



PUBLIC PROTECTOR
SOUTH AFRICA

Accountability • Integrity • Responsiveness



PUBLIC PROTECTOR SOUTH AFRICA

ANNUAL PERFORMANCE PLAN

2021-2022

PUBLIC PROTECTOR VISION 2023

TAKING THE SERVICES OF THE PUBLIC PROTECTOR TO THE GRASSROOTS



PUBLIC PROTECTOR VISION 2023

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PROTECTOR TO THE GRASSROOTS

STATEMENT BY THE EXECUTIVE AUTHORITY



I am grateful for the opportunity to present the Public Protector South Africa (PPSA) Annual Performance Plan (APP) for 2021/22.

It comes at the time when the institution is facing two grim realities. On the one hand is the effects of the COVID-19 pandemic on our work and on the other is the decreasing resources.

These twin challenges are already impacting the roll out of our strategic blueprint, the Public Protector Vision 2023 severely.

As valued stakeholders will recall, through this eight-pillared vision, we sought to broaden access to our services, use vernacular languages in our engagements with the public, expand our footprint and leverage stakeholder relations, sealing agreements in this regard in Memoranda of Understanding.

We further aimed to be a safe haven for the marginalised, empower people to be well versed in their rights and entitlements, encourage the establishment of in-house complaints handling units across the public administration and inspire people to be their own liberators.

But the pandemic has altered that work in an unimaginable way. Both investigation and accessibility targets, which are at the core of our reason for existence, were negatively affected.

Regarding resources, as much as R16.1 million was reduced from our 2020/21 budget. For this year our allocation is R329 million after a R28.7 million reduction.

A reduced budget has dire consequences for the institution. Among other things, such a state of affairs poses a threat to an already inadequate human resource capacity, which in turn affects the quality of investigations and timeframes of resolution of matters negatively.

With the continued reporting of lapses in governance across the public sector, the reduction in funding of an institution such as ours is a threat to democracy as we will be left unable to fully execute our constitutional mandate.

Accordingly, we have revised our performance targets for this year. While in 2019/20 year we sought to produce 56 investigation reports, we reduced the target to 41 in 2020/21 and, this financial year, we are aiming for 50.

In addition, we aimed to finalise 100 per cent of our early resolution, administrative justice and service delivery, and good governance and integrity investigations with set turnaround times in 2019/20. In the previous financial year we revised the target to 60 per cent. This financial year the target is 80 per cent.

On accessibility, we have rolled up the targets under one high level objective, which is to develop and implement an Integrated Access and Stakeholder Strategy.

The activities under the strategy will also be rolled out with the effects of the pandemic in mind. For instance, we will not dispatch our workforce out into communities. We will now rely heavily on community radio to reach the outlying areas where grassroots communities reside and we will also use our stakeholder platforms.

There are other mechanisms that we are employing outside of the performance plan to help the public. One of those is a computer application through which we will refer non-jurisdiction or premature complaints to competent institutions.

The application will complement the work we are already doing in persuading organs of state to establish internal complaints handling units. These efforts are aimed at ensuring that our caseload is manageable at any given time.

Still on computing matters, we are working on a project to automate our case management processes. It is our wish that in a few years' time the archaic brown file management of cases be a thing of the past. In addition, automation will help streamline our processes while enhancing our responsiveness.

On resourcing, we are carrying on with efforts to have the Public Protector Act amended so as to make it possible for us to generate revenue from our investigative work. We are benchmarking with other institutions such as sister Chapter 9 institution, the Auditor-General South Africa (AGSA), which charges auditees for audit work.

In respect of corporate governance, our target to implement our clean audit strategy to maintain the high standard we set for ourselves in the previous year remains. It is critical that, as one of the accountability and integrity bodies, we lead by example.

We are also in a process of strengthening our work ethical culture within the institution. We have initiated this process by looking at best practices through the AGSA. We are, as a result, revisiting our internal ethics regime.

We are optimistic about the future. We count on the unwavering support of stakeholders, particularly Parliament, government and the public. With this backing, we will continue to be the voice of the voiceless grassroots communities and execute our mandate with the utmost integrity; without fear, favour or prejudice.

A handwritten signature in black ink, appearing to read 'Kholeka Gcaleka', written over a horizontal line.

ADV. Kholeka Gcaleka
Acting Public Protector of South Africa
Public Protector South Africa

FOREWORD BY THE CHIEF EXECUTIVE OFFICER



It gives me pleasure to present the 2021/22 Annual Performance Plan (APP). The APP is developed at a time when the Public Protector South Africa (PPSA) and country have to deal with the severe impact of the Covid-19 pandemic. In the midst of these challenges, the PPSA continues to work tirelessly to fulfil its mandate by introducing and implementing creative ways to deliver its services to all persons and communities, in terms of its Constitutional mandate

In the 2019/20 financial year, the PPSA achieved a clean audit outcome, achieved 79% of its planned targets and reached communities through outreach clinics, radio interviews and roadshows. In the 2021/2022 financial year, we are committed to maintaining a clean audit status and to improve on the number of achieved targets. Our intent this financial year is to work closely with all organs of state to ensure speedy resolution of complaints that are systemic in nature. This decision was informed by our realisation that the majority of complaints that we receive are service delivery related and/ or systemic in nature and can be resolved through a different approach, as opposed to lengthy investigations.

In line with our strategic intent of taking our services to our people at grassroots level, we endeavour to partner with all those tasked with the responsibility to respond to the plight of the marginalised. Through the use of technology, we will ensure that our services are accessible to all the people of South Africa, despite the challenges brought about by the pandemic.

We continue to implement measures to improve the effectiveness and efficiency of our processes, systems and people. This includes the training of staff, organisational redesign as well as upgrading our aging information technology infrastructure, which will contribute towards speedy finalisation of cases to ensure that the people that we serve receive justice and accountability is improved.

The PPSA Team is ready for the challenge of implementing the APP under the current circumstances.

A handwritten signature in black ink, appearing to read 'M. Sibanyoni'.

MS THANDI SIBANYONI
CHIEF EXECUTIVE OFFICER
PUBLIC PROTECTOR SOUTH AFRICA

OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- ▶ Was developed by employees and management of the PPSA under the guidance of Advocate Busisiwe Mkhwebane
- ▶ Takes into account all relevant policies, legislation and other mandates for which the PPSA is responsible
- ▶ Accurately reflects the Outcomes and Outputs which the PPSA will endeavour to achieve over the period 2021/22.

