweba	
<i>Democratic Alliance</i>	
Mr L Mphithi	Mr MR Bara (Gauteng)
<i>Economic Freedom Fighters</i>	
Ms N Ntlangwini	*Ms B Mathevula (Limpopo)[Alternate]

\*Ms B Mathevula replaced Ms S Luthuli (KwaZulu-Natal)

\*Ms N Ndongeni (Eastern Cape), replaced Mr ME Nchabeleng (Limpopo)

## **2.1 Public Participation Process**

In line with the NYDA Act (Act 54 of 2008), which provides the procedures and processes for the appointment of the Board members, Parliament advertised on 20 March 2021 in various local, regional and national newspapers, including the parliamentary website, inviting applications and nominations for persons to serve on the NYDA Board. The deadline for the submission of applications was 9 April 2021.

A total number of 1,117 applications (including one duplicate application) were received. This brought the number of applications received to 1,116.

All applicant's curricula vitae (CVs) were published on the parliamentary website between 18 and 24 May 2021. Having published all the CVs, the Subcommittee discharged its duties conscientiously and with all due regard to the requirements of thoroughness, openness and transparency. Moreover, all CVs and supporting documentation were catalogued for safekeeping on a secure internal recording platform of Parliament, uVimba, which was accessible only to the Subcommittee Members and the support staff.

## **2.2 Shortlisting Criteria and Process**

The minimum criteria for appointment as a Board member are set out in section 3 and the disqualification in section 10 of the NYDA Act. Desirable criteria for shortlisting entail persons who are:

- South African citizens.
- Knowledgeable and experienced on youth development interventions in enhancing their capabilities as key agents for socio-economic and innovation.
- Have a proven performance on youth development, leadership and participation in youth structures.

The following categories of persons are disqualified from appointment to the Board by section 10 of the NYDA Act:

- An unrehabilitated insolvent;
- A person who has been convicted and imprisoned without the option of a fine, or fined more than the prescribed amount, for theft, fraud, forgery, perjury, an offence in connection with the promotion, formation or management of a company, any violation of the Public Finance Management Act (PFMA) or any offence involving dishonesty;
- A person who has, as a result of improper conduct, been removed from an office of trust; or
- A person who has been declared by a court to be mentally ill or unfit.

According to the NYDA Act (Act 54 of 2008), the Board consists of seven (7) members, two (2) of whom are Executive Directors. Members must be appointed in a manner ensuring:

- Participation by youth in the nomination process;
- Transparency and openness; and
- A shortlist of candidates for appointment is published.

Further, a shortlist of candidates should reflect the demographics and the geographical spread of the Republic.

Of the total number of 1,116 applications received, 113 applicants did not submit a curriculum vitae (CV) and/or copies of qualifications as was required in terms of the advertisement. These applications were automatically excluded for disqualification, which led to 1003 CVs from which the Subcommittee could choose a shortlist.

The Subcommittee met on 25 and 26 May 2021 to conduct shortlisting for interviews. Due to the large number of applications received, the Subcommittee resolved to shortlist 40 candidates for interviews. The Committee also ensured that the shortlist reflects the demographics, geographical spread of the Republic as well as a recognition of persons with disabilities. The names of shortlisted candidates were published on the parliamentary website on 27 May 2021.

## **2.3 Verification of Academic Qualifications and Security Clearance**

All shortlisted candidates were subjected to an academic qualification verification check and security clearance in order to adhere with Section 10 of the NYDA Act.

Positive confirmations were received from the Human Resources unit of Parliament, of the academic qualifications of all the 17 recommended candidates. However, by the time the Subcommittee concluded the recommendations process, the complete State Security Agency (SSA) report was outstanding.

In the meeting of 08 July 2021, the Committee resolved to await the complete SSA report before proceeding with the adoption of the final recommendations report. At the time, the SSA had submitted a security clearance report of only 12 of the 17 recommended candidates. The Committee was also informed that three of the recommended candidates received negative security clearance. The Committee then resolved to hold a closed meeting with the three affected candidates to allow them to explicate on the SSA findings, as per the legal advice. This was intended to comply with the *audi* principle, as the candidates did not have an opportunity to address the Subcommittee on the findings by the SSA during the interview process. However, at the meeting of 15 July 2021 the Committee agreed that the three candidates are absolved in terms of the NYDA Act. Thus, all the 17 candidates are fit and proper to be recommended as candidates to serve on the Board.

