**5. Report of the Portfolio Committee on Women in the Presidency on Annual Performance Plan (Budget Vote 13) of the Department of Women in the Presidency and the Commission for Gender Equality (CGE) for financial year 2017/18, dated 23 May 2017**

The Portfolio Committee on Women in the Presidency, having considered the Annual Performance Plan and Budget of the Department of Women in the Presidency for 2017/18 as well as the Commission for Gender Equality’s Annual Performance Plan for 2017/18 on the 09 and 16 May 2017 respectively, reports as follows:

**1. Introduction**

The Department of Women in the Presidency (hereafter ‘the Department’) was established in 2014 following the national elections. In 2015, the Department received its first standalone budget allocation, Vote 13. In the 5th Parliament, oversight over the Department was assigned to the Portfolio Committee on Women in the Presidency. To this end, the Committee in performing its constitutional mandate engaged with the Department of Women in the Presidency’s the Annual Performance Plan and budget for 2017/18 on 09 May 2017 and on 16 May 2017 with the Commission for Gender Equality (CGE).

**2. Mandate and purpose of the Department of Women in the Presidency**

The purpose of the Department of Women is to lead, coordinate and oversee the transformation agenda on women’s socio-economic empowerment, rights and equality. It derives its mandate from the Constitution and the presidential proclamation following the 2014 national elections. The mandate of the Department is to champion gender equality and the achievement of women’s socioeconomic empowerment and rights. The vision of the Department is to realise the socio-economic empowerment of women and the advancement of gender equality. The mission is to accelerate socio-economic transformation for women empowerment and the advancement of gender equality.

**3. Policy Priorities for 2017/18**

The Department indicates in its 2017/18 Annual Performance Plan that there is sufficient policy and legislation to address gender equality, and has resolved to focus on policy and legislative implementation, as well as conducting reviews and gap analyses. The overarching outcome for the Department is the achievement of an informed society that upholds the socio-economic empowerment of women and gender equality and which implements gender-sensitive policies.

The Department has prioritised the following Strategic Objectives from its 2015-2020 Strategic Plan:

* Promotion of strategic leadership; good governance; and the effective, efficient and economical use of public resources for the socio-economic empowerment of women and the promotion of gender equality;
* Promotion of gender mainstreaming of socio-economic and governance programmes such that they accelerate a just and equitable society for women;
* Promotion of gender knowledge and analysis of policy and policy implementation for the socio-economic empowerment of women;
* Promotion of monitoring, evaluation and reporting systems as a mechanism for ensuring timely interventions aimed at the socio-economic empowerment of women and gender equality; and
* Promotion of public participation in the work of the Department through outreach and advocacy work.

In support of these Strategic Objectives, the Department indicates in the 2017 Estimates of National Expenditure that its focus over the medium-term will be directed at three core areas as highlighted below.

* **Analysing, evaluating and monitoring policy and programme implementation**

This will be achieved by:

1. Utilising the newly developed ‘Women’s Empowerment and Gender Equality Monitoring and Evaluation Framework’ to provide guidance to Government departments to ensure that their plans, programmes and projects consider women’s socio-economic empowerment and gender equality.
2. Assessing the contribution of Government incentive schemes to the empowerment of women in terms of employment, socio-economic empowerment and development.

* **Mainstreaming women’s socioeconomic empowerment**

The Department states that it works with Government clusters, in particular those in the Economic Cluster, to assess and make recommendations for gender sensitive service delivery models. In this regard, it aims to:

1. Develop a gender-responsive planning and budgeting framework to guide Government on its priorities and allocation of resources; and
2. Lead a multi-departmental task team to develop a policy framework for the provision of free sanitary towels to indigent girls and women.

* **Raising awareness and public participation**

The Department indicates that over the medium term it will hold 6 public dialogues hosted by the Minister, for the 365 Days of Activism for No Violence Against Women and Children campaign in six provinces. In addition, one report on the outcome of these dialogues will be produced annually over the medium term. However, the 2017/18 APP makes reference to 4 community mobilisation initiatives that will be conducted and the quarterly targets relate to dialogues on p.35 but on p 31. of the APP 9 national dialogues are listed as MTEF targets for 2017/18.

**4. Budget Analysis for the Department for 2017/18**

The 2017 Estimates of National Expenditure (ENE) indicates that the Department receives a budgetary allocation of R206.2 million for the 2017/18 financial year. Of this, R78.3 million constitutes the transfer payment to the Commission for Gender Equality, leaving the Department with an operating budget of R 127.8 million. This is only an R800 000 increase in the Department’s operating budget as compared to the previous financial year.

Table 4: Appropriated budget 2017/18 (including the CGE transfer)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | | | | **Nominal Rand change** | **Real Rand change** | **Nominal % change** | **Real % change** |
| R million | **2016/17** | **2017/18** | **2018/19** | **2019/20** | **2016/17-2017/18** | | **2016/17-2017/18** | |
| Programme 1: Administration | 89.4 | 83,0 | 86.3 | 92.2 | - 6.4 | - 11.3 | -7.16 per cent | -12.66 per cent |
| Programme 2: Social, Political and Economic Participation and Empowerment | 84.4 | 94.9 | 107.7 | 114.0 | 10.5 | 4.9 | 12.44 per cent | 5.78 per cent |
| Programme 3:  Policy, Stakeholder and Knowledge Management | 23.1 | 28.2 | 40.0 | 42.3 | 5.1 | 3.4 | 22.08 per cent | 14.84 per cent |
| **TOTAL** | **196.9** | **206.1** | 234,0 | 248.5 | **9.2** | **- 3.0** | **4.67 per cent** | **-1.53 per cent** |

Table 4 indicates that despite a nominal increase of R9.2 million in the allocation between 2016/17 and 2017/18, there has in fact been a real decrease of R3 million, i.e. when inflation is taken into account, the Department has 1.53% less to spend than it did in the previous financial year.

