1. **The Budgetary Review and Recommendation Report of the Portfolio Committee on Women, Children and People with Disabilities dated 17 October 2013**

The Portfolio Committee on Women, Children and People with Disabilities, having considered the performance and submission to National Treasury for the medium term period of the Department of Women, Children and People with Disabilities, reports as follows:

1. **Introduction** 
   1. **Mandate of Committee**

The mandate of the Committee on Women, Children and People with Disabilities is to legislate, conduct oversight of the Executive, promote public participation, facilitate international agreements and review matters of public interest in relation to the Department of Women, Children and People with Disabilities.

* 1. **Description of core functions of the Department**

The Department for Women, Children and Persons with Disabilities (hereafter referred to as the Department) was established to emphasise the need for equity and access to development opportunities for vulnerable groups in South African society. This Department was created in May 2009 to replace the former national multi-agency structures in the Presidency which lacked sufficient financial and human resources and the necessary authority to co-ordinate and oversee their mandates. The purpose of the Department is to drive the Government’s equity, equality and empowerment agenda with regard to marginalised groups and historically disadvantaged communities in each of the three sectors.

According to the Department’s revised Strategic Plan 2013-2014, its vision refers to “an empowered society that upholds the rights of women, children and people with disabilities”. The mission of the Department is to “mainstream the rights and empowerment of women, children and people with disabilities through advocacy, institutional support and capacity development, monitoring and evaluation”.

The Department’s strategic objectives are aligned to the following programmes:

* Administration;
* Women, Empowerment and Gender Equality (WEGE);
* Children’s Rights and Responsibilities (CRR); and
* Rights of People with Disabilities (RPD).
  1. **Purpose of the BRR Report**

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

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

In order to enable the Committee to take informed decisions on the performance of the Department of Women, Children and People with Disabilities for the financial year 2012/13, the Committee consulted the following reports and documents: Section 32 reports of National Treasury, Annual report 2012/2013, Reports of the Auditor-General of South Africa (AGSA), the Constitution of the Republic of South Africa, the State of the Nation’s Address 2012 and Financial and Fiscal Commission’s presentation. All this information would assist the Committee to decide on the performance of the Department.

* 1. **Method**

In complying with section 5(2) of the Money Bills Amendment Procedure and Related Matters Act, Act No 9 of 2009, the Portfolio Committee on Women, Children and people with Disabilities held a meeting on the 2012/2013 Annual Report of the Department of Women, Children and People with Disabilities on 10 October 2013. The Office of the Auditor-General and the Financial Fiscal Commission was also invited to give input during the budget review and recommendation report process on 9 October 2013. Moreover, the Committee undertook an oversight visit to the offices of the Department 26-28 March 2013. Subsequently, the Committee was briefed and deliberated on all four quarterly reports for 2012/20213 and the first quarter report for 2013/2014. The report therefore reflects key issues that were identified by the Committee. The Department informed the Committee that the second quarter report for 2013/2014 once finalised will be submitted for consideration.

* 1. **Outline of the contents of the Report**

This report reflects on the key policy focus areas insofar as women, children and persons with disabilities are concerned as a back drop to the analysis of the financial and programmatic performance of the Department of Women, Children and People with Disabilities. It is important to ascertain what Government’s key priorities are and how these affect the aforementioned target groups in order to ascertain what progress has been made as well as determine the gaps and challenges that have to be addressed.

1. **Overview of the key relevant policy focus areas**

**2.1 Implications of the 2012 State of the Nation Address**

The emphasis of the 2012 State of the Nation Address was placed on job creation through infrastructural development along with a reflection of the country’s achievements and challenges since 2011. Moreover, the President highlighted Governments key priority areas namely education, health, rural development and land reform as well as the fight against crime. All of these areas are most relevant for women, children and persons with disabilities. Even though Government has introduced initiatives such as land reform and redistribution; Prevention-of-Mother-to-Child-Transmission programme; Family Child and Sexual Assault Units; cash grants like child support grant all of which benefit women many challenges still exist to bring about gender equity in society. Issues such as the feminisation of poverty, gender-based violence and gender inequity in the workplace are but some examples of the challenges that persist. In terms of children, the 2012 State of the Nation Address placed particular emphasis on the importance of education. To date, Government has implemented several initiatives to improve outcomes of education such as “Triple T approach”, school nutrition programme, an emphasis on maths, science and technology but to name a few. However, the key challenges remains trying to improve the quality of education, access for children with disabilities, learner safety (violence in schools, safe scholar transport) etc. Furthermore, the President reiterated Government’s commitment to attaining the 2% employment equity target for persons with disabilities in the Public Service. Thus the President issued a directive that all Government Departments must ensure that the target is indeed met. Notwithstanding this, Government’s commitment for initiating a 2% target, the Public Services Commission State of the Public Service Reports has shown this to the contrary.

**2.2 Implications of the 2013 State of the Nation Address**

The 2013 State of the Nation Address makes reference to improving the status of women as critical priority for Government. To this end, the President spoke mainly of the implications of violence against women and the mechanisms in place to protect women in this regard. From a legislative perspective, the President made mention of the Gender Equality and Women Empowerment Bill, the Domestic Violence Act, the Protection from Harassment Bill and the Prevention and Combating of Trafficking in Persons Bill. The latter two have subsequently been enacted. Furthermore, reference was also made to the establishment of the National Council on Gender Based Violence and the enhancing the capacity of the Family Violence, Child Protection and Sexual Offences Units. Notwithstanding the importance of violence as a priority area in relation to women; equally so too are all of Government’s strategic priorities (job creation and economic empowerment, infrastructure development, education, health and land reform) have gendered implications.[[1]](#footnote-1) Similarly; all of the aforementioned affect the lives of children and persons with disabilities. In addition, the impact of the National Development Plan (NDP) was given central prominence in the State of the Nation Address. The development goals contained in the NDP are crucial for women, children and persons with disabilities. President Zuma emphasized that “activities of departments must be aligned with the National Development Plan”.[[2]](#footnote-2) For persons with disabilities, the creation of the Job Fund as highlighted by the President is an important opportunity to access as a means of achieving economic empowerment. In terms of health, the President referred to the implementation of the National Health Insurance which has direct implications for women, children and persons with disabilities as well. Two other key health issues indicated was that of the life expectancy and the infant and under-five mortality rates in the country. Education also formed a significant part of the President’s address insofar as reiterating the importance of improving the outcomes of maths, science and technology at schools through adequate resourcing.

**2.3 Budget Review**

The budget of the Department of Women, Children and People with Disabilities grew from R143.1 million in 2011/12 to R172.2 million in the 2012/13 financial year. This Department’s budget constitutes a mere 0.01 per cent of the overall national budget. Subsequently, the budget of the Department grew from R172.2 million in 2012/13 to R198.3 million in the 2013/14 financial year. Although this was a nominal increase of 2.85 per cent, when inflation is taken into account the budget actually decreased by 2.60 per cent. Thus, in real terms the Department has less funding to work with than it had in the previous financial year. This Department’s budget constitutes a mere 0.013 per cent of the overall national budget. In the previous financial year the Women, Empowerment and Gender Equality programme consumed most of the budget at 55 per cent, however, the majority of this budget was transferred to the Commission for Gender Equality as in this financial year. In this financial year (2013/2014) however, the administration programme consumes 46 per cent of the budget.

**2.4 Outcome-based approach - Delivery agreement targets for 2012/13 and 2013/14**

According to the Department of Performance Monitoring and Evaluation, self-assessment score-card per national department the performance areas are measured through management standard/s. The Department of Women, Children and People with Disabilities scored as follows Strategic Management (2), Governance and Accountability (1.5), Human Resource and Systems Management (1.5) and Financial Management (1.8). The latter three areas were identified as requiring more attention for improvement in order to achieve better outcomes.

* 1. **Overview of revised Strategic Plan and Annual Performance Plans**

In 2013, the Department indicated that it aimed to fulfil its mandate through the following strategic goals which provide the framework to which activities and projects are aligned over the medium term. These goals are:[[3]](#footnote-3)

* Effective leadership, management and administrative support services provided to the department to ensure that it delivers on its mandate in an efficient and sustainable manner
* Coordinate and facilitate the process of establishing the National Council Against Gender-based Violence (NCAGBV)
* To mainstream the consideration of women empowerment, gender equality, disability and children’s rights into government policies and government
* Women empowerment and gender equality, children’s rights and disability considerations in government policies and governance processes mainstreamed
* Institutional support and capacity development programme for the promotion, protection and advancement of women, children and people with disabilities coordinated.

