

# Synthesis evaluation of State capacity with a special focus on DGs and HoDs

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# Primary research questions

*What* is the current status of state capacity with special focus on DGs and HoDs?

*Why* is the state experiencing capacity challenges especially at the DG and HoD levels?



# Research objectives and scope

1. The **system** under which DGs and HoDs operate, including: leadership; skills; organisational configuration, processes and functioning; employment arrangements and conditions; performance management; and coordination structures
2. **Regulatory frameworks** that impact on the performance of DGs and HoDs and on that of persons in those parts of the state for which they are responsible
3. **Institutional architecture** and **organisational culture** of government and how it impacts on delivery
4. **Coordination**, the administrative-political interface, and other critical factors that impact on the organisation, capacity, and efficacy of the state; and
5. **Best-practice models** for enhancing effective state capacity implemented in similar countries, with particular focus on DGs and HoDs

# Background and rationale

- Accounting Officers, including DGs and HoDs in the national and provincial spheres of government, drive implementation of priority programmes by providing strategic leadership, planning, monitoring, conducting oversight, and spearheading governance and accountability
- However, studies have highlighted gaps and challenges in the state's capacity and its ability to achieve effective and efficient programme implementation, across all spheres of government – largely because AOs are at the political-administrative interface, which is often not conducive to the effective achievement of outcomes
- Resulting administrative instability includes systemic capacity vacuums, which contribute to ineffectiveness and inefficiencies in delivering government programmes and services

# Background and rationale (2)

- Survival and functioning of governance systems depend on key state capacities –
  - to mobilise and effectively apply financial resources to pursue the implementation of programmes of national interest
  - to guide national socioeconomic development
- If a capable state produces and delivers economic and social goods in accordance with its constitutional mandate, it can strengthen democratic legitimacy
- *But* if state apparatus cannot adequately deliver on its constitutional mandate, it undermines perceived democratic legitimacy



# Background and rationale (3)

- A developmental, capable and ethical state requires skilled managers, especially DGs and HoDs, with clear lines of authority and accountability to execute their duties in a way that achieves optimal outputs and agreed outcomes.
- This requires an environment that is free from undue political interference, with effective systems, and with a consistent and fair application of rules, i.e. a qualified, skilled and effective bureaucracy is necessary to ensure a high quality of governance in the pursuit of a transformed and inclusive democratic society

# Methodology

## 1. Literature Review

- a) Constitution 1996
- b) National Development Plan: Vision 2030
- c) Public Service: Context, Developments and Reforms
- d) MTSF 2019-2024
- e) Media analysis
- f) The Professionalisation of the Public Service
- g) AGSA & PSC reports and plans

2. Case studies: DPISA, DoJ&CD, DCoG, DSD, DTIC, DPE, international experiences

3. In-depth interviews with current and recent DGs and HoDs

4. DPME's National Evaluation Policy Framework - relevance, efficiency, effectiveness, impact, sustainability

# Constitution 1996

The ***Preamble*** declares, in part –

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to -

- *Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;*
- Lay the foundations for a *democratic and open society* in which government is based on the will of the people and every citizen is *equally protected* by law;
- *Improve the quality of life of all citizens and free the potential of each person;* and
- Build a *united and democratic* South Africa ....



# Constitution Founding Provisions – s.1

The Republic of South Africa is one, sovereign, democratic state founded on the following values:

- a. *Human dignity, the achievement of equality and the advancement of human rights and freedoms.*
- b. *Non-racialism and non-sexism.*
- c. *Supremacy of the constitution and the rule of law.*
- d. *Universal adult suffrage, a national common voters roll, regular elections and a multi-party system of democratic government, to ensure **accountability, responsiveness and openness***



# Constitution Section 195

## Basic values and principles governing public administration

- a) *high standard of professional ethics*
- b) *efficient, economic and effective use of resources*
- c) *development-oriented*
- d) *services provided impartially, fairly, equitably and without bias*
- e) *people's needs must be responded to; public must participate in policy-making*
- f) *accountable*
- g) *transparent; timely, accessible and accurate information*
- h) *good HR management and career-development to maximise human potential*
- i) *broadly representative of the South African people - employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past*

# Public Service: Context and Reform

- *Twenty-Year Review: A Changing Public Service* (Presidency, 2014)
  - Transformation; Capable and Developmental State
  - Skills for service delivery; constitutional values and principles; professionalisation
  - Uneven performance, corruption and maladministration
  - Post definitions: “ill-defined”
- NDP’s recommended solutions in MTSF
  - Professionalising the Public Service
  - New (more independent) Administrative Head of the Public Service
  - Clear delegations to DGs/HoDs to appoint staff
  - Key role for the PSC in appointment of DGs/HoDs
  - Longer fixed-term contracts for DGs/HoDs

# NSG's National Implementation Framework (NIF) towards the Professionalisation of the Public Service (Dec 2020)

- Capable and developmental state
- Capable PS and public capabilities

## *NIF objectives:*

- a) Entrench 'a dynamic system of professionalisation in the Public Service'
- b) Strengthen 'legal and policy instruments to professionalise categories of occupations' in PS
- c) 'Partnerships and relationships with professional bodies' for accountable PS
- d) Meritocratic recruitment and career management of PS: NDP and MTSF
- e) Consequence management for material irregularities through professional bodies and Public Audit Amendment Act 5 of 2018