An examination of the key cost drivers reveals that, 56.2% (R71.9 million) of the Department’s operating budget (R127.8 million) is allocated for Compensation of Employees (CoE) and 40.8% (R52.1 million) is allocated for Goods and Services. In the 2016/17 financial year, the Department allocated 57% and 39.9% of its operational budget to CoE and Goods and Services respectively. In terms of spending under Goods and Services, the main cost drivers are travel and subsistence (R16.2 million), property payments (R15.8 million) and expenditure for external audit costs (R3.5 million). These 3 line items consume 68.1% of the goods and services budget.

In terms of human resources, the Estimates of National Expenditure indicates that the Department has a staff complement of 105 persons for the 2017/18 financial year. The greatest proportion of personnel is in the Administration programme, which has 72 staff members or 68.5% of the overall staff complement. In terms of expenditure on CoE, the greatest proportion of staff (35) fall within the level 13-16 salary band (senior management), at a combined cost of R41.3 million or a unit cost of R1.2 million per person.

**4.1 Programme 1: Administration**

The purpose of the Administration programme is to provide strategic leadership, management and support services to the Department. The total allocation for this programme is R83 million. This allocation is R6.4 million less than in the 2016/17 financial year, however it still consumes the highest proportion of the Department’s budget. This remains a concern as the Department’s core mandate is carried out in Programmes 2 and 3. There are no listed objectives for the programme in the 2017/18 ENE, however the 2017/18 Annual Performance Plan (APP) indicates that the strategic goal for the programme is the promotion of strategic leadership, good governance, effective, efficient and economical use of public resources for the socio-economic empowerment of women and the promotion of gender equality.

Table 5: Comparative Expenditure under Programme 1 2017/18 and 2016/17

|  |  |  |
| --- | --- | --- |
| **Sub-Programme** | **2017/18** | **2016/17** |
| Ministry | R17.8 | R19.6 |
| Departmental Management | R17.3 | R20.1 |
| Corporate Services | R19.1 | R20.2 |
| Financial Management | R13.1 | R14 |
| Office Accommodation | R15.7 | R15.2 |
| **TOTAL** | **R83.0 million** | **R89.4 million** |

Sub-programme objectives are:

* Strengthened good governance that ensure the Department delivers on its mandate
* Improved strategic financial management system in Department, enabling delivery on the mandate
* Effective and appropriate Human and Information Communication and Technology (ICT) and Physical Resource management, enabling delivery on its mandate

Approximately 60% of the budget allocation for the programme is spent on CoE. This is a higher percentage than in the 2016/17 financial year when 57% of the allocated budget was for the CoE. The ENE indicates that for the 2017/18 financial year, the programme will have 72 staff members. Thirteen targets have been planned for programme 1 for 2017/18. These include amongst others:

* A reduction of risks in the Departmental risk profile alongside the implementation of risk mitigation plans
* Quarterly performance reviews
* Improved Departmental MPAT (Management Performance Assessment Tool) scores
* 100% payment of invoices paid within 30 days
* Maintaining a less than 2% under-spending in expenditure
* Maintaining a vacancy rate of less than 10% annually
* 100% of disciplinary cases resolved within 90 days
* Implementation of Departmental Business Systems Plan

**4.2 Programme 2**: **Social Transformation and Economic Empowerment**

The purpose of the programme is to facilitate and promote the attainment of women’s socioeconomic empowerment and gender equality.

The programme objective is to promote gender mainstreaming and governance programmes such that they accelerate a just and equitable society for women.

The programme consists of 4 sub-programmes which are tabulated below and the allocations compared between the current financial year 2017/18 and the previous financial year:

Table 6: Programme 2 Allocations – 2017/18 and 2017/18

| **Sub-Programme** | **2017/18** | **2016/17** |
| --- | --- | --- |
| **Management: Social Transformation and Economic Empowerment** provides overall strategic leadership and management to the programme | R5.1 | R3.4 |
| **Social Empowerment and Transformation**: the purpose of the sub-programme is to provide intervention mechanisms on policies and programme implementation for mainstreaming the social empowerment and participation of women towards social transformation. | R4.5 | R3.2 |
| **Governance Transformation, Justice and Security** provides guidance for enhancing existing systems and procedures and addresses gaps that create barriers to the equal participation of women in the private and public sectors. This sub-programme also contributes to the elimination of gender based violence. | R3.9 | R4.1 |
| **Economic Empowerment and Participation**: the purpose of the sub-programme is to provide intervention mechanisms on policies and programme implementation for mainstreaming the economic empowerment and participation of women towards economic transformation and development. | R3.0 | R4.3 |
| **TOTAL** | **R16.1 million** | **R14.5 million** |

Sub-programme Objectives:

* Intervention mechanisms on policies and programme implementation for mainstreaming the economic empowerment and participation of women towards economic transformation and development.
* Intervention mechanisms for gender mainstreaming for women’s social empowerment and participation developed.
* Mechanisms for engendered transformation through advancing measures for the empowerment of women towards a just society developed.

Although the total programme allocation as per the ENE is R94.9 million, R78.3 million constitutes the transfer payment to the CGE, leaving the programme with an operating budget of R16.6 million. Of this, R8 million (48%) is for CoE and R8.3 million is earmarked for Goods and Services – R3.4 million of the goods and services budget is allocated for travel and subsistence. The ENE indicates that for the 2017/18 period, the programme will have a staff complement of 12.