#### **2.4 Interview Guidelines and Process**

The Subcommittee adopted an interview guideline to ensure that the interview process is fair and within the ambit of the NYDA Act. The following interview guidelines were adopted:

- Introduction by a candidate.
- Sector knowledge (NYDA Act, Integrated Youth Development Strategy and National Youth Policy).
- Knowledge of the National Development Plan.
- Good governance principles.
- Youth development experience.
- Innovation and creativity.
- Leadership and vision.

The Subcommittee agreed on a 45-minutes interview schedule, which allowed for at least six questions per candidate. In addition, any Member could ask follow-up questions, to seek further clarity from a candidate.

### **3. INTERVIEW PROCESS**

The interview process commenced on 22 June 2021 and was completed on 25 June 2021, with all 40 candidates interviewed at Parliament. Only one candidate was approved for a virtual interview session.

The Subcommittee agreed that only Members who participated in interviewing all 40 candidates would be eligible to deliberate in the process of recommending suitable candidates to the Board of the NYDA and to report to the principal Committees.

During the interviews, all candidates were assessed based on structured interview guidelines as indicated above, in order to ensure an interview process that is fair and within the ambit of the NYDA Act.

### **4. COMMITTEE RECOMMENDATIONS**

The Select Committee resolves that the following seventeen (17) candidates should be recommended for appointment by the President, to serve as board members in the NYDA, for a period of three years:

- i. Ms Karabo Mohale
- ii. Mr Molaoli Sekake
- iii. Mr Mhlali Pedro Mzileni
- iv. Mr Lukhona Afika Mnguni
- v. Ms Paballo Ponoane
- vi. Mr Kutloano Esau Rakosa
- vii. Mr Micarlo Malan
- viii. Mr Avela Mjajubana
- ix. Ms Lebogang Mulaisi

- x. Mr Thabo Shingange
- xi. Ms Alexandria Syrah Procter
- xii. Mr Thulisa Ndlela
- xiii. Ms Asanda Luwaca
- xiv. Ms Busisiwe Cathrine Seabe
- xv. Ms Nomcebo Nkosi (*Person with a disability*)
- xvi. Ms Nompumelelo Mpatha
- xvii. Ms Pearl Pillay

The Committee considered recommending 14 candidates. However, deliberated and agreed to recommend the top 17 candidates based on their performance during the interviews, skills and experience, and demographic profile that is representative of the country.

The above list of candidates is thus representative of demographics and geographic spread of the Republic, as espoused in section 9(4) of the NYDA Act No.54 of 2008. The other issues considered by the Subcommittee for its recommendations include gender parity, women and disabilities. A true reflection of the recommendation also finds expression in the imperatives of the Employment Equity Act No.55 of 1998, which are to promote equal opportunity and fair treatment in employment through the elimination of unfair discrimination and to implement affirmative action measures to redress the disadvantages in employment experienced by designated groups. People from designated groups are black people (Africans, Coloureds and Indians), women and persons with disabilities.

The Committee further indicated that it would be ideal to have four (4) females and three (3) males appointed to the NYDA Board.

#### 4.1 Demographic Profile of the Recommended Candidates

The Committee considered the demographics of the country and has ensured that the recommended candidates are illustrative of this inclusivity. There is one candidate who is a person with a disability amongst the recommended candidates.

##### 4.1.1 Age

Figure 1 shows the recommended candidates by age.