Mr Sibusiso Nyembe

Chief of Staff

Signature: 

Ms Nelisiwe Thejane

Acting Executive Manager: Investigations

Signature: 

Adv. Stoffel Fourie

Executive Manager: Provincial Investigations and Integration (Coastal)

Signature: 

Ms Nthoriseng Motsitsi

Executive Manager: Complaints and Stakeholder Management

Signature: 

Mr Futana Tebele

Acting Executive Manager: Corporate Services

Signature: 

Adv. Elsabe de Waal

Acting Executive Manager: Provincial Investigations and Integration (Inland)

Signature: 


Mr Charles Mohalaba
Chief Operations Officer

Signature: _____


Ms Yalakile Lusibane
Chief Financial Officer

Signature: _____

Ms Machebane Mothiba
Senior Manager: Strategic Support

Signature: _____

Ms Thandi Sibanyoni
Chief Executive Officer

Signature: _____

Approved by:
Adv. Kholeka Gcaleka

Signature: _____
Acting Public Protector of South Africa

Date: 15 March 2021

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PART A: OUR MANDATE

I. Updates to the relevant legislative and policy mandates

The PPSA's mandate is to strengthen constitutional democracy through investigating, reporting on any alleged improper conduct in state affairs and taking appropriate remedial action. The following are key statutory mandate areas:

1.1 Maladministration and related improprieties

(a) To implement the Public Protector Act 23 of 1994 through investigating maladministration or improper or prejudicial conduct, including abuse of power and abuse of state resources in all state affairs;

(b) To resolve administrative disputes or rectifying any act or omission in administrative conduct through mediation, conciliation or negotiation; and

(c) To advise on appropriate remedies or employing any other expedient means.

1.2 Executive Ethics Enforcement

To enforce the Executive Ethics Code as mandated by the Executive Members' Ethics Act 82 of 1998.

1.3 Investigating Corruption

To investigate allegations of corruption as mandated by section 6(4) (a) (iv) of the Public Protector Act, read with the Prevention and Combating of Corrupt Activities Act 12 of 2004.

1.4 Protected Disclosures

To receive and address protected disclosures from whistle blowers as mandated by the Protected Disclosures Act

1.5 Review of decisions of the National Home Builders Registration Council (NHBR)

To review decisions of the National Home Builders Registration Council as mandated by the Housing Protection Measures Act 95 of 1998.

1.6 In addition, the following laws either recognise the inherent investigative powers of the Public protector or assign some administrative role to the office:

1.6.1 Electoral Commission Act 51 of 1996 – The Public Protector must serve as a member of a panel that recommends a list of candidates to a National Assembly Committee that nominates Electoral Commissioners.

1.6.2 National Archives and Record Service Act 43 of 1996 – The Public Protector must be consulted on investigations into the unauthorised destruction of records otherwise protected under this Act.

1.6.3 National Energy Act 40 of 2004 – The protection (from civil or criminal liability, dismissal, disciplinary action, prejudice or harassment) of people who make disclosures of health and safety risks or failure to comply with a duty imposed by this Act to the Public Protector.

1.6.4 Promotion of Equality and Prevention of Unfair Discrimination 4 of 2000 – recognises the Public Protector as an alternative forum to resolve equality disputes.

1.6.5 Promotion of Access to Information Act: Access to information disputes under the Promotion of Access to Information Act (PAIA) 2 of 2000 (The function will no longer rest with the PPSA once the process of transferring this mandate to a specialised information regulator is finalised);

1.6.6 Public Finance Management Act 1 of 1999 – The Public Protector must receive a certificate from an accounting officer of an organ of state that has received donations or sponsorship from donors or sponsors who wish to remain anonymous, stating that the identity of the donor or sponsor has been revealed to them, that they have noted it and have no objection. This provision does not limit the Public Protector from supplying this information to his/her staff, and where she/he deems it in the public interest, to report on this.

1.6.7 Lotteries Act 57 of 1997 – The Public Protector receives bona fide confidential disclosures in respect of publishing any information in connection with any grant application or the grant itself.

1.6.8 Special Investigating Units and Special Tribunals Act 74 of 1996 – Referral of cases between the Public Protector and the SIU.

1.6.9 National Environmental Management Act 108 of 1999 – Records and annual reports on environmental conflict management referred to in the Act include proceedings by the Public Protector

1.6.10 Public Audit Amendment Act 05 of 2018 – The expanded mandate of the Auditor-General provides for the power to refer material irregularities to relevant public bodies, including the Public Protector and the Hawks for further investigations.

1.7 Policy mandates

1.7.1 The National Development Plan, 2030 (NDP)

1.7.1.1. Chapter 14 of the NDP states that corruption undermines good governance, and that poor governance “can critically undermine national development”. The NDP reiterates that it is crucial in an effective and democratic state that political leaders and public officials account to the citizens for their actions.

1.7.1.2. According to the NDP, the country needs an anti-corruption system that “makes public servants accountable, protects whistle-blowers and closely monitors procurement.”

1.7.1.3. The NDP singles out the following four areas in which policies should be implemented towards an accountable state:

- a) Building a resilient anti-corruption system;
- b) Strengthen accountability and responsibility of public servants;
- c) Create a transparent, responsive and accountable public service; and
- d) Strengthen judicial governance and the rule of law.

1.7.1.4. The NDP calls for South Africa’s “anti-corruption arsenal”, including the Public Protector and the Auditor-General “to have the resources, independence from political influence, powers to investigate corruption, and their investigations should be acted upon”. The NDP highlighted that a functioning anti-corruption system requires “sufficient staff and resources with specific knowledge and skills; special legislative powers; high level information sharing and co-ordination; and operational independence”. Independence entails insulating institutions from political pressure and interference. The NDP specifically states that -

“... competent, skilled institutions like the Public Protector and Special Investigating Unit need to be adequately funded and staffed and free from external interference.”

1.7.1.5. And further “strengthening the anti-corruption system requires increasing the agencies’ specialist resources. More capacity should be created for corruption investigations – more funding is required to employ skilled personnel and sophisticated investigative techniques”.

1.7.1.6. The following proposals of the NDP impact directly on the mandate areas of the Public Protector:

- a) Strengthen the multi-agency anti-corruption system;
- b) Strengthen the protection of whistle-blowers;
- c) Greater central oversight over the awarding of large tenders or tenders with long duration; and
- d) Empower the tender compliance monitoring office to investigate corruption and the value for money of tenders.

1.7.2 The Sustainable Development Goals

The Sustainable Development Goals (Goal 16: Peace, Justice and Strong Institutions) Promoting peace and justice is one of 17 Global Goals that make up the 2030 Agenda for Sustainable Development. Peace, stability, human rights and effective governance based on the rule of law are regarded as important conduits for sustainable development.

1.7.2.1 Goal 16 contains several sub-priorities which are relevant to the role and mandate of the Public Protector; including reducing corruption; developing effective, accountable, and transparent institutions; ensuring inclusive, participatory, and representative decision-making; and ensuring access to information.