In its presentation on its revised Strategic Plan in April 2012, the Department however identified the following strategic objectives for the 2012/13 financial year:

* Advocating for the promotion and protection of the rights of women, children and people with disabilities.
* Monitoring and evaluating gender, disability and children’s rights by ensuring that the national compendium of macro-indicators integrates targets for women, children and people with disabilities.
* Ensuring that mainstreaming of gender, disability and children’s rights happens at Cabinet, FOSAD, cluster, departmental, provincial and local government levels as well as public funded institutions, the private sector and the community at large.
* Strengthening institutional capacity to deliver quality service
* Strengthening participation in strategic bilateral and multilateral initiatives that contribute to the empowerment and equality for women, children and people with disabilities.

Furthermore, the Department set out to engage in research and collaboration with other Departments, entities and stakeholders that share its vision with a view to incorporating the current monitoring and evaluation framework of government with indicators that are responsive to issues of empowerment and equality for children, women and people with disabilities. It will also collaborate with civil society to achieve the objective highlighted above.[[4]](#footnote-4)

Although there is synergy between the goals/objectives identified in the strategic plan and the annual report and the strategic focus has not changed, the goals/objectives are not explicitly similar.

* 1. **Overview of key developments in the organisational and service delivery environments of Department for 2012/13 and 2013/14 MTEF cycle**

A key development of the Department between 2012/2013 and 2013/2014 has been the development and implementation of the Turn-Around Strategy. Notwithstanding the resource challenges and capacity constraints, the Department was able to appoint a Director General and a Chief Financial Officer amidst filling other key vacant positions. In addition, the National Council Against Gender-Based Violence was also launched.

1. **Summary of previous key financial and performance recommendations of Committee** 
   1. **2012/13 BRRR recommendations**

Herewith a summary of the key financial and non-financial performance recommendations made by the Committee in the 2012 BRR report progress made in this regard, tabulated in the table below. The Minister of Finance indicated in a written response to the Committee that the recommendations noted in the 2012 BRR report did not incur a response from National Treasury.

**Table 1: Reflecting back on BRRR 2012**

| **BRRR 2012 Recommendations** | **Progress & Challenges in 2013** |
| --- | --- |
| **General**   1. The Department must focus its strategic objectives, targets and outcomes on its core mandate of coordination, monitoring and evaluation. 2. The Department must work collaboratively with other government departments and entities but must guard against duplicating activities and initiatives which fall within the mandates of other departments. 3. The Department should take heed of matters of emphasis as highlighted by the AGSA, as well as promptly implement recommendations and corrective measures as set out by the AGSA in its audit report on the Department. 4. The Department should address concerns raised and recommendations made by the Committee and expedite the implementation of its turn-around strategy and clearly outline its short-, medium- and long-term goals and timeframes in this regard. This should be reported on accordingly. 5. The Department should report to the Committee on a monthly basis on progress made with regards to the implementation of the turn-around strategy and provide financial statements on a quarterly basis. 6. The Department must provide the Committee with all outstanding reports for the period under review that relate to initiatives within the core programmes, by November 2012. Moreover, the Committee requires the Department to provide reports on the implementation of resolutions from conferences, workshops and campaigns and progress in this regard.      1. The Department must regularly submit detailed reports pertaining to conferences, campaigns and initiatives to the Committee. | 1. The Department has ensured that its strategic objectives were linked to Government’s priorities post the State of the Nation Address and Budget Speech. However, objectives, targets and performance indicators were not SMART as emphasised by the AGSA. 2. 9 MOUs were signed with either a Government Department, Office of the Premier, Government Agency and a donor/funder. This list was submitted to the Committee in November 2012.   *Collaboration within the Department*   * All Programmes have undertaken several activities and produced various outputs. However, it is unclear how the officials across the different Programmes are working collaboratively to ensure that mainstreaming of gender, children’s and persons with disability rights is indeed strengthened within the Department.   *Collaboration with Commission for Gender Equality (CGE)*   * During the deliberations pertaining to the quarterly performance of the Department and the CGE, common focus areas were identified namely the review of 365 day action plan and gender audits which both Organs of State were engaged in. The work is necessary, however, the Committee cautioned that in order to avoid duplication and resources not being used optimally, collaboration should be strengthened particularly between the NCAGBV, WEGE Programme and the Research Unit of the CGE.  1. The Department developed a Turn-around Strategy (TAS) and subsequently a DG and Chief Financial Officer (CFO) was appointed. 2. The Department has reported on progress insofar as its TAS is concerned. 3. The Department presented its quarterly reports to the Committee. However, the monthly report submissions to the Committee as requested were not provided. 4. The Department provided in total 24 reports/publications to the Committee as evidence of outputs that relate to 2012/2013 and for 2013/2014. 5. The Department has indicated in its current Annual Report that the following were produced namely; National Women’s Campaigns Report, Launch of access to education for all children campaign and an Assessment Report on National Awareness and Accessibility Campaigns. However, the Committee has not received copies of the aforementioned reports. |
| **Finance**   1. The Department’s Internal Audit Committee must provide an initial report within a month of the adoption of this report to indicate progress made in implementing AG recommendations. Hereafter, the Committee requires the Internal Audit Committee to provide quarterly reports on outcomes of meetings held. 2. The Committee seeks clarity regarding the awarding of performance bonuses, given that the Department had only delivered on 27% of its targets. Moreover, the Department should provide the Committee with a detailed account of reasons for the exorbitant leave payouts, including who these were paid out to. 3. Given the aforementioned, the Committee requires a detailed breakdown of what the additional funding sought from National Treasury will be used for and to what extent this would aid programme performance with specific reference to the WEGE, CRR and RPD Programmes. 4. The Department must guard against over-expenditure in the future. | 1. The Department has established an Internal Audit Committee to address internal audit and risk management. 2. Information was provided to the Committee. 3. The Department has not over spent in 2012/2013 period. According to the AGSA and the FFC noted that the Department had incurred R25.1 million unauthorised expenditure in 2011/2012 which had not yet been condoned as well as R35.5 million irregular expenditure in the same period. 4. The Department has during the course of 2012/2013 period highlighted to the Committee that it had experienced funding challenges and was in need of additional funding. However, it is important to note that during the 2012/2013 period the Department under-spent by R12.960 million. The Department explained that this was attributed to some vacancies which have yet to be filled and the allocation was given in December and the appointments could not be made over the December and January period. The timeframes were limited and the vetting process took time to process. |
| **Human Resources**   1. The Department should finalise the human resource plan based on the approved budget which should be implemented accordingly. 2. The Department should include a career path in their human resource plan. 3. The Department should speed up the process of employing the CFO, DG and other critical vacancies. | 1. The Department has worked on an amended HR structure. 2. The Department indicated that it was in the process of doing a skills audit and would submit a report to the Committee in this regard. 3. The DG and CFO positions were subsequently filled. |
| **Programme Performance**   1. The Department should, as a matter of urgency, finalise their mainstreaming strategies, monitoring and evaluation framework and tools which would assist other Departments in implementing issues related to women, children and people with disabilities. | 1. The Integrated Monitoring and Evaluation Strategy, Mainstreaming Framework, Advocacy Strategy & Institutional Support and Capacity Building were finalised and submitted to the Committee. |

1. **Overview and assessment of financial performance**

This section provides an overview and assessment of reported financial performance for 2012/13 and 2013/14; as well as projected financial needs or areas needing improvement in terms of spending for the 2014/15 MTEF.

* 1. **Overview of Vote allocation and spending (2009/10 2014/15)**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| **Programme** | **2009/10** | **2010/11** | **2011/12** | **2012/13** | | | **2013/14** | **2014/15** |
| Outcomes[[5]](#footnote-5) | Outcomes[[6]](#footnote-6) | Outcomes[[7]](#footnote-7) | Main | Adjusted | Outcomes | Estimates | Estimates |
| Prog 1 | 1 724 | 37 458 | 67 105 | 91.6 | 83 433 | 80110 | 97.5 | 102.9 |
| Prog 2 | 57 038 | 60 816 | 77 196 | 82.9 | 80 172 | 77 572 | 91.7 | 96.3 |
| Prog 3 | 7 742 | 8 735 | 12 006 | 9.9 | 13 525 | 9 205 | 12.2 | 13.5 |
| Prog 4 | 11 038 | 2 910 | 9 554 | 13.9 | 15 719 | 13 002 | 17.1 | 17.6 |
| **Total** | **77 542** | **109 919** | **165 861** | **198.3** | **192 849** | **179 889** | **218.5** | **230.2** |

* 1. **Financial Performance 2012/13** 
     1. **Quarterly spending trends, Adjustments for 2012/13, Post adjustment virement, Final total and programme expenditure**

The Department’s final appropriation for the 2012/13 financial year was R192.849 million, of which it spent R179 889 as at 31 March 2013, leaving the department with R12.960 million in under-expenditure.