Figure 1: Recommended Candidates by Age

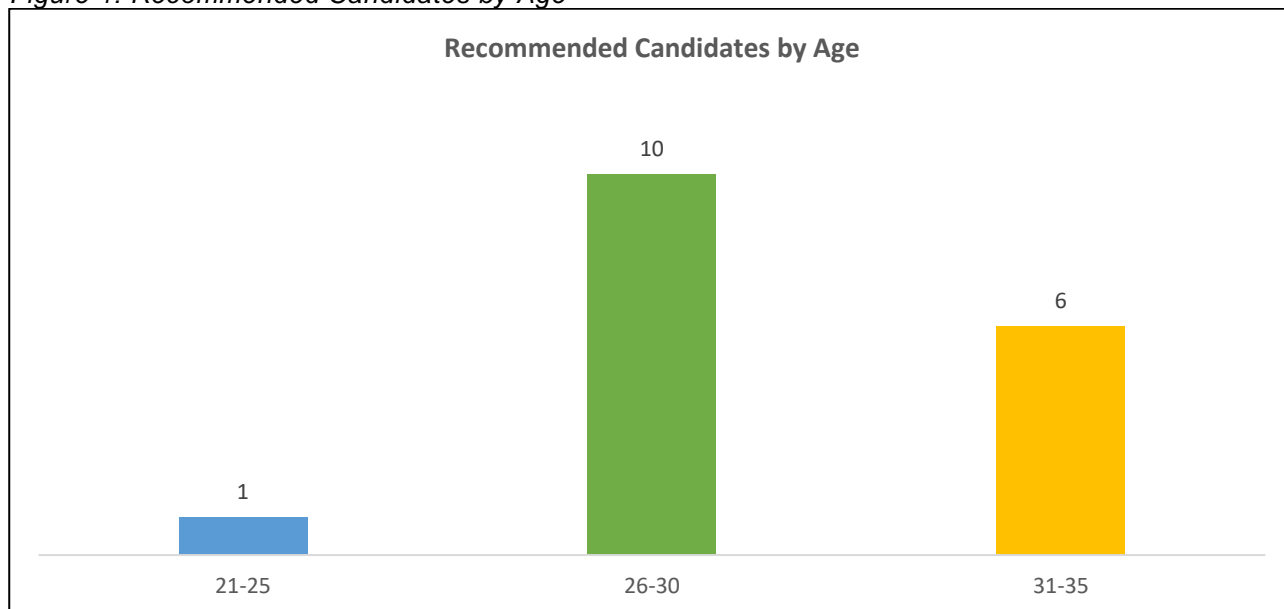


Figure 1 shows that most (n=10) of the candidates are between the ages of 26 and 30 years. One candidate is below 26 years of age, and six candidates are aged between 31-35 years.

##### 4.1.2 Gender

Figure 2 shows the recommended candidates by gender.

Figure 2: Recommended Candidates by Gender

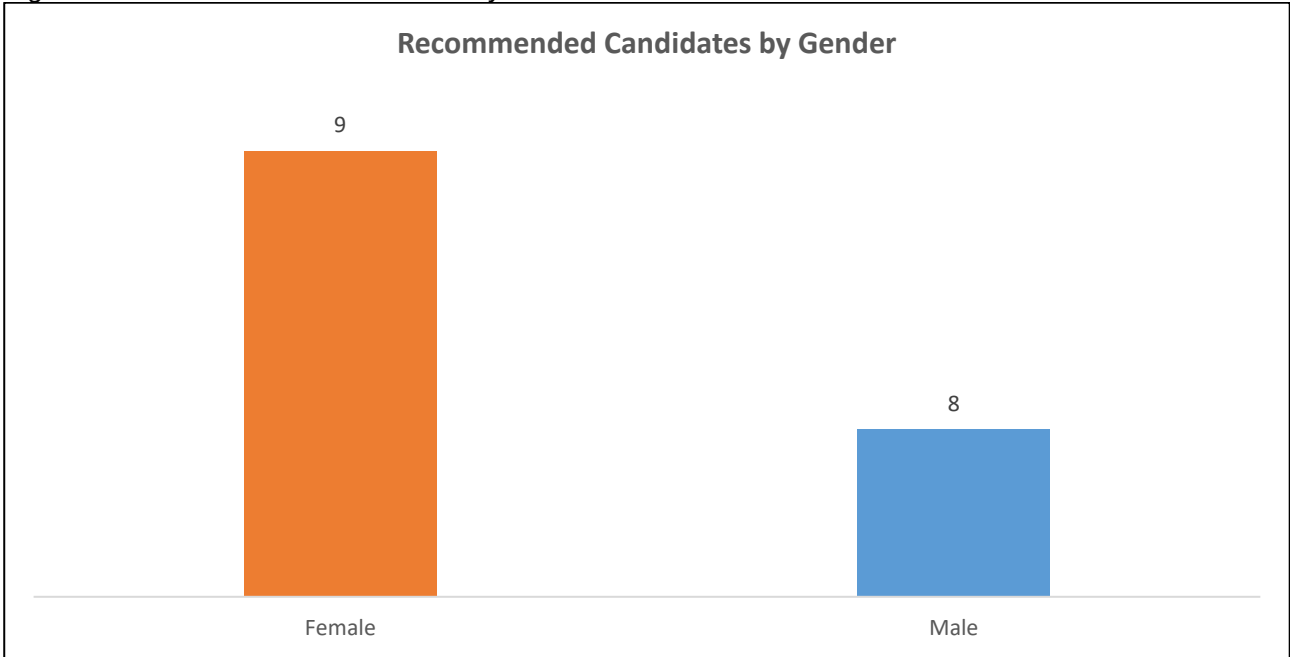


Figure 2 shows that there are more Females (53%) compared to Males (47%) among the recommended candidates.