The Department’s revised strategic focus on policy and legislative implementation review and gap analysis is most noticeable in Programme 2 as many of the programme objectives have either been amended/revised while new objectives have also been introduced. Six annual targets have been identified for 2017/18 including the development of a gender responsive budgeting framework and a framework for women’s financial inclusion. Given that the Department’s core mandate which is to champion gender equality and achieve women’s socioeconomic empowerment and rights, it is concerning that since its inception/restructuring in 2014 it has not developed and implemented these frameworks. In addition, the Department indicates that in 2017/18 it will provide/develop recommendations for a new accountability mechanism for heads of departments in relation to the competencies and location of gender focal points. Again, given the Department’s focus on gender mainstreaming, it is also cause for concern that consultations in this regard are only being held in 2017/18. The Department has also identified the development of a policy framework for sanitary dignity as a target for 2017/18. The aforementioned target is new and was introduced in the revised APP of 2016/17 which was tabled in the last month of the financial year.

**4.3 Programme 3: Policy, Stakeholder Coordination and Knowledge Management**

The purpose of programme 3 in 2017, as per the Annual Performance Plan, is to undertake:

* research
* policy analysis
* knowledge management
* monitoring and evaluation
* outreach and stakeholder coordination for women’s socio-economic empowerment and gender equality

The programme consists of 5 sub-programmes, the allocations have been compared between the current financial year 2017/18 and the previous financial year 2016/17, namely:

Table 7: Programme 3 Allocations – 2017/18 and 2016/17

| **Sub-Programme** | **2017/18** | **2016/17** |
| --- | --- | --- |
| **Management: Policy, Stakeholder Coordination and Knowledge Management** provides overall strategic leadership and management to the programme. | R2.6 | R4.0 |
| **Research and Policy Analysis** promotes the development of gender-sensitive research and conducts policy analysis to intervene in transformation for women’s socio-economic empowerment and gender equality. | R4.4 | R4.4 |
| **Information and Knowledge Management** positions the department as the knowledge hub on the socioeconomic empowerment of women and gender equality. | R1.1 | R2.2 |
| **Stakeholder Coordination and Outreach**: the purpose of the sub-programme is stakeholder management, international relations and to conduct outreach activities which promote women’s socio-economic empowerment and gender equality coordinates stakeholder participation in women’s empowerment and the promotion of women’s rights initiatives at the national, regional and international levels. This sub-programme also ensures compliance with international treaty obligations, and conducts outreach initiatives which promote women’s socioeconomic empowerment and gender equality. | R16.2 | R8.1 |
| **Monitoring and Evaluation** monitors and evaluates progress on the empowerment of women in line with national laws, regional, continental and international treaties and commitments. | R3.9 | R4.4 |
| **TOTAL** | **R28.2 million** | **R23.1 million** |

A total of 7 targets have been planned for Programme 3 for 2017/18. The programme has a total allocation of R28.2 million, of which R13.9 million (48.5%) is allocated for CoE and R13.8 million (49%) is allocated for goods and services. Of the goods and services budget, R10.4 million (75.3%) is allocated for travel and subsistence. The ENE indicates that for the 2017/18 period, the programme will have a staff complement of 21. The Department identifies 7 targets for this programme for the 2017/18 period. These include a report on the socio-economic empowerment of women through government incentive schemes, as well as 4 country reports for multilateral forums. It will also be hosting a number of outreach initiatives focussing on women’s empowerment. It is hoped that the Department will monitor the outcomes of these engagements and develop implementable recommendations to further women’s empowerment and gender equality through these initiatives.

**5. Commission for Gender Equality (CGE)**

**5.1 Background**

The background and context of CGE’s work emanates from Section 181 of the Constitution (1996) and it is one of the Chapter 9 institutions which are independent entities for strengthening democracy. The CGE is therefore required to report to the National Assembly at least once a year regarding the progress of carrying out its strategic objectives. Section 187 of the Constitution stipulates that the Commission should promote respect for gender equality, and protect and develop its attainment, as well as monitor, educate, lobby, advise and report on issues related to gender equality.

**5.2 Powers Assigned to the CGE**

In line with the CGE’s obligation to strengthen constitutional democracy with a focus on the attainment of gender equality, the CGE has a legislative mandate and functions which include the following:-

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

The Commission is publicly funded and is thus subject to the reporting requirements of the Public Finance Management Act (Act No 1, 1999). The obligations of the PFMA include an audit by the Auditor General. In line with its Constitutional mandate, the vision of the Commission for Gender Equality remains to strive for “a society free from all forms of gender oppression and inequality”, while its mission includes to “advance, promote, protect, monitor and evaluate gender equality through undertaking research, public education, policy development, legislative initiatives, effective monitoring and litigation”.

**5.3 Strategic Focus of the CGE and budget for 2017/18**

The Commission for Gender Equality aims to ensure that gender equality is promoted and unfair discrimination is eradicated within the policies and practices of Government, other state institutions, and private organisations, in line with outcome 3 (all people in South Africa are and feel safe) and outcome 11 (create a better South Africa, a better Africa and a better world) of Government’s 2014-2019 Medium Term Strategic Framework. The CGE’s focus over the medium term will be on ensuring that gender equality is promoted and unfair discrimination is eradicated within the policies and practices of Government. This will be achieved through, amongst others:

1. Hosting quarterly gender transformation hearings on a selection of organisations across economic sectors and,
2. Assessing the performance of the country in implementing policies and programmes geared towards ending the marginalisation of women.

For the year 2017/18 period, the Commission for Gender Equality receives a budgetary allocation of R78.3 million and received an increase of R8.4 million from 2016/17 financial year. The greatest portion of the Commission’s budget is allocated to the CoE.