2. Updates to the Institutional Policies and Strategies

Key policies and strategies that Public Protector South Africa plans to initiate/implement are the following:

- Vision 2023;
- Public Protector rules;
- Clean audit strategy; and
- Institutional Turnaround Strategy

3. Updates to Relevant Court Ruling

3.1. In *Economic Freedom Fighters v Speaker of the National Assembly and Others; Democratic Alliance v Speaker of the National Assembly and Others*[1], the Constitutional Court per Chief Justice Mogoeng stated the following when confirming the powers of the Public Protector:

3.1.1. Complaints are lodged with the Public Protector to cure incidents of impropriety, prejudice, unlawful enrichment or corruption in government circles;

3.1.2. An appropriate remedy must mean an effective remedy, for without effective remedies for breach, the values underlying and the rights entrenched in the Constitution cannot properly be upheld or enhanced;

3.1.3. Taking appropriate remedial action is much more significant than making a mere endeavour to address complaints which was the most the Public Protector could do in terms of the Interim Constitution. However sensitive, embarrassing and far-reaching the implications of her report and findings, she is constitutionally empowered to take action that has that effect, if it is the best attempt at curing the root cause of the complaint;

3.1.4. The legal effect of these remedial measures may simply be that those to whom they are directed are to consider them properly, with due regard to their nature, context and language, to

determine what course to follow;

3.1.5. Every complaint requires a practical or effective remedy that is in sync with its own peculiarities and merits. It is the nature of the issue under investigation, the findings made and the particular kind of remedial action taken, based on the demands of the time, that would determine the legal effect it has on the person, body or institution it is addressed to;

3.1.6. The Public Protector's power to take appropriate remedial action is wide but certainly not unfettered. What remedial action to take in a particular case, will be informed by the subject-matter of the investigation and the type of findings made;

3.1.7. Implicit in the words "take action" is that the Public Protector is herself empowered to decide on and determine the appropriate remedial measure. And "action" presupposes, obviously where appropriate, concrete or meaningful steps. Nothing in these words suggests that she necessarily has to leave the exercise of the power to take remedial action to other institutions or that it is power that is by its nature of no consequence;

3.1.8. She has the power to determine the appropriate remedy and prescribe the manner of its implementation;

3.1.9. "Appropriate" means nothing less than effective, suitable, proper or fitting to redress or undo the prejudice, impropriety, unlawful enrichment or corruption, in a particular case.

3.1.10. The remedial action taken by the Public Protector has a binding effect. The Constitutional Court further held that: "When remedial action is binding, compliance is not optional, and whatever reservations the affected party might have about its fairness, appropriateness or lawfulness. For this reason, the remedial action taken against those under investigation cannot be ignored without any legal consequences."

3.2. Following the EFF Judgement the PPSA has experienced a significant rise of litigious responses by organs of state and public institutions against the Public Protector resulting in judicial review applications of the remedial action ordered by the Public Protector. Apart from the resultant increase in legal costs, the judgements in these matter have reflected on the whole spectrum of the Public Protector's powers and investigation processes, including:

- a) Principles applicable to the review of the Public Protector's powers;
- b) The acceptance and assessment of complaints, including the establishment of jurisdiction in respect of matters older than two years;
- c) Principles of effective investigations, including the availability and utilisation of formal powers such as the use of subpoenas; and
- d) Further clarification of aspects relating to the Public Protector's remedial action

PART B: OUR STRATEGIC FOCUS

4. Situational Analysis

a) The Constitutional mandate of the Public Protector to investigate, report on and appropriately remedy any alleged or suspected improper conduct or improprieties in state affairs, and the imperative to be accessible to all people, translates to a multi-pronged approach to handling complaints. In complying with its oversight function and its role in reconciling the citizens with the state, the Public Protector seeks to ensure that transgressions by organs of state are corrected, that a proper diagnosis and correction of any administrative inadequacies are conducted and that proper redress is provided in cases requiring remedial action, as envisaged in section 182(1)(c) of the Constitution. It aims to assist the State in good governance practice.

b) In an endeavour to better understand the environment within which PPSA operates, the institution used the SWOT analysis below:

Strengths	<ul style="list-style-type: none"> ▶ The PPSA derives its mandate from the Constitution and is subject only to the Constitution and the law ▶ The PPSA is part of Chapter 9 institutions that uphold constitutional democracy ▶ The PPSA is generally regarded as a professional institution with a good reputation for resolving complaints of conduct and service delivery failures by organs of state. ▶ Sound financial management ▶ Knowledgeable and competent staff ▶ Outcomes of the PPSA investigations that changes the lives of ordinary South Africans ▶ Accessible to the public
Weaknesses	<ul style="list-style-type: none"> ▶ Absence of a Case Management System ▶ Inadequate subject matter specialists (e.g. forensic investigators) ▶ Inadequate office space ▶ No security provision in the Provinces and Regions
Opportunities	<ul style="list-style-type: none"> ▶ Referral of matters in terms of section 6(4) of the Public Protector Act ▶ Sharing resources with other investigative organs of state and stakeholders to improve accessibility. ▶ Income generation (funding model) ▶ Expand PPSA footprint to reach far flung areas ▶ Building partnerships with others for mutual benefit, including the vulnerable ▶ Leverage on PPSA success stories in the media coverage ▶ Create capacity building opportunities ▶ Involvement in African Ombudsman and Mediators Association (AOMA) and African Ombudsman Research Centre (AORC) to influence and learn from ombudsman institutions in Africa ▶ Leverage relations with FISO for mutual benefit ▶ Escalate non-implementation of remedial action to Parliament to improve the effectiveness of the office
Threats	<ul style="list-style-type: none"> ▶ Increase in litigation and associated costs ▶ Insufficient funding and budget cuts ▶ Decay in governance within the state ▶ Non-implementation of remedial action ▶ Negative press/media coverage ▶ Unstable electricity supply in the country (load-shedding)

4.1 External Environmental Analysis

4.1.1. In addition to the legislative and policy mandate, the Public Protector also considers the external context of its performance environment. In this regard, it is critical that the Public Protector considers the impact of national trends in executing its mandate together with the economic, social, technological, legal and environmental factors within the performance environment.

The Public Protector's primary constituency is the citizens of the country, and their interaction and engagement with state affairs and public administration on national, provincial and local government level. The societal challenges experienced at these levels have a direct impact on the performance environment of the Public Protector as they directly relate to and are reflected in the nature of the complaints lodged with the Public Protector. These challenges relate to service delivery failures by institutions at all levels of government and the existing inequalities in access to infrastructure, and undue delay in providing basic services such as water, health and education, which is exacerbated by the COVID-19 pandemic. The impact of these service failures is aggravated by perceptions of high incidents of maladministration and corruption, particularly in the area of public procurement. This has a direct impact on the mandate of the Public Protector, as it is ordinarily required to respond to incidents of conduct failures in state affairs, as well as the protection of witnesses and whistleblowers. The demand for PPSA services is evident as the institution received 10,111 new complaints in the 2019/20 financial year; 8,717 complaints in 2018/19 and 11,943 complaints in 2017/18. PPSA external stakeholders are complainants, organs of state, the Department of Justice and Constitutional Development, the members of the Portfolio Committee on Justice and Correctional Services as well as the Audit Committee.

4.1.2. During our planning, PESTEL analysis below was used as a tool to take into account and to assess external environmental factors that could potentially affect the implementation of the Strategic Plan and Annual Performance Plan.