#### 4.1.3 Race

Figure 3 shows the recommended candidates by race.

Figure 3: Recommended Candidates by Race

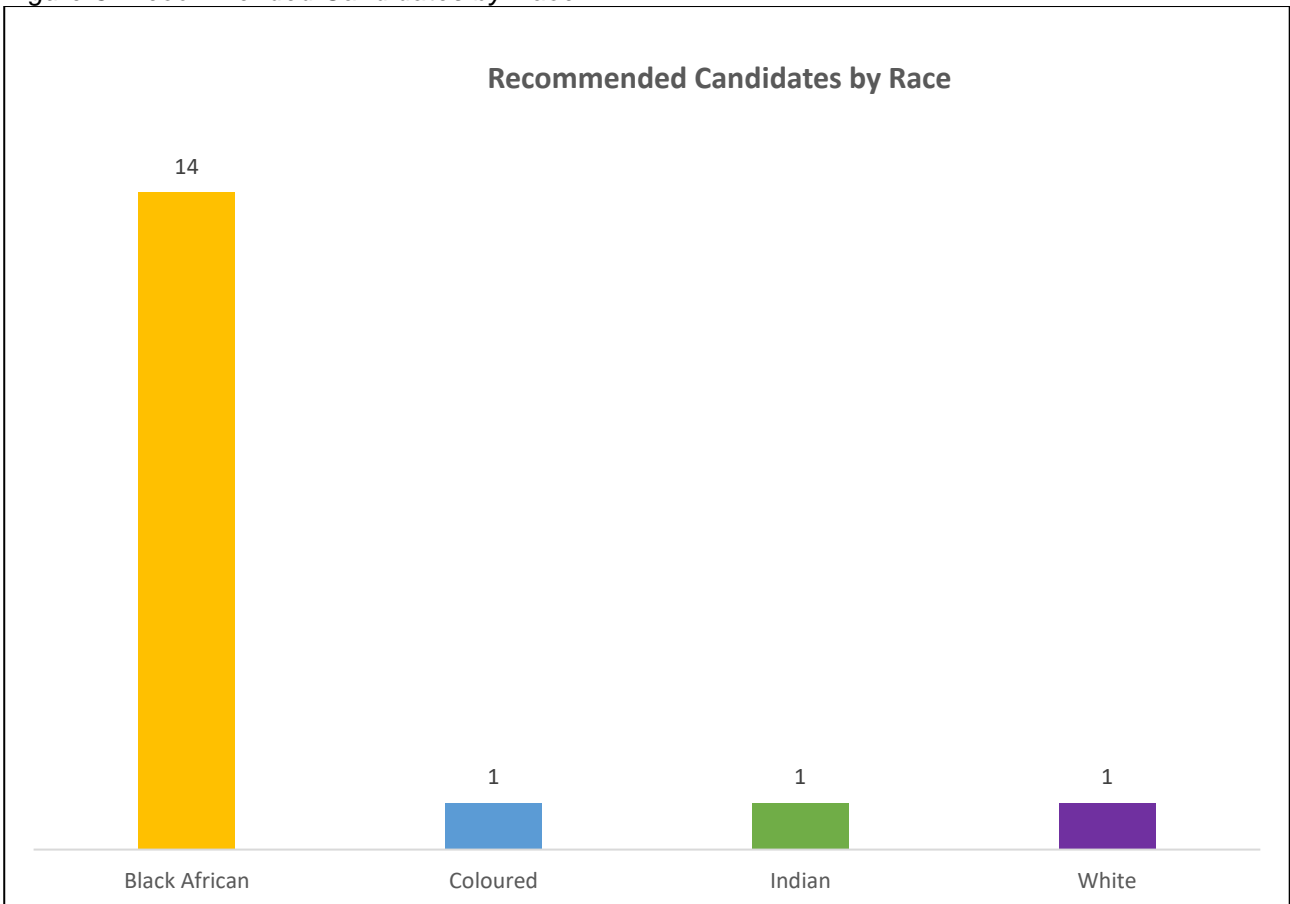


Figure 3 shows that the majority (n=14) of the candidates are Black African, with one Indian, White and Coloured candidates.

