**4. 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 2018/19, dated 8 May 2018**

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 2018/19 as well as the Commission for Gender Equality’s Annual Performance Plan for 2018/19 on the 24 April and 2 May 2018 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 Commission for Gender Equality (CGE)’s the Annual Performance Plan (APP) and budget for 2018/19 on 24 April 2018 and on the Department of Women in the Presidency on 2 May 2018.

The Committee was also briefed by the Auditor General of South Africa A(GSA) on its review of the Department’s 2018/19 APP on 24 April 2018. Having considered the APP’s of the Department and the CGE as well as the input received by the AGSA, the Committee also took cognisance of the recommendations outlined in the 2017 Budget Review and Recommendations Report (BRRR) and the in-year monitoring reports of the Department for the 1st and 2nd quarter of 2017/18.

# 22ANDATE AND PURPOSE OF THE DEPARTMENT

**2. Mandate and Purpose of the Department**

The purpose of the Department of Women (henceforth “the Department”) is to lead, coordinate and oversee the transformation agenda on women’s socioeconomic 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.

# Overview of the 2017/18 financial year

The 2017 Estimates of National Expenditure indicates that the Department received 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 was an R800 000 increase in the Department’s operating budget as compared to the previous financial year.

Figure 1: Budget appropriation for 2017/18

**Overall Allocation:**

**R206.2 million**

**CGE Allocation:**

**R78.3 million**

**Operational Budget for**

**Department:**

**R127.8 million**

**Programme allocations:**

**Progr.1: Administration: R83.0 million**

**Progr.2: Social Transformation & Economic Empowerment: R16.6 million**

**Progr.3: Policy, Stakeholder Coordination & Knowledge Management: R28.2 million**

The Department has to date only presented its first and second quarter reports for 2017/18 to the Portfolio Committee on Women. Additional expenditure information has been sourced from National Treasury’s consolidated 3rd quarter expenditure report on the National Budget for 2017/18. Performance information is only available for the period ending September 2017 and has not been included in this overview. It is however worth noting that in quarter 2, out of the 27 targets planned, 11 (41%) targets were achieved, while 16 (59%) were not achieved. The performance for quarter 2 was similar to that in the first quarter despite having five less targets in quarter 2.

The expenditure report indicates under Vote 13 that the Department for Women has spent R150.2 million or 72.8 per cent of its available budget of R206.2 million. The R150.2 million actual spending represents 98.3 per cent of the R152.8 million projected expenditure for this period.

The table below reflects the Department’s spending per programme as at 31 December 2017 as contained in National Treasury’s consolidated 3rd quarter expenditure report.

Table 1: Programme Expenditure as at 31 December 2017

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Programme 1** | **Programme 2** | **Programme 3** | **Total** |
| **Total adjusted allocation** | R 84.6.3m | R99.8m | R21.6 m | R206.1 million |
| **Projected Expenditure by 31 Dec****2017** | R 63.0m | R69.0m | R20.7m | R152.7million |
| **Actual Expenditure** | R60.0m | R69.3m (R59.8m =transfer paymentto CGE) | R20.8m | R150.1 million |
| **Percentage Expenditure** | 70.9% | 69.4% | 96.1% | 72.8% |
| **Reasons for variance** | The R3million underspending was mainly on goods and service as a result of unpaid office accommodation costs due to the non- issuance of invoices by theDepartment of Public Works. | The Department overspent by R300 000 – this is attributed to a misallocation ofexpenditure relating to payment of outstanding leave days to officials who exit the public sector through resignations and contract termination. | Overspending of R111 000 isrecorded. The variance is mainly due to the processing of late invoices related to expenditure on the 60th Anniversary of the Women’s month celebrated in 2016/17. Thepayment was delayed due to a continuous rejection of the department’s banking details in the verification process.The higher than projected spending was also as a result of the procurement of Sanitary Dignity Packs, the cost of which was absorbed by the budget of the department. | Overall, the department has underspent by R2 million for the period under review. |

# 4. Policy priorities for 2018/19[[1]](#footnote-1)

In its 2018/19 Annual Performance Plan, the Department indicates that the overarching outcome that it aims to attain is the achievement of an informed society that upholds non- sexism, fights patriarchal practices and understands gender equality and implements gender- sensitive policies.

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

* 1. 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;
	2. Promotion of gender mainstreaming of socio-economic and governance programmes such that they accelerate a just and equitable society for women;
	3. Promotion of gender knowledge and analysis of policy and policy implementation for the socio-economic empowerment of women;
	4. 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
	5. 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 2018 Estimates of National Expenditure that its focus over the medium-term will be directed at three core areas namely:

* Analysing, evaluating and monitoring policy and programme implementation
* Mainstreaming women’s socioeconomic empowerment
	+ Raising awareness and public participation

Another noticeable area of focus is the Department’s “resuscitation” of matters related to gender-based violence. It notes that it is in the process of establishing an inclusive high-level Committee on Gender-Based Violence. Through this committee and engagements with relevant stakeholders, it intends to address the root causes of violence which inhibits the advancement, empowerment and equality of women and girls. This is a significant change from the Department’s inception in 2014 when issues related to gender-based violence were seemingly transferred to the Department of Social Development. The Department also indicates that it will be working towards the revival of the National Gender Machinery, recognising it as a mechanism to advance and promote women’s protection and empowerment.

**5. Organisational Environment**

The organisational design of the Department is structured into 3 Divisions reporting directly to the Accounting Officer namely;

* + - Management,
		- Financial Management;
		- Corporate Management.