The mandate of the CGE will be realised through the following 4 strategic objectives and sub-strategies:

**5.3.1 Strategic Objective 1**

The purpose of Strategic Objective 1 is to ensure the creation and implementation of enabling legislative framework that promotes the attainment of gender equality. This programme has been allocated R10 554 687 million for 2017/18. This objective has four sub-strategies as follows:

1. To monitor equality and evaluate the promotion of gender equality and relevant policies and practices of the public and private sector and report to Parliament. This sub-programme has been allocated R4 207 502 million.
2. To initiate and participate in the review of the legislative framework in all spheres of Government that impact on gender equality. The allocation is R640 455.
3. To conduct periodic performance assessment of priority Ministries, State institutions, Government departments, political parties and private sectors on the effective implementation of gender equality legislation policies and practices. The allocation for 2017/18 is R1 254 728 million.
4. To evaluate the implementation and effectiveness of national justice facilities in addressing gender discrimination. This sub-programme has been allocated R3 751 547 million.
5. To convene direct dialogues with relevant policy makers at national and provincial level on recommendation to promote gender equality contained in research reports and research activities. This sub-programme has been allocated R700 455.

**5.3.2 Strategic Objective 2**

The purpose of this Strategic Objective is to protect and promote gender equality by engaging with relevant stakeholders to educate and raise awareness on issues of gender equality, challenge patriarchal perceptions and stereotypes and take action against infringements of gender rights through the implementation of appropriate redress. This Strategic Objective has been allocated R20 968 645 million for 2017/18.

It has the following sub-strategies:

1. To timeously investigate complaints of violations of gender rights and identify appropriate redress. This sub-strategy has been allocated R10 920 757 million.
2. To initiate an investigation into systematic violations of gender rights and identify remedial action. The allocation for 2017/18 is R 1 686 521 million.
3. To develop a co-ordinated programme to promote gender equality. This sub-strategy has been allocated R5 604 563 million.
4. To initiate interventions for the sustainable development and promotion of gender equality by addressing violations in the social, cultural, political and economic security and human rights dimensions. This sub-strategy has been allocated R1 733 543 million.
5. To collaborate with organs of state civil society and other institutions for the effective development, protection, promotion and attainment of gender equality. The allocation for 2017/18 is R1 023 261 million.

**5.3.3 Strategic Objective 3**

The purpose of Strategic Objective 3 is to monitor state compliance with regional and international conventions, covenants and charters which have been acceded to or ratified by the Republic relating to the object of the Commission for Gender Equality. The Strategic Objective has been allocated R11 258 333 million for financial year 2017/18. This objective has the following sub-strategies:

1. To conduct annual reviews and audits of state compliance with obligations under the conventions, covenants and charters and to report to Parliaments and the Office of the Speaker. This sub-strategy has been allocated R950 930.
2. To interact with and to present reports to national, regional and international bodies on state compliance with conventions, covenants and charters acceded to or ratified and to make recommendations for the improvements and monitor implementation. This sub-strategy has been allocated R10 307 402 million.

**5.3.4 Strategic Objective 4**

The purpose of this Strategic Objective is to build an effective and sustainable institution that will fulfil its constitutional mandate on gender equality. This Strategic Objective has been allocated R35 484 336 million for 2017/18. It has the following sub-strategies:

1. To maintain optimal governance and oversight structures and policies between Commissioners and the Secretariat. This sub-strategy has been allocated R14 357 617 million.
2. To maintain the financial management strategy so that it promotes effective, efficient and economic utilisation of resources as well as accountability. This sub-strategy has been allocated R9 711 833 million.
3. To develop and maintain an IT infrastructure that supports and promote the organisational objectives of the Commission. The allocation for this sub-strategy is R3 375 919 million.
4. To develop comprehensive HR policies procedures and practices. The allocation for this sub-strategy is R7 388 967.
5. To develop a coherent communication strategy that promotes a positive public image of the CGE. This sub-strategy has been allocated R700 000.

**6. Observations**

Having met with the Department to scrutinise the Strategic Plan, Annual Performance Plan and budget for 2017/18 and the Commission for Gender Equality on its APP for 2017/18, the Committee made the following observations:

**6.1 Department of Women in the Presidency**

The intent of the programme and sub-programmes are commended, however the translation into tangible outcomes and outputs was of concern to the Committee which is hereby expanded on below.

**General matters**

**6.1.1 Alignment of Strategic Plan and Annual Performance Plan (APP)**

1. The Committee welcomes the tabling of the APP within the required timeframe. Having examined the requisite documents, the Committee notes that the links are not coherent between the 2017/18 APP, the Strategic Plan 2015-2020 and the respective ENE 2017 chapter.
2. The Committee noted as a concern its lack of involvement in the Department’s strategic planning process - this despite repeated requests to the Department to be timeously informed and invited. This issue has been brought to the attention of the Department on numerous occasions before.
3. The Committee was concerned with the slow pace of progress in delivering on the objectives as outlined in the Strategic Plan mid-year through the MTEF cycle.

**6.1.2 SMART Targets**

1. The targets within the APP are not Specific, Measurable, Attainable, Relevant and Timely (SMART) and lack the requisite detail. The Technical descriptors are also not specific enough.

**6.1.3 Management and accountability**

1. The Committee observed that of the 10 Strategic Objectives and 27 Key Performance Indicators, Deputy Director Generals (DDGs) are only assigned to 1 Strategic Objective which deals specifically with governance and audit action plans and the CFO was assigned 4 KPIs. The CFO is responsible for “Improved strategic financial management system, Ensure that payments are affected within 30 days from receipt of a valid invoice, Effective utilisation of financial resources in delivering the mandate and Percentage of external audit recommendations implemented”. The rest of the KPIs are assigned to Chief Directors and Directors as the key persons responsible which the Committee questioned. The Committee requested clarity on the lines of responsibility in terms of holding the Deputy Director Generals and the Director General accountable for responsibilities linked to Programme 2 and 3. The Committee was concerned that without a clear indication of the lines of accountability being stipulated in the APP that are linked to targets and indicators, holding the budget holders and key decision makers to account would be challenging.