*Table 1: Programme Expenditure[[8]](#footnote-8)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Programme Name** | **Final Appropriation** | **Actual Expenditure** | **(Over)/ Under Expenditure** |
|  | R ‘000 | R ‘000 | R ‘000 |
| Administration | 85 203 | 80 110 | 5 093 |
| WEGE | 79 502 | 77 572 | 1 930 |
| CRR | 13 025 | 9 205 | 3 820 |
| RPD | 15 119 | 13 002 | 2 117 |
| **Total** | **192 849** | **179 889** | **12 960** |

The positive point about the presented statements are that the Department did not incur any overspending, like in the previous financial year, where it incurred R22. 714 million in overspending. At the same time it is critical to spend the entire allocation as much as possible, as it would benefit the Department’s cause in justifying why its allocation from Treasury is too small. The Department has provided reasons for the under-spending per programme. These reasons are as follows:

*Administration*

* Delays in filling of vacancies
* In relation to spending on machinery and equipment, the delay was in determining the security tender amount which led to the under spending of the allocated funds for this.

*WEGE*

* Under expenditure was as a result of the non-alignment of the compensation for employees budget with the structure, together with the vacancy of Director: M&E and Branch Coordinator

*CRR*

* Under expenditure occurred because of the non-alignment of the compensation for employee’s budget with the structure.
* Delays in the appointment of a service provider for the editing, design and printing of the UN Children’s Rights Committee and the AU Children’s Rights Committee reports.

*RPD*

* Under expenditure was experienced in this programme due to the non-alignment of the compensation for employee’s budget with the structure and the fact that the position for chief-director: Advocacy & Mainstreaming and Branch Coordinator is still vacant.
* In relation to goods and services, this programme had an under-expenditure of R600 000.00 due to delays in the appointment of a service provider to conduct baseline studies on public servants, students in public universities and learnership programmes for people with disabilities

With respect to donor funding, the total donor funding received was: R 3.541 million.

As can be viewed from this pie chart, UNFPA, UN Women and UNICEF contributed to most of the activities of the Department in the form of a gift, sponsorship or donations. In total these UN agencies contributed towards 31 out of 33 activities of the Department. JICA and CVSR donated only towards one activity each. JICA is the Japanese International Cooperation Agency, which consists of funding from the Japanese tax payers. Donor funds were also used towards core activities of the Department for which they received allocation

for from Treasury. The Department does not indicate how the funding received from the donor contributed towards the completion and impact of the activity. This is important as the Department had under-expenditure for this financial year. Even though the Department does not deliver services for women, children and people with disabilities, it does have an advocacy and mainstreaming mandate and therefore what has the Department done to advocate for the funding of statutory core services by NGOs.[[9]](#footnote-9)

The Department has subsequently provided the Committee with more information pertaining to donor funds.

1. **Programme 1: Administration**

The purpose of this programme is to provide effective leadership, management and administrative support services to the Minister and other branches in the department. The objective is to provide comprehensive and integrated strategic leadership, management and governance support to ensure that the goals and objectives of the Department are effectively executed. The Department aims to achieve these objectives through the following sub-programmes namely; the Ministry, Management, Core Programme: Corporate Service and Office Management.

**Administration financial information**

*Table 2: Programme 1 allocation and expenditure*

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub-programme name** | **Final Appropriation** | **Actual Expenditure** | **(Over)/ under expenditure** |
|  | R’000 | R’000 | R’000 |
| Ministry | 23 559 | 26 399 | (2 840) |
| Management | 13 760 | 13 109 | 561 |
| Corporate services | 32 939 | 32 231 | 708 |
| Office Accommodation | 15 035 | 8 371 | 6 664 |
| **Total** | **85 203** | **80 110** | **5 093** |

*Departmental response*:

The Department indicated that the additional funding received for Compensation of Employees (CoE) during the AENE could not be utilized for the appointed of prioritized posts due to delay in filling of vacancies. Furthermore, the Department noted that it applied for a virement from CoE to Goods and Services in order to apply for a roll over to cover for the new policy (NCGBV) launched in December 2012 which was not covered in the MTEF period.

The Machinery and Equipment under Goods and Services – the under spending was due to the delay in determining the security tender amount which led to the under spending of the allocated funding as well as the late adjudication of the security infrastructure quotations.

The under spending on Goods and Services was due to the non-billing by the Department of Public Works for office accommodation.

The under spending on Capital Assets was due to late finalization of the security tender.

1. **Programme 2: Women Empowerment and Gender Equality (WEGE)**

The purpose of this programme is to facilitate national and international instruments into empowerment and socioeconomic development programmes as well as overseeing and reporting comprehensively on the national realisation of women’s rights and the progressive realisation of equality. The main strategic objectives of this programmes aim to:

* Mainstream women’s empowerment and gender equality considerations into government’s policies and governance processes;
* Monitor and evaluate the mainstreaming of women’s empowerment and gender equality considerations into government’s policies and governance processes; and
* Coordinate institutional support and capacity development programmes.

The Department aims to achieve these objectives through three sub-programmes namely, Policy and Planning for Gender Equality; Mainstreaming and Capacity Development for Gender Equality; and Monitoring and Evaluation and Research for Gender Equality.

The Department received R64.629 million for financial year 2011/12. R55.150 million will be transferred to the Commission for Gender Equality.

**Women’s Empowerment and Gender Equality financial information**

This programme is allocated R 79 502 million, however R59 703 million (73.6%) of this amount constitutes the transfer payment to the Commission for Gender Equality, leaving the programme with an operating budget of approximately R20 million.

*Table 3: Programme 2 allocation and expenditure*

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub-programme name** | **Final Appropriation** | **Actual Expenditure** | **(Over)/ under expenditure** |
|  | R’000 | R’000 | R’000 |
| Advocacy & Mainstreaming | 9 097 | 9 492 | (395) |
| Institutional Support and Capacity Development | 5 731 | 3 781 | 1 950 |
| Monitoring & Evaluation | 5 601 | 5 226 | 375 |
| **Total** | **20 429** | **18 499** | **1 930** |

*Departmental response*:

The under spending on CoE was due to the non-alignment of this budget line item with the structure, together with the vacancies of the Director: M&E Branch co-ordinator positions.

Goods and Services under spent by R820 000 which was earmarked for the NCGBV.

**(c ) Programme 3: Children’s Rights and Responsibilities**

The purpose of this programme is to ensure the realisation of children’s rights and responsibilities by:

* providing leadership and support for planning, coordination and oversight over the MTEF period;
* reporting comprehensively on children’s rights policies and legislation over the MTEF period;
* developing and maintaining a children’s rights and responsibilities monitoring and evaluation framework over the MTEF period; and
* participating in sectoral coordination and in country children’s rights forums over the MTEF period.

The Department has identified the three sub-programmes, namely; Policy and Planning, Mainstreaming and capacity development and Monitoring and evaluation.

**Children’s Rights and Responsibilities financial information**

The Children’s Rights and Responsibilities Programme was allocated R 35.7 million over the MTEF period and R9.6 million for the 2011/12 financial year. The following is a table taken from the Department’s Annual Report in relation to the Programme’s financial situation:

*Table 4: Programme 3 allocation and expenditure*

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub-programme name** | **Final Appropriation** | **Actual Expenditure** | **(Over)/ under expenditure** |
|  | R’000 | R’000 | R’000 |
| Advocacy & Mainstreaming | 3 978 | 3 263 | 715 |
| Monitoring & Evaluation | 3 998 | 2 422 | 1 576 |
| Institutional Support and Capacity Development | 5 049 | 3 520 | 1 529 |
| **Total** | **13 025** | **9 205** | **3 820** |

The first point to note is the fact that the Programme has under-spent by R3.820 million. Be that is it may, the Programme has achieved quite a remarkable number of its performance indicators within the budget and actual expenditure of the Programme. Therefore it would be useful to probe the impact of donor funding on the outputs of the performance indicators of the Programme.

*Departmental response*:

The under spending on CoE was due to the non-alignment of this budget line item with the structure.

On Goods & Services the under spending of R2.310 million was due to the delay in the development and publication of the UNCRC Report, the report on the African Charter on the Rights and Welfare of the Child and Operational Protocols Reports.

1. **Programme 4: The Rights Of People With Disabilities**

The purpose of this programme is to: Facilitate the translation of national and international instruments into empowerment and socio-economic development programmes, and to oversee and comprehensively report on the realisation of the rights of people with disabilities to equality. The programme has the following sub-programmes: Advocacy and Mainstreaming, Institutional Support and Capacity Building and Monitoring and Evaluation.