2 Branches reporting directly to the Accounting Officer –

* + - Social Transformation and Economic Empowerment;
		- Policy Stakeholder Coordination and Knowledge Management.

The budget programme structure for the 2018/19 financial year reports on three programmes:

1. Administration;

2. Social Transformation and Economic Empowerment; and

3. Policy, Stakeholder Coordination and Knowledge Management

Policy, Stakeholder Coordination and Knowledge Management was reviewed and the following sub programmes created and renamed:

**5.1 Research and Policy Analysis and Information and Knowledge Management** sub-programmes have been merged to form a news sub-programme: Research, Policy Analysis and Knowledge Management.

**5.2 Sub-Programme: Sub-programme: International Relations**

A new sub-programme International Relations has been created. The purpose of the sub-programme is to promote international relations and engagements on women, as well as ensure South Africa’s compliance with international treaties on women.

#  Analysis of the 2018/19 budget[[2]](#footnote-2)

The 2018 Estimates of National Expenditure indicates that the Department receives a budgetary allocation of R230.2 million for the 2018/19 financial year. Of this, R80.7 million constitutes the transfer payment to the Commission for Gender Equality, leaving the Department with an operating budget of R 149.5 million. This is an increase of R21.7 million in the Department’s operating budget as compared to the previous financial year.

Table 2: Appropriated budget 2018/19 (including the CGE transfer)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Programme** | **Budget** | **Nominal Rand change** | **Real Rand change** | **Nominal****%****change** | **Real % change** |
| R million | **2017/18** | **2018/19** | **2019/20** | **2020/21** | **2017/18-2018/19** | **2017/18-2018/19** |
| Programme 1: Administration | 83.8 | 78.7 | 83.9 | 90.9 | - 5.1 | - 9.2 | -6.09% | -10.98% |
| Programme 2: Social Transformatio n and Economic Empowerment | 93.4 | 106.7 | 113.1 | 120.6 | 13.3 | 7.7 | 14.24 % | 8.28% |
| Programme 3: Policy, Stakeholder Coordinator and Knowledge Management | 28.1 | 44.9 | 47.4 | 48.2 | 16.8 | 14,5 | 59.79% | 51.46% |
| **TOTAL** | **R205.3** | **R230.3** | **R244.4** | **R259.7** | **R25.0** | **R13.0** | **12.18%** | **6.33%** |

Table 2 indicates that despite a nominal increase of R25 million in the allocation between 2017/18 and 2018/19, when inflation is taken into account, the Department has R13 million more to spend than it did in the previous financial year.

Figure 2: Budget allocation 2018/19 (including CGE transfer payment)

**Budget Allocation 2018/19 (Including CGE transfer)**

120,0

100,0

80,0

60,0

40,0

20,0

0,0

Programme 1: Administration

Programme 2:Social Programme 3: Policy, Stakeholder,

Transformation & Economic Coordination & Knowledge Empowerment Management

2017/18 2018/19

Figure 2 above provides a diagrammatic representation of the allocated funds.

From this representation, it is clear that there has been a year-on-year decrease in the Administration Programme (less R5.1 million), while there have been increases in Programme 2: Social Transformation and Economic Empowerment (increase of R13.3 million) and Programme 3: Policy, Stakeholder Coordination and Knowledge Management (increase of R16.8 million). It must be noted that the increase in Programme 2 is inclusive of the Commission for Gender Equality’s transfer payment. Programme 3 sees a significant increase for the 2018/19 financial year.

When looking at key cost drivers, 57.1% (R85.4 million) of the Department’s operating budget (R149.5 million) is allocated for compensation of employees and 40.7% (R60.9 million) is allocated for goods and services. In terms of spending under goods and services, the main cost drivers are travel and subsistence (R19.2 million), property payments (R16.7 million), spending on venues and facilities (R4.9 million) and expenditure for external audit costs (R3.6 million).

Table 3: Comparison of Key Cost Drivers between 2017/18 and 2018/19

|  |  |  |
| --- | --- | --- |
| **Key Cost Driver** | **2018/19** | **2017/18** |
| Compensation of employees | R85.4 million | R71.7 million |
| Goods and services | R60.9 million | R52.1 million |
| - Travel & Subsistence | - R19.2 million | - R15.0 million |
| - Property payments | - R18.4 million | - R16.7 million |
| - Venues & facilities | - R4.9 million | - R1.4 million |
| - External Audit Costs | - R3.6 million | - R3.5 million |

Looking at key cost drivers comparatively across the 2017/18 and 2018/19 financial years they remain similar, however compensation of employees sees a R13.8 million increase year-on-year and goods and services receives an increased allocation of R8.8 million. Allocations to travel and subsistence, property payments, venues and facilities and external audit fees amount to approximately R44.6 million or 73.3% of the goods and services budget.