**6.1.4 Attendance at Oversight Visits**

1. The Committee noted with concern that despite numerous requests for the Department to accompany it on oversight, to date the Department has not attended any. The absence of the Department on oversight is concerning for the Committee as other departments are present to not only note issues for follow up but also respond to matters during oversight. Furthermore, the Committee noted that Department had a large delegation of 9 officials that attended the 2017 United Nations Commission on the Status of Women - this despite complaints of fiscal constraints and limited capacity.

**6.1.5 Policy Review and Law Reform**

1. The Committed noted with concern the Department’s position on the Framework on Women’s Empowerment and Gender Equality of 2000 even though it is outdated and refers to government structures such as the Office on the Status of Women in the Presidency which is no longer in existence.
2. The Committee notes that the Department indicated that it will be assessing policy and law, however these have not been specified in the APP.

**6.1.6 Finances**

1. The Committee’s overall concern was the slow pace of progress and lack of deliverables by the Department but with consistent expenditure.
2. The Committee notes with concern that the Administration programme continues to receive the greatest proportion of the budget (R83 million) and has the highest proportion of staff (72). This was concerning as the core mandate activities for the Department resides within Programmes 2 and 3. The latter Programmes 2 and 3 received R16.6 million and R28.2 million respectively.
3. The Committee noted with concern that Programme 2, Social Transformation and Economic Empowerment, which aims to champion gender equality and the achievement of women’s socioeconomic empowerment and rights, the core aspect of giving effect to the Department’s mandate once again received the smallest operating budget at R16.6 million.

**6.1.7 Human Resources**

1. The Committee noted with concern that the CFO position has yet to be finalised.
2. The Committee noted the Department’s response to its staff compliment whereby the Committee was informed that the Department inherited a large staff compliment that lacked the requisite skills leading to an under-utilisation of certain officials which was the main reason for the Department being under-capacitated. The Committee was concerned about how that then impacts on the effectiveness and productivity of the Department.

**Programme specific matters**

**Programme 1**

**6.1.8 Goods and services**

1. The Committee noted with concern the exorbitant costs for property payment and audit fees (R3 556 million) as compared to other departments with relatively small budgets and bigger staff compliments but spend less on renting property and paying auditors fees for the current financial year 2017/18. For example, the Department of Public Enterprises with a total budget of R266.7 million allocates R3 400 million on Audit Costs which is approximately 3% of its budget. Similarly, the Department of Economic Development which has a budget of R141 million after taken into consideration the transfer to Investment, Competition and Trade of R656.2 million it allocates R3 477 million to Audit Costs which amounts to 2% of its budget. In terms of Property payments, the Department of Public Enterprises allocates only R10 259 million which is approximately only 4% of its budget as compared to the Department of Women that allocates R 15 804 million which is 12% of its total budget.

**6.1.9 Risk Management**

1. Even though the Department identifies targets for undertaking a risk assessment annually and developing quarterly risk mitigation reports and has done this since its inception, a revised APP was submitted for the past 2 consecutive years a month before the end of the financial year. This brings into question whether the issues that arise within the risk reports are dealt with and if the recommendations made are implemented.
2. The Committee is concerned about whether the audit and risk committee is functional given the review of the APP’s for 2015/16 and 2016/17 at the end of each of the respective financial years.

**Programme 2**

**6.1.10 Sanitary Dignity**

1. The Committee commends the Department for heeding the call by the President in making sure that the country develops the framework for the distribution of sanitary towels in order for the country to have uniformity in distribution. The Committee acknowledges the lack of access to sanitary towels for many impoverished young girls and women as an issue for which the Department intends looking at.
2. The Committee noted that having recently engaged with the Department of Basic Education, it was informed that the Department of Basic Education did not know the scale of the problem as to how many girls at school do not have access to sanitary towels and what the impact on school attendance is. In addition, the Department of Basic Education informed the Committee that it had not budgeted for the provision of free sanitary towels to school girls who require it.
3. The Committee requires more clarity from the Department on how it was developing a policy if it is not the budget holder for dispensing the sanitary towels.
4. In addition, the Committee also queried how the Department was defining indigent women and girls within the policy.
5. The Committee reiterated to the Department the importance of zero rate VAT on sanitary products as an issue to pursue as this would enable a broader reach.
6. The Committee noted the Department’s efforts on sanitary dignity but urged the Department not lose sight of priorities such as gender-based violence and sexual reproductive health care which are broader and more cross cutting issues in the context of poverty. Hence, these could be part of a more inclusive approach to deal with the lack of access to sanitary towels.

**6.1.11 Assessment of Nine Point Plan**

1. The Committee welcomes the focus on assessing the implementation of the Nine Point Plan from a gendered perspective.
2. The Committee was not satisfied that the Department had not specified which departments within the Economic Cluster it would be assessing.
3. Furthermore, given the Department’s limited resources and capacity and in the absence of a Monitoring and Evaluation Framework, along with a list of clearly identified indicators and any another assessment tools, the Committee was concerned as to how precisely the Department would deliver on this objective.