Political factors	<ul style="list-style-type: none"> ▶ New government policies and/or the failure on the part of organs of state to effectively implement existing policies resulting in many complaints to the PPSA
Economic factors	<ul style="list-style-type: none"> ▶ Competing demands (e.g. service delivery) on a dwindling budget resulting in less resources being available to fund institutions such as the PPSA. ▶ PPSA is solely dependent on allocations of funding by the national government. ▶ Budget cuts to different spheres of government may lead to more service failure complaints ▶ The slow growth in the country's economy affects allocation of budgets, resulting into the office's operations being negatively affected
Social factors	<ul style="list-style-type: none"> ▶ The demographics of the country: the poorest of the poor in vast areas in provinces that do not have access to the services of the PPSA ▶ Media influence to the public on reporting ▶ Impact of service delivery protests
Technological factors	<ul style="list-style-type: none"> ▶ Impact of the fourth industrial revolution and automation of processes ▶ Technology as a vehicle for communication with complainants
Environmental factors	<ul style="list-style-type: none"> ▶ The ongoing development of informal settlements, townships and suburbs which result in an increase in the population in certain areas requiring access to basic services, the lack of which will lead to more people approaching the PPSA for assistance.
Legal factors	<ul style="list-style-type: none"> ▶ The PPSA has a strong legal basis in terms of its empowering legislation. ▶ High number of review and other court applications against the reports of the Public Protector as a result of binding remedial action ▶ Application and implementation of the relevant jurisprudence and Public Protector Rules

4.1.3. The PPSA services people in all nine provinces, thus the institution is represented in all provinces through its provincial and regional offices. The footprint was determined taking into account the people who need to access our services in the development of the strategic and annual performance plans.

4.1.4. The challenges that the PPSA need to address range from organs of state that may not respond to PPSA timeously during investigations, to non-implementation of remedial action as per the recommendations contained in the investigation reports. In order for PPSA to make an impact in the lives of complainants who were prejudiced by organs of state, cooperation from the same organs of state in the implementation of remedial action is key. The strengthening of legislation to assist with enforcement of remedial action is critical.

4.1.5. The nature of complaints received by the institution is influenced by the environment within organs of state. For example, poor service delivery in certain municipalities may cause a spike in the number of service delivery related complaints the institution receive. Another notable trend is the increase in the number of conduct failure related complaints against office bearers close to election periods, which are taken into account when planning. There are also a notable receipt of complaints of a similar nature which point to systemic administrative deficiencies in state organs.

4.1.6. Throughout the years, the Auditor-General South Africa (AGSA) has been reporting on irregular, fruitless and wasteful expenditure, which could be linked to fraud and corruption. With its expanded mandate to refer material irregularities to relevant public bodies (including the Public Protector), the institution is in a position to deal with specific requests for investigations from the AGSA.

4.1.7. Organs of state have a right to exercise their legal remedies to take Public Protector's reports on judicial review even though there are no justifiable grounds. This legal right however, has resulted in some organs of state taking matters on judicial review, which prejudices complainants, who need their matters resolved timeously.

4.1.8. A number of complaints such as those pertaining to tender irregularities are on the rise, prompting PPSA to prepare for such complex investigations, including the training of investigators and establishing more efficient ways of investigating such matters.

4.2 Internal Environment Analysis

4.2.1. The institution is structured mainly in terms of core and support functions. In total, there are eighteen offices across the country. Key to the performance of the institution is its ability to fulfil the legislative mandate and the realisation of Vision 2023. PPSA receive cases that are categorised as Early Resolution, Service Delivery and Good Governance. Early Resolution cases are predominantly simple matters that deal with bread and butter issues such as the undue delay in processing an

application for a pension. Service Delivery cases deal with alleged failure by organs of state to deliver services to communities such as water provision. Good Governance cases focuses on conduct failure investigations, where allegations such as tender irregularities and the conduct of members of the Executive are investigated. Furthermore, it is vital for the PPSA to work with organs of State on a continuous basis until the remedial action imposed by the Public Protector is implemented. The Executive Authority is supported by important internal stakeholders in the form of investigators and support staff in implementing the mandate of PPSA.

4.2.2. The institution has an obligation to finalise cases that have already superannuated, while at the same time having to deal with new cases with limited resources at hand. The caseload per investigator is high, considering the increasing number of complex cases received by the institution. Complex cases take time to be finalised and may require specialised skills in other fields such as forensics, quantity surveying, etc. that the institution does not have in-house.

4.2.3. In terms of remedial action, the compliance unit is under capacitated to effectively deal with all the required follow-ups with organs of state. The effectiveness of this Office may be undermined by the non-implementation of remedial action. However, the Office will continue to urge organs of state to comply and implement the remedial actions.

4.2.4. Risk Management in the Institution is another important area that complements the efficiencies and effectiveness of the organisation. Early warnings are derived from a risk register and as a result, the institution is in a better position to respond to such early warnings. The institution is committed to ensure that risk management is embedded in all its business processes in this financial year.

4.2.5. The expansion of services to comply with the constitutional injunction on universal access has also been severely affected by financial constraints, leading to a strategic decision to partner with other institutions in the coming years. We are exploring options for optimal physical access by approaching organs of State to utilise state owned buildings such as magistrates courts based on the conclusion of relevant Memoranda of Understanding (MOUs) with the Department of Justice and Correctional Services and other institutions such as traditional councils and municipalities.

4.2.6. As a result of budgetary constraints, the institution has had to cut down on important projects or defer them to other financial years. Such projects include implementation of the Disaster Recovery System, deployment of an integrated security system and expanding the service delivery footprint. The actual and proposed budget cuts in the outer years threaten the institution's ability to effectively execute its constitutional mandate.

4.2.7. The approved organisational structure of the PPSA has never been fully funded, which hampers its ability to rigorously investigate and finalise cases on time. When compared with the corporate

structure of the AGSA, a fellow Chapter 9 institution with a similar oversight mandate covering the entire state and even more, the PPSA's approved organisational structure has 40% of posts that are not funded. PPSA is expected to investigate any conduct in state affairs of over 1000 organs of state within the National and Provincial Government Departments, Municipalities, State-Owned Enterprises, universities, etc. The resources allocated to the PPSA are inadequate for an institution with such a broad mandate.

4.2.8. Limited office space also continues to be a challenge at PPSA head office, a problem which is currently being addressed by the renovations which will result in better working conditions for the staff. Security is inadequate in various PPSA offices considering the risks associated with its work. As a measure to increase security in those offices, a videofied alarm system has been installed.

4.2.9. PPSA was evaluated for BBB-EE verification in line with Broad-Based Black Economic Empowerment Act 53 of 2003 as amended by Act 46 of 2013 requirement. The outcome of the verification is that the institution is not compliant due to:

- a) The nature of PPSA's ownership i.e. the institution is not owned by individual shareholders or juristic person/s.
- b) Skills development i.e. due to financial constraints, PPSA has not been able to provide training of its employees. Internship programs were introduced in the financial year after the assessment i.e. 2019/20. PPSA has introduced a policy for implementation of graduate programs and the picture should change in the near future.
- c) Due to the type of services procured by PPSA, it is impractical to implement Enterprise Supplier Development. Furthermore 75% PPSA's goods and services budget caters for contractual obligations which are mainly essential services such as office rentals, ICT, security and cleaning services.