Table 4: Appropriated budget 2018/19 (excluding the CGE transfer)

|  |  |  |  |
| --- | --- | --- | --- |
| **Programme** | **Budget** | **Nominal Rand change** | **Real Rand change** |
| R million | **2017/18** | **2018/19** | **2019/20** | **2020/21** | **2017/18-2018/19** |
| Programme 1: Administration | 83.8 | 78.7 | 83.9 | 90.9 | - 5.1 | - 9.2 |
| Programme 2:Social Transformation & Economic Empowerment | 21.5 | 26.0 | 27.9 | 30.7 | 4.5 | 3.1 |
| Programme 3: Policy, Stakeholder, Coordination & Knowledge Management | 28.1 | 44.9 | 47.4 | 48.2 | 16.8 | 14.5 |
| **TOTAL** | **133.4** | **149.6** | 159.2 | 169.8 | **16.2** | **8.4** |

Figure 3: Budget Allocation 2018/19 (excluding CGE transfer)

**Budget Allocation 2018/19 (excluding CGE transfer)**

90,0

80,0

70,0

60,0

50,0

40,0

30,0

20,0

10,0

0,0

Programme 1: Administration Programme 2:Social Transformation Programme 3: Policy, Stakeholder,

& Economic Empowerment Coordination & Knowledge

Management

2017/18 2018/19

When removing the CGE transfer payment from the allocation, the real rand change in the Department’s budget is R8.4 million. Programme 2 in fact only has a R4.5 million increase when the CGE transfer allocation is removed from the programme budget. As indicated earlier, Programme 3 sees the most significant increase year on year.

In terms of human resources, the 2018 Estimates of National Expenditure indicates that the Department has a staff complement of 121 persons for the 2018/19 financial year. This is 12 more than in the 2017/18 financial year. The greatest proportion of personnel is in the Administration programme, which has 70 staff members or 57.8% of the overall staff complement, amounting to R47.3 million of the budget for compensation of employees. Programme 2 will have 20 employees and Programme 3, a total of 31 employees. In terms of expenditure on compensation of employees, the greatest proportion of staff (36) fall within the level 13-16 salary band (senior management), at a combined cost of R41.4 million or a unit cost of R1.1 million per person.

#  Programme 1: Administration

The purpose of the Administration programme is to provide effective leadership, management and support services to the Department. The total allocation for this programme is R78.6 million. This allocation is approximately R6 million less than in the 2017/18 financial year; however, it still consumes the highest proportion of the Department budget. This remains a concern as the Department’s core mandate is carried out in the other two programmes.

Expenditure under Programme 1 is allocated to:

Table 5: Sub-programme allocations 2018/19

|  |  |  |
| --- | --- | --- |
| **Sub-Programme** | **2017/182** | **2018/19** |
| Ministry | R19.3 | R16.1 |
| Departmental Management | R17.3 | R10.9 |
| Corporate Services | R19.9 | R22.2 |
| Financial Management | R13.0 | R12.6 |
| Office Accommodation | R14.9 | R16.7 |
| **TOTAL** | **R84.6 million** | **R78.6 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 compensation of employees. The ENE indicates that for the 2018/19 financial year, the programme will have 70 staff members. Fifteen targets have been planned for programme 1 for 2018/19. These are listed in tabular form below:

Table 6: Programme 1: Key Performance indicators and targets for 2018/19

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub- programme** | **Key Performance Indicator** | **Reporting Period** | **Annual target** |
| **Departmental Management** | Risk Management register and annual risk plan | Annual | Conduct annual risk assessments and produce annual risk plan |
| Number of quarterly risk mitigation progress report | Quarterly | 4 quarterly risk mitigation progress reports against the target in the risk planproduced |
| Approved strategic and annual performance plans | Quarterly | Produce strategic plan 2015-2020 and APP 2019/20 and submit to NationalTreasury and DPME |
| Number of quarterly performance review reports produced | Quarterly | 4 quarterly performance review reports submitted to DPME |
| Number of quarterly MPATcompliance reports produced | Quarterly | 4 quarterly MPAT compliance reportsproduced |
| Rolling 3-year strategic internal audit and annual internal audit plans | Quarterly | 1 rolling 3-year strategic internal audit plan for 2018/2020 and the annual internal plan for 2018/19 approved by theAudit and Risk Committee |
| Number of internal audit progress reports against the annual internalaudit coverage plan produced | Quarterly | 5 internal audit reports against the annual internal audit coverage planproduced |
| Number of quarterly reports on gender communications and information made available on DoW media platforms | Quarterly | 4 quarterly reports on gender communications and information made available on DoW media platforms |
| **Financial Management** | % of invoices paid within 30 days | Quarterly | 100% of all valid invoices within 30 days |
| % expenditure in relation to budget allocation | Quarterly | Maintain less than 2% underspending |
| % of external audit recommendations implemented | Quarterly | 95% of external audit recommendations implemented |
| **Corporate Management** | % vacancy rate | Quarterly | Maintain a vacancy rate of less than 10% annually |
| % of disciplinary cases finalised internally within 90 days ofinitiation | Quarterly | 100% of all disciplinary cases resolved within 90 days of initiation |
| % of achievement of ICT systems availability | Quarterly | 95% availability of ICT system achieved and annual progress report produced |
| Number of progress reports onimplementation of DoW Business Systems Implementation Plan | Quarterly | 4 progress reports on implementation ofYear 1 of the Business Systems Implementation Plan |

#

#  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 the following sub-programmes:

|  |  |  |
| --- | --- | --- |
| **Sub-Programme** | **2017/18** | **2018/19** |
| **Management: Social Transformation and Economic Empowerment** provides overall strategic leadership and management to the programme | R6.2 | R6.5 |
| **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. | R5.9 | R7.2 |
| **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. | R5.6 | R6.2 |
| **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. | R3.6 | R5.8 |
| **TOTAL** | **R21.3 million** | **R25.7 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 R106.6 million, it must be remembered that R80.7 million constitutes the transfer payment to the CGE, leaving the programme with an operating budget of approximately R26 million. Of this, R14.9 (57%) is for compensation of employees and R10.6 million will go towards goods and services. The main cost driver under goods and services is travel and subsistence, which is allocated R5.2 million. The ENE indicates that for the 2018/19 period, the programme will have a staff complement of 20. This is 8 more than in 2017/18.