#### 4.1.4 Province

Figure 4 shows the recommended candidates by province.

Figure 4: Recommended Candidates by Province

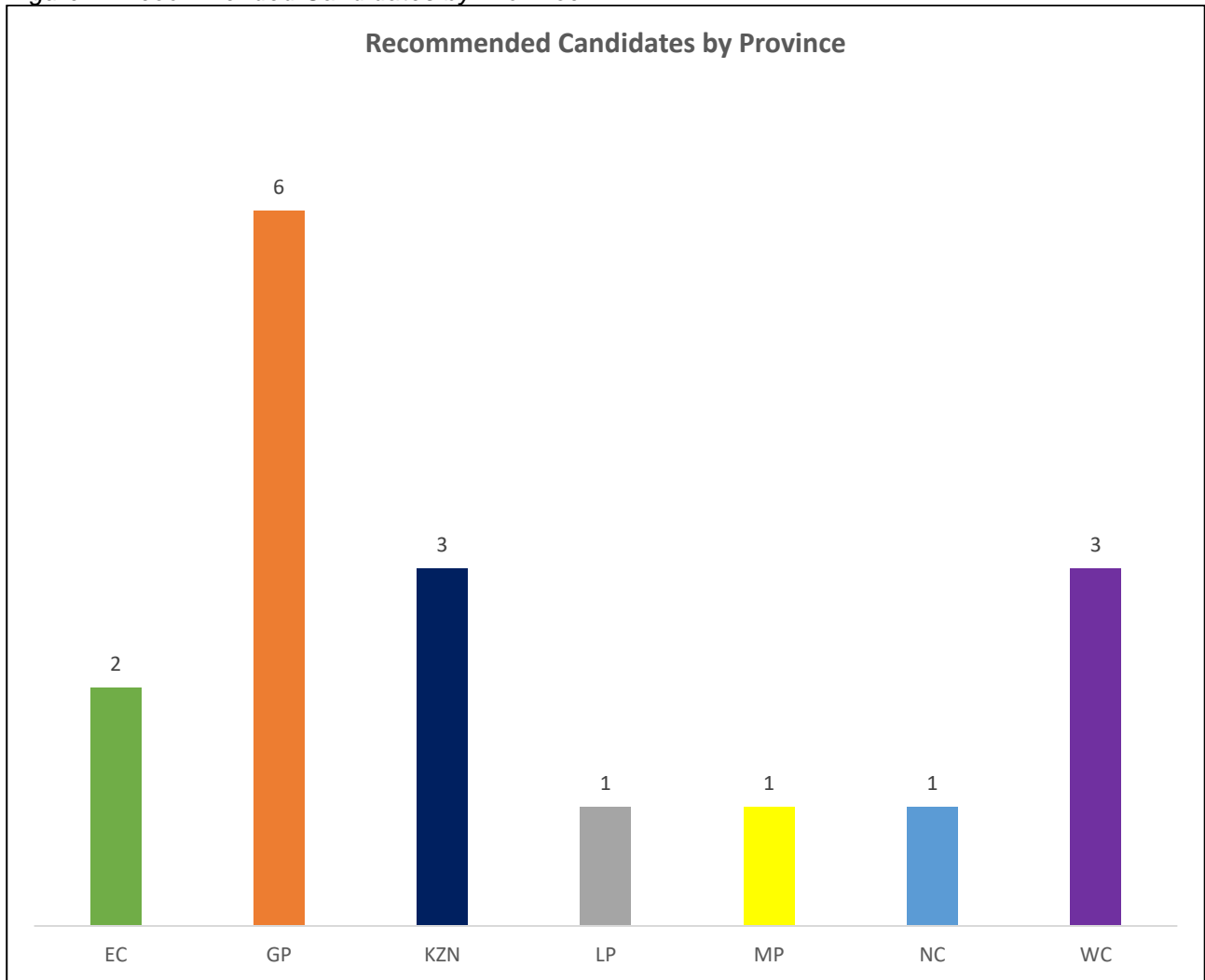


Figure 4 shows that the majority (n=6) of the candidates are from Gauteng Province. Three candidates each represent the Western Cape and KwaZulu-Natal provinces. Two candidates are from the Eastern Cape. One candidate represents Limpopo, Mpumalanga and Northern Cape respectively. Thus, seven provinces are represented.