4.2.10. The PPSA provides services to all persons and communities irrespective of their race, gender, colour or creed. Despite the openness of the systems and level of accessibility of the services of the Public Protector, the profile of petitioners/complainants is often not as diverse as that of the population as a whole. Our data reflects that the percentage of men who complain to the Public Protector by far exceed the percentage of women. In the 2019/20 financial year, 36% of complaints were lodged by women compared to 56% of complaints lodged by men. The 8% difference is attributed to complainants who did not disclose their gender. This is a general phenomenon that has been found in other empirical research on complainants, which shows that quite often, when a woman had a problem with public administration, it was her husband who eventually filed the complaint. The areas of priority for the PPSA in relation to complaints received from or affecting women, youth and people with disabilities, include:

- Fraudulent annulment of marriage without consent of the woman

- Undue delay of registration of children (birth certificate)
- Failure to deal and resolve sexual harassment cases
- Failure to issue Spousal permit
- Failure to issue permanent resident permit
- Failure to provide Customary Marriage certificate
- Failure to provide electricity resources
- Failure to provide title deeds
- Unpaid benefits
- Undue delay to allocate RDP houses
- Non payment of maintenance money and failure to enforce maintenance order
- Denial of medical attention
- Failure to assist victims of gender-based violence

4.2.11. The PPSA has a policy on people with disabilities and special needs, with an emphasis on enabling people with disabilities (both employees and clients) to have access to the PPSA premises and events. In as much as implementation of the policy is dependent on financial resources, the PPSA intends to continue catering for people with disabilities such as having materials printed in braille for visually impaired clients, having sign language translators at big events as well ensuring our offices cater for the needs to people using wheelchairs.

4.2.12. The institution plays an important role in empowering the youth through a partnership with SASSETA where graduates are employed in different fields ranging from investigations to administration, with a focus on providing the graduates with experience. It is envisaged that the experiential training will open opportunities to these graduates to enter into full-time employment.

4.2.13. The institution is a member of the AOMA, where the Public Protector holds the position of President. AOMA's role is to strengthen the Ombudsman Institutions in Africa to become among the best in the world. AOMA established the AORC, whose role is to support AOMA's goals of promoting ombudsman-ship, good governance, the rule of law and human rights in Africa. Secondly, AORC seeks to develop the capacity and knowledge of AOMA members. AORC is funded by the Department of International Relations' (DIRCO's) African Renaissance Fund. The Public Protector is the chairperson of AORC.

Part C: Measuring Our Performance

5. Institutional Programme Performance Information

5.1 Programme 1: Administration

Purpose: The purpose of the administration programme is to create effective systems within the institution to ensure optimal performance and compliance to laws and regulations.The administration programme supports the Public Protector in fulfilling the constitutional mandate.

5.2 Outcomes, outputs, performance indicators and targets

Outcome	Output	Output Indicator	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21 Target	2021/22 Target	2022/23 Target	2023/24 Target
Clean audit achieved and main tained	Clean audit obtained	Obtain clean audit annually	The instituti-on received an unquali-fied audit opinion	The instituti-on recei-ved an unqualif-ied audit opinion	Clean Audit Strategy was reviewed and implemen-ted. The institution received a clean audit opinon	Obtain a clean audit opinion	Maintain a clean audit opinion	Maintain a clean audit opinion	Maintain a clean audit opinion
Implemen-tation of ICT systems to optimally support business objectives	ICT infrastru-cture implemen- ted	Percent- age of implemen- tation of ICT infrastr-ucture	Video conferen- cing and integrated telephone managem- ent system were not implemen- ted, while e-mail encryption was implemen- ted	Hard drive encryp- tion was implemen- ted at 100%	N/A	100% implemen- tation of a Mobile Referral Applicat- ion by 31 March 2021	N/A	100% implemen- tation of a Case Manage- ment Applica- tion by 31 March 2023	N/A

Output indicators: annual and quarterly targets

Output Indicator	2021/22 Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Maintain clean audit annually	Maintain a clean audit opinion	Review the clean audit strategy by the end of the quarter	25% implementation of the clean audit strategy (implementation and monitoring of audit action plan) by the end of the quarter	75% implementation of the clean audit strategy (implementation and monitoring of audit action plan) by the end of the quarter	100% implementation of the clean audit strategy (implementation and monitoring of audit action plan) by the end of the quarter

Explanation of planned performance over the medium-term period

The PPSA is an institution of integrity and it is very important for the institution to obtain and maintain clean audit outcomes from AGSA year on year. The institution obtained a clean audit outcome in the 2019/20 financial year and plan to review and implement its clean audit strategy to maintain the status quo in the 2020/21 and subsequent financial years.

The manual system the institution uses to manage investigations is time consuming and therefore ineffective as it impacts on timeous finalisation of cases under investigation. The institution intends to deploy an electronic Case Management Application in 2022/23 financial year to assist investigative staff to finalise cases timeously, therefore benefitting complainants.

Programme Resource Considerations

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/Activity							
Administration	149 285	128 626	170 151	130 979	135 288	139 403	147 216
Total	149 285	128 736	170 151	130 979	135 288	139 403	147 216

Explanation of the contribution of resources towards achievement of outputs

The clean audit strategy is implemented by PPSA employees, thus the allocation is covered under compensation of employees. The allocation of these resources will assist the institution in operational efficiency and maintaining the clean audit opinion. The administration programme is funded from National Treasury allocation to PPSA.

Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Clean audit achieved and maintained	Negative audit opinion	Strengthen internal controls Monitor implementation of internal controls Strengthen implementation of the combined assurance model
Implementation of ICT systems to optimally support business objectives	Insufficient funding to upgrade aging infrastructure and deploy new technology to improve service delivery	Constant engagement with the National Treasury for additional funding Implementation of critical ICT solutions

5.2 Programme 2: Investigations

Purpose: The purpose of the investigations programme is to ensure speedy resolution of complaints in line with fulfilling the mandate of the Public Protector to strengthen constitutional democracy.