**Rights of Persons with Disabilities Programme financial information**

The following is a table taken from the Department’s Annual Report in relation to the Programme’s financial situation:

*Table 5: Programme 4 allocation and expenditure*

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub-programme name** | **Final Appropriation** | **Actual Expenditure** | **(Over)/ under expenditure** |
|  | R’000 | R’000 | R’000 |
| Advocacy & Mainstreaming | 3 800 | 3 161 | 639 |
| Monitoring & Evaluation | 5 448 | 4 345 | 1 103 |
| Institutional Support and Capacity Development | 5 871 | 5 496 | 375 |
| **Total** | **15 119** | **13 002** | **2 117** |

If one compares the outputs achieved to the budget spent for this Programme, it becomes a concern. Out of the 15 performance indicators, only 5 were achieved – that makes a total of 33% performance achieved for this Programme, yet the Programme spent 85.9% of its budget.

*Departmental response*:

The under spending on CoE was due to the non-alignment of this budget line item with the structure, together with the vacancies of the Chief Director: Advocacy and Mainstreaming and Branch Coordinator with Disabilities.

* + 1. **Director General’s report on funding situation and Auditor General of South Africa (AGSA) report**

The DG provided a very detailed and accurate report on the state of finances within the Department.[[10]](#footnote-10) There are two important points worth noting:

* The Department incurred irregular expenditure to the value of R6.120 million.The DG states that part of this was as a result of awarding contracts to suppliers without valid original tax clearance certificates and due to irregular appointments made in the previous financial year.[[11]](#footnote-11) She further states that the irregular expenditure will be investigated and remedial actions will be taken.
* The Department inherited a debt of R3.000 millionfrom the previous Office on the Status of Disabled People.

The AGSA gave the Department an unqualified audit for the financial year. This is progress in relation to previous audits undertaken by the AGSA. However the AGSA did note important observations with regards to governance and internal control of funds within the Department. Some of the important points mentioned by the AGSA are as follows.

* The AGSA mentioned that 36 targets (30% of the entire 119 targets) were not achieved by the DWCPD. The AGSA mentioned that the reason for this was because the targets were not suitably developed during the strategic planning process. The Portfolio Committee has, on a continual basis, cautioned the Department against setting performance indicators which are not strategic and/ or SMART.
* The AGSA found that the statements submitted for auditing were not fully prepared as per the prescribed requirement by the Public Finance Management Act. In addition, the AGSA stipulated that material misstatements were found, which were subsequently corrected, after the submission thereof.
* In relation to internal controls, the AGSA made the following points:
  + That no sufficient monitoring controls exist to ensure compliance with laws and regulations;
  + No daily and monthly controls were in existence to ensure complete and accurate financial statements; and
  + Even though the internal audit unit was established, it was not adequately resourced and did not function as intended.[[12]](#footnote-12)
* In terms of Procurement and contract management the following was noted:
  + Goods and Services with a transaction value below R500 000 were procured without obtaining price quotations
  + Instances where quotations were awarded to suppliers whose tax matters had not been declared by SARS

These are extremely important observations by the AGSA, which should have been addressed by the Turn-around Strategy of the Department.

* + 1. **Financial Fiscal Commission (FFC)**

The FFC concurred with the findings of the AGSA and also highlighted the following:

Unauthorised expenditure

* An amount of R25.1 million unauthorized expenditure in 2011/12 and this amount was not yet condoned. The Department did not however incur any unauthorized expenditure in 2012/13.

Irregular expenditure

* An amount of R35.5 million irregular expenditure was recorded in 2011/12 - no reasons were cited by the Department in the Annual Report.
  + Currently investigations are under way regarding the R6.1 million irregular expenditure incurred in the 2012/13 financial year. Part of it as a result of suppliers awarded contracts without valid original tax clearance certificates

The FFC made the following recommendations have direct bearing on the Department of Women, Children and People with Disabilities namely;

1. **Assessing Gender Responsive Budgeting in the Local Government Sphere in South Africa**

* National and Provincial Governments should:
  + Run a pilot on gender budgeting in a few municipalities
  + Ensure that gender planning is institutionalised in municipal IDPs by sector
  + Provide gender budgeting good practice guides and toolkits
  + Provide guidelines for collecting sex disaggregated data
* Local Government should:
  + Institutionalise gender responsive budgeting process linked to IDPs
  + Build capacity for gender mainstreaming and gender responsive budgeting at the local level
  + Ensure gender-responsive appropriations and budget allocations
  + Ensure gender-sensitive public participation and consultations at local level

1. **Economic and Social Value of Social Grants**

* National Treasury provides advice to departments and agencies working with children on developing major cross-portfolio initiatives aimed at eliminating child poverty. To date, a range of child poverty measures have been accommodated and scattered across many agencies, but these should be nested within a new unified outcomes framework of related agencies because of synergies with related programmes
  1. **Financial performance 2013/14**

**4.3.1 Overall Financial Performance**

* The total budget for the year 2013 /14 is R198.312 million (including the Commission on Gender Equality)
* Actual Expenditure for the 1st quarter of the 2013/2014 financial year is R37.507 million.
* Department spent 19% for the 1st Quarter of the 2013/14 financial year.
* The Departmental planned budget projections were R49.769 million for the 1st Quarter of 2013/14, and that the Actual Expenditure amounted to R37.507 million, representing a positive variance of R12.261 million - 75% against its planned budget for the quarter.

**The financial performance for Programme 1 was as follows:**

Programme 1 had a planned budget projection of R25.003 million of which it spent R19.417 million which amounts to 78%. An under-expenditure of R5.586 million was incurred. In terms of the sub-programmes, the Ministry over-spent (126%) as compared to Management (62%), Corporate Services (72%) and Office Accommodation. The latter under-spent by more than half of the allocated budget (Actual expenditure of R1.403 million, Planned budget projection of R3.318 million).

**The financial performance for Programme 2 (WEGE) was as follows:**

* The overall budget for WEGE 2013/2014 is R 82.9 million. It should be noted that the transfer payment for the Commission for Gender Equality amounts to R63.1 million, constituting 76.12 per cent of this programme budget.
* The WEGE programme therefore has an operating budget of R19.8 million for the 2013/14 period.
* By the end of quarter 1 (April – June 2013) a total of R3.8 million of the programme budget had been spent. A total of R3.9 million had been budgeted for programme 2 for quarter 1.
* The programme had therefore spent 97.4% of its budget for the first quarter, and not 72% as indicated in the documentation sent – the amounts reflected in the documents include the CGE’s transfer payment and are not an accurate reflection of the programme’s operating budget.

**The financial performance for Programme 3 (CRR) was as follows:**

* The allocated budget for this programme for the first quarter of the financial year was R1.970 million.
* Out of this allocated budget, R1.604 000 million was spent. This means that the Department only spend 81% of the budget for this quarter.
* When compared to the goals achieved, this would seem correct. However, the goal that was not achieved did not need 19% of the budget to achieve it. In fact, it would have needed much less.
* The spending for this Programme was verified and confirmed by National Treasury in its Report on spending for the Department in the first quarter.
* A further observation made by Treasury is in line with under-spending for this Programme. In this regards, Treasury stated that the Department spent 25% less during this quarter, compared with the first quarter of the previous financial year. They said that a reason for this is because of a delay in the filling of vacancies and slower anticipated spending on goods and services.

**The financial performance for Programme 4 (RPD) was as follows:**

* This programme had total planned budget projection of R3.026 million, the actual expenditure is R2.188 million, with an under-expenditure of R836 000. Therefore Programme 4 has spent 72% of its budget for the 1st Quarter.
* The under-expenditure for this programme remains consistent which is a concern. The Department explained previously to the Committee that for 2012/13 there was under-expenditure for this programme which was attributed to human resource shortages as well as limited finances in order to achieve the planned activities. The Department acknowledged the concerns raised by the Committee in this regard and will attend to it.
  1. **2014/15 MTEF financial allocations**

The Department has indicated that additional funding is required for the NCAGBV. Moreover, the Department maintains that the structure for the Department was based on salary scales of the Offices previously located within the Presidency namely the Office on the Rights of the Child, Office on the Rights of Persons with Disabilities and the Office on the Status of Women. This has negatively impacted on the Department being resourced adequately and until this is addressed the Department maintains it would continue to face funding challenges. Hence, the Department intends submitting a revised human resource structure to the Department of Public Service and Administration for consideration.

* 1. **Concluding comments on financial performance**

The Committee concurs with the findings of the AGSA and the FFC and have made the relevant recommendations in this regard. Furthermore, the Committee is acutely aware of the scourge of gender-based violence in the country, the challenges pertaining to gender mainstreaming, mainstreaming from a child rights perspective and disability mainstreaming. Adequate resources are required to undertake effective monitoring and evaluation in this regard. Moreover, resources have to be utilised optimally to ensure the desired outcomes are achieved.