**6.1.12 Gender Focal Point (GFP)**

1. The Committee affirms the importance of strengthening the role of Gender Focal Points (GFPs) within Government and the Department’s effort for wanting to address the matter.
2. The Committee was concerned that the Department was focussing on the framework for GFPs but that deliverables on the broader Gender Mainstreaming Framework was not forthcoming as this was not tabled before the Committee for consideration.
3. The Committee was concerned with the slow pace of progress on targets related to GFPs as this has been a deliverable since the inception of the Department. It appeared as a KPI in the revised APP of 2014/15, *Review institutionalisation of gender focal points* and in subsequent APPs but no deliverables in this regard have been tabled with the Committee for consideration. This was a cause of major concern.
4. The Committee also noted that the previous Department of Women, Children and People with Disabilities, in addition to the Department of Public Services and Administration and the Commission for Gender Equality, had produced extensive work on GFPs. To this end, the Committee was concerned that the Department was not drawing sufficiently on the body of evidence that exists within Government on GFPs which could aid its work.
5. The Committee noted with concern the lack of collaboration between the Department and GFP’s in the Office of the Premiers based on a recent oversight visits in Mpumalanga and the Eastern Cape.

**6.1.13 Gender Responsive Budgeting (GRB)**

1. The Committee welcomes the development of a GRB framework by the Department. However, the Committee was not satisfied with the slow pace of progress in developing the GRB framework as this target has been planned for since the inception of the Department as it appeared in the revised APP of 2014/15 under the Economic Empowerment sub-programme with targets related to consultations with DPME and National Treasury. GRB has appeared subsequently in all other APPs since then but no tangible deliverables in terms of an actual framework or tool has been reported in any of the Annual Reports of the Department nor has a draft framework been presented to the Committee. This is concerning mid-year through the MTEF cycle and the Department continues with its consultations during 2017/18 and only intends finalising a framework by the end of this financial year.
2. The Committee was unclear as to what the link was between the targets related to the Nine Point Plan and the Women’s financial inclusion framework and the GRB framework.

**6.1.14 National Dialogues**

1. The Committee queried how national dialogues will be effective in terms of eliminating gender-based violence.
2. The Committee was unclear as to how many dialogues would actually be held in 2017/18 as there were discrepancies in the amounts that appeared in the ENE and in the APP.
3. The Committee was not satisfied with the lack of detail provided in the APP and queried what the cost of national dialogues were, where these will be held in the 2017/18 financial year and what expected outcomes were envisaged.
4. The Committee questioned the nature of the collaboration with the Department of Social Development as a lead department for implementing the policy related to addressing Violence Against Women and Children (VAWC) as well that of other stakeholders such as the Commission for Gender Equality, SAPS, Department of Justice etc.

**Programme 3**

**6.1.15 Community mobilisation, outreach and participation**

1. The Committee noted that the Department will hold community mobilisation/outreach and community participation initiatives and questioned the difference between the two activities as these were not clearly defined.
2. The Committee was also not clear as to how the Department determined the costing for these initiatives.

**6.1.16 Country reports and compliance**

1. The Committee noted the country reports for compliance but reiterated the importance of the monitoring and evaluation of what emerges as recommendations from these reports.
2. The Committee noted with concern that country reports are not submitted to Parliament for consideration before it is taken to Cabinet in order for the Committee to engage on it.

**Gaps identified**

The Committee identified the following gaps/areas that were not addressed by the Department in the 2017/18 APP namely;

1. The Committee noted with concern that the following deliverables were not planned for in the 2017/18 APP namely;
2. Gender Mainstreaming Framework/Strategy,
3. Monitoring and Evaluation Framework with indicators,
4. Revival of National Gender Machinery and
5. Development of a National Prevention Strategy on Integrated Programme of Action for Violence Against Women and Children
6. The Committee was concerned that the Department was not following-up on the implementation of recommendations as outlined in the Status of Women in the South African Economy report as this was not reflected as a target in the 2017/18 APP.
7. The Committee noted with concern the absence of strengthening legislation to address compliance in terms of gender equality given the lapse of the Women’s Empowerment and Gender Equality Bill.
8. The Committee notes with concern the absence of legislative input by the Department in terms of Bills before Parliament for e.g. Traditional Courts Bill by the Department in its APP for 2017/18.

**6.2 Commission for Gender Equality**

**6.2.1. SMART Targets**

1. The Committee noted with concern that the targets in the APP were not SMART as more detail was required to hold the CGE to account on deliverables for the said financial year.
2. The Committee noted the omission of key persons responsible for each strategic objective and KPIs in the APP and raised this as a concern.

**6.2.2 Finances**

1. The Committee noted with concern the funding challenges of the CGE and the impact this would have on giving effect to its mandate and to extending its reach.
2. The Committee noted the significant budget increases in the allocation of particular sub-strategies from the previous financial year and requested more detail in this regard.

**6.2.3 Human Resources**

1. The Committee was concerned that provincial offices were not capacitated enough to deal with the workload and therefore questioned whether the current workforce would suffice.
2. The Committee noted with concern the significant allocation (R7 338 967) for the review of HR policies and required more detail in this regard.

**6.2.4. Programme specific matters**

1. The Committee noted with concern that the Commissioners were not clearly linked to the SOs and KPIs as outlined in the APP thus holding them to account would be challenging for the Committee.
2. The Committee also noted that during its recent oversight visits it would appear that the Commissioners assume more of an overseeing role and that the bulk of the responsibility falls on the officials such as the legal officer and education officer as was observed at a legal clinic. It was thus important the Committee indicated, that the deliverables for all Commissioners are clearly outlined as per the priorities identified in the APP.
3. The Committee questioned the nature of collaboration between the CGE and the Department of Women on matters related to gender-based violence, specifically the national dialogues, gender mainstreaming and gender focal points.
4. The Committee questioned the links between the CGE legal clinics that are conducted very successfully and the national dialogue initiatives of the Department of Women as the Committee was concerned that there may be duplications. To this end, the Committee questioned whether the CGE was called on by the Department to follow-up cases that arise at a dialogue.
5. The Committee questioned whether the legal clinics are being planned for in areas where service delivery protests have taken place.
6. The CGE was commended on its use of the Gender Barometer and reports produced.