# NIF (2)

- Build professional PS 'from above and below'
- Value chain: 1. Pre-entry, Recruitment and Selection; 2. Induction and Onboarding; 3. Planning and Performance Management; 4. Continuing Learning and Professional Development; 5. Career Progression and Career Incidents
- Meritocratic appointments, particularly at middle and senior management levels; Integrity tests part of competency assessment
- Involvement of PSC and external experts during interviews of DDGs/DGs [AOs]
- Appointment of Head of PS to manage the political-administrative interface and the career incidents of HoDs
- Activate revolving door policy for specialist, technical skills required
- Clear policy on succession planning

# International experiences (1)

- UK, Australia, New Zealand, Canada, India, Malaysia, Singapore
- Tradition, contextual adaptation, evolution, and reform: *New Public Management* (1980s); *New Political Governance* (advisors)
- Perception vs reality: shared class interests?

## ***Civil Service Code of the United Kingdom:***

‘As a civil servant, you are appointed on merit on the basis of fair and open competition and are expected to carry out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality’

# International experiences (2)

## *Westminster system*

- **Core characteristics:** merit-based selection, non-partisanship, anonymity, security of tenure and ministerial responsibility.
- **Conceptual indivisibility** of the executive and administrative branches of government as being at the core of Westminster system
- **Conventions** of ministerial responsibility and accountability based on agreement that *primary duty* of PS is to serve the executive government; and that PS are united with the ministers through the doctrine of ministerial responsibility, with ministers responsible for the strengths and failures of the work of their civil servants

# Media Analysis on State Capacity:

## Concerns about the political-administrative interface

- Recruitment and appointment procedures
- Vacancy rates / acting positions – policy stability, continuity and implementation
- Broader impact on PS and public of tensions at political-admin interface, e.g. uneven service delivery, corruption
- Stability, professionalism associated with improved audit outcomes
- Values, ethics and a culture of professionalism
- Depoliticised, meritocratic appointments, integrity, competency tests
- Learn from pockets of success in PS, e.g. frequent, well-planned management reviews of policy implementation



# Case studies: Lessons learned

- Impact of leadership instability during 5-year period examined
- In several depts, high turnover of DGs and challenges at the political-administrative interface led to instability and negative impact on departmental performance
- Other factors also affected performance for many depts, including budgetary constraints
- The DTIC is an exception: a stable dept because no turnover of DG and no challenges at the political-administrative interface, but it did face other challenges (e.g. Lottery Board maladministration, corruption)

# Literature review: Recommendations (1)

## ***NDP and 20-Year Review***

- Mandate NSG to implement strategies to build a professional civil service
- Stabilise the political-administrative interface: Clarify division of roles and responsibilities between political principals and administrative heads
- Administrative head of public service to manage the career incidents and progression of HoDs and DGs without undermining political oversight of senior public servants
- Fixed-term contracts for DGs and HoDs while ensuring that incumbents can be removed for under-performance
- Greater and more consistent delegation of authority for admin matters from political principals to their DGs and HoDs, and from DGs and HoDs to managers
- Implement a long-term skills development strategy in the public service

# Literature review: Recommendations (2)

## *Media reports*

- An administrative head of the PS, who might also double as the Cabinet Secretary, should be established as a new position, or by allocating this duty to the DG in the Presidency or in the DPSA
- Distinguish between administrative functions and political office, and establish a clear boundary between the two
- Introduce integrity tests for shortlisted candidates; extend compulsory entrance examinations beyond senior management; and conduct occupation band competency tests for DGs and their deputies

# Literature review: Recommendations (3)

## ***Case studies***

- Establish post of Head of the National Administration and the Public Service to improve management of the political-administrative interface
- Take steps to minimise the high turnover of DGs and HoDs and other senior managers
- Provide that oversight bodies, such as the legislatures, ensure that applicable DPSA prescripts are institutionalised by Accounting Offices (AOs) and their Executive Authorities (EAs)
- Ensure that govt depts have adequate financial and human resources required to implement mandates
- Promote collaboration and partnerships with other stakeholders, inside and outside government
- Develop effective M&E processes to deal with challenges arising in public entities
- Ensure effective measures to prevent political interference in operational matters, particularly in leadership appointments in key anti-corruption agencies

# Literature review: Recommendations (4)

## ***Westminster system***

- Avoid the potential for political interference by - no political appointments of senior civil servants; civil servants enjoy job security in a lifelong career; civil servants are apolitical, committed to serving the interests of the public and the objectives of the government of the day
- Independent Public Service Commission or Public Service Board dominated by career officials, or a Head of Administration drawn from the public service to - oversee recruitment and promotion in the civil service; to ensure entry through examinations and promotions based on merit and seniority
- Clearly define (a) respective roles of ministerial advisers and permanent officials; and (b) nature and extent of ministers' delegation of authority to ministerial advisers; and (c) parliamentary oversight of the overall number and conduct of advisers

# Further findings and recommendations

- Following in-depth interviews with DGs and HoDs, further findings and recommendations made
- Theory of change and implementation plan to be developed
- Awaiting Cabinet consideration

Thank you!  
Questions are welcome



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