1. **Overview and assessment of service delivery performance**
   1. **Service delivery performance for 2012/13**

**Overall Performance**

|  |  |  |
| --- | --- | --- |
| **Programme** | **Targets achieved** | **Targets not achieved** |
| **Administration** | **50** | **21** |
| **Women’s Empowerment & Gender Equality** | **14** | **3** |
| **Children’s Rights and Responsibilities** | **13** | **1** |
| **Rights of persons with disabilities** | **6** | **10** |
| **Total** | **83** | **35** |

* Total targets: 118
* Targets achieved: 83
* Targets not achieved: 35
* The department has achieved 70% of its performance targets set for the 2012/13 financial year.

The Committee acknowledges all targets that have been achieved and progress made in this regard. It is also imperative to ascertain what the Department’s plan is in addressing outstanding targets that were not achieved in 2012/13. Hence, a reflection of targets not achieved is provided.

1. **Programme 1: Administration**

The purpose of the Administration programme is to provide effective leadership, management and administrative support services. The objective is to provide comprehensive and integrated strategic leadership, management and governance support to ensure that the goals and objectives of the Department are effectively executed. The Department aims to achieve these objectives through the following sub-programmes: Ministry, Management (The secretariat for the NCGBV is also located in this sub-programme, Core Programme: Corporate Service and Office Management.

**Review on Administration’s performance 2012/2013**

| **Target Not Achieved** | **Concerns** | **Department’s Response** |
| --- | --- | --- |
| In-year monitoring implemented | The Department indicates that they have achieved their targets in relation to the implementation of in-year monitoring mechanisms, however the Auditor-general highlights this as a target that the department has not met. | The Department indicated that measures are in place to produce IYMRs. |
| Lack of compliance to policies and prescripts and financial internal control mechanisms  No risk assessment register and operational risk assessment reports  No functional M&E system developed | The lack of adequate financial control mechanisms and risk mitigating measures impacts on the department’s financial performance. | The Department has informed the Committee that financial control mechanisms and risk mitigating measures have been implemented. |
| No Employee Assistance Programme developed and suitable and compliant accommodation has not been secured. | The concern noted was how this has impacted on staff performance and morale. | The Department appointed an EAP coordinator. |
| Implementation of the ICT Governance Framework | After nearly 4 years it is concerning that the ICT Governance Framework has not been implemented. | The Department indicated that that the revised ICT security policy was submitted for approval. In addition, the Department indicated that the ICT Governance Framework will be developed. |

1. **Programme 2: Women’s Empowerment And Gender Equality**

The purpose of the Women’s Empowerment and Gender Equality Programme is “To facilitate the translation of national and international commitments into empowerment and socio-economic development programmes, and to oversee and report comprehensively on the national realisation of women’s rights and the progressive realisation of equality**”**

The Department aims to achieve these objectives through three sub-programmes: Advocacy and Mainstreaming, Monitoring and Evaluation and Institutional Support and Capacity Development.

**Review on Women’s Empowerment and Gender Equality performance 2012/2013**

The Department has achieved 14 of the 17 targets it had set for this programme in the 2012/13 financial year.

|  |
| --- |
| **Objective** |
| Objective 1: To mainstream women’s empowerment and gender equality considerations into Government’s policies and governance processes, as well as advocating, lobbying and awareness raising |
| **Target Not Achieved** |
| New growth path engendered and advocate for 50% allocation of Job Fund for women |
| *Departmental response*:  Not included in the 2013/14 APP but a process is underway to engage the Department of Economic Development. |

|  |
| --- |
| **Objective** |
| Objective 2: To monitor compliance and conduct impact assessments on women’s empowerment and gender equality, as well as compile reports to meet national, regional, continental and international commitments |
| **Target Not Achieved** |
| Twelve gender audit reports developed  Five reports on compliance to national commitments developed. |
| *Department’s response*:  Not included in the 2013/14 APP however bilateral meetings will be convened with the three provinces already audited.  To be achieved in 2013/2014. |

1. **Programme 3: Children’s Rights And Responsibilities**

The following table identifies the indicators and targets set out to achieve these programme objectives.

**Review on Children’s Rights and Responsibilities performance 2012/2013**

|  |  |
| --- | --- |
| **Objective** | |
| Objective 1: To mainstream children’s rights considerations into Government’s policies and governance processes. | |
| **Targets Not Achieved** | **Concerns** |
| None | * The Department to please indicate the impact of social campaigns conducted. Developing concept notes is not sufficient. * The planned target for child participation is vague and more clarity is needed. * Generally more details are needed on what was achieved and its impact. |

*Department responses to concerns:*

* In relation to the social campaigns concern, the Department submitted to the Committee a breakdown of the costs incurred, together with the concept notes for some of the campaigns. However, it has not provided any information on the impact of social campaigns, especially in relation to mainstreaming children’s rights considerations into governance processes – as per the objective. The Department also provided the Committee with a list of the child rights machinery members.

|  |  |
| --- | --- |
| **Objective** | |
| Objective 2: To monitor and evaluate the mainstreaming of children’s rights considerations into Government policies, governance processes | |
| **Targets Not Achieved** | **Concerns** |
| None | * The Committee sought clarity in terms of how the M&E strategy for children differs from that of the integrated M&E Strategy. |
| *Departmental responses*   * In relation to objective 2, the Department has not responded on how the M&E Strategy for children differs from the Integrated M&E Strategy. The Department has however provided the Committee with both the M&E Strategy for children and the Integrated M&E Strategy. | |
| **Objective** | |
| Objective 3: To provide institutional support and capacity building for the mainstreaming of children’s rights and wellbeing into Government policy and programmes, civil society and private sector | |
| **Target Not Achieved** | **Concerns** |
| * Child friendly cities/ communities initiatives for realisation of children’s rights facilitated and coordinated in three municipalities. * Institutional framework developed | * The Department cites the National Plan of Action for Children as an achievement for the child friendly cities performance indicator. This is confusing, as the Department in its quarterly reports for this financial report indicated that this performance indicator was not met. * The Department has to indicate how the institutional framework for children will differ from that of the overarching institutional framework and the rationale behind having many institutional and programmatic frameworks. |
| *Departmental response*:   * Under objective 3, the Department has responded to the child friendly cities performance indicator by stipulating that the Child Friendly Communities Framework has not yet been implemented. Therefore their response is that the target has not been met, while they report in the Annual Report that it has been met. They also mention that the German Bank is funding this performance indicator, but did not stipulate this in the list of donors in the Annual Report. * The Department has not responded to the institutional framework concern. It did stipulate that the integrated support and capacity development framework was developed. However, this does not speak to the institutional framework for children, as per the performance indicator and target in this regard. | |

The Programme has achieved quite a remarkable number of its performance indicators within the budget and actual expenditure of the Programme.

1. **Programme 4: The Rights Of People With Disabilities**

**Review on Rights of People with Disabilities programme performance 2012/ 2013**

|  |  |
| --- | --- |
| **Objective** | |
| Objective 1: Advocacy and mainstreaming to promote the rights of people with disabilities | |
| **Targets Not Achieved** | **Concerns** |
| * National Disability Policy published * Universal Access Strategy approved * SA Country Plan of the African Decade Continental Plan implemented and coordinated | * The National Disability Policy performance indicator has not been achieved for a number of years. This performance indicator should be prioritised by the programme. * The additional technical and financial support that the UN Partnership to Promote the Rights of Persons with Disabilities will provide, as stipulated on page 46 of the Annual report was not elaborated on. * Statements made at conferences and international fora should not qualify as a performance indicator. |
| *Departmental Responses*   * In relation to the concern on the national disability policy, the Department has provided an update on this activity, by submitting a discussion document used for the consultations on what the update on the policy should contain. * The Department has not responded to the terms and conditions of the UN Partnership to Promote the Rights of Persons with Disabilities. * The Department has responded that the lessons learned internationally at conferences will be incorporated into the Disability Policy document for the country. The Deputy Minister has also asked to brief the Committee on activities related to the last Conference of State Parties on Disability held in New York. | |

|  |  |
| --- | --- |
| **Objective** | |
| Objective 2: To monitor and evaluate the mainstreaming of disability considerations into Government’s policies and governance processes. | |
| **Target Not Achieved** | **Concerns** |
| * Number of reports on access to education for children and young people with disabilities compiled * Number of M&E reports on access to employment and economic empowerment opportunities for people with disabilities compiled * Two reports on participation by people with disabilities in rural development programmes compiled * Disability considerations integrated into all government M&E (GWME) systems | * Four out of five targets for this objective has not been achieved. * In discussing the deviation from the planned targets on pages 47 and 48, it is stipulated that many reports were not compiled, while the actual target for 2011/ 2012 states that it has been done. This anomaly causes confusion and therefore clarity is needed. * The additional technical and financial support that the UN Partnership to Promote the Rights of Persons with Disabilities will provide was not elaborated on. * Complying to UNCRPD reporting requirements cannot be a performance indicator, as it is a style requirement, as opposed to an actual outcome, such as the UNCRPD report. |