**6.3 Gender-based violence**

1. The Committee reaffirms its commitment to addressing scourge of gender-based violence in the country. The Committee acknowledges the initiatives identified by the Department and the CGE to assess the root causes of the problem and identify solutions.

**6.4 Responses by the Department and the CGE**

During the Committee meetings on the APPs for 2017/18, the Department and the CGE responded to issues raised by the Committee as indicated below.

**6.4.1 Department’s Responses**

* **Policy and Frameworks:** The Department indicated that it will not develop a Monitoring and Evaluation Framework and Gender Mainstreaming Framework as it has already been identified broadly by Government Departments. The Department is currently reviewing the Gender Focal Point Policy Framework. The Department will brief the Committee on the Monitoring and Evaluation assessment, M&E systems and impact assessments. The Department is also working on the Gender Responsive Budgeting Framework with National Treasury to develop a mechanism for ensuring women’s access funding from different departments.
* **International obligations**: The Department will forward to the Committee a list of all the international obligations and how regularly the country is expected required to report to the respective international committees e.g. United Nations or African Union.
* **National dialogues**: The Department indicated that it conducts research and develops a social profile of an area before conducting the dialogues.
* **Rental and audit fees**: The Department indicated that it was as concerned about the high audit fees and was working on improving this by providing the requisite information to the Auditors to avoid additional time spent by Auditors on auditing. Furthermore, the Department indicated that the rental fees for accommodation included the outstanding amount owed from 2016/17 (R7 million) and municipal services (R3 million).
* **Difference between on community mobilisation and community participation initiatives:** The Department indicated that community mobilisation focuses on initiatives such as techno-girl and young girls programme and community participation is a continuation of the community mobilisation initiatives.
* **Nine Point Plan:** TheDepartment indicated thatit will be undertaking a retreat to workshop and decide which areas within Nine Point Plan it would focus on and which areas to support other Departments. Hereafter, the Department will report to the Committee 14 days after the workshop/retreat.
* **Sanitary dignity:** The Sanitary dignity policy is being developed in consultation with the Department of Planning Monitoring and Evaluation, Department of Basic Education, Department of Higher Education and Training and Department of Health. The policy will be tabled for public commentary in June 2017. Rural girls and women have been identified as indigent.
* **Oversight visits:** The Minister indicated that due to the limited number of core staff (20) and budgetary constraints, the Department is unable to send officials with the Committee to attend oversight.

**6.4.2 CGE’s Responses**

* **Employment Equity Commission’s report:** The Commission indicated that the report concentrated on the private sector and that the country is doing poorly with regards to gender equality in the workplace i.e. 22% women at SMS level. Furthermore, the Commission indicated that the public sector is doing much better as compared to the private sector and the Committee should engage with the Department of Labour and the Public Services Commission on the issue.
* **Role of Commissioners**: The Committee was informed that the Commissioners have partnerships with the Department of Correctional Services and Justice and the Foundation for Human Rights as well as other organisations on issues pertaining to women. Furthermore, the CGE was working with Women on Farms on issues and held engagements with Public Protector on its provincial visits. The CGE have various thematic areas which is covered by each Commissioner.
* **Electronic management system of handling case**: The Commission indicated that it has an electronic system for handling cases.
* **Participation on national dialogue of the Department of Women:** The Commission indicated that it has been invited by the Department of Women and had legal officers deal with matters that arose at the dialogue held in Limpopo Province.
* **Vacancies:** The Commission indicated that the post of the Legal Officer in Mpumalanga has been filled in Q3 for 2016/17. The Commission is in the process of reviewing its organogram of the CGE in order to deal with issue of vacancies and limited resources.
* **Legal clinics in hotspots:** The Commission indicated that it gathers information in a particular area before conducting legal clinics and uses that as a basis for deciding where a legal clinic should be held.
* **Tertiary institutions:** The Commission indicated that it has invited institutions together with Legal Officers of the Provinces and relevant stakeholder to a meeting at the CGE’s offices.

The CGE agreed that it would submit additional information in writing to the Committee.

**7**. **Recommendations**

Having considered the Strategic Plan, Annual Performance Plans and budget for the Department of Women in the Presidency and the Commission for Gender Equality, the Committee recommends as follows:

A more astute and stringent oversight measure was required to hold the Department to account when receiving funding but not delivering as this was an indictment on the women in the country.

**7.1 Department of Women in the Presidency:**

The Committee recommends that the Minister of Women in the Presidency ensures the following are implemented.

**7.1.1. SMART Targets**

1. The Department should reformulate the targets in the APP and ensure these are SMART and desist from changing the APP during the course of the year.
2. The Department should provide in writing to the Committee as an addendum to the APP before the submission of Q1 of 2017/18 the following:
   * 1. Clearly indicate how the DG and DDGs are held to account for the targets identified in Programme 2 and 3.
     2. Clearly define what intervention mechanisms are;
3. Indicate how these interventions would be implemented;
4. Stipulate who would implement these interventions;
5. Identify the cost implications and who would be responsible for bearing the cost;
6. Provide more detail on outreach/advocacy initiatives such as the number of intended beneficiaries that would be targeted, the location and how the impact and proposed outcome would be measured as well as the cost implications. Clearly indicate how these initiatives give effect to the Department’s mandate;
7. Clearly stipulate which policies and laws will be assessed in relation to which specific Departments; and
8. Clearly indicate which country reports will be submitted for consideration during this financial year.