Table 7: Programme 2: Key Performance indicators and targets for 2018/19

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub- programme** | **Key Performance Indicator** | **Reporting Period** | **Annual target** |
| **Social empowerment and participation** | Revised draft sanitary dignity framework | Quarterly | Revised draft framework for sanitary dignity and implementation plan for piloting sanitary dignity framework to indigent girls and women |
| **Economic Empowerment and Participation** | Report on implementation of Presidential Directive on women’s economic empowerment in the nine point plan produced | Quarterly | Gender analysis report on the Incentives Schemes Administered by the DTI produced |
| Women’s financial inclusionframework | Quarterly | Framework on women’sfinancial inclusion developed |
| Gender responsive planning and budgeting framework | Quarterly | Gender responsive planning and budgeting framework developed |
| **Governance transformation, Justice & security** | Number of programmes in 365 days Programme of Action coordinated | Quarterly | 3 programmes on 365 days POA coordinated |
| National Gender Machinery | Quarterly | Diagnostic report with recommendations on strengthening the NGM |
| Revised IMC-IPOA3 for addressing violence against women and children developed | Quarterly | Revised IMC-IPOA for addressing violence against women and children developed |

Seven targets have been set out for Programme 2. Given that the Department’s core mandate 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 the frameworks relating to women’s economic empowerment. It indicates that the Draft Women’s Inclusion Framework and the Draft Gender-responsive Planning and Budgeting Framework will be developed by quarter 1 of 2018/19.

#  Programme 3: Policy, Stakeholder Coordination and Knowledge Management

The purpose of programme 3 in as per the Annual Performance Plan, is to undertake research, policy analysis, knowledge management, monitoring, evaluation, outreach and stakeholder coordination for women’s socio-economic empowerment and gender equality.

The Department indicates that it has reconfigured programme 3. The Department has merged the sub-programme on Research and Policy Analysis with the sub-programme Information and Knowledge Management to form the new Research, Policy Analysis and Knowledge Management sub-programme. It has also created a new sub-programme named “International Relations”. The aim of this sub-programme is to promote international relations and engagements on women, as well as ensure country compliance with relevant international treaties. The budgetary changes related to these new and reconfigured programmes are not reflected in the Annual performance Plan or the presentation supplied by the Department, however the 2018 ENE reflects the sub-programme changes and expenditure estimates.

|  |  |  |
| --- | --- | --- |
| **Sub-Programme** | **2017/18** | **2018/19** |
| **Management: Policy, Stakeholder Coordination and Knowledge Management** provides overall strategic leadership and management to the programme. | R2.6 | R4.2 |
| **Research, Policy Analysis and knowledge management** promotes the development of gender-sensitive research and conducts policy analysis to intervene in transformation for women’s socio-economic empowerment and gender equality. | R5.4 | R7.4 |
| **International Relations** promotes international relations and engagements on women and ensures South Africa’s compliance with international treaties on women. | - | R11.6 |
| **Stakeholder Coordination and Outreach** conducts outreach initiatives which promote the socio-economic empowerment of women and gender equality. | R9.6 | R14.2 |
| **Monitoring and Evaluation** monitors and evaluates progress on the empowerment of women in line with national laws, regional, continental and international treaties and commitments. | R3.8 | R7.1 |
| **TOTAL** | **R21.6 million** | **R44.8 million** |

A total of 10 targets have been planned for programme 3 for 2018/19.

Table 8: Programme 3: Key Performance indicators and targets for 2018/19

|  |  |  |  |
| --- | --- | --- | --- |
| **Sub- programme** | **Key Performance Indicator** | **Reporting Period** | **Annual target** |
| **Research, Policy Analysis and Knowledge management** | Number of research reports on policy implementation for women’s socio-economic empowerment | Quarterly | 1 End-of-term review report on socio-economic empowerment of women produced |
| **Stakeholder Coordination and outreach** | Number of public participation/outreach initiatives on women’s empowerment, including girls and young women | Quarterly | 10 public participation/ outreach initiatives held |
| Number of community mobilisation initiatives conducted on socio-economic issues affecting women | Quarterly | 4 community mobilisation initiatives conducted |
| Young women’s socio- economic empowerment framework | Quarterly | Young women’s socio-economic empowerment framework |
| **International Relations** | Number of reports on DoW engagements in multilateral forum produced | Quarterly | 2 reports(CSW identified as one – which other report?) |
| Number of reports in fulfilment of international treaty obligations on women produced | Quarterly | 2 reports |
| **Monitoring and Evaluation** | Number of monitoring reports on the implementation of outcome 14 produced | Annually | 1 monitoring report |
| Number of evaluation reports on the socio-economic empowerment of women and promotion of gender equality produced | Annually | 1 evaluation report |
| Number of monitoring and evaluation frameworks for the sanitary dignity programme developed | Annually | 1 M&E framework developed |
| Number of country gender indicator frameworks developed. | Annually | 1 country gender indicator framework developed |

The programme has a total allocation of R44.8 million, of which R23.2 million (51.8%) is allocated for compensation of employees and R20.8 million (46.4%) is allocated for goods and services. Of the goods and services budget, R12.6 million (60.8%) is allocated for travel and subsistence. The ENE indicates that for the 2017/18 period, the programme will have a staff complement of 31. This is an increase in staff from the previous financial year.