Outcomes, outputs, performance indicators and targets

Outcome	Output	Output Indicator	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21 Target	2021/22 Target	2022/23 Target	2023/24 Target
Successful resolution of complaints	Investigation reports finalised	Number of investigation reports finalised	N/A	46 formal reports were finalised	137 investigation reports were finalised	41 Investigation reports finalised	Finalise 50 investigation reports by 31 March 2022	Finalise 50 investigation reports by 31 March 2023	Finalise 50 investigation reports by 31 March 2024
Successful resolution of complaints	Cases finalised within approved turnaround times	Percentage of adherence to turnaround times in finalisation of cases	N/A	99% (4757/4803) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2018) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	95% (7112/7515) of cases were finalised within the following turnaround times: ER: 6 months (as at 1 April 2019) SD: 12 months (as at 1 October 2018) GGI: 24 months (as at 1 October 2017)	60% of cases finalised within the following turnaround times: ER: 9 months SD: 18 months GGI: 30 months GGI (Very complex): 36 months	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2022	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2023	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2024

Outcome	Output	Output Indicator	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21 Target	2021/22 Target	2022/23 Target	2023/24 Target
Successful resolution of complaints	2 years and older cases finalised	Percentage of 2 years and older cases finalised	N/A	77% (560/729) of 2 years and older cases were finalised	86% (457/532) of 2 years and older cases were finalised	60% of 30 months and older cases finalised (except GGI very complex matters) by 31 March 2021	Finalise 80% of 2 years and older cases (except GGI very complex matters) by 31 March 2022	Finalise 80% of 2 years and older cases (except GGI very complex matters) by 31 March 2023	Finalise 80% of 2 years and older cases (except GGI very complex matters) by 31 March 2024
Successful resolution of complaints	Systemic investigations finalised	Investigation and finalisation of systemic investigations/interventions	6 systemic investigations/interventions were finalised	6 systemic investigations/interventions were finalised	3 systemic investigations/interventions were identified and investigations ongoing	2 systemic investigations/interventions identified in 2019/20 finalised by 31 March 2021	Finalise 1 systemic investigation by 31 March 2022	Finalise 2 systemic investigations/interventions by 31 March 2023	Identify and investigate 2 systemic investigations/interventions by 31 March 2024
Successful resolution of complaints	Bilateral meeting held with organs of State on systemic challenges	Number of bilateral meetings held with organs of State on systemic challenges	11 dialogues were held with organs of State on systemic challenges	13 dialogues were held with organs of State on systemic challenges	10 dialogues were held with organs of state on systemic challenges	10 dialogues held with organs on systemic challenges	Hold 10 bilateral meetings with organs of State on systemic challenges by 31 March 2022	Hold 10 bilateral meetings with organs of State on systemic challenges by 31 March 2023	Hold 10 bilateral meetings with organs of State on systemic challenges by 31 March 2024

Output Indicators	2021/22 Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of investigation reports finalised	Finalise 50 investigation reports by 31 March 2022	Finalise 14 investigation reports by the end of the quarter	Finalise 14 investigation reports by the end of the quarter	Finalise 12 investigation reports by the end of the quarter	Finalise 10 investigation reports by the end of the quarter
Percentage of adherence to turnaround times in finalisation of cases	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by 31 March 2022	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter	Finalise 80% of cases within the following turnaround times: ER: 6 months SD: 12 months GGI: 24 months GGI (Very complex): 36 months by the end of the quarter
Percentage of 2 years and older cases finalised	Finalise 80% of 2 years and older cases (except GGI very complex matters) by 31 March 2022	Finalise 20% of 2 years and older cases (except GGI very complex matters) by the end of the quarter	Finalise 40% 2 years and older cases (except GGI very complex matters) by the end of the quarter	Finalise 60% of 2 years and older cases (except GGI very complex matters) by the end of the quarter	Finalise 80% of 2 years and older cases (except GGI very complex matters) by the end of the quarter
Investigation and finalisation of systemic investigations / interventions	Finalise 1 systemic investigation by 31 March 2022 Identify and investigate 2 systemic investigations/interventions by 31 March 2022	Identify and investigate 1 systemic investigation/intervention	Identify and investigate 1 systemic investigation/intervention	N/A	Finalise 1 systemic investigation by 31 March 2022
Number of bilateral meetings held with organs of state on systemic challenges	Hold 10 bilateral meetings with organs of state on systemic challenges by 31 March 2022	Hold 2 bilateral meetings with organs of state on systemic challenges by the end of the quarter	Hold 3 bilateral meetings with organs of state on systemic challenges by the end of the quarter	Hold 2 bilateral meetings with organs of state on systemic challenges by the end of the quarter	Hold 3 bilateral meetings with organs of state on systemic challenges by the end of the quarter

Explanation of planned performance over the medium-term period

The outputs of finalising investigation reports, systemic investigations, finalising cases within turnaround times, prioritising the finalisation of cases that are two years and older as well as continually holding dialogues with organs of state to address systemic challenges are key to achieving the core mandate of the PPSA. This is aimed at changing the lives of the complainants once investigations are finalised and appropriate remedies are implemented by relevant organs of state. Women, the youth as well as people with disabilities are welcome to lodge complaints that will be investigated and finalised.

The institution has planned to finalise 50 investigations reports over the MTEF period. The number 50 was arrived at after considering factors such as capacity (number of investigative staff) along with complexity of matters the office has been receiving lately. Pertaining to timeframes within which investigations should be finalised, the plan is to finalise ER cases within 6 months, SD cases within 12 months, GGI cases within 24 months and very complex GGI cases within 36 months. There are however, ER, SD and GGI cases that had already superannuated and are 2 years and older, prompting a focus on ensuring their finalisation.

On systemic investigations, the plan is to finalise at least two systemic investigations every two years due to their complexity. The purpose of these systemic investigations is to assist organs of state to resolve systemic challenges and to improve service delivery. Related to systemic challenges, when the PPSA notes a trend or an influx of complaints pertaining to a specific organ of state, those organs of state are contacted in order for bilateral meetings to take place with the aim of resolving those identified systemic challenges. The target is to hold at least ten bilateral meetings per annum.

Programme Resource Considerations

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/ Activity							
Investigations	181 991	180 795	183 080	180 937	183 236	186 230	182 001
Total	181 991	180 795	183 080	180 937	183 236	186 230	182 001

Explanation of the contribution of resources towards achievement of outputs

The biggest cost driver for PPSA investigations is compensation of employees since investigative staff are responsible for investigating, finalising cases and referring the matters. The service provided by PPSA is labour intensive and manual. The allocation under the programme is for the core function of the institution in line with the targets projected for the financial year. The Investigations programme is funded from National Treasury allocation to PPSA.

Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Successful resolution of complaints	Lack of cooperation from organs of state Lack of capacity to conduct specialised investigations Budget cuts which exacerbate PPSA's ability to acquire necessary skills to implement its mandate	Apply the Public Protector rules Training Constant engagement with the National Treasury for additional funding

5.3 Programme 3: Stakeholder Management

Purpose: The purpose of the programme is to enhance accessibility of Public Protector services to all persons and communities as well as to assist in improving complaints handling mechanisms in organs of state and ombudsmen institution

5.3.1 Outcomes, outputs, performance indicators and targets

Outcome	Output	Output Indicator	Annual Targets							
			Audited / Actual Performance			Estimated Performance	MTEF Period			
			2017/18	2018/19	2019/20		2020/21 Target	2021/22 Target	2022/23 Target	2023/24 Target
Accessible PPSA services	Execution of activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	N/A	N/A	N/A	N/A		Execute 42 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2022 (42 = 36 radio interviews + 5 National events and 1 Good Governance Week)	Execute 245 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2023	Execute 245 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2024

Output indicators: annual and quarterly targets

Output Indicators	2021/22 Target	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Execute 42 activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy by 31 March 2022 (42 = 36 radio interviews + 5 national events and 1 Good Governance Week)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy: (1 national event, conduct 9 radio interviews)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy: (2 national events, conduct 9 radio interviews)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy: (1 Good Governance Week, 1 National event, conduct 9 radio interviews)	Execute the following activities in the implementation plan of an Integrated Access and Stakeholder Management Strategy: (1 National event, conduct 9 radio interviews)

Explanation of planned performance over the medium-term period

The output concerning implementation plan of an Integrated Access and Stakeholder Management Strategy is pivotal in making PPSA accessible to as many people in South Africa as possible, in fulfilling the institution's mandate as stipulated in Section 182 (4) of the Constitution of being accessible to all persons and communities. The implementation includes reaching people and communities through radio where it is expected that every province will conduct at least four interviews every financial year.