**7.1.2 Policy**

1. The Department should prioritise the review of the Framework for Women’s Empowerment and Gender Equality as a matter of urgency. This must be made available throughout Government and civil society as mechanism for enhancing gender equality.
2. The Department should report back to the Committee on its Monitoring and Evaluation Framework, system and indicators at the Quarter 1 report of 2017/18.
3. The Department should expedite the completion and implementation of the Gender Mainstreaming Framework and the Gender Responsive Budgeting Framework and report on progress every quarter.
4. The Department to present the Status of Women in the South African Economy Report to the Committee.

**7.1.3 Collaboration**

1. The Committee reiterated that the Department should collaborate with key stakeholders. To this end, in order to avoid duplication and waste of resources, the Department should look at existing baseline information like that of the Commission for Gender Equality and Department of Public Services and Administration in relation to gender based violence and gender mainstreaming as well as the programmes of other Departments to avoid duplication.
2. The Department should ensure that the National Gender Machinery at national and provincial level is revived and report back to the Committee on a quarterly basis in this regard.

**7.1.4 Finance**

1. The Department should make concerted attempts to reduce the audit fees and property payment and report to the Committee on a quarterly basis on progress in this regard.

**7.1.5 Human Resources**

1. The Department to provide a comprehensive report which details number of resignations, suspensions, cases before the CCMA, names and reasons for the aforementioned.
2. The Department to present to the Committee the outcome of its skills audit and the detailed organogram.
3. The Department should expedite the appointment of the CFO.
   * 1. **Property Payment**
4. The Minister should engage with the Department of Public Works to reassess its lease and the exorbitant rental as a means of cost containment.
5. The Department to provide the Committee with more detail on the allocation for municipal services.

**7.1.7 Oversight visits**

1. The Department was urged to accompany the Committee on oversight in order to follow up on issues identified.

**7.1.8 Addressing gender equality in workforce**

1. The Department should examine the Annual Reports of departments to assess gender parity within the workforce.

**7.1.9 Gender Responsive Budgeting**

1. The Department should request that each department within Economic Cluster indicates what percentage of its budget is allocated to services and programmes for women and how gender responsive budgeting is currently implemented.
2. The Department should request that each department in the Economic cluster reports on questions related to gender focal points.
3. The Department should assess the targets of each department in the Economic Cluster as outlined in the Annual Performance Plans to determine if these hinder or aid gender mainstreaming and gender equality.
4. The Department should identify at least 2 priorities within each programme.

**7.1.10 Nine Point Plan**

1. The Department should refine its targets relating to the assessment of the Departments within the Economic Cluster that are implementing the Nine Point Plan from a gendered perspective and focus specifically on the Economic Cluster.
2. The Committee requested an action plan that expands on the following:
3. The list of departments/entities that will be examined;
4. Provide a clear indication of how gender mainstreaming will be assessed within each department/entity identified,
5. Indicate how each of the departments/entities mainstreams gender and identify the envisaged outcomes;
6. Provide a clear indication of how gender responsive budgeting will be assessed within each department/entity and determine how much each of the identified departments/entities is currently allocating towards women’s economic empowerment;
7. Identify the number of women that each department/entity intends targeting per province; and
8. Indicate how the Department will be working with the respective Gender Focal Points (GFPs) within various departments/entities identified in this regard and note challenges experienced as well as best practice.
9. The Department to submit quarterly progress reports on the implementation of the aforementioned and brief the Committee accordingly.

**7.1.11 Sanitary Dignity Campaign**

1. The Department to provide an outline of its role as well as a plan relating to the formulation of the Sanitary Dignity Policy Framework.
2. The Department should pursue the issue of zero rate VAT on sanitary products.

**7.1.12 Gender Based Violence & National Dialogues**

1. The Department should provide the Committee with a detailed programme for the planned dialogues to be held in 2017/18 and the forecasted costs per dialogue.
2. The Department should prioritise efforts towards contributing to the prevention strategy on VAWC as spearheaded by the Department of Social Development.
3. The Department to submit more detailed information on the national dialogues to the Committee by providing the plan for the year clearly indicating the number of intended dialogues it will host, where these dialogues will be conducted, the cost and a programme outlining the procedure at a dialogue.
4. The Committee will arrange a stakeholder engagement on gender-based violence with the view of convening in co-operation with other relevant Parliamentary Committees, a gender-based violence summit to address the scourge of violence perpetrated against women and children in the country.

**7.1.13 Visibility of Department**

* 1. The Department should ensure that more is done to raise awareness on its mandate within Government and civil society at large.

**7.2 Commission for Gender Equality**

1. The CGE should ensure that the targets in the APP are SMART and that key persons responsible should be clearly indicated. A report should be submitted to the Committee at Q1 2017/18 presentation in this regard.
2. The CGE should provide the Committee with more detail as to which HR policies will be reviewed in 2017/18 and what the allocation would be spent on.
3. The CGE should consider focusing on the services delivery industry to assess the rate of transformation in terms of gender equality.
4. The Committee urged the CGE to share and discuss its Gender Barometer and tools with the Department of Women who have yet to produce a M&E framework on gender mainstreaming.
5. The Committee agreed that the issue of 1 Woman 1 Hectare should be pushed within Government, notwithstanding the Department of Rural Development and Land Reform’s policy on 1 household 1 hectare.

Unless, otherwise stated the Committee hereby requests a response to the aforementioned recommendations within 3 months after the adoption by the National Assembly.

**8. Conclusion**

The Committee thanked the Department and the Commission for Gender Equality for the presentations and emphasised the importance of submitting the additional information as requested.

**Report for consideration**