*Departmental Responses*

* Of the concerns raised by the Committee under this objective, the Department only need to respond to one, as the UN Partnership question was also raised under the first objective. The Department however has not responded in relation to the update on the UNCRPD country report. Therefore the status of this report and whether it has been submitted and approved by cabinet before depositing at the UN is still not clear.

|  |  |
| --- | --- |
| **Objective** | |
| Objective 3: Institutional Support and Capacity development for equal access and opportunities for people with disabilities | |
| **Target Not Achieved** | **Concerns** |
| * Two institutional support interventions to facilitate equal access to employment and economic empowerment opportunities for people with disabilities coordinated * Strategy for mainstreaming of disability considerations in integrated public service delivery coordinated * Institutional Framework developed | * Three out of four performance indicators for this objective has not been achieved. The Department is to give urgent attention to this. |
| *Departmental responses*   * The Department has responded that the institutional framework for disability and the M&E strategy is contained within the integrated M&E strategy and institutional framework. It did stipulate that the institutional framework will be completed during the 2013/ 14 financial year with the assistance of the UN Partnership on Disability. | |

If one compares the outputs achieved to the budget spent for this Programme, it becomes a concern. Out of the 15 performance indicators, only 5 were achieved – that makes a total of 33% performance achieved for this Programme, yet the Programme spent 85.9% of its budget.

*Departmental response*:

* The Department has not reported on any activity in relation to monitoring whether other Government Departments are making progress in reaching the 2% target on the employment of persons with disabilities. They have provided the Committee with the Department of Public Service and Administration report in this regard.
  1. **Service delivery performance for 2013/14** 
     1. **Quarterly performance assessments**

The Department achieved just over half of its targets (14/26) for the 1st Quarter (April-June) of the 2013/2014 financial period.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **PROG 1: ADMIN** | **PROGRAMME 2: WEGE** | **PROGRAMME 3: CRR** | **PROGRAMME 4: RPD** |
| **ACHIEVED** | **22% (2/9)** | **78% (7/9)** | **80% (4/5)** | **33% (1/3)** |
| **NOT ACHIEVED** | **78% (7/9)** | **22% (2/9)** | **20% (1/5)** | **67% (2/3)** |

* The working relationship between the various programmes within the Department is not very explicit and as such it is difficult to ascertain whether the deliverables cited was attributed to a joint venture between the respective programmes e.g. Audit of Special schools – Programme 1 and 4.
* It is unclear as to how the Department ensures collaboration and partnership between all 4 of its programmes in order to avoid duplication and utilise scarce resources

The Annual Performance Plan 2013/2014 outlines two Strategic Objectives with related Key Performance Indicators all of which have been reported on by the Department with reference to the 1st Quarter of 2013/2014. Each key objective against the relevant said objective is briefly discussed hereafter.

1. **Programme 1: Administration – Overview of progress for Quarter 1 in 2013/2014**

* **Number of internal audit reports issued on the 3 year rolling plan:** This KPI was not achieved. The Department was expected to develop a 3 year rolling plan alongside an internal audit report on the plan. However, the plan was to be submitted to the Audit Committee on 27 July 2013.
* **% of management action plans followed up and verified:** This KPI was not achieved. The Department indicated that the follow-up audits were not done in the 1st Quarter as there were outstanding tasks from the previous financial year that had to be completed.
* **% of deviation on expenditure against allocated funding:** This KPI was not achieved. The Department indicated that the projections were not in line with the Operational Plans.
* **% of reduction of vacancy rate:** This KPI was not achieved. The Department indicated that there were 7 new appointments and 4 terminations were implemented. Measures were put in place to improve the turnaround time of recruitment and that a staff retention strategy was being developed.
* **Events coordination for three sectors in the department (women, children and people with disabilities):** This KPI was not achieved. Reports were suppose to be developed for events pertaining to International Day of Children, Day of the African Child and National Epilepsy Week but this was not done. Instead the Department indicated that resources were utilised for the facilitation and coordination of the “Launch of the United Nations Orange Day UNiTE Campaign in Limpopo and Western Cape Provinces”
* **Annual Stakeholder Forum coordinated:** This KPI was achieved. The Department cites the development of the concept document on the action plan on the ASF as an achievement.
* **Communication Plan (with regard to marketing and branding) implemented:** This KPI was not achieved. The Department indicated that the Terms of Reference took longer than expected and that the Market research would only be finalised in the 2nd Quarter. It is concerning that the Department is still working on understanding how to improve its marketing and branding 4 years into its inception. This despite have sought assistance and support from GCIS.
* **Number of Research analytic reports on the status of women, children and people with disabilities produced:** This KPI was achieved. The Department indicated that is produced and presented an analytical report on unemployment and child labour in South Africa finalised as well as developed an analytical report on Access of Information by person with disability. The Department cites the completion of an “Inception Report on the Violence against Women”, the finalised analysis of the “survey of special schools” and the development of a “tool to assess institutional arrangements at District Municipal level” as achievements. However it is unclear as to whether all of the aforementioned outputs are related to this KPI.
* **365 Day Plan of Action (POA) coordinated:** This KPI was not achieved. The Department indicated that the Council was still in the process of reviewing the Strategic Guidelines document and the Terms of Reference all which will be completed in the 2nd Quarter.

**Other achievements**: The Department also cites the coordination of the signing of the South Africa-Nigeria MOU on partnership with the three sectors (i.e. Women, Children & People with Disabilities) as other main achievements. However, it is unclear as to how this relate to any of the strategic objectives of Programme 1 and its KPIs.

The Department’s Strategic Plan includes targets for “mandatory policies and procedures relating to Occupational Health and Safety (OHS) and reasonable accommodation”. By 31 March 2014 the Department aims to have OHS procedures approved, but they also aim to have a reasonable accommodation policy approved by May 2013.

**Outstanding matters**: The Department previously indicated to the Committee that in the previous financial year, 2012/2013 the following policies were still in draft form and will be carried over for completion in the current financial year 2013/2014 these included:

* Integrated Monitoring and Evaluation Strategy
* Mainstreaming Framework
* Advocacy Strategy
* Institutional Support and Capacity Development Framework

These have all been submitted to the Committee as final.

1. **WEGE Programmatic Performance**

The programme has managed to achieve 7 of the 9 targets set for this quarter, and has indicated that they have measures in place to achieve outstanding targets by the end of the financial year.

|  |  |  |  |
| --- | --- | --- | --- |
| **Performance Indicator** | **Annual Target** | **Quarter 1 target** | **Target achieved** |
| Number of programmes on WEGE Policy coordinated | 4 | 2 | √ |
| Number of Programmes on women’s socio-economic opportunities and development coordinated | 5 | 1 | √ |
| Number of Capacity building and institutional support programmes facilitated and coordinated | 3 | 1 | √ |
| Number of initiatives on Institutional Support and Capacity development framework undertaken | 3 | 1 | √ |
| Number of National Gender Mainstreaming (NGM) programmes coordinated | 4 | 1 | √ |
| Number of initiatives for young women in (Science, Technology, Engineering and Mathematics (STEM) fields coordinated | 4 | 1 | X |
| Number of status report on programmes for women empowerment & gender equality | 3 | 1 | √ |
| Number of provincial programmes on implementation of women empowerment & gender equality monitored | 4 | 1 | X |
| Number of compliance reports to regional, continental and international commitments | 2 | 1 | √ |

1. **Programme 3 CRR: Overview of programme performance**

The Department had 5 targets to meet in this quarter. These targets were as follows:

* ***One social campaign on the rights of children to be conducted:*** In this regard the Department reported that they successfully conducted child protection week. It should be noted that child protection week is actually led by the Minister of Social Development and not the DWCPD.
* ***Developed Child Friendly Cities/ Communities model consulted:*** The Department reports that it consulted stakeholders on 27 and 28 June 2013 on the child friendly cities/ communities model. The target for implementing this performance indicator during the 2012/ 13 financial year was to implement this model within one municipality. During the presentation on the quarterly reports for the 2012/ 13 financial year, the Department reported that the draft model was completed and was awaiting implementation. They did not implement it due to the fact that they were waiting for resources from the German Development Bank and National Treasury. These two steps are in contradiction of each other. Therefore clarity is needed with the implementation of this performance indicator.
* ***M&E strategy to be consulted with stakeholders:*** The quarterly reports presentation for the 2012/ 13 financial year reported that this document has been finalised. The target for the first quarter for this project is to consult with stakeholders on this finalised version. The Department reports that it conducted consultations with heads of M&E units within 4 provinces, these being the Northern Cape, Eastern Cape, Free State and Western Cape. One cannot have a consultation on a finalised document. The purpose of a consultation is to consider comments from a consultation process into a draft document. The Department also reported that it conducted site visits to the Khoi and San communities in the Northern Cape and visited the Ghariep district in the Free State.
* ***Concept document on the development of the M&E data systems consulted with stakeholders:*** The Department’s report on the status of this target is as follows: “Consultations with Statistics South Africa on indicators and data system for Ulwazi for children and agreement on the template for finalization of metadata and Service Legal Agreement”. Based on this, the Department stipulated that this target has been reached. However, this description of progress made is ambiguous, as it does not make sense. Therefore the Department should provide clarity on this performance indicator, together with the intended progress on this indicator.
* ***The AU – ACRWC and UNCRC reports submitted to cabinet:*** The Department did not meet this target as they missed the deadline for submission to cabinet for consideration. They have reported that the corrective measure taken was to submit the reports within the second quarter of this financial year. Cabinet has approved at DIRCO and awaiting to be deposited.