National events happen when PPSA commemorates national days by highlighting the role of the office plays in relation to specific days being commemorated. Good Governance week is a campaign that seeks to raise awareness about the importance of clean administration in the public administration. These events are aimed at people who may need the services of PPSA (for PPSA to assist them) as well as organs of state (to improve their services to the people).

Programme Resource Considerations

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	Audited Outcome	Audited Outcome	Audited Outcome	Approved budget	Medium-term estimate		
Rand thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Objective/ Activity							
Stakeholder management	13 937	12 045	13 190	13 795	13 360	15 285	15 973
Total	13 937	12 045	13 190	13 795	13 360	15 285	15 973

Explanation of the contribution of resources towards achievement of outputs

The budget allocation for the stakeholder management programme is apportioned in line with the targets set to ensure that some of the goals of Vision 2023 are attained and contribute towards making PPSA more accessible, especially to those people staying in remote areas within the country. Key funded projects include the Good Governance Week and national events which will take place through simulcast streaming/regional radios/webinars/hybrid events. Radio interviews will be primarily used to reach out to communities due to the COVID-19 restrictions. The Stakeholder Management programme is funded from National Treasury allocation to PPSA.

Updated Key Risks

Outcome	Key Risk	Risk Mitigation
Accessible PPSA services	Inability to access full PPSA services	Outreach interventions to target far flung/remote areas will include: Increased use of radio to communicate PPSA messages
	Inadequate visibility due to lack of signage	Communications Unit to audit available signage and obtain approval from municipalities to place the signage
	Insufficient budget to take services to the people	Constant engagement with the National Treasury for additional funding

6. Technical Indicator Descriptions

6.1. Programme 1: Administration

Indicator title	Obtain clean audit annually
Definition	The PPSA to obtain and sustain a clean audit opinion from Auditor-General South Africa
Source of data	Clean Audit Action Plan, quarterly reports on implementation of Clean Audit Action Plan, AGSA audit report
Method of calculation / Assessment	Verification against AGSA audit report if the clean audit is obtained
Assumptions	Operational systems of producing financial statements
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable) of Clean Audit Action Plan, AGSA audit report	N/A
Calculation Type	N/A
Reporting cycle	Quarterly
Desired performance	100% achievement of target
Indicator responsibility	CFO, all executive managers, all senior managers

Programme 2: Investigations

Indicator title	Number of investigation reports finalised
Definition	<p>The indicator refers to investigations that are concluded where investigation reports (formal and closing reports) are signed off by the Public Protector.</p> <p>Technical Terms:</p> <p>Formal Report: An investigation report signed by the Public Protector in which the Public Protector makes finding against those investigated</p> <p>Closing report: An investigation report signed by the Public Protector where no findings are made against those investigated.</p>
Source of data	Investigation Branches and Provincial reports; formal and closing reports signed by the Public Protector; register of finalised cases
Method of calculation / Assessment	Simple count
Means of verification	Investigation reports signed by the Public Protector (formal and closing reports)
Assumptions	All investigation reports followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of Beneficiaries (where applicable)	<p>Target for women: N/A</p> <p>Target for youth: N/A</p> <p>Target for people with disabilities: N/A</p>
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (Year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: Investigations and PII (Inland and Coastal)

Indicator title	Percentage of adherence to turnaround times in finalisation of cases
Definition	The indicator measures the percentage of cases that get finalised within stipulated timeframes of 6 months for Early Resolution (simple) cases, 12 months for Service Delivery cases, 24 months for Good Governance and Integrity (conduct failure) cases and 36 months for very complex Good Governance and Integrity (conduct failure) cases
Source of data	Investigation files / Statistical reports / investigations reports / closing letters and register of cases finalised falling within the categorisation of ER, SD, GGI, GGI (very complex)
Method of calculation / Assessment	Percentage = number of finalised cases within turnaround times/total number of cases finalised X 100
Means of verification	<ol style="list-style-type: none"> 1. List of cases finalised indicating the date on which files were received, the classification of cases (ER, SD, GGI, GGI (very complex) and the date of finalisation of cases 2. Complaint form/complaint e-mail/complaint letter with date on which the complaint was received 3. Assessment form or investigation file cover indicating how the cases were classified or reclassified as ER, SD, GGI or GGI (complex matters) 4. Formal report/Closing report/closing letter/closing note
Assumptions	All finalised investigations followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (Year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: CSM, Investigations and PII (Inland and Coastal)

Indicator title	Percentage of 2 years and older cases finalised
Definition	These are cases that will be 2 years and older at the time of reporting from 1 April 2021 till 31 March 2022. It should be noted that this is a moving target as cases age daily. The abovementioned cases are considered a backlog. The target excludes very complex GGI matters as their turnaround for finalisation is 36 months
Source of data	Investigation files / Statistical reports / investigations reports / closing letters and register of 2 years and older cases
Method of calculation / Assessment	Percentage = number of finalised 2 years and older cases / total number of 2 years and older cases X100
Means of verification	<ol style="list-style-type: none"> 1. List of cases that are 2 years and older except for very complex GGI cases with turnaround times of 36 months 2. Complaint form/complaint e-mail/complaint letter with date on which the complaint was received by PPSA 3. Formal report/Closing report/closing letter/closing note
Assumptions	All finalised investigations followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (Year to date)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: Investigations and PII (Inland and Coastal)

Indicator title	Investigation and finalisation of systemic investigations/ interventions
Definition	<p>The indicator for the 2021/22 financial year pertains to identification of systemic investigations/interventions for investigation as well as finalisation of a systemic investigation/intervention.</p> <p>Systemic challenges that result in systemic investigations/interventions are recurring problems in organs of state that usually increase the number of cases received by the PPSA.</p> <p>By resolving systemic challenges in organs of state, recipients of services benefit as they will not experience the type of challenges that would have been addressed</p>
Source of data	Investigation files / investigations reports (formal and closing reports) and register of systemic investigations
Method of calculation / Assessment	Simple count
Means of verification	Systemic investigations reports signed by the Public Protector (formal and closing reports)
Assumptions	All finalised investigations followed processes stipulated in PPSA policies, manuals and procedures
Disaggregation of beneficiaries (where applicable)	<p>Target for women: N/A</p> <p>Target for youth: N/A</p> <p>Target for people with disabilities: N/A</p>
Spatial Transformation (where applicable)	The spatial impact area is within the provinces where the investigations will be identified and finalised
Calculation Type	Cumulative (Year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for: Investigations and PII (Inland and Coastal)