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

**7.1 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.

**7.2 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. **Monitor, evaluate and make recommendations on:**
* Policies and practices of organs of state, statutory bodies and functionaries, public bodies or private businesses, to promote gender equality.
* Any existing law including indigenous law and practices
* Government’s compliance with international conventions with respect to gender equality.
1. **Propose/recommend on:**
* New law that may impact on gender equality or the status of women.
1. **Develop, conduct or manage**
* Educational strategies and programmes that foster understanding about gender equality and the role of the CGE.
1. **Investigate and resolve conflicts**
* On gender matters and complaints through mediation, conciliation and negotiation or referral to other institutions.
1. **Liaise and interact**
* With institutions, bodies or authorities with similar objectives to the Commission.
* With any organisation which actively promotes gender equality and other sectors of civil society to further the objectives of the Commission.
1. **Prepare and submit reports**
* To Parliament on aspects relating to gender equality.

In addition, the Commission for Gender Equality may:

* Conduct or order research to be conducted;
* Consider recommendations, suggestions and request 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”.

**7.3 Strategic Focus of the CGE and budget for 2018/19**

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 2018 Estimates of National Expenditure indicates that the Commission for Gender Equality will over the medium term continue to advance policies that contribute to the eradication of gender inequality and unfair discrimination within the practices of government and the private sector. The entity aims to focus on challenging gender stereotypes and changing perceptions by raising awareness and educating the public, monitoring state compliance with regional and international conventions, covenants and charters and building an effective and sustainable organisation that will fulfil its constitutional mandate on gender equality.

The above will be done by undertaking education and information programmes as well as engaging with civil society organisations to promote gender equality. It will also continue to investigate individual complaints of gender related matters and carry out a number of investigations per year that are related to the systematic violations of gender rights. It will also continue to monitor and report on state compliance on various international and regional instruments including the Conventions on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Sustainable Development Goals (SDGs) and the African Charter on Human and People’s Rights.

For the period 2018/19, the Commission for Gender Equality received a budgetary allocation of R80 735 000. This is a R2.5 million increase from 2017/18 financial year is not sufficient to cover the growing spending pressures due to inflation and demands for service delivery betterment. Considering that the CGE received an R8.4 million increase between 2016/17 and 2017/18, the R2.5 million is a nominal amount. The greatest portion of the budget will be spent on compensation of employees (R57 209 600) due to its work is carried out by internal personnel and thus the main driver of spending is compensation of employees and R23 525 400 is for goods and services. The majority of the Commission’s budget (R45.1 million) will be spent on the service delivery programme of which R26.7 million (59.2%) is allocated towards provincial offices.

The mandate of the CGE will be realised through the following 3 strategic objectives and sub-strategies:

**7.3.1 Strategic Objective 1**

The purpose of Strategic Objective 1 is to advance an enabling legislative environment for gender equality. Strategic Objective 1 has been allocated R24 850 200 for 2018/19. This will be achieved through the following sub-strategies:

* Monitor compliance with international and regional treaties and conventions.
* Evaluate existing and recommend new legislation
* Investigate, monitor and evaluate organs of state and private sector for gender equality.

**7.3.2 Strategic Objective 2**

The purpose of Strategic Objective 2 is to promote respect for and protection, development and attainment of gender equality. This Strategic Objective has been allocated R20 332 040. This will be achieved through the following sub-strategies:

* Develop, conduct and manage public education and information programmes.
* Investigate, resolve any disputes or rectify any act or omission to ensure redress on gender discrimination.
* To liaise and interact with organisations which acts actively and promotes gender equality

**7.3.3 Strategic Objective 3**

The purpose of the Strategic Objective 3 is to build and sustain an efficient organisation to effectively promote and protect gender equality. Strategic Objective 3 has been allocated R35 552 820. This will be achieved through the following sub-strategies:

* Good governance structure and coordination mechanism.
* To improve Human resource management and development
* To improve financial and Supply Chain Management
* To provide optimal information, communication technology (ICT support for the efficient and effective management of the organisation)
* To develop and implement corporate communication strategy.

**8.** **Observations**

Having met with the Department to scrutinise the Strategic Plan, Annual Performance Plan and budget for 2018/19 and the Commission for Gender Equality on its Annual Performance Plan for 2018/19, the Committee made the following observations:

 **8.1 Department of Women in the Presidency**

**General**

* The Committee noted with concern that the Department tabled its Annual Performance Plan 2018/19 (APP) late which will result in a finding against the Department as confirmed by the Auditor General of South Africa (AGSA) and requested an explanation in this regard.
* The Committee noted with concern that the Department had not implemented many of the recommendations from the 2017 BRRR and questioned how the APP for 2018/19 was developed if compliance was lacking.[[3]](#footnote-3) To this end, the Committee was also concerned with the AGSA’s repeat findings against the Department and the tendency of the Department to bring about changes to its APP towards the end of a financial year. The Department had brought about changes to its APP for three consecutive years.[[4]](#footnote-4)
* The Committee noted that not all of the Department’s targets were SMART and lacked the requisite details even in the Technical Indicators Descriptors of the APP. This is a repeat finding of the Committee as stipulated in the previous Budget Vote report of 2017.[[5]](#footnote-5)
* The Committee sought clarity around what the actual changes to the Department’s vision, mission, Strategic Plan and APP entailed. The Committee reaffirmed that the Department’s lack of understanding of its mandate had a direct impact on its delivery of targets as this was evident in the Committee’s oversight during quarterly and annual reporting to date. As such, the Committee also questioned the reemergence of gender-based violence, notwithstanding its importance, as a key priority focus area for the Department when the Committee was informed by the Department at its inception that the Department of Social Development would be taking the lead in this regard.
* The Committee questioned how the Department will monitor and evaluate the issues raised in the State of the Nation Address 2018 from a gendered perspective such as land redistribution, youth unemployment, jobs summit etc. as the current APP was silent in reflecting on these issues.
* The Committee queried the cost implications for refining the Strategic Plan of the Department.
* The Committee enquired as to how many targets were outstanding and carried over from 2017/18 to 2018/19 and what the financial implications were if any.
* The Committee was optimistic about the new leadership for the Department, remained concerned about the non-delivery of targets as was evident in the Committee’s assessment of the Department’s 1st and 2nd quarterly reports for 2017/18.
* Whilst the Committee commends the Departmental areas of focus, i.e. Access to Development Finance and Enterprise Development opportunities for Women; Ownership Pattern and Management Control in Top listed 100 companies of JSE; Skills Development for Women Entrepreneurs and Women`s Access to Credit, Land and Property the Committee still remained concerned as to what exactly the Department will be examining in each of these areas. It was not clear to the Committee as to what the Department’s strategy to Monitor and Evaluate these areas in the absence of a finalised framework which is an ongoing concern expressed by the Committee. Furthermore, given the Committee’s oversight and conferral with the Portfolio Committee on Rural Development and Land on land reform and insights into what the challenges are at a national and provincial level, the Committee is not clear as to what precisely the Department of Women would be assessing in this regard. With respect to the top listed 100 companies, the Grant Thornton 2016 Women in Business Survey provides a very comprehensive report in this regard. In addition, National Treasury produced a research report in September 2017, Ownership of JSE listed companies. Hence, given the Department’s limited resources it is unclear as to what new body of evidence the Department will be producing in this regard.

**Governance**

* The Committee queried how many investigations have been completed and are currently underway and the outcome of the investigations that was completed in 2017.
* The Committee noted with concern the corruption allegations in KwaZulu-Natal related to the sanitary dignity campaign and asked the Department how it will deal with such corruption matters.

**Finances:**

* The Committee commended the Department for lobbying National Treasury to allocate more funds for posts in its core programmes but was still concerned that it received the smallest allocation when comparing all Votes and that the allocation was even smaller when removing the transfer to the Commission for Gender Equality.
* Programme 2, Social Transformation and Economic Empowerment, encompasses the core of the Department’s mandate, which is to champion gender equality and the achievement of women’s socioeconomic empowerment and rights. This programme, however, once again received the smallest operating budget at R25.7 million which is concerning for the Committee as it wants to see the Department deliver on its mandate.
* Programme 3 sees a significant increase from 2017/18 to 2018/19 in its budgetary allocation (from R21.6 million to R44.8 million) and the employment of more personnel (from 21 in 2017/18 to 31 in 2018/19). This programme commits to producing several reports for 2018/19, however details in the regard is unclear. The Committee’s oversight is thus hampered when the Department does not clearly stipulate the nature of these reports thus holding the Department to account in this regard is challenging.
* The Committee maintains that even though Programme 1 received R6 million less than in the 2017/18 financial year, this programme still consumes the highest proportion of the Department’s budget and staff allocation yet the Department’s core mandate is carried out in Programme 2 and 3 which is concerning.
* The Committee noted with concern that the Department has allocated R19.2 million in 2018/19 for Travel and subsistence but has provided no detailed breakdown as to how these funds will be utilised across Programmes 1 to 3. Furthermore, the Committee notes that the CGE has allocated R6 million for 2018/19 for Travel and Subsistence which it will utilise across all its 9 provincial offices for legal clinics, outreach etc. and for international travel.

**Use of consultants**

* The Committee noted that the Department will commission service providers to review the Inter-Ministerial Committee on the Integrated Plan of Action to address violence against women and children and requested reasons as to why service providers were commissioned and what the costs incurred would be.

**Human Resources**

* The Committee noted that the Department has a vacancy rate of 10% and requested the Department to provide a breakdown of these vacant posts.
* Even though Programme 1 still consumed the largest proportion of staff within the Department, the Committee noted and appreciated that that National Treasury allocated further R11 million to fill posts in Programmes 2 & 3 and requested the Department to furnish more details in this regard i.e. nature of the posts.