1. **Programme 4 RPD: Overview of Programme Performance**

This programme achieved only 1 out of 3 targets in the 1st Quarter of 2013/2014. In the previous financial year this programme achieved 3 out of 15 targets. The overall performance of the programme is concerning

* **Number of transversal projects that mainstream disability considerations supported:** Access to Justice and Child Safety project supported through a workshop on sexual Abuse and Victim Empowerment programme (model) involving professionals in the criminal justice system, DSD and DBE including parents of disabled children. This was cited as an achievement.
* **Number of Disability Rights Campaigns coordinated:** This target was not achieved instead the Department indicated that the costing and design of branding will be finalised in Q2.
* **Number of Reports on the Status of People with Disabilities published:** This target was not achieved. The Department indicated that the report will be published in Q2 as the supply chain process is underway to ensure that the report will be produced. Notwithstanding the importance of the supply chain management process, of greater concern is the information contained in these reports and the outcome hereto.

**Other Main Achievements:** This programme notes the Department hosted the UN-DESA technical team from 10-13 June 2013 on a needs assessment mission for the development of the Toolkit in partnership with key stakeholders. However this it is unclear as to which Key Performance Indicator this is related to.

**Outstanding Matters:** It is unclear as to how the Department, this Programme has dealt with all of its outstanding activities that were incomplete from the previous financial year as this was not reported in the Q1 report. Furthermore, some of the key initiatives that reside within this programme were in fact not reported on in the Q1 report with no explanation as to why these were omitted. Some of these targets included:

* Monitoring of 2% employment equity target
* Draft National Disability Policy
* Disability Indicator Matrix
* National Disability Machinery
* Resolutions of State Party Conference for 2012 and 2013
  1. **Other service delivery performance findings**

The oversight visit which the Committee undertook to the Department’s offices and subsequent engagement with the Department in March 2013 and hereafter highlighted several findings that related to the implementation of the TAS, policy development and implementation and overall monitoring and evaluation. To this end, the Committee made several recommendations in order to assist the Department in improving its performance outcomes these include for example improving working conditions for staff, addressing ICT and infrastructure, human resources, finance as well as programme specific issues that related to the policies presented to the Committee at the time.

* 1. **Concluding comments on service delivery performance**

The Department has made progress with the implementation of the TAS but acknowledges there are matters outstanding which will be addressed. The filling of key vacancies will contribute significantly to achievement of performance outcomes. Moreover, the skills audit which have yet to be completed is an important activity the outcome of which will greatly aid the Department in identifying skills deficits as well as strengths and how best these can be optimised. The core programmes namely 2, 3 and 4 have significantly less staff than Programme 1 focussed on Administration. However, these core programmes are responsible for key outcomes of the Department and have to be well resourced and capacitated. Notwithstanding, this performance of Programme 4 as compared to 2 and 3 is of concern and requires attention.

1. **Finance and Service delivery performance assessment**

This section provides a synopsis of the service delivery performance against spending patterns for 2012/13 and 2013/14.

* In 2011/2012, the Department incurred irregular and unauthorised expenditure which have not yet been condoned. Investigations are underway the outcomes of which will determine what actions are required. Nonetheless, this has had an impact on the finances for 2012/2013.
* In 2012/2013 the Department incurred irregular expenditure of R6.1 million which is less as compared to the previous financial year. Notwithstanding this, the Department is investigating reasons for this and will inform the Committee accordingly.
* No over-expenditure was incurred for 2012/2013 and the Department has assured the Committee that this will be maintained going into 2013/2014.
* The Department developed key policies in 2012/2013. These have subsequently been finalised and should be implemented in 2013/2014.
* The Department undertook many campaigns and other initiatives during 2012/2013 and reports were produced. The dissemination of these reports are crucial. The findings and outcomes have to be made explicit in order to raise awareness and advocate for change.
* The NCAGBV was established in 2012/2013 and has received subsequent funding but this is inadequate to give effect to its mandate.

1. **COMMITTEE’S KEY FINDINGS** 
   1. **Technical issues**

* The Committee welcomed the tabling of the Department’s Annual Report within the required deadline.
* The structure and layout of the 2012/ 2013 Annual Report has improved as compared to previous reports.
* The Department has ensured that its strategic focus has not changed. There is a level of synergy between the goals/objectives in the Strategic Plan and the Annual Report although these are not always explicitly similar.
  1. **Governance and operational issues**

*Governance*

* The Committee welcomed the Department’s progress for the period under review as it was able to improve corporate governance by reducing non-compliance with the Public Finance Management Act, whilst also setting up various systems within risk management. An internal audit unit was established in July 2012. The capacity constraints were acknowledged and the impact of this for risk management.

*TAS*

* The Committee welcomed the development and implementation of the Turn-Around Strategy. The Committee noted that there were outstanding matters related to the Turn-Around Strategy which has yet to be implemented the outcome of which would greatly enhance the performance outcomes of the Department.

*Infrastructure*

* The Committee welcomed the Department’s efforts insofar as improving the basic conditions of the accommodation in the Pretoria offices.
* The Committee acknowledged that the Department has been communicating with the Department of Public Works in this regard.

*Human Resources*

* The Committee welcomed the filling of key vacant positions but was still concerned with posts that have yet to be filled.
* The Committee noted that Programme 1 (support staff) as compared to Programme 2, 3 and 4 (core staff) has a significantly higher staff ratio (2.6:1) which is concerning given that that latter three programmes are expected to drive the core functions of the Department. The Committee is of the view that the initiatives related to policy development, research, institutional support and capacity building, advocacy and campaigns as well as stakeholder engagement currently located in Programme 1: Administration should be mainstreamed and relocated within the respective core Programmes 2, 3 and 4.
* The Committee noted with concern that budget for training opportunities and staff bursaries decreased.

*Disciplinary and grievance processes*

* The Committee appreciated the update from the Department insofar as sharing information pertaining to disciplinary and grievance matters that have been dealt with to date.
* The Committee was assured by the Department after its presentation of the Turn-Around Strategy that staff would receive training on the Public Finance Management Act. The Department has not yet managed to achieve this target.
  1. **Service delivery performance**
* The Committee welcomed the reports and publications submitted by the Department to date. The Committee also acknowledged the efforts underway by the Department but urged the Department to submit reports regularly as required.
* The Department explained the reason for the decrease in its advertising budget.
* The Department is commended for exceeding the 2% target for the employment of persons with disabilities. However, the Committee was concerned with dismal performance of other Government Departments for not meeting the 2%.
* The Committee welcomed the gender audit reports of the Department. What was lacking was an indication as to how the findings will be utilised to improve gender equity within the workplace. Moreover, the Committee noted that the Commission for Gender Equality’s, Research Department had also undertaken gender audits but there did not appear to be any synergy and or collaboration. This was earmarked as an area for improvement.
* The Committee noted with concern that collaboration between other government departments and the Department of Women, Children and People with Disabilities in the drafting of treaty compliance reports, which results in the late depositing of these reports.
  1. **Financial performance including funding proposals**

The Committee welcomed the unqualified audit opinion issued by the Auditor General for the Department’s 2012/2013 Annual Report.