Indicator title	Number of bilateral meetings held with organs of State on systemic challenges
Definition	Identify organs of state with identified systemic challenges and hold bilateral meetings with them for the purpose of resolving those challenges.
Source of data	<ol style="list-style-type: none"> 1. List of cases that prompted the classification of specific matters as systemic challenges. 2. Screenshots of online meetings showing the names of attendees signed off by the chairperson 3. Minutes or recordings of meetings where systemic challenges were discussed 4. Register of dialogues
Method of calculation / Assessment	Simple count
Means of verification	<ol style="list-style-type: none"> 1. Screenshots of online meetings showing the names of attendees signed off by the chairperson 2. Minutes or recordings of meetings where systemic challenges were discussed
Assumptions	Meetings on systemic challenges addressed the matters identified
Disaggregation of beneficiaries (where applicable)	Target for women: N/A Target for youth: N/A Target for people with disabilities: N/A
Spatial Transformation (where applicable)	The spatial impact area is in all nine provinces within South Africa
Calculation Type	Cumulative (Year-end)
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Managers for PII (Inland and Coastal), Investigations and Provincial Representatives

Indicator title	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy
Definition	<p>The PPSA has an approved Stakeholder Management Strategy which specifies broad focus areas on how to make the institution accessible as well as dealing with stakeholders.</p> <p>The implementation plan pertaining to the Stakeholder Management Strategy details how the strategy will be implemented.</p> <p>The implementation plan aims to execute:</p> <p>1. Radio Interviews – Radio interviews attended by PP or delegated official to address and/or engage listeners on issues pertaining to PPSA mandate and service delivery.</p> <p>2. National events - Public Holidays and ordinary period to commemorate specific events – Youth Day, Women's Day, Heritage Day, 16 Days of Activism and Human Rights Day</p> <p>3. Good Governance week – awareness campaign and commemoration of good governance and ethics in RSA</p> <p>The National events and Good Governance Week will take place through simulcast streaming / regional radios/ webinars/ hybrid event.</p>
Source of data	Attendance registers/screenshots for webinars, registers or signed letters/ form by radio stations as evidence of radio slots having taking place, signed MOUs.
Method of calculation / Assessment	Simple count
Means of verification	Attendance registers/ screenshots for webinars, registers or signed letters/ form by radio stations as evidence of radio slots having taking place, signed MOU
Assumptions	None
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	The execution of the implementation plan will cover all the nine provinces within South Africa
Calculation Type	Non-Cumulative
Reporting cycle	Quarterly
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Manager: CSM

ACRONYMS

AGSA	Auditor-General South Africa
AIR	Accountability, Integrity and Responsiveness
AOMA	African Ombudsman and Mediators Association
AORC	African Ombudsman Research Centre
APP	Annual Performance Plan
CMA	Case Management Application
CCMA	Commission for Conciliation, Mediation and Arbitration
CSM	Complaints and Stakeholder Management
CFO	Chief Financial Officer
DIRCO	Department of International Relations and Cooperation
EFF	Economic Freedom Fighters
ER	Early Resolution
EM	Executive Manager
FISD	Forum for Institutions Supporting Democracy
GGI	Good Governance and Integrity
IASS	Integrated Accessibility Stakeholder Strategy
ICT	Information and Communications Technology
MOU	Memorandum of Understanding
MRA	Mobile Referral Application
MTEF	Medium Term Expenditure Framework
N/A	Not Applicable
NDP	National Development Plan
NHBRC	National Home Builders Registration Council
PAIA	Promotion of Access to Information Act

PESTEL	Political, Economic, Social, Technological, Environmental, Legal
PII	Provincial Investigations and Integration
PPI	Programme Performance Information
PFMA	Public Finance Management Act
PPSA	Public Protector South Africa
PULE	Passion, Ubuntu, Leadership and Efficiency
RDP	Reconstructive Development Programme
SASSETA	Safety and Security, Sector and Education and Training
SIU	Special Investigating Unit
SD	Service Delivery
SM	Stakeholder Management
SWOT	Strengths, Weaknesses, Opportunities, Threats

Annexure A: Amendments to the existing 2020-2025 Strategic Plan

The following changes were effected in the 2020-2025 Strategic Plan:

1. Page 24: the outcome indicator; “Number of outreach methods employed to reach people and communities” is replaced with the indicator below:

Outcome	Outcome indicator	Baseline	Five year target
Programme 3: Stakeholder Management			
Accessible PPSA	Number of activities executed in the implementation plan of an Integrated Access and Stakeholder Management Strategy	Approved Integrated Access and Stakeholder Management Strategy	Execute 777 activities in the annual implementation plan of an Integrated Access and Stakeholder Management Strategy (42 in 2021/22 and 245 in subsequent years)

2. On page 24, outcome indicator on “number of new service points established” is removed
3. On page 24, the outcome: “Investigations finalised within turnaround times” is replaced with “Successful resolution of complaints”
4. On page 25, the outcome of “ongoing engagements with ombudsman and organs of state” is removed.
5. On page 26, the risk pertaining to outcome: “Ongoing engagements with ombudsman and organs of state” is removed
6. On page 27, the table with indicator title: “Number of outreach methods employed to reach people and communities” is deleted and replaced with the table below:

Indicator title	Number of activities executed in the implementation plan of an Integrated access and Stakeholder Management Strategy
Definition	<p>PPSA has an approved Stakeholder Management Strategy which specifies broad focus areas on how to make the institution accessible as well as dealing with stakeholders. The implementation plan pertaining to the Stakeholder Management Strategy details how the strategy will be implemented.</p> <p>The implementation plan aims to execute:</p> <ol style="list-style-type: none"> 1. Radio Interviews – Radio interviews attended by PP or delegated official to address and/or engage listeners on issues pertaining to PPSA mandate and service delivery. 2. MOUs – Partnership agreements entered into with stakeholders for mutual benefit as well as to assist organs of state to establish complaints handling mechanisms 3. National events - Public Holidays and ordinary period to commemorate specific events – Youth Day, Women's Day, <p>The national events and Good Governance Week will take place through simulcast streaming / regional radios/ webinars/ hybrid event.</p>
Source of data	Attendance registers/screenshots for webinars, registers or signed letters/form by radio stations as evidence of radio slots having taking place, signed MOUs
Method of calculation / Assessment	Simple count
Assumptions	None
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	The execution of the implementation plan will cover all the nine provinces within South Africa
Desired performance	Performance higher than the one targeted is desired
Indicator responsibility	Executive Manager: CSM

7. On page 28, the table with indicator title: “Number of new service points established” is removed
8. On page 29, the table with indicator title: “Number of systemic investigations finalised”: under definition, “The indicator on systemic investigations/interventions pertains to identification of 2 systemic investigations in one financial year and completion in the next financial year” is removed.
9. On page 31: the table with indicator title: “Number of bodies being engaged on Ombudsman related matters” is removed

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ISBN NO. 978-1-77630-018-1