**Core programmatic issues**

* **National Gender Machinery (NGM) & Gender-Based Violence (GBV)**: The Committee commended the Department on the revival of the NGM and the Inter-Ministerial Committee to deal with Gender Based Violence and questioned how the Committee will be established. To this end, the Committee enquired whether the new Committee will be based on a similar structure to that of the National Council on Gender Based Violence which was previously launched and chaired by the Deputy President. Furthermore, the Committee noted that the Department of Social Development was the custodian of the policy dealing with violence against women and children in the country. As such, in the Department of Social Development’s 2018/19 APP, under Programme 4, the Department of Social Development will be taking the Integrated South African Programme of Action for Gender Base Violence to Cabinet for approval. The Committee was concerned that the Department of Women was now leading a process for dealing with the prevention of violence against women and children but that that the partnership and collaboration with front line service delivery departments was not apparent. To this end, the Committee also questioned how the Department would develop the costing for the policy when it is not a service delivery implementing department.
* **Sanitary Dignity**: The Committee requested the Department to comment on the Committee’s previous suggestion to lobby for the zero rating of sanitary towels and progress made in this regard.
* **Collaboration & Partnership**: The Department was encouraged to work with the Commission for Gender Equality and other government departments such as the Departments of Police, Justice etc. to ensure that women benefit in programmes rendered and to avoid duplication.
* **Policy Frameworks**: The Department was requested to explain the difference between the broader Monitoring and Evaluation Framework which was said to be complete, the Gender Responsive Budget Framework and the Women’s Financial Inclusion Framework. Furthermore, the Committee noted with concern that many of these frameworks have been long standing items since the inception of the Department and kept rolling over from year-to-year as these have yet to be finalised and implemented. To this end, the Committee was particularly concerned that most of these policies will only be implemented in 2019/2020 the final year of the MTEF. Moreover, what was still lacking was an overarching monitoring and evaluation framework that can be applied across government which would guide the work of the Department. Such a framework would also take into consideration information that would be required for treaty compliance for which the Department should be giving guidance on.
* **Treaty compliance**: Whilst the Department was commended on the engagements at the 2018 United Nations Commission on the Status of Women (CSW), the Committee indicated that what was lacking was the report back to the CSW on how far South Africa has come in terms of implementing recommendations/resolutions undertaken.
* **Intervention mechanisms and tools**: The Department makes reference to Intervention mechanisms on policies and programmes for mainstreaming social empowerment and participation of women and Economic transformation mechanisms/tools but does not provide any detail as to what these intervention mechanisms and tools are or how it has defined social empowerment and economic transformation. Whilst the Committee acknowledges these are important, the Committee has requested of the Department on numerous occasions before to brief the Committee on what these mechanisms and tools entail. To date, this has not been forthcoming.

**8.2** **Commission for Gender Equality**

* The Committee commended the Commission on its presentation.
* The Committee was concerned about the proposed amalgamation of chapter 9 institutions and the implications for the CGE who is currently providing an invaluable service, yet under-resourced but managing its finances optimally to deliver on its targets.
* The Committee indicated that the AGSA recommended that CGE should address the indicator related to the handling of complaints in 2017/18 financial year and requested progress report in this regard.
* The Committee noted that dealing with backlog of complaints has been a challenge for the CGE and questioned whether measures have been put in place to address the issues over the next 5 years. The Committee also enquired as to how the Commission would achieve the target and in so doing deal with the backlog of complaints.
* The Committee enquired about the Commission’s plan regarding moving from a manual to electronic system as a means of increasing efficiency with regards to recording of complaints.
* The Committee enquired as to whether the Commission had any targets that were not met in 2017/18 financial year and if so how this would be implemented in 2018/19.
* The Committee asked whether the Commission will focus on the private or public sector when dealing with women in procurement programmes and with which universities hearings will be conducted.
* The Committee noted that there was Public Education and Information Support and Public Education and Information and queried the difference between the two line items.
* The Committee requested the Commission to comment on the Traditional Courts Bill with particular reference to widows.
* The Commission was requested to assist political parties in ensuring that women with disabilities should be on party political lists.
* The Committee questioned what the role of Commissioners were in the delivery of Strategic Objectives 1 to 3 and the related targets.

**9. Responses by the Department and the CGE**

During the Committee meetings on the APPs for 2018/19, the Department and the CGE responded to issues raised by the Committee as indicated below.

**9.1 Department’s Responses**

* **Late submission of APP:** The Department apologised for submitting late and indicated that changes needed to be made to the APP to ensure better alignment with the refined Strategic Plan.
* **Sanitary Dignity Framework**: The Department committed to submitting the draft Sanitary Dignity Framework to the Committee for consideration and input within a week.
* **Collaborating with the CGE**: The Department reassured the Committee it would work more collaboratively with the CGE in a bid to avoid duplication. To date, the new Minister of Women in the Presidency had met once with the Chairperson of the CGE but intends having follow-up engagements to look at strengthening working relationships.
* **Gender Responsive Budgeting and Women Financial Inclusion Frameworks:** The Minister indicated that a workshop should be held to understand the issue of Gender Responsive Budget and Planning. The Department will provide the Committee with a document (within a week) which is a base document but subject to further consultations and refinement. The Women’s Financial Inclusion is a study to determine whether women are empowered in big companies more specifically the number of women on JSE listed companies. This issue also relates to access to land by women, land ownership and control as well as inheritance especially for women in rural areas.
* **Monitoring and Evaluation (M&E) Frameworks**: The Department indicated that it has a M&E framework but this was developed for internal use within the Department only which will be sent to the Committee within a week. The Department is in the process of developing a tool that will focus on gender responsive planning. In addition, the Department informed the Committee that it was working with the Department of Planning Monitoring and Evaluation on ensuring that monitoring and evaluation is engendered which entails earmarking specific gender indicators and undertaking evaluations from a gendered perspective.
* **Gender Focal Points**: The Department indicated that it was collaborating with the Department of Public Service and Administration on finalising the Cabinet memo pertaining to Gender Focal Points. Once endorsed, the Gender Focal Point positions would need to be implemented with clear roles and responsibilities to strengthen gender mainstreaming within Government departments.
* **Targets not completed and carried over to 2018/19**: The Department indicated that the Gender Responsive Budgeting Framework will be carried over to 2018/19 and does not have financial implications and only the work pertaining to the implementation of the Cabinet Memo on Gender Focal Points will have cost implications for Government departments if approved.
* **Zero rating of sanitary towels:** The Department indicated that it will mobilise and influence zero rating of sanitary towels.
* **Use of consultants:** The Department indicated that this was technical support paid by USAID.
* **2018 SONA priorities:** The Department indicated that it has prioritised all issues raised during SONA 2018. Furthermore, the Department indicated that it will request other departments to use their budget and ensure women benefit from programmes offered.
* **Vacancy rate:** The Department indicated that it will respond in writing to the Committee on the vacancy rate but also some other posts have been advertised within a week.
* **Issues raised in BRRR and by AGSA:** The Department indicated that it has appointed the Chief Financial Officer and has advertised a post for Director position, Supply Chain Management in a bid to respond to recommendations of the AGSA and that outlined in the BRRR 2017.
* **Removing budget of CGE from the Department:** The Department indicated that it will engage internally within the Department and National Treasury on the issue**.**
* **National dialogues:** The Department indicated that it will submit a preliminary consolidated report to the Committee which will be province specific within a week.
* **Investigations:** The Department indicated that it will submit a detailed report to the Committee and that some staff members have been placed on precautionary suspension already within a week.
* **CSW:** The Department committed to providing a report to the Committee within a week.