*Value for money*

* The Committee welcomed the fact that the Department did not overspend in its overall budget. The Committee noted with concern the under-expenditure in light of all targets not being met for the respective programmes. Furthermore, all challenges identified by the Committee in the performance of the Department, as mentioned in this analysis, should also be given attention.
* It is evident from all the justifications given for the reasons for under-expenditure that it relates to work which the Department has not done within the stipulated annual performance plan time. This in itself should be balanced and taken into consideration in relation to the performance of the Department and whether an increase in budget for the Department is necessary and justified.
* The Committee was concerned about outstanding irregular and unauthorised expenditure from previous financial years and the impact of this on the Department’s budget going forward. In the 2012/2013 period, the Department incurred irregular expenditure of R6.1 million which is also of concern.
* The Committee noted with concern the AG findings that there was there was no sufficient monitoring controls to ensure compliance with laws and regulations; nor were there daily and monthly controls in existence to ensure complete and accurate financial statements.. The Committee did however acknowledge the Department’s progress in this regard which entailed the appointment of a Director General, the Chief Financial Officer, Director: Risk Management and the establishment of the Internal Audit Committee.

*IT*

* Notwithstanding the importance of IT infrastructure for the Department, the Committee noted with concern that this still required additional funding. Since the inception of the Department, this was identified as an area that would have been dealt with in previous financial years.

*National Council on Gender-Based Violence*

* The Committee noted with concern that this structure did not receive the requisite funding it requires in order to function optimally in 2012/2013. Subsequently, the Council has received some funding but this allocation is inadequate in order for it to achieve the desired outcomes. Given the scourge of gender-based violence in the country this should be prioritised.
* The Committee has reiterated the importance of drawing on existing skills within the Department. This is not apparent between Programme 1 where the Secretariat of the NCGBV is located and Programmes 2, 3 and 4.
* The development of an integrated and comprehensive plan to deal with gender-based violence is long overdue and welcomed by the Committee. However, this must not be done in isolation to existing policies within the Department and Government at large. Moreover, this is particularly pertinent for monitoring and evaluation frameworks and related indicators for collection that reside within the core programmes.

*Minister of Finance response to previous BRRR*

* The Minister of Finance did not provide a response to the BRRR of 2011/2012. Upon communication between the Committee and Treasury, they indicated that there was no need for a response as no recommendations were directed to Treasury.

1. **Summary of reporting requests**

|  |  |  |
| --- | --- | --- |
| **Reporting matter** | **Action required** | **Timeframe** |
| Monthly reports encouraged as per the AG recommendation | Written report | By the 15th of every month for previous month |
| Quarterly reports | Written report  Briefing | 1 December 2013 (due date for 2nd quarter report for 2013/2014)  At next quarterly meeting in January – March 2014 (see Committee programme) |
| Audit outcomes -  Details of audit action plan | Written report  Briefing | 1 December 2013  At next quarterly meeting in January – March 2014 (see Committee programme) |
| Skills audit | Written report  Briefing | December 2013  At next quarterly meeting in January – March 2014 (see Committee programme) |
| Travel and subsistence | Written report | 1 December 2013  At next quarterly meeting in January – March 2014 (see Committee programme) |
| Unauthorised and irregular expenditure from previous financial year | Written report | At next quarterly meeting in January – March 2014 (see Committee programme) |

1. **Recommendations**

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

* 1. **Financial performance**
* It is encouraged that the Department submit monthly reports to the Committee as this will aid with oversight.
* All outstanding matters related to the Turn-Around Strategy must be reported on to the Committee on a monthly basis.
* The Department must implement and adhere to stringent daily and monthly financial controls.
* The Department must ensure that all funds that are appropriated are utilised optimally to avoid under or over-expenditure.
* The Department is requested to provide the Committee with regular reports for activities that incur Travel and subsistence costs. These initiatives should clearly indicate the purpose of the trip, the size of the delegation, the cost incurred, the outcomes of the trip and an action plan as to how resolutions will be implemented.
  1. **Human Resource**
* All key funded vacancies must be filled.
* The Department’s skills audit must be completed by December 2013 and an action plan of what is required to address the skills deficit must be developed before the end of this financial year. This must be submitted as part of the Department’s Annual Performance Plan and revised Strategic Plan to National Treasury for the coming financial year.
* The Committee reiterated the importance of compliance with the Public Finance Management Act and National Treasury Regulations by the Department and that failure of officials in this regard must be dealt with expeditiously.
* Given the Auditor General’s findings pertaining to the lack of internal controls and non-compliance with laws and regulations as required by Treasury Regulations, training is essential for staff and communicating policies and procedures to ensure that all staff are aware of these.
* The Department must have a personal development plan that is linked to a performance contract for all staff.
* Funding for personal development must be increased and should not be used for any other purpose but what it was intended for and ring-fenced.
* The Department must ensure that key vacancies within the core Programmes (2, 3 & 4) are filled. In terms of the revised human resource structure that would be submitted to the Minister of Public Service and Administration, the Department must address the inequity between support and core staff ratio. The policy development, research, institutional support and capacity development, stakeholder engagement and advocacy initiatives currently located in Programme 1 and costed for should be mainstreamed and relocated into Programmes 2, 3 and 4 respectively in order to enhance the performance of the core programmes
  1. **Infrastructure**
* The Department should continue its discussion with the Minister of Public Works to expedite all matters related to accommodation of all staff within one building.
* All outstanding matters as noted in the Committee’s oversight report pertaining to the visit to the Department’s offices should be addressed.
  1. **Performance related recommendations**

*Performance of Programme 1*

* The Committee reiterated that more needs to be done to improve the image of the Department through marketing.

*Collaboration*

* The Department (WEGE Programme 2) must strengthen collaboration with the Commission for Gender Equality to avoid the duplication of activities.
* The Department must strengthen collaboration with the Public Service Commission and the Department of Public Service and Administration.
* Collaboration between programmes within the Department must be strengthened and this must be clearly articulated in the next Annual Performance Plan.

*Monitoring and evaluation*

* The Department must disseminate gender audit reports and make findings available.
* The Department must disseminate monitoring reports on Government’s compliance with the 2% employment equity target for persons with disabilities.

*Implementation of policies*

* The Department must devise an action plan that clearly outlines by when and how the key policies that have been developed will be disseminated to all Organs of State. All Government Departments must be provided with an indication of how the policies should be implemented and what type of information the Department would require for monitoring and evaluation in this regard.
* The Department must clearly identify what the proposed outcomes and key performance indicators are for each campaign it intends embarking on. This should be established at the beginning of the financial year with estimated costs for each initiative. All campaigns must be evaluated and reports developed. An assessment of all campaigns must be done on annual basis to determine the impact.

*Treaty compliance framework and timeframes*

* The Department must ensure that a plan is in place and communicated with Departments well in advance as to what information is required in the form of data/indicators in preparation for the upcoming country reports. This plan must be made available to the Committee and reflect in the next Annual Performance Plan and revised Strategic Plan.
* The Department must make every effort to ensure compliance with treaty deadlines.
* The Department should submit country reports to Parliament in advance to enable adequate time for the Committee to engage with the content.

*National Council on Gender-Based Violence*

* The administration and co-ordinating functions of the Council should remain within Programme 1: Administration and National Treasury should ensure that adequate funding is allocated in order to function optimally.
* The content matters currently residing within the Council that pertain to the research, development of the national plan to deal with gender-based violence, monitoring and evaluation of the plan as well as advocacy initiatives should be mainstreamed into Programme 2, 3 and 4.

1. **Appreciation**

The Committee, having engaged with the Department, the Auditor-General of South Africa and the Financial Fiscal Commission on the performance of the Department for 2012/2013 appreciates the inputs received and hereby submits this report.

Report to be considered.

1. Levendale C and Wakefield L (2013)Analysis Of The 2013 State Of The Nation Address As It Pertains To Women, Children And Persons With Disabilities [↑](#footnote-ref-1)
2. President Jacob Zuma (2013) State of the Nation Address [↑](#footnote-ref-2)
3. National Treasury (2013) and Department on Women, Children and People with Disabilities (2013) [↑](#footnote-ref-3)
4. National Treasury (2012) and Department on Women, Children and People with Disabilities (2012) [↑](#footnote-ref-4)
5. The Main appropriation is reflected under section 2.3 of this document. [↑](#footnote-ref-5)
6. The Main appropriation is reflected under section 2.3 of this document. [↑](#footnote-ref-6)
7. The Main appropriation is reflected under section 2.3 of this document. [↑](#footnote-ref-7)
8. Department Women, Children and People with Disabilities, Annual Report 2012/13, pg 53 [↑](#footnote-ref-8)
9. See list of donor funding on pages 55 and 56 of the Annual Report. [↑](#footnote-ref-9)
10. See pages 88 – 93 of the Annual Report. [↑](#footnote-ref-10)
11. See page 91 of the Annual Report. [↑](#footnote-ref-11)
12. See page 98 of the Annual Report. [↑](#footnote-ref-12)