#### 4.1.5 Race and Gender

Figure 5 shows the recommended candidates by race and gender.

Figure 5: Recommended Candidates by Race and Gender

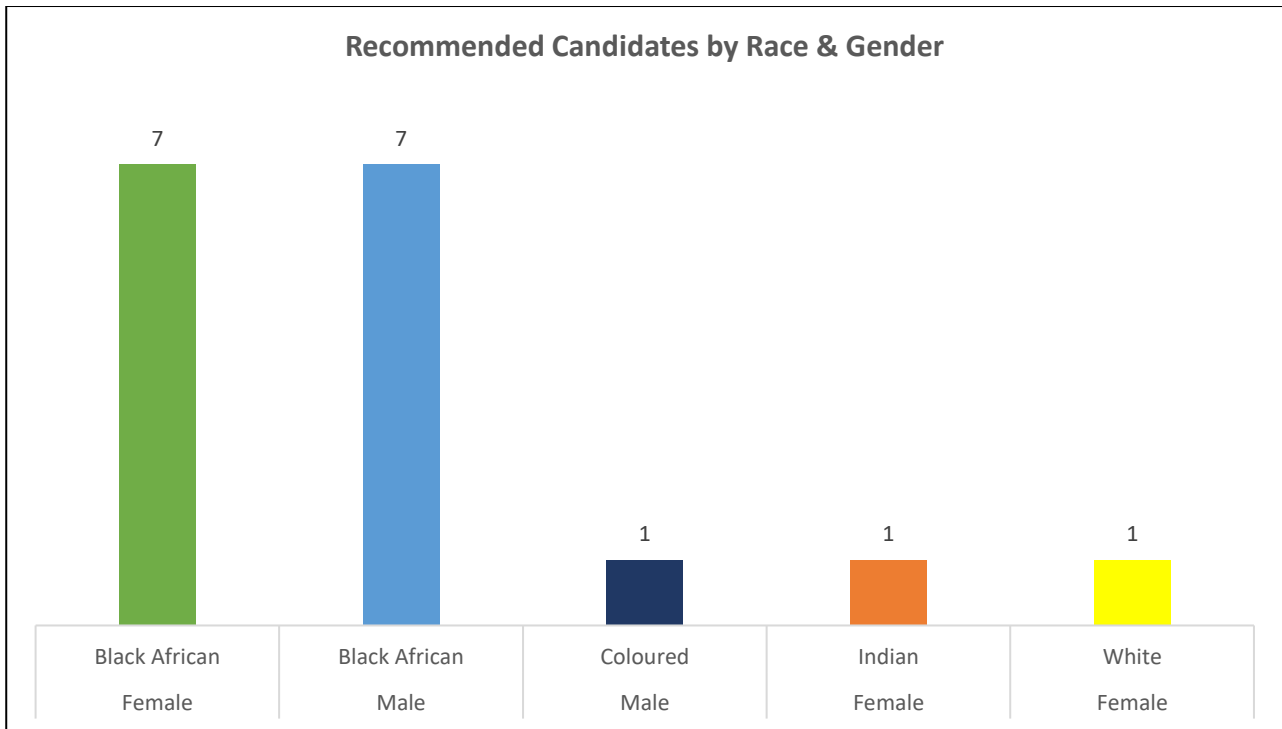


Figure 5 shows that there are 7 Black African Females and 7 Black African Males, 1 Coloured Male, 1 Indian Female and 1 White Female.

## 5. CONCLUSION

The Select Committee would like to assure citizens that it has strived to comply with all sections of the NYDA Act in its recommendation of candidates for the appointment to serve on the NYDA Board.

The Committee is confident that all candidates recommended for the appointment have an understanding of the NYDA mandate and are passionate about youth development in the country. They should be able to serve young people in the country with distinction in addressing socio-economic challenges facing the youth. The Committee would also like to thank all candidates for making themselves available for the interviews. Further, the good work done by the support staff is acknowledged and commended.

**Report to be considered.**