**9.2 CGE’s Responses**

* **Difference between PEI Support and Public Education and Information:** The Commission indicated that the PEI Support is a person that support and coordinated activities of the PEI department nationally.
* **AGSA audit and backlog of cases:** The Commission indicated that they have finalised those issues and made changes in as far as the audit of the previous year is concerned.
* **Case management system:** The Commission indicated that used the savings from 2017/18 to roll out the case management system.
* **Shelters and women on correctional services:** The Commission indicated that they have dealt and received referrals from other institutions on cases and issues related to shelters. They will engage with shelters to document challenges faced by these institutions and will also look at whether legislation dealing with shelters is assisting victims of abuse. The CGE also indicated that the women in the correctional programme is a research project done by the Commission.
* **National elections**: The Commission indicated that they have a significant amount of work and received submissions on the issue. They indicated that there is a need to legislate for 50/50 representation to ensure the enforcement of women representation.
* **Commissioners role**: The Commission indicated that the Commissioners are chairing committees within departments where they take up issues and discuss them at plenaries.
* **Hearings with University**: The Commission indicated that the University of Mpumalanga and the Nelson Mandela University must still appear before the Commission.
* **Traditional Courts Bill:** The Commission indicated they have made submissions on the Bill and will forward their submission to the Committee and will continue to monitor the process within Parliament.

**10. 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:

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

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

* The Department should forward all outstanding documents to the Committee e.g. but not limited to draft Sanitary Dignity Framework, internal Monitoring and Evaluation Framework etc. by 15 May 2018.
* The Department should brief the Committee at its 2nd quarterly report for 2018/19 on progress made with regards to work done on the Departmental areas of focus i.e. i.e. Access to Development Finance and Enterprise Development opportunities for Women; Ownership Pattern and Management Control in Top listed 100 companies of JSE; Skills Development for Women Entrepreneurs and Women`s Access to Credit, Land and Property.
* The Department should submit all completed reports and investigations and a progress report on new investigations by 15 May 2018.
* The Department should submit its latest organogram that reflects the posts which National Treasury had allocated additional funding for by 15 May 2018.
* The Department should submit a detailed report of what the current vacant posts are by 15 May 2018.
* The Department should engage with National Treasury regarding its actual budget allocation which is small within Vote 13 after the transfer of the CGE funds and report back to the Committee at the 1st quarterly report briefing for 2018/19.
* The Department should foster stronger working relationships and collaborate with other Government Departments and the CGE to avoid duplication and report back to the Committee at quarterly report briefings.
* The Department should inform the Committee of all events for the year planned in a timeous manner in order for the Committee to be aware of the activities and make arrangements to attend.
* The Department should submit in detail how it intends utilising the R19.2 million allocated for Travel and Subsistence within Programme 1, 2 and 3. This breakdown should clearly stipulate which events/initiatives will be funded that incur expenses for travel and subsistence and what the expenses entail by 15 May 2018.

**10.2 Commission for Gender Equality**

* The Commission to prioritise government departments that have performed poorly in terms of gender transformation at SMS level.
* The Committee commended the CGE for the work it pursues and encouraged the CGE to strengthen its working relationship with the Department of Women in the Presidency.

**11. 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 to be considered.**

1. Department of Women in the Presidency (2018) Annual Performance Plan 2018/19 [↑](#footnote-ref-1)
2. Levendale, C (2018) Budget 2018/19 – Vote 13: Department of Women, Research Unit, Parliament of the Republic of South Africa, 1 May 2018. [↑](#footnote-ref-2)
3. Portfolio Committee on Women in the Presidency (2017) Budgetary Review and Recommendation Report on the Portfolio Committee on Women in the Presidency, dated 18 October 2017, ATC 151, 24 October 2017 [↑](#footnote-ref-3)
4. The Minister of Women in The Presidency(a) Revised Annual Performance Plan of the Department of Women

for 2015/16, ATC 9, 16 February 2016. Subsequent to that changes were brought to 2016/17 and 2017/18. [↑](#footnote-ref-4)
5. Portfolio Committee on Women in the Presidency (2017) 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, ATC 65, 23 May 2017. [↑](#footnote-